TO: DSG Staff

FROM: Richard Hart, Development Services Director

DATE: August 15, 2006

RE: Appurtenances Allowed in Single-Family Zones Also Permitted in Multi-Family Zones

Mercer Island City Code (MICC) 19.03.010 includes “Any use permitted in zones R-8.4, R-9.6, R-12, and R-15” as permitted uses for the Multiple-Family zones (MF-2, MF-2L, and MF-3). However, appurtenances are not listed in the chapter related to Multiple-Family zones, MICC 19.03. Further, appurtenances are only defined for Single-Family Residential and the Town Center by MICC 19.16.010(A).

For Single-Family zones, 19.02.010(D) states “Antennas, lightning rods, plumbing stacks, flagpoles, electrical service leads, chimneys and fireplaces and other similar appurtenances may extend to a maximum of five feet above the height allowed for the main structure.”

As appurtenances are necessary in Single-Family zones, as well as the Multiple-Family zones, and in order to provide necessary conditions and standards, the Code Official shall interpret the land use code to allow the same standards for appurtenances in the Single Family zone, per MICC 19.02.010(D) as those in the Multiple-Family zones, as listed by MICC19.03, since MICC 19.03.010 allows any use permitted in the residential zones to apply to multiple-family zones.

Thus, any Single-Family Residential appurtenance, as defined by 19.16.010(A), shall be allowed in Multiple-Family zones, if it is in compliance with the specific conditions and standards listed in MICC 19.02.010(D).