

SSB 5451 - H COMM AMD

By Committee on Local Government

ADOPTED AS AMENDED 04/05/2011

1 On page 2, beginning on line 4, strike all of section 2 and insert
2 the following:

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4 "NEW SECTION. Sec. 2. A new section is added to chapter 90.58 RCW
5 to read as follows:

6 (1) New or amended master programs approved by the department on
7 or after September 1, 2011, may include provisions authorizing:

8 (a) Residential structures and appurtenant structures that were
9 legally established and are used for a conforming use, but that do not
10 meet standards for the following to be considered a conforming
11 structure: Setbacks, buffers, or yards; area; bulk; height; or
12 density; and

13 (b) Redevelopment, expansion, change with the class of occupancy,
14 or replacement of the residential structure if it is consistent with
15 the master program, including requirements for no net loss of
16 shoreline ecological functions.

17 (2) For purposes of this section, "appurtenant structures" means
18 garages, sheds, and other legally established structures.
19 "Appurtenant structures" does not include bulkheads or over-water
20 structures.

21 (3) Nothing in this section: (a) Restricts the ability of a master
22 program to limit redevelopment, expansion, or replacement of over-
23 water structures located in hazardous areas, such as floodplains and
24 geologically hazardous areas; or (b) affects the application of other
25 federal, state, or local government requirements to residential
26 structures."

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EFFECT: (1) Removes proposed provisions in the underlying bill allowing new or amended master programs approved by the Department of Ecology (DOE) to consider qualifying principal residential structures to be considered conforming structures. (2) Adds a provision allowing new or amended master programs approved by the DOE to authorize qualifying residential structures and appurtenant structures to be considered conforming structures. (3) Defines "appurtenant structures." (4) Makes technical changes.

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