



**CITY OF KELSO
COMMUNITY DEVELOPMENT DEPARTMENT**

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SHORELINE EXEMPTION INFORMATION

As per WAC 173-27-040 developments exempt from shoreline substantial development permit requirements are as follows:

- 1) Any development of which the total cost or fair market value, whichever is higher does not exceed five thousand dollars, if such development does not materially interfere with the normal public use of the water or shorelines of the state. (The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials).
- 2) Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment.
- 3) Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.
- 4) Construction of the normal protective bulkhead common to single-family residences. A "normal protective" bulkhead includes those structural and nonstructural developments installed at or near, and parallel to, the ordinary high water mark for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion. (A normal protective bulkhead is not exempt if constructed for the purpose of creating dry land).
- 5) Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter. (Emergency construction does not include development of new permanent protective structures where none previously existed).
- 6) Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on shorelands, construction of a barn or similar agricultural structure, and the construction and maintenance or irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels. (Provided, that a feedlot of any size, all processing plants, other activities of a commercial

nature, alteration of the contour of the shorelands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities).

- 7) Construction or modification, by or under the authority of the Coast Guard or a designated port management authority, of navigational aids such as channel markers and anchor buoys.
- 8) Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof. "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland.
- 9) Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owners, lessee, or contract purchaser of a single-family and/or multiple-family residence.
- 10) Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owners, lessee, or contract purchaser of a single-family and/or multiple-family residence.

A Master Land Use Application, site plan and appropriate fees must be completed and submitted to the City of Kelso Planning Department prior to the start of construction. Planning staff will review the information submitted and will prepare a letter of exemption. The letter will be sent to applicant as well as Washington State Department of Ecology. Department of Ecology will have an opportunity to review the City's letter of exemption and comment if necessary.