

---

SENATE BILL 5451

---

State of Washington

62nd Legislature

2011 Regular Session

By Senators Ranker, Ericksen, Pridemore, Harper, Carrell, Hobbs, Rockefeller, Tom, White, and Shin

Read first time 01/26/11. Referred to Committee on Environment, Water & Energy.

1 AN ACT Relating to shoreline structures in a master program adopted  
2 under the shoreline management act; adding a new section to chapter  
3 90.58 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that there is  
6 concern from property owners regarding legal status of existing  
7 shoreline structures under updated shoreline regulations.

8 (2) Engrossed House Bill No. 1653, enacted as chapter 107, Laws of  
9 2010 clarified the status of existing structures in the shoreline area  
10 under the growth management act prior to the update of shoreline  
11 regulations. It is in the public interest to clarify the legal status  
12 of these structures that will apply after shoreline regulations are  
13 updated.

14 (3) Updated shoreline master programs must include provisions to  
15 ensure that expansion, redevelopment, and replacement of existing  
16 structures will result in no net loss of the ecological function of the  
17 shoreline. Classifying existing structures as legally conforming will  
18 not create a risk of degrading shoreline natural resources.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 90.58 RCW  
2 to read as follows:

3        (1) New or amended master programs approved by the department on or  
4 after September 1, 2011, must include the following:

5        (a) A structure legally established or vested on or before the  
6 effective date of a master program must be considered a conforming  
7 structure; and

8        (b) Redevelopment, expansion, change within the class of occupancy,  
9 or replacement of the structure must be consistent with the master  
10 program including no net loss of shoreline ecological functions.

11        (2) This section does not restrict the ability of a master program  
12 to limit redevelopment, expansion, or replacement of over-water  
13 structures or structures located in hazardous areas, such as a  
14 floodplain or a geologically hazardous area.

15        (3) Nothing in this section affects application of other codes to  
16 these structures.

--- END ---