TO: DSG Staff
FROM: Jeff Thomas, Interim Development Services Director
DATE: March 19, 2007
RE: Buffer Requirements for Piped Watercourses

The Code Official, pursuant to Mercer Island City Code (MICC) 19.15.010(C)(5)(a) is authorized to make this administrative interpretation. An administrative determination is needed for required buffer width from piped watercourses. Buffer width requirements for day-lighted watercourses are detailed in MICC 19.07.070(B)(1) but do not specifically address existing piped watercourses, only those proposed to be day-lighted.

CONCLUSIONS

1. Piped watercourses exist in many City locations and often connect two reaches of day-lighted watercourse. Buffer width requirements for day-lighted watercourses are detailed in MICC 19.07.070(B)(1) but do not specifically address existing piped watercourses, only those proposed to be day-lighted. However, buffer widths are required from both-day-lighted and piped watercourses.

2. MICC 19.07.070(B)(4) authorizes piped watercourses that are day-lighted to have a standard buffer width of twenty-five (25) feet. It is reasonable to apply that piped watercourses should have the same width, thereby preserving the buffer width for a future point in time when the watercourse is day-lighted.

3. This administrative interpretation is to be included in the 2007 annual MICC amendment process.

INTERPRETATION

Piped watercourses shall have the same buffer width requirement of twenty-five (25) feet as piped watercourses that are day-lighted, as measured from the Ordinary High Water Mark (OHWM).