TO: DSG Staff
FROM: Kirsten Taylor, Interim Development Services Director
DATE: November 22, 2006
RE: Impervious Surface Deviation Criteria for Approval

The Code Official, pursuant to Section 19.15.010(C)(5)(a) of the Mercer Island City Code (MICC), is authorized to make this administrative interpretation.

MICC 19.02.020(D)(3)(a) states for approval of an impervious surface deviation request: *The proposal uses preferred practices, outlined in MICC 19.07.010(B)(2), which are appropriate for the lot.*

The current code section MICC 19.02.020(D)(3)(a) was adopted by Ordinance 99C-13, which also adopted preferred practices previously listed by 19.07.010(B)(2). However, the preferred practices code section number was changed by Ordinance 05C-12, without changing the reference to the code section number currently in MICC 19.02.020(D)(3)(a). The preferred practices code section is currently MICC 19.09.100, pursuant to Ordinance 05C-12.

As the Code Official has decision authority for administrative interpretation of the code, the Code Official hereby resolves that it is the intent and appropriate for the Code Official to use the preferred practices criteria listed in MICC 19.09.100, rather than MICC 19.07.010(B)(2), for the criteria for approval of an impervious surface deviation request listed in 19.02.020(D)(3)(a).