The Code Official under Section 19.15.010(C)(5)(a) of the Unified Land Development Code makes this administrative policy determination and interpretation of the Unified Land Development Code of Mercer Island.

The purpose of this administrative interpretation is to clarify when a property may be subdivided based on the requirements of minimum lot dimensions and a viable building pad.

MICC 19.08 governs long subdivisions, short subdivisions, and lot line revisions, and references MICC 19.07 directly and 19.02 indirectly. These references indicate that both minimum lot width and depth and minimum building pad requirements must be met. However, MICC is silent regarding how to measure lot width and depth. There has been some confusion as to whether the minimum lot width and depth should intersect a minimum sized building pad, or whether these are independent requirements.

Code Sections

MICC 19.07.010(B)(3)(b) states,
"i. Building pads shall be exclusive of setbacks, rights-of-way and critical areas; and
ii. No cross-section dimension shall be less than 20 feet."

MICC 19.08.030(E) states, "The area, width, and depth of each residential lot shall conform to the requirements for the zone in which the lot is located."

MICC 19.02.020 (A) lists the minimum lot widths, depths, and areas for each zone:

A. Minimum Lot Area.

R-8.4: The lot area shall be at least 8,400 square feet. Lot width shall be at least 60 feet and lot depth shall be at least 80 feet.
R-9.6: The lot area shall be at least 9,600 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.

R-12: The lot area shall be at least 12,000 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.

R-15: The lot area shall be at least 15,000 square feet. Lot width shall be at least 90 feet and lot depth shall be at least 80 feet.

The Comprehensive Plan lists policies which guide development standards. Policy 1.1 of the Mercer Island Comprehensive Plan Housing Chapter states,

"Ensure that zoning and city code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character."

Minimum Lot Dimension Tools

Minimum lot widths are one tool used to maintain conditions consistent with existing neighborhood character. Minimum lot widths allow for sufficient building pads while maintaining setbacks. Adequate setbacks from neighboring properties prevent crowding and access issues.

Cities in the Puget Sound region use a variety of tools to maintain minimum lot widths. One of these tools is the minimum width circle, which states that a circle of a minimum diameter must be placed in the lot. This prevents lots with irregular shapes and inadequate building pads. A requirement with similar results states that minimum lot width must intersect with minimum lot depth.

Summary

The MICC sections referenced above state that subdivisions must meet minimum lot widths and depths and designate minimum sized building pads. The Comprehensive Plan policy referenced above states that zoning regulations should promote development consistent with existing bulk and scale. These sections together promote a development pattern that prevents crowding, allows for adequate access, and promotes subdivision consistent with existing land use patterns.

Subdivision approvals require combining information from a number of sources in MICC and Mercer Island’s Comprehensive Plan. When taken together, the information states that building pads of a minimum size and lot dimensions of a minimum size are required to promote development consistent with existing neighborhood character.

Increased land values in Mercer Island have led to subdivision proposals with irregularly shaped lots. In order to follow the direction of the Comprehensive Plan and promote development consistent with existing neighborhood character, subdivisions should only be approved when they demonstrate that at least 25% of the minimum 20 foot by 20 foot building pad area intersects with the minimum required lot width. This tool is consistent with other cities' methods that include the minimum circle and intersection of minimum lot width and depth.