



# SHORELINE ADMINISTRATIVE VARIANCE

## Why Are Shorelines Regulated?

In 1971, the Shoreline Management Act was approved by the voters of the State of Washington. In response, Thurston County, along with the cities and towns in the county, adopted the Shoreline Master Program for the Thurston Region (SMP) in 1976. The SMP governs uses and activities on marine shorelines, lakes and rivers throughout the county. All development activities within these shoreline areas must be consistent with the SMP. Whether or not your proposal requires a permit, it still must comply with the regulations contained in the SMP.

## When Might A Shoreline Administrative Variance Be Needed?

There are several types of shoreline environments regulated by the SMP. Each shoreline environment requires a basic setback for residential structures as measured from the ordinary high water mark. The most common shoreline environments with their required setback are listed below.

- Rural Shoreline Environment – 50'
- Conservancy Shoreline Environment – 100'
- Natural Shoreline Environment – 100'

If your proposal will encroach into the required setback, a Shoreline Administrative Variance is needed. *There are three types of administrative variances.*

1. The SMP allows decreased setbacks if existing nearby structures already legally infringe into the required shoreline setback. The allowed setback is determined by averaging the setbacks of existing residential structures within 300 feet of each property line along the waterfront. This shall not be construed to allow residential development over water. For the purposes of averaging, the calculated setback shall be the code required minimum in the specific environment for both vacant properties, and

for properties with an existing greater than required setback.

The measurements of existing structures are to be taken from the overhang of the residence, not from a deck. The new residence overhang may be placed at the average setback, with allowance for a maximum 10 foot deck extending toward the water.

2. The SMP also allows approval of decreased setbacks when lot size would prevent development of a nonconforming lot consistent with the applicable setback requirements. This method may only be used when setback averaging will not work.

3. The SMP also allows approval to expand an existing nonconforming structure toward or parallel to the water when averaging will not work. There are several criteria listed in the SMP.

**Note:** If other critical areas (marine bluff, streams, wetlands) are associated with the shoreline, other applications and reviews may apply.

## How Do I Apply?

Submit a completed application package to the Permit Assistance Center with the applicable fee. Complete package requirements are outlined in the application.

## Review Process and Timing

Shoreline Administrative Variance Permits are reviewed under the Type 1 procedure. This means that staff is the review authority and the review time can be up to 58 days. The review time may be longer if a request for additional information is required. Workload may also affect the timeline. Public notification is required for the above referenced number 2 variance type, which may also extend the timeline.

### Building Development Center

3000 Pacific Ave SE, Suite 100, Olympia, WA 98501

Phone: (360) 786-5490; TTY/TDD Line: 711 or 1-800-833-6388; Fax: (360) 754-2939

[www.thurstoncountybdc.com](http://www.thurstoncountybdc.com)

## **Appeals**

All decisions may be appealed. An Appeal form and associated appeal fee must be submitted within 14 days from the date of the decision. Administrative decisions are appealed to the Hearing Examiner for Thurston County. Hearing Examiner decisions may be appealed to the Board of County Commissioners. All appeal forms are submitted to the Building Development Center.

## **Expiration**

If significant activity toward implementation of the Variance approval has not commenced within three years from the date of final approval, the approval will expire.

## **I Still Have Questions...**

The information provided in this bulletin is meant as an overview. You should not rely on this bulletin to identify the specific requirements for your project. For more details, contact the Building Development Center as listed below. You may also review all Thurston County Codes and the Shoreline Master Program online on the County website referenced at the bottom of this page.

*Revised 1-3-19*

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