

Planning and Land Services Department
CURRENT PLANNING SECTION POLICY



Policy Number:	CP2014-09
Title:	Shoreline Residential Development
Date:	November 3, 2014
Management Approval:	Deirdre Wilson
Related Documents:	PCC Chapter 20.62 Residential Development

Purpose: This policy interprets provisions in PCC Chapter 20.62 Residential Development.

Discussion: The following interpretations apply to development regulated under PCC Chapter 20.62 Residential Development:

PCC 20.62.020 Permit Exemptions

The Shoreline Management Act exempts from obtaining a Substantial Development Permit the construction of any structure with a fair market value less than \$1,000, and the construction of a single family residence by an owner, lessee, or contract purchaser for his own use or the use of his family, if said residence does not exceed a height of 35 feet above average grade level. Although these structures are exempt from obtaining a Substantial Development Permit, compliance with the prohibitions, regulations, and development standards of this Chapter is still required.

Policy:

- **Fair market value has changed from \$1,000 to \$6,416. This figure will change in 2017 and every five years thereafter per RCW 90.58.030(3)(e).**
- **In addition to whatever grading is necessary to build a single-family home, grading of up to 250 cubic yards is exempt from a Shoreline Substantial Development (SD) Permit, per WAC 173.27.040(2)(g).** (does not include import of fill from off-site)
- **The following single-family residence appurtenances are exempt: one garage, deck, driveway, utilities, fence, septic system, drainfield, per WAC 173.27.040(2)(g).**
- **An attached garage is part of the single-family residence; a detached garage is an appurtenance.**

Notes:

1. A Shoreline Conditional Use Permit or Shoreline Variance may be required, even if the development is not subject to a Substantial Development Permit.

2. If any part of a proposed development is not eligible for exemption, then a Substantial Development Permit is required for the entire proposed development project, WAC 173.27.040(1)(d).

PCC 20.62.040 Environment Regulations

- Uses Permitted

A. Urban, Rural-Residential and Rural Environments. The following specific regulations are applicable to the Urban, Rural-Residential and Rural Environments.

2. The following uses are permitted upon the issuance of a Substantial Development Permit and building permit, if appropriate:

- d. Structures commonly accessory to dwellings other than those listed in subsection A.1.c.

Policy:

- **The following single family residence appurtenances are exempt: a garage, deck, driveway, utilities, fence, septic system, drainfield, per WAC 173.27.040(2)(g).**
- **The following are examples of development that require a Shoreline Substantial Development permit, unless they meet the Cost or Fair Market Value exemption (\$6,416), WAC 173.27.040(2)(a):**
 - **Retaining wall**
 - **Stairway and walkway**
 - **Incidental uses, e.g., bench, fire pit, flagpole**
 - **Accessory dwelling unit**

Note:

1. A Shoreline Conditional Use Permit or Shoreline Variance may be required, even if the development is not subject to a Substantial Development Permit.
2. If any part of a proposed development is not eligible for exemption, then a substantial development permit is required for the entire proposed development project, WAC 173.27.040(1)(d).

PCC 20.62.050 Bulk Regulations

A. Lot Coverage. Not more than 33-1/3 percent of the gross lot area shall be covered by impervious material including parking areas but excluding driveways.

Policy:

- **Impervious material shall be determined consistent with Development Engineering criteria.**
- **A driveway of up to 15 feet wide is not included in the impervious cover calculation.**
- **Gross lot area includes the area of a lot within shoreline jurisdiction landward of the ordinary high water mark. See PCC 18.25.030 "lot area" definition.**

PCC 20.62.050 Bulk Regulations

D. Exceptions to the Special Setbacks for Shoreline Sites

1. The shoreline setback for any proposed buildings or structures on a vacant lot that has a common property line with one or more lots which is/are developed with a principal use/uses and which abut the ordinary high water line shall be as follows:
 - a. Not less than the average of the setbacks of the principal uses on the adjacent properties. (In determining the average, a vacant parcel shall be considered a 50 foot setback.) However, no building or structure will be required to be set back more than

50 feet from nor allowed closer than 15 feet to the ordinary high water line or the lawfully established bulkhead.

Policy:

- **A vacant lot may include the following improvements:**
 1. **Buildings that do not require building permits under current regulations**
 2. **Utilities designed to serve one single-family residence**
 3. **Existing slope stabilization structures (such as bulkheads and retaining walls)**
- **A lot which has had a residence removed may be considered vacant.**

PCC 20.62.050 Bulk Regulations

D. Exceptions to the Special Setbacks for Shoreline Sites

2. Any water dependent accessory use may be allowed within the 50-foot setback upon the issuance of a Conditional Use Permit. The issuance of a Conditional Use Permit shall be predicated upon a determination that the project will be consistent with the following Conditional Use criteria, and the

Conditional Use criteria listed in WAC 173-14-140, and will cause no reasonable adverse effects on the environment and other uses.

Policy:

- **Stairways, walkways, and tramways, providing access to the beach are water dependent uses.**

PCC 20.62.050 Bulk Regulations

D. Exceptions to the Special Setbacks for Shoreline Sites

- 4. Existing buildings and structures in existence on or before the effective date of this Title may be remodeled or rebuilt in the same location, provided the ground floor lot area of the said building is not increased and further provided that the building or use thereof shall have been and continues to be conforming to these regulations and shall be for the same use.
 - a. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, sun shades and gutters may project into a required yard a distance not to exceed one and one-half feet.

- b. Uncovered porches or decks may project into a required setback, provided that such porches or decks are no higher than four feet from the finished ground level; and further provided that in no case shall they be closer than 5 feet to any lot line nor closer than 15 feet to ordinary high water or the lawfully established bulkheads.

Policy:

- **Remodeling and rebuilding does not include increasing height above the roof peak.**
- **The exceptions in a. and b. apply to both new and existing buildings and structures.**
- **Porch and deck height includes railing.**