



Planning & Development Services

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Memorandum

To: Board of County Commissioners
From: Peter Gill, Long Range Planning Manager
Re: Building Code Updates and Repeal of the Board of Appeals
Date: June 2, 2021

Summary

State law requires cities and counties to adopt the state building codes as adopted by the State Building Code Council (SBCC). This proposal would amend Skagit County Code Title 15 to update the County's adoption of the International Building Codes from the 2015 editions, to the 2018 editions adopted by the SBCC, with local exceptions. The local exceptions section (SCC 15.04.030) was reformatted to be more user friendly, exceptions added, fire safety measures updated, and references were changed to the 2018 state adopted standards.

The proposal also includes a repeal of the Board of Appeals for building code determinations (SCC 15.16 and SCC 14.06.050). Appeals will be heard by the Hearing Examiner consistent with other Level I reviews.

Proposal Description

Building and Fire Codes

The building codes are building standards that are updated every three years to employ current and available construction practices across the industry. Planning and Development Services uses these standards to permit the construction of residential homes, commercial buildings, public structures, and their mechanical systems. The State Building Code Council now references the 2018 editions of the codes. These codes went into effect on February 1st, 2021. This update will change Skagit County Code (SCC) 15.04 references from the 2015 editions, to the 2018 editions of the following International Codes: International Residential Code, International Mechanical Code, Uniform Plumbing Code, International Fire Code, International Wildland-Urban Interface Code, International Energy Conservation Code, and the International Property Maintenance Code. The last time Skagit County updated to these codes was in 2016. The most significant changes are related to the Energy Code.

The County can amend the codes adopted by the State Building Code Council to adapt to local conditions, except where it affects single-family or multifamily residential buildings¹. Local

¹ RCW 19.27.060 Local building regulations superseded—Exceptions.

amendments to the 2018 SBCC adopted codes include the changes summarized below. For a full list of changes, see Attachment A, A1, B, and C.

Summary of Building Code amendments:

- Exceptions to the International Building Code (IBC) and International Residential Code (IRC) were split into separate sections, now 15.04.030 (1) and (2)
- Adds criteria for exempt membrane structures, e.g., hoop houses, cold frames, etc. to include:
 - the building is not located in a Special Hazard Flood Area, unless a flood permit has been approved
 - the building is not located in a designated floodway
 - the building is not located within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved
 - stormwater management is installed per Chapter 14.32, Skagit County Code
- Removes site plan requirement for exempt membrane structures that do not need a permit
- The following do not require a building permit:
 - Single story detached buildings less than 200 square feet in size, when all of the following are met:
 - The building is not used for sleeping purposes
 - The building meets the setback requirements
 - The building is not located in a Special Hazard Flood Area, unless a flood permit is approved.
 - The building is not located in a designated floodway
 - The building is not located within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved
 - The building contains no plumbing, unless the water source has been approved;
 - Wall mounted signs projecting no more than 6" from the side of a wall
 - Window replacements with no modification to framing
 - Playground equipment compliant with U.S. Consumer Product Safety Commission Public Playground Safety Handbook
 - Self-contained cellular tower generators with no external fuel tank and located within fenced area.

Summary of Fire Code amendments:

- Updates the dated reference to the Wildland-Urban Interface code to a new edition.
- Updates references from fire marshal to fire code official.
- Limits the fire flow exemption for agricultural buildings to apply to agricultural *storage* buildings.
- Amends Turnaround cul-de-sac standards to match Appendix D of the International Fire Code

- Requires fire sprinklers on residential homes with a floor area in excess of 3,600 square feet, excluding garages.
- Removes reference to "Skagit County Fire Marshal Procedures Concerning Fire Flow and Placement of Fire Hydrants" that is no longer in use.
- Clarifies road surfacing requirements, widths, and gradients for driveways of one or two homes, versus driveways serving more than two homes.
- Adds group (A) Assembly buildings (community centers, convention halls, churches, concert venues) to the list of building use types that are required to provide fire sprinklers.

Removal of Building Code Board of Appeals

The Board of Appeals for International Building Codes (SCC 15.16) was established in Resolution 4861 and Ordinance 8011 (1979). The Board of Appeals has not been used in many years and currently has no active members on the Board. An appeal of a building code determination is rare in Skagit County. The majority of Building Departments in Washington use a Hearing Examiner to hear appeals. For this reason, the current proposal would repeal the Chapter SCC 15.16 (Attachment B), and amend SCC 14.06.050 (Attachment C) to remove reference to the Board of Appeals.

Proposed language in SCC 15.04.021 (Attachment A) states that the Hearing Examiner will hear decisions or determinations made by the building official and the fire code official, consistent with a level I review.

Process

The public notice is published in the Skagit Valley Herald and posted online with the SEPA Threshold Determination 14 days prior to the public hearing. The proposal will receive at least one public hearing and a written comment period before the Board of County Commissioners, which must approve the final adoption.

For More Information

Please see the Notice of Availability on the Community Planning Projects website at www.skagitcounty.net/Departments/PlanningAndPermit/communplan.htm

Attachments:

A - Skagit County Code 15.04, full tracked edits with annotation

A1 - Skagit County Code 15.04, Clean copy of Attachment A, showing proposed text with annotation

B - Skagit County Code 15.16, Board of Appeals

C - Skagit County Code SCC 14.06.050, Application Level

Attachment A – Amendments to Chapter Skagit County Code, Chapter 15.04

Plain text = existing writing with no changes

~~Strikethrough~~ = existing writing to be deleted

Underlined = new writing to be added

~~Double Strikethrough~~ = existing writing moved
to another location

Double Underline = existing writing moved
from another location

Italics = instructions to writing reviser

Chapter 15.04 INTERNATIONAL CODES*

15.04.010 Title.

This Chapter shall be known as the Building Code of Skagit County. (Ord. O20130001 Attch. A (part): Ord. O20100003 Attch. 1 (part): Ord. O20070005 (part): Ord. O20040013 (part): Ord. R20020270; Ord. 17064 (part), 1998: Ord. 15401 (part), 1994: Ord. 14384 (part), 1992)

15.04.020 ~~International and Uniform Codes adopted.~~

The following International and Uniform Codes are hereby adopted subject to any limitation, modification, or amendment provided in chapter 19.27 RCW, Title 51 WAC, and as~~modifications and/or amendments~~ hereinafter set forth in this Chapter:

- (1) International Building Code, 2018~~2015~~ Edition, published by the International Code Council, together with supplements and amendments thereto, including the ~~2015~~ International Existing Building Code; International Swimming Pool & Spa Code; ICC A117.1-2009 Accessibility Standards;~~per WAC Chapter 51-50; International Building Code Appendices Appendix E and ICC A117.1 2009 (Washington State amendments); International Building Code Appendix B, Appendix C, Appendix E, Appendix G, and Appendix J; International Existing Building Code Appendix A (Washington State amendment).~~
- (2) International Residential Code, 2018~~2015~~ Edition, except Chapters 11 and 25 through 43, published by the International Code Council, together with supplements and amendments thereto;~~per WAC Chapter 51-51; International Residential Code Appendices F, G and Q, R (Washington State amendments).~~
- (3) International Mechanical Code, 2018~~2015~~ Edition, published by the International Code Council, together with supplements and amendments thereto; ~~mandated State amendments and WAC~~

~~Chapter 51-52~~, including the [2018 2012](#) International Fuel Gas Code; ~~2018, the 2014~~ NFPA 58; and ~~2017 the 2012~~ NFPA 54.

(4) Uniform Plumbing Code, ~~2018~~2015 Edition, published by the International Association of Plumbing and Mechanical Officials, together with supplements and amendments thereto; [Appendices A, B, and mandated State amendments per WAC Chapters 51-56 and 51-57](#); ~~Appendices Chapter A, Chapter B, and Chapter I~~; provided, that Chapters 12 and 15 are not adopted; provided further, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fire appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.

(5) International Fire Code, ~~2018~~2015 Edition; ~~Appendices A, B, C, D, and K; including the 2015 International Wildland-Urban Interface Code~~, published by the International Code Council; together with supplements and amendments thereto; [Appendices B, C, D, and K; and the 2018 International Wildland-Urban Interface Code](#); ~~per WAC Chapter 51-54~~.

(6) International Energy Conservation Code, ~~2018~~2015 Edition, for residential and commercial, published by the International Code Council; together with supplements and amendments thereto, per WAC Chapters ~~51-11R, 51-11R~~ and ~~51-11C~~.

(7) Installation of factory-built housing and commercial structures, RCW ~~43.22.460~~, together with WAC ~~296-150C-0540, 296-150F-0540~~ and the installation of manufactured and mobile homes, RCW ~~43.22.440~~ and WAC ~~296-150M-0650~~.

(8) Uniform Green Plumbing and Mechanical Code Supplement 2012 Appendix B for potable rainwater catchment systems.

(9) International Property Maintenance Code, 2015 Edition, published by the International Code Council, except Sections 302 and 303, to apply to all structures except owner-occupied structures. The following sections are hereby revised:

(a) Section 101. Insert: Skagit County.

(b) Section 103.5. Insert: ~~The fee schedule for the~~ Planning and Development Services Department most recently adopted [fee schedule](#). ~~by the Board of County Commissioners.~~

(c) Section 602.3. Insert January 1 to December 31.

In case of conflict among the codes numerated in Subsections (1) through (9) of this Section, the first named code shall govern over those following. (Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. R20020270; Ord. 17064 (part), 1998: Ord. 15818 (part), 1995: Ord. 15401 (part), 1994: Ord. 14691 (part), 1992; Ord. 14384 (part), 1992)

15.04.021 Appeals

[For all codes adopted by this Title, the County does not adopt any section regarding, or reference to, a Board of Appeals. The Hearing Examiner, pursuant to the procedures in SCC 14.06.110, will hear all appeals of orders, decisions, or determinations made by the building official and or the fire code official regarding the application and interpretation of this Title.](#)

Commented [PG1]: New appeal process through the Hearing Examiner is consistent with all other Level I reviews. Repealed Board of Appeals, SCC 15.16, no longer staffed or used.

15.04.030-Specific amendments to codes.

Pursuant to authority granted by the Revised Code of the State of Washington under the State Building Code Act, the following amendments to the International Codes are hereby adopted and apply within this jurisdiction:

(1) Amendments to ~~the International Building Code (IBC) and~~ the International Residential Code (IRC).

(a) IRC Section 102.7, Existing Structures, is amended to read:

Buildings, whether previously legally permitted or not, in existence at the time of the adoption of this code may have their existing use or occupancy continued if such use or occupancy existed prior to July 1, 1989 and provided such use or occupancy is not dangerous to life. Buildings legally permitted and approved for occupancy before or after such date are considered legal at the time of the adoption of this edition of this code.

(b) IRC Section R105-105.2, Work Exempt From Permit, Building-IBC Section 105.2, exception 1, ~~is and IRC Section R105.2, exception 1, are~~ amended to read as follows:

1. One story detached buildings 200 square feet or smaller, if all of the following are true:

(A) a. The building is not used for sleeping purposes;

~~b. The building is not placed within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved;~~

~~(B) c. Only one such exempt building is allowed for each 5 acres of any property up to a maximum of 4 exempt buildings;~~

~~d. The building is not located in a designated floodway;~~

~~e. The building meets the setback requirements of Skagit County Code (SCC) 14.16 and the specific requirements of SCC 14.16.810; 14.16.810; and~~

(C) The building is not located in a Special Hazard Flood Area, unless a flood permit has been approved;

(D) The building is not located in a designated floodway;

(E) The building is not located within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved; and

(F) f. The building contains no plumbing, unless the water source has been approved;-

Commented [PG2]: This proposal places IBC and IRC exceptions in separate sections.

Commented [JD3]: Existing language moved here. This is the only place I see fitting for this amendment.

Commented [JM4]: Removing number of buildings limitation

~~(c) IRC b)~~ Section ~~R105.105.2~~, Work Exempt from Permit, ~~Building, is, IBC Section 105.2 and IRC Section R105.2 are~~ amended to include:

Commented [JD5]: Change mirrors language in (a)

~~14./~~11. Membrane structures as defined in the International Building Code if all of the following are true:

(~~A~~a) The structure is used exclusively for the protection or propagation of plants other than marijuana that are not on display for public viewing or sales.

(~~B~~b) The structure is located a minimum of 20 feet from any property line or other structure and meets the setback requirements of SCC ~~14.16~~ and the specific requirements of SCC ~~14.16.810~~.

(~~C~~e) Multiple membrane structures located on the same lot and having an aggregate floor area exceeding 12,000 square feet shall maintain a minimum of 60-foot clear yards on all sides of the structure.

(~~D~~e) The membrane material is less than 20 mil (0.5 mm) in thickness.

(~~E~~) The building (~~e~~) A site plan is not located in a Special Hazard Flood Area, unless a flood permit has been approved.

(~~F~~) The building is not located in a designated floodway.

(~~G~~) The building is not located within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved.

(~~H~~) Stormwater management is installed per Chapter 14.32, submitted to Skagit County Code.

Commented [PG6]: Additions are consistent with current review requirements under Flood, Stormwater, CAO.

~~12. Work located primarily in a public way including but not limited to grading, trenching, vaults and walls, installation and maintenance of public utility towers and poles, installation and maintenance of mechanical equipment not specifically regulated in Planning & Development Services, which shows compliance with this code, underground utilities, and hydraulic flood control structures section.~~

Commented [PG7]: Site plan is not required since the structure is already exempt from review.

~~15./12. Work located primarily in a public way including but not limited to grading, trenching, vaults and walls, installation and maintenance of public utility towers and poles, installation and maintenance of mechanical equipment not specifically regulated in this code, underground utilities, and hydraulic flood control structures.~~

~~16./~~13. Any project, other than signs, mechanical equipment, or plumbing equipment, that has a valuation of less than \$2,500 as calculated using the method currently adopted by Skagit County.

~~17./~~14. Uncovered decks where all with walking surfaces are surface(s) no more than 30 inches" above grade.

~~15. Wall mounted signs which project from wall no more than 6 inches~~

~~16. Monument signs no more than 7 feet in height~~

17. Replacing deck walking surfaces, roof coverings, siding or residential windows with no modification of framing.

18. Playground equipment compliant with U.S. Consumer Product Safety Commission Public Playground Safety Handbook

Commented [BD8]: Additions to work exempt from permit.

(d) IRC ~~(e)~~ Section ~~R105-105.5~~, Expiration, is amended to read: -

1. Every building permit issued by the Building Official under the provisions of this code ~~will~~shall expire by limitation and become null and void if the building or work authorized by such permit is not completed in accordance with the permitted requirements within three ~~(3)~~ years of the date of issuance.

2. Any permittee ~~holding an unexpired permit~~ may apply in writing, for a single six-month extension in order to complete the authorized work for no additional cost. The Building Official may grant the extension ~~if on written request from~~ the permittee demonstrates ~~showing~~ that circumstances beyond ~~their~~ the control ~~of the permittee~~ have prevented the authorized work from being completed. No permit may be ~~thus~~ extended more than once.

3. Any permittee may apply, in writing, ~~to~~ to renew a permit for an additional ~~three~~ 3- year period. ~~The Building Official may grant the extension if the permittee demonstrates that circumstances beyond their control have prevented the authorized work from being completed. If approved, prior to expiration or within 6 months of expiration, of the current permit, the permittee shall pay the renewal fee per as determined on the currently adopted fee schedule. No permit may be thus renewed more than once. A new permit will be required for any portion of work that where expiration is not inspected and approved prior to expiration.~~

Commented [BD9]: Approval is required for 3 year plan exemption. Legal requested change to clarify written permission is discretionary.

4. Every stand-alone mechanical, plumbing, and demolition permit issued by the Building Official under the provisions of this code will expire by limitation and become null and void if the work authorized by such permit is not completed in accordance with the permitted requirements within ~~more than~~ six months from the date of issuance.

(e) IRC ~~d)~~ Section ~~R108-109.2~~, Schedule of Permit Fees, is amended to ~~the International Building Code and Section 108.2 of the International Residential Code shall read as follows:~~

~~General~~ Fees shall be as set forth in the fee schedule for Skagit County Planning and Development Services, adopted under separate resolution by the Skagit County Board of Commissioners.

~~(e) Section 903.2.7, item 4, is amended to exempt display and sales areas of upholstered furniture where the aggregate floor area used for display and sales is 350 square feet or less.~~

(f) IRC Figure 301.2(6), Ground Snow Loads, Sections 1608.1 and 1608.2 of the International Building Code and Map 301.2(5) of the International Residential Code ~~is for snow loads are~~ amended to include as follows:

Buildings and structures that are located in the designated “CS” zone, as shown in IBC Figure 1608.2 and IRC Figure 301.2(6), ~~the International Building Code~~, must have their snow loads determined by engineered analysis in accordance with the requirements of the International Building Code or must comply with the roof snow loads as shown on the adopted snow load map for Skagit County.

~~The~~ Under authority granted to local jurisdictions through WAC 296-150M-0600, the Skagit County Building Official has determined and mapped the anticipated snow loads for Skagit County. The snow loads and the snow load map of Skagit County have been reviewed by local structural and civil engineers for methodology and conformance with the 1995 Snow Load Analysis published by the Structural Engineers Association of Washington and have been found to be conforming.

Commented [JD10]: WAC no longer exists.

(2) Amendments to the International Building Code (IBC).

(a) IBC 102.6, Existing Structures, is amended to read:

Buildings, whether previously legally permitted or not, in existence at the time of the adoption of this code may have their existing use or occupancy continued if such use or occupancy existed prior to July 1, 1989 and provided such use or occupancy is not dangerous to life. Buildings legally permitted and approved for occupancy before or after such date are considered legal at the time of the adoption of this edition of this code.

Commented [JM11]: Unless noted otherwise, this section (15.04.030(2)) has not been changed, only relocated from above to provide separate sections for IRC and IBC

Commented [JD12]: § 102.6 is the only place I see fitting for this amendment.

(b) IBC Section R105.2, Work Exempt From Permit, Building exception 1, is amended to read:

1. One story detached buildings 200 square feet or smaller, if all of the following are true:

(A) The building is not used for sleeping purposes;

(B) The building meets the setback requirements of Skagit County Code (SCC) 14.16 and the specific requirements of SCC 14.16.810;

(C) The building is not located in a Special Hazard Flood Area, unless a flood permit has been approved.

(D) The building is not located in a designated floodway;

(E) The building is not placed within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved;

(F) The building contains no plumbing, unless the water source has been approved.

Commented [BD13]: Building permits are not required by IBC/IFC for these structures when less than 200 sqft.

(c) IBC Section 105.2, Work Exempt from Permit, Building, is amended to include:

Commented [BD14]: New addition.

14. Membrane structures as defined in the International Building Code if all of the following are true:

(A) The structure is used exclusively for the protection or propagation of plants other than marijuana that are not on display for public viewing or sales.

(B) The structure is located a minimum of 20 feet from any property line or other structure and meets the setback requirements of SCC 14.16 and the specific requirements of SCC 14.16.810.

(C) Multiple membrane structures located on the same lot and having an aggregate floor area exceeding 12,000 square feet shall maintain a minimum of 60-foot clear yards on all sides of the structure.

(D) The membrane material is less than 20 mil (0.5 mm) in thickness.

(E) The building is not located in a Special Hazard Flood Area, unless a flood permit has been approved.

(F) The building is not located in a designated floodway.

(G) The building is not located within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved.

(H) Stormwater management is installed per Chapter 14.32, Skagit County Code.

15. Work located primarily in a public way including but not limited to grading, trenching, vaults and walls, installation and maintenance of public utility towers and poles, installation and maintenance of mechanical equipment not specifically regulated in this code, underground utilities, and hydraulic flood control structures.

16. Any project, other than signs, mechanical equipment, or plumbing equipment, that has a valuation of less than \$2,500 as calculated using the method currently adopted by Skagit County.

17. Uncovered decks where all walking surfaces are no more than 30 inches above grade.

18. Replacing or overlaying residential roof coverings (shingles, shakes, metal)

19. Wall mounted signs which project from wall no more than 6 inches

20. Monument signs no more than 7 feet in height

21. Playground equipment compliant with U.S. Consumer Product Safety Commission Public Playground Safety Handbook

22. Self-contained cellular tower generators with no external fuel tank and located within fenced area.

(d) IBC 105.5, Expiration, is amended to read:

Commented [PG15]: Additions are consistent with current review requirements under Flood, Stormwater, CAO.

Commented [JM16]: New exemption

1. Every building permit issued by the Building Official under the provisions of this code will expire by limitation and become null and void if the building or work authorized by such permit is not completed in accordance with the permitted requirements within three years of the date of issuance.

2. Any permittee may apply, in writing, for a single six-month extension in order to complete the authorized work for no additional cost. The Building Official may grant the extension on if the permittee demonstrates that circumstances beyond their control have prevented the authorized work from being completed. No permit may be extended more than once.

3. Any permittee may apply, in writing, to renew a permit for an additional three-year period. The Building Official may grant the extension if the permittee demonstrates that circumstances beyond their control have prevented the authorized work from being completed. If approved, the permittee must pay the renewal fee per the currently adopted fee schedule. No permit may be renewed more than once. A new permit will be required for any portion of work not inspected and approved prior to expiration.

(e) IBC Section 109.2, Schedule of Permit Fees, is amended to read:

Fees shall be as set forth in the fee schedule for Skagit County Planning and Development Services, adopted under separate resolution by the Skagit County Board of Commissioners.

(f) IBC Section 903.2.7, Automatic Sprinkler Systems, Group M item 4, is amended to read:

4. Where a Group M occupancy that is used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet, but not where the aggregate floor area used for display and sales of upholstered furniture is no more than 350 square feet.

(g) IBC Section 1608.2, Ground Snow Load, is amended to read::

Buildings and structures that are located in the designated "CS" zone, as shown in IBC Figure 1608.2 and IRC Figure 301.2(6), must have their snow loads determined by engineered analysis in accordance with the requirements of the International Building Code or must comply with the roof snow loads as shown on the adopted snow load map for Skagit County.

The Skagit County Building Official has determined and mapped the anticipated snow loads for Skagit County. The snow loads and the snow load map of Skagit County have been reviewed by local structural and civil engineers for methodology and conformance with the 1995 Snow Load Analysis published by the Structural Engineers Association of Washington and have been found to be conforming.

(h) IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, is amended to read as follows:

~~Stretcher Requirements.~~ In all structures two or more stories in height in Group A, E, B, I, R1 and LC occupancies where elevator cars are installed, at least one elevator shall be

Commented [JD17]: Read the amendment creates an exception and not fully replace this particular text, so added it in for clarity.

Commented [JD18]: Deleted this amendment since the two amendments in one was confusing and it seems the amendment itself was not on point with 1608.1.

provided with a minimum clear distance between walls or between walls and door including return panels, of not less than 86 inches by 54 inches (2184 mm x 1372 mm) and a minimum distance from wall to return panel of not less than 51 inches (1295 mm) with a 42 inch (1067 mm) side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 86 inches by 26 inches (2184 mm x 660 mm).

In buildings where one elevator does not serve all floors, two or more elevators may be used. The elevators shall be identified by the international symbol for emergency medical services (Star of Life). The symbol shall not be less than 3 inches (76 mm) and placed inside on both sides of the hoistway door frame. The symbol shall be placed no lower than 78 inches (1981 mm) from the floor level or higher than 84 inches (2134 mm) from the floor level.

(i) IBC ~~h~~) Appendix J, Grading, Section J103.2, Exemptions, is amended to read as follows:

A grading permit ~~1. Exemption #1 regarding isolated areas~~ is not required for the following:

1. Excavation for construction of a structure permitted under this code ~~adopted~~.
2. Cemetery graves.
3. Refuse disposal sites controlled by other regulations.
4. Excavations for wells, or trenches for utilities.
5. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate, or clay controlled by other regulations, provided that such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
6. Exploratory excavations performed under the direction of a registered design professional.
- ~~through 7. Excavation that:~~ No change.

(A) 8. An excavation not within a defined critical area or its buffers, unless there has been critical areas review of the project and the location has been approved, and:

~~a.~~ does not obstruct natural drainage and is less than 32 feet in depth, and

(B) b. does not create a ~~cut~~ slope greater than 5 feet in height and not steeper than 1.5 feet horizontal to 1 foot vertical; ~~4~~, and

(C) e. does not exceed 100 cubic yards of excavated material, and ~~-~~

(D) impervious area and/or land disturbance does not exceed lower thresholds for stormwater review per Chapter 14.32 SCC, and

Commented [JD19]: The nature of how this amendment was drafted required to have both this code and the base code up to read, added in the entire section as amended for ease of use.

Commented [PG20]: Changed from 2 feet in depth.

Commented [JM21]: Minor reword for clarity. Original language: "b. does not create a cut slope greater than 5 feet in height and steeper than 1.5:1, and"

Commented [JM22]: Added reference to SCC 14.32

(E) ~~9. A fill that:~~

~~a. is~~ not within a defined critical area or its buffers, unless ~~there has been~~ critical areas review of the project and the area of land disturbance ~~location~~ has been approved, ~~and:~~

8. Fill that:

(A) ~~Does~~ ~~b. does~~ not obstruct natural drainage, and

(B) ~~Is~~ ~~is~~ less than ~~3~~ 4 foot in depth, and

(C) ~~Is~~ placed on natural terrain with a slope less than 12%, ~~and or~~

(D) ~~Does not exceed 100 cubic yards on any one lot, and~~

(E) ~~If fill is more than 1 foot in depth and will support a structure, a soils test is submitted with the building permit application showing minimum 95% compaction, and~~

(F) ~~impervious area and/or land disturbance does not exceed thresholds requiring stormwater review per Chapter 14.32 SCC, and~~

(G) ~~Floodplain compensatory storage is provided, if required by SCC 14.34.150(4), and~~

(H) ~~Is~~ ~~is~~ not within a defined critical area or its buffers, unless ~~there has been~~ critical areas review of the project and the area of land disturbance ~~location~~ has been approved, ~~and is less than 3 feet in depth and is not intended to support structures and that does not exceed 100 cubic yard on any one lot.~~

~~9~~10. Agricultural projects such as tilling, planting, and fertilizing.

~~10~~14. Work located primarily in a public way per Section 105.2.

(i) ~~Chapter 34, Existing Structures.~~

~~3401 GENERAL.~~

~~Buildings, whether previously legally permitted or not, in existence at the time of the adoption of this code may have their existing use or occupancy continued if such use or occupancy existed prior to July 1, 1989 and provided such use or occupancy is not dangerous to life. Buildings legally permitted and approved for occupancy before or after such date are considered legal at the time of the adoption of this edition of this code.~~

Exemption from the permit requirements of this appendix will not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of Skagit County.

Commented [JM23]: Modified 3/4/21

Commented [PG24]: Language clarified to remove redundancies.

Commented [JM25]: Added reference to SCC 14.32

(3)(2) Amendments to International Fire Code (IFC).

- (a) IFC Section ~~107.402.2~~, Inspections is amended ~~to include as follows:~~

~~To 3. To help assure that this section is properly administered and to~~ help provide for a reasonable degree of safety to persons occupying existing buildings, there shall be a fire code inspection, at times determined by the ~~Skagit County Fire~~ code official ~~Marshal~~, for all Group A, B, E, F, H, I, M and S occupancies.

- (b) IFC Section 202, General Definitions, is amended as follows:

~~Definitions:~~

Fire Chief. The director of the Planning and Development Services department or designee.

Fire Code Official. The director of the Planning and Development Services department or designee.

- ~~(c) IFC Appendix A, Section 507.3, A101, is amended as follows:~~

~~In order to determine the suitability of materials and type of construction and to provide for reasonable interpretations of the provisions of this code, there shall be hereby created a Board of Appeals. This Board shall consist of the same membership as the Building Code Board of Appeals. The Fire Marshal and the Building Official shall be Ex-Officio members. The Board shall adopt rules and regulations for conducting its investigations and shall render all decisions in writing to the Fire Marshal and Building Official with a duplicate copy to the applicant.~~

- ~~(d) IFC Appendix B, Section 103, Modifications, is amended as follows:~~

~~Section 103.1 Decreases:~~

~~Fire flow requirements may be modified downward by the Skagit County Fire Marshal for isolated buildings or a group of buildings in rural areas or small communities where development of full fire flow requirements is impractical. The Fire Marshal may be guided by written procedures entitled "Skagit County Fire Marshal Procedures Concerning Fire Flow, Exceptions, is amended to include: and Placement of Fire Hydrants" in making this determination.~~

3. Where a public water supply is not available, fire flow may be waived for the following buildings unless required due to access grade per Skagit County Amendments to IFC Appendix D:

~~Section 103.2 Increases:~~

Commented [PG26]: Board of Appeals is no longer used to hear appeals, Now Hearing Examiner. Ordinance should repeal 15.16 and amend 14.06.

~~Fire Flow requirements may be increased by the Skagit County Fire Marshal where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice the required for the building under consideration.~~

~~Section 103.3 Buildings That May Not Require Fire Flow.~~

~~When, in the opinion of the Fire Marshal, a proposed building meets the criteria stated in "Skagit County Fire Marshal Procedures Concerning Fire Flow and Placement of Fire Hydrants," a permit may be issued without meeting the requirements for fire flow for the following:~~

(i) Single family dwelling with floor area of 3,600 square feet or smaller, not including the area of any attached accessory spaces.

Commented [JM27]: New proposal

(ii) Residential ~~residences and~~ accessory buildings, such as garages, ~~and~~ carports, etc.

(iii) Agricultural buildings as defined by the International Fire Code, in ~~in SCC 14.04.020 in~~ agricultural resource lands as identified on currently adopted zoning maps.

Commented [PG28]: The existing definition or AG buildings is limited to use with 14.34 Flood code.

(iv) Buildings compliant with SCC 14.16.850(6).

(v) ~~(iii)~~ Other buildings that comply with all of the following:

(A) ~~Are~~ Are less than 4000 sq. ft. in area;

(B) ~~Do not contain~~ Are not contain an H, A, 'H' or R occupancy group;

(C) ~~Have~~ Have ~~30~~40-foot clear yards on all sides; ~~and~~

Commented [JM29]: Change is Consistent with IBC Table 602, Fire-resistance for exterior walls

(D) ~~Located~~ Are in a rural area where fire flow is not practical.

(d) ~~IFC Appendix C, Fire Hydrant Locations and Distribution, Table C102.1, Required Number and Spacing of Fire Hydrants, footnote c,~~ is amended as follows:

c. Footnote b:

~~3-~~ Where new water mains are upgraded or extended along streets or roads where hydrants are not otherwise required by other sections of code or by the Skagit PUD #1 Water System Plan, hydrants shall be installed for fire apparatus use ~~filling tanker trucks~~ at major roadway intersections wherever practical, and the distance between hydrants shall not exceed one mile.

Commented [JM30]: Refer to other applicable requirements to limit confusion

Commented [JM31]: Current language to describe fire trucks, tenders, etc.

(e) ~~IFC Appendix D, Fire Apparatus Access Roads, is amended as follows:~~

Section D101.1, General ~~—Scope, is amended to read:~~

~~(h) IFC Appendix D: Fire apparatus access roads shall be in accordance with this chapter and all other applicable requirements of the International Fire Apparatus Access Roads Code as required by the Fire Marshal.~~

Section D102.1, Required Access—Access and Loading, is amended to include:

Fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when the facility is in excess of ~~one hundred fifty~~ (150) feet from fire apparatus access.

~~(f) IFC Appendix D, Fire Apparatus Access Roads, Section D103.1, Access road width with hydrant, is amended to read:~~

Section D103.1 Minimum ~~specifications for driveways and roads~~ Specifications:

~~(a) Driveways. Roads serving one (1) or two (2) residential lots is amended as follows:~~

~~(A) i) Driveways where a building is less than 150 feet from an approved access road meeting Section D103.2 of this code have no specific requirements.~~

~~(B) ii) Driveways that are 150 feet or more in length and serve one or two residential lots must~~ shall meet the following standards:

~~(1) A) Width: 12 feet of driving surface with turnouts located every 300 feet. Driveway width at turnouts, when required by the Fire Marshal. To create a turnout, the road shall be increased~~ widened to 20 feet ~~wide in the direction of travel~~ for a distance of not less than 30 feet to allow vehicles to pull over and emergency vehicles to proceed.

~~(2) B) Vertical clearance: An unobstructed vertical clearance A minimum of not less than 13 feet, 6 inches shall be provided of unobstructed head clearance is required.~~

~~(3) Driveway C) Surface: Skagit County Road Standard for Private Roads as required by the Skagit County Public Works Department or as approved by the Skagit County Fire Marshal.~~

~~(D) Turning radius for turns along the length of driveway: A minimum of 20 feet of inside radius and Grade: Shall be able to support the imposed loads of all 50 feet of outside radius is required. (Note: This is not a cul-de-sac standard).~~

~~(E) An acceptable means of turning around a fire apparatus and shall must be provided. This does not necessarily require a cul-de-sac for a driveway serving 1 or 2 residential lots. Means of turning apparatus must be surfaced acceptable to provide all-weather the Fire Marshal.~~

Commented [JD32]: Creating a new sections seems to make more sense than an amendment as this, and the section below, are quite substantive.

Commented [PG33]: No substantive change, language clean up.

~~(F) Bridges must meet Skagit County Road Standards as required by the Skagit County Public Works Department.~~

~~(G) Where grades are 12% or under, the driving capabilities, using a material such as surface must be gravel or equivalent or may be concrete, asphalt, or gravel as approved by the fire code official equivalent.~~

~~(a) H) Where grades are not steeper over 12% and equal to or less than 12.4%, the driving surface must be gravel, concrete, asphalt, or equivalent.~~

~~(b) I) Where grades are steeper than 12% and are over 14% and equal to or less, the driving surface than 16%, any residence must be concrete, asphalt, or equivalent. Exception: If have a NFPA 13D fire suppression system is installed within the dwelling, the driving surface may be gravel.~~

~~(c) Where grades are steeper than 14% and are 16% or less, an NFPA 13D fire suppression system is required required for each residence. The and the driveway must be gravel, or equivalent or may be concrete, asphalt, or equivalent.~~

~~(d) J) Where grades are steeper than exceed 16%, an NFPA 13D fire suppression system and a 10,000-gallon water storage tank with a dry hydrant is required for each residence. The driveway must be gravel, or equivalent and may be concrete, asphalt, or equivalent.~~

Commented [PG34]: Relocated from (G – J) below.

~~(4) b) Fire Department Vehicle Access Roads — Roads serving other than 1 or 2 residential lots is amended as follows:~~

~~(i) Width: 20 feet of driving surface.~~

~~(ii) Vertical clearance: 13 feet, 6 inches of unobstructed overhead clearance.~~

~~(iii) Surface: 6 inches of gravel.~~

~~(iv) Turning radius for turns along the length of driveway: A minimum of 28 feet of inside radius and: 50 feet of outside radius is required.~~

Commented [PG35]: Inside turning radius increased from 20 to 28 feet.

~~(5) Dead end driveways in excess of 150 feet in length must provide an approved area for turning around fire apparatus. At fire code official's discretion, turn around area may not comply with all criteria identified in Appendix D.~~

~~(6) (v)~~ Bridges must meet Skagit County ~~Road Standards as required by the Skagit County~~ Public Works Department [Road Standards and the International Fire Code Section 503.2.6](#).

~~(vi) Grade:~~

~~1. Where grades are 12% or under, the driving surface must be gravel or equivalent or may be concrete, asphalt, or equivalent.~~

~~2. Where grades are over 12% to 14%, the driving surface must be concrete, asphalt, or equivalent.~~

~~3. Where grades are over 14% to 16%, any residence must have a NFPA 13D fire suppression system is required and the driveway must be gravel or equivalent or may be concrete, asphalt, or equivalent.~~

~~4. Where grades exceed 16%, fire vehicle access is impaired thus an NFPA 13D fire suppression system and a 10,000-gallon water storage tank with a dry hydrant is required. The driveway must be gravel or equivalent and may be concrete, asphalt, or equivalent.~~

~~(vii) Public roads that are part of a land division must comply with Skagit County Road Standards and be approved by the Skagit County Public Works Department.~~

~~NOTE:~~

~~4. These standards apply to all building permits and are the minimum for building permit purposes. County platting standards may exceed these standards, and these standards are in no way intended to eliminate the need for full compliance with land division requirements.~~

~~(7) These standards apply to all building permits and are the minimum for building permit purposes. County platting standards may exceed these standards, and these standards are in no way intended to eliminate the need for full compliance with land division requirements.~~

~~(8) 2.~~ The [fire code official](#) ~~Fire Marshal~~ may make modifications to these standards if the road is not buildable because of topography, waterways, non-negotiable grades, or similar conditions. These modifications are based on:

~~(a) .~~ The building being protected by NFPA 13D Automatic Sprinkler Systems.

~~(b) .~~ Additional fire protection as required by the [fire code official](#) ~~Fire Marshal~~.

(c) ~~–Exceptions may be made for minor additions or small accessory buildings to existing dwellings when in the opinion of the fire code official.~~ Fire Marshal the addition or accessory building will not increase risk to life safety. ~~create significantly more dangerous situations.~~

(9) ~~3.~~ For roads accepted or platted by Skagit County prior to June 11, 1990, these standards may be modified by the fire code official. Fire Marshal provided that, in the fire code official's Fire Marshal's opinion, firefighting or rescue operations would still be possible.

(10) ~~4.~~ On lots not in a fire district and accessible only by water, the access road requirement may be waived if the project meets all of the other requirements of Skagit County Unified Development Code to qualify for a building permit.

(11) ~~5.~~ Emergency vehicle access roads or driveways shall not be obstructed in any manner, including the parking of vehicles. Width and clearance requirements consistent with these standards must ~~shall~~ be maintained at all times. Fire lane signage may be required per IFC 503.3.

(g) IFC Appendix D, Fire Apparatus Access Roads, Section D103.2, Grade, is amended to read:

Section D103.2 Fire Department Vehicle Access Roads—Private roads serving three to eight residential properties

(A) Width: 20 feet of driving surface for all road lengths.

(B) Vertical clearance: 13 feet, 6 inches of unobstructed overhead clearance.

(C) Turning radius: Turning radius for turns along the length of driveway: A minimum of 28 feet of inside radius and 50 feet of outside radius is required.

(D) Turnarounds: Per Appendix D, Figure D103.1 or as approved by thef.

(E) Bridges and private roads must also meet Skagit County Road Standards as required by the Skagit County Public Works Department.

(F) Road Surface and Grade: Shall be able to support the imposed loads of all fire apparatus and shall be surfaced to provide all-weather driving capabilities, using a material such as concrete, asphalt, or gravel as approved by the Skagit County Fire code official.

1. Where grades are 12% or under, the driving surface must be gravel or equivalent or may be concrete, asphalt, or equivalent.

2. Where grades are over 12% to 14%, the driving surface must be concrete, asphalt, or equivalent.

Commented [PG36]: Jason, this no longer works as it is all under the section above (103.1), and the numbering is reformatted from the original. Please adjust accordingly.

Commented [PG37]: Added inside turning radius of 28 feet without changing outside radius.

3. Where grades are over 14% to 16%, any residence must have a NFPA 13D fire suppression system is required and the driveway must be gravel or equivalent or may be concrete, asphalt, or equivalent.

4. Where grades exceed 16%, fire vehicle access is impaired thus an NFPA 13D fire suppression system and a 10,000 gallon water storage tank with a dry hydrant is required. The driveway must be gravel or equivalent and may be concrete, asphalt, or equivalent.

(G) Public roads must comply with Skagit County Road Standards and be approved by the Skagit County Public Works Department.

(H) These standards apply to all building permits and are the minimum for building permit purposes. County platting standards may exceed these standards, and these standards are in no way intended to eliminate the need for full compliance with land division requirements.

(I) The fire code official may make modifications to these standards if the road is not buildable because of topography, waterways, non-negotiable grades, or similar conditions. These modifications are based on:

(1) The building being protected by NFPA 13D Automatic Sprinkler Systems.

(2) Additional fire protection as required by the fire code official.

(3) Exceptions may be made for minor additions or small accessory buildings to existing dwellings when in the opinion of the fire code official the addition or accessory building will not increase risk to life safety.

(J) For roads accepted or platted by Skagit County prior to June 11, 1990, these standards may be modified by the fire code official provided that, in the fire code official's opinion, firefighting or rescue operations would still be possible.

(K) On lots not in a fire district and accessible only by water, the access road requirement may be waived if the project meets all of the other requirements of Skagit County Unified Development Code to qualify for a building permit.

(L) Emergency vehicle access roads or driveways shall not be obstructed in any manner, including the parking of vehicles. Width and clearance requirements consistent with these standards shall be maintained at all times. Fire lane signage may be required per IFC 503.3.

(h) IFC -Section 308.1.6.3, Open Flames—

~~308.1.5.1~~ Sky Lanterns, is amended to read:

÷The use or discharge of sky lanterns shall be prohibited in unincorporated areas of Skagit County.

~~4.~~ “Sky Lantern” means any sky candles, fire balloons and other airborne lanterns made of paper or other combustible material with a wood frame containing a candle, fuel cell composed of waxy flammable material or other open flame which serves as a heat source to heat the air inside the device to cause it to lift into the air.

(i) ~~IFC 4.~~ Section 503.6, Security Gates, is amended to read:-

The installation of security gates across fire apparatus access roads require a fire code permit and shall be approved by the Skagit County ~~Fire Marshal~~. Where security gates are installed, they shall have an approved means of emergency operation. The security gate and emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with requirements of ASTM F2200.

~~(i) IFC Appendix K, International Wildland-Urban Interface Code, is amended as follows: Section K402.2.1, Access, is deleted.~~ (Ord. O20200005 § 1 (Att. 2); Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. R20020270; Ord. 17938 Attch. I (part), 2000: Ord. 17064 (part), 1998: Ord. 16275, 1996; Ord. 16156 (part), 1996; Ord. 15818 (part), 1995: Ord. 15401, 1994; Ord. 14691 (part), 1992; Ord. 14664, 1992; Ord. 14384 (part), 1992)

15.04.040 Administration.

The Skagit County Board of Commissioners has provided in resolution that Skagit County Planning and Development Services shall administer and enforce the State Building Code within its jurisdictional boundaries. Such administration and enforcement of the State Building Code by Skagit County Planning and Development Services shall include all codes comprising the State Building Code as enumerated in SCC 15.04.020. (Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

15.04.050 Violation.

See SCC Chapter 14.44. (Ord. O20160005 (Att. A); Ord. O20140004 § 4: Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

15.04.060 Civil penalty.

Repealed by Ord. O20140004. (Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

15.04.070 Repeal.

All prior versions of this Chapter are hereby repealed; provided, however, that vesting of existing permits and applications will be in accordance with SCC [14.02.050\(1\)](#). (Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

15.04.080 Severability.

Should any section, paragraph, sentence or word of this Chapter of the Code hereby adopted be declared for any reason to be invalid, it is the intent of the Board of County Commissioners that it would have passed all other portions of this Chapter and of the Code hereby adopted independent of that word determined to be invalid and accordingly such declaration of invalidity shall not affect the validity of this Chapter as a whole nor any part hereof other than the part so declared to be invalid. (Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. R20020270; Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

Attachment A1 – Amendments to Chapter Skagit County Code, Chapter 15.04



Chapter 15.04 INTERNATIONAL CODES*

15.04.010 Title.

This Chapter shall be known as the Building Code of Skagit County. (Ord. O20130001 Attch. A (part): Ord. O20100003 Attch. 1 (part): Ord. O20070005 (part): Ord. O20040013 (part): Ord. R20020270; Ord. 17064 (part), 1998: Ord. 15401 (part), 1994: Ord. 14384 (part), 1992)

15.04.020 International and Uniform Codes adopted.

The following International and Uniform Codes are hereby adopted subject to any limitation, modification, or amendment provided in chapter 19.27 RCW, Title 51 WAC, and as hereinafter set forth in this Chapter:

(1) International Building Code, 2018 Edition, published by the International Code Council, together with supplements and amendments thereto, including the International Existing Building Code; International Swimming Pool & Spa Code; ICC A117.1-2009 Accessibility Standards; International Building Code Appendices C, E, G, and J.

(2) International Residential Code, 2018 Edition, except Chapters 11 and 25 through 43, published by the International Code Council, together with supplements and amendments thereto; International Residential Code Appendices F and Q.

(3) International Mechanical Code, 2018 Edition, published by the International Code Council, together with supplements and amendments thereto; including the 2018 International Fuel Gas Code; 2018 NFPA 58; and 2017 NFPA 54.

(4) Uniform Plumbing Code, 2018 Edition, published by the International Association of Plumbing and Mechanical Officials, together with supplements and amendments thereto; Appendices A, B, and I; provided, that Chapters 12 and 15 are not adopted; provided further, that those requirements of the

Uniform Plumbing Code relating to venting and combustion air of fuel fire appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.

(5) International Fire Code, 2018 Edition, published by the International Code Council, together with supplements and amendments thereto; Appendices B, C, D, and K; and the 2018 International Wildland-Urban Interface Code.

(6) International Energy Conservation Code, 2018 Edition, for residential and commercial, published by the International Code Council; together with supplements and amendments thereto, per WAC Chapters [51-11R](#) and [51-11C](#).

(7) Installation of factory-built housing and commercial structures, RCW [43.22.460](#), together with WAC [296-150C-0540](#), [296-150F-0540](#) and the installation of manufactured and mobile homes, RCW [43.22.440](#) and WAC [296-150M-0650](#).

(8) Uniform Green Plumbing and Mechanical Code Supplement 2012 Appendix B for potable rainwater catchment systems.

(9) International Property Maintenance Code, 2015 Edition, published by the International Code Council, except Sections 302 and 303, to apply to all structures except owner-occupied structures. The following sections are hereby revised:

(a) Section 101. Insert: Skagit County.

(b) Section 103.5. Insert: Planning and Development Services adopted fee schedule.

(c) Section 602.3. Insert January 1 to December 31.

In case of conflict among the codes numerated in Subsections (1) through (9) of this Section, the first named code shall govern over those following. (Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. R20020270; Ord. 17064 (part), 1998: Ord. 15818 (part), 1995: Ord. 15401 (part), 1994: Ord. 14691 (part), 1992; Ord. 14384 (part), 1992)

15.04.021 Appeals

For all codes adopted by this Title, the County does not adopt any section regarding, or reference to, a Board of Appeals. The Hearing Examiner, pursuant to the procedures in SCC 14.06.110, will hear all appeals of orders, decisions, or determinations made by the building official and or the fire code official regarding the application and interpretation of this Title.

15.04.030 Specific amendments to codes.

Pursuant to authority granted by the Revised Code of the State of Washington under the State Building Code Act, the following amendments to the International Codes are hereby adopted and apply within this jurisdiction:

(1) Amendments to the International Residential Code (IRC).

(a) IRC Section 102.7, Existing Structures, is amended to read:

Commented [PG1]: New appeal process through the Hearing Examiner is consistent with all other Level I reviews. Repealed Board of Appeals, SCC 15.16, no longer staffed or used.

Commented [PG2]: This proposal places IBC and IRC exceptions in separate sections.

Commented [JD3]: Existing language moved here. This is the only place I see fitting for this amendment.

Buildings, whether previously legally permitted or not, in existence at the time of the adoption of this code may have their existing use or occupancy continued if such use or occupancy existed prior to July 1, 1989 and provided such use or occupancy is not dangerous to life. Buildings legally permitted and approved for occupancy before or after such date are considered legal at the time of the adoption of this edition of this code.

(b) IRC Section R105.2, Work Exempt From Permit, Building exception 1, is amended to read:

1. One story detached buildings 200 square feet or smaller, if all of the following are true:

- (A) The building is not used for sleeping purposes;
- (B) The building meets the setback requirements of Skagit County Code (SCC) 14.16 and the specific requirements of SCC 14.16.810;
- (C) The building is not located in a Special Hazard Flood Area, unless a flood permit has been approved;
- (D) The building is not located in a designated floodway;
- (E) The building is not located within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved; and
- (F) The building contains no plumbing, unless the water source has been approved;

Commented [JM4]: Removing number of buildings limitation

(c) IRC Section R105.2, Work Exempt from Permit, Building, is amended to include:

Commented [JD5]: Change mirrors language in (a)

11. Membrane structures as defined in the International Building Code if all of the following are true:

- (A) The structure is used exclusively for the protection or propagation of plants other than marijuana that are not on display for public viewing or sales.
- (B) The structure is located a minimum of 20 feet from any property line or other structure and meets the setback requirements of SCC 14.16 and the specific requirements of SCC 14.16.810.
- (C) Multiple membrane structures located on the same lot and having an aggregate floor area exceeding 12,000 square feet shall maintain a minimum of 60-foot clear yards on all sides of the structure.
- (D) The membrane material is less than 20 mil (0.5 mm) in thickness.
- (E) The building is not located in a Special Hazard Flood Area, unless a flood permit has been approved.
- (F) The building is not located in a designated floodway.

(G) The building is not located within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved.

(H) Stormwater management is installed per Chapter 14.32, Skagit County Code.

12. Work located primarily in a public way including but not limited to grading, trenching, vaults and walls, installation and maintenance of public utility towers and poles, installation and maintenance of mechanical equipment not specifically regulated in this code, underground utilities, and hydraulic flood control structures.

13. Any project, other than signs, mechanical equipment, or plumbing equipment, that has a valuation of less than \$2,500 as calculated using the method currently adopted by Skagit County.

14. Uncovered decks where all walking surfaces are no more than 30 inches above grade.

15. Wall mounted signs which project from wall no more than 6 inches

16. Monument signs no more than 7 feet in height

17. Replacing deck walking surfaces, roof coverings, siding or residential windows with no modification of framing.

18. Playground equipment compliant with U.S. Consumer Product Safety Commission Public Playground Safety Handbook

(d) IRC Section R105.5, Expiration, is amended to read:

1. Every building permit issued by the Building Official under the provisions of this code will expire by limitation and become null and void if the building or work authorized by such permit is not completed in accordance with the permitted requirements within three years of the date of issuance.

2. Any permittee may apply, in writing, for a single six-month extension in order to complete the authorized work for no additional cost. The Building Official may grant the extension if the permittee demonstrates that circumstances beyond their control have prevented the authorized work from being completed. No permit may be extended more than once.

3. Any permittee may apply, in writing, to renew a permit for an additional three-year period. The Building Official may grant the extension if the permittee demonstrates that circumstances beyond their control have prevented the authorized work from being completed. If approved, the permittee shall pay the renewal fee per the currently adopted fee schedule. No permit may be renewed more than once. A new permit will be required for any portion of work that is not inspected and approved prior to expiration.

4. Every stand-alone mechanical, plumbing, and demolition permit issued by the Building Official under the provisions of this code will expire by limitation and become

Commented [PG6]: Additions are consistent with current review requirements under Flood, Stormwater, CAO.

Commented [PG7]: Site plan is not required since the structure is already exempt from review.

Commented [BD8]: Additions to work exempt from permit.

Commented [BD9]: Approval is required for 3 year plan exemption. Legal requested change to clarify written permission is discretionary.

null and void if the work authorized by such permit is not completed in accordance with the permitted requirements within six months from the date of issuance.

(e) IRC Section R108.2, Schedule of Permit Fees, is amended to read:

Fees shall be as set forth in the fee schedule for Skagit County Planning and Development Services, adopted under separate resolution by the Skagit County Board of Commissioners.

(f) IRC Figure 301.2(6), Ground Snow Loads, of the International Residential Code is amended to include:

Buildings and structures that are located in the designated “CS” zone, as shown in IBC Figure 1608.2 and IRC Figure 301.2(6), must have their snow loads determined by engineered analysis in accordance with the requirements of the International Building Code or must comply with the roof snow loads as shown on the adopted snow load map for Skagit County.

The Skagit County Building Official has determined and mapped the anticipated snow loads for Skagit County. The snow loads and the snow load map of Skagit County have been reviewed by local structural and civil engineers for methodology and conformance with the 1995 Snow Load Analysis published by the Structural Engineers Association of Washington and have been found to be conforming.

Commented [JD10]: WAC no longer exists.

(2) Amendments to the International Building Code (IBC).

(a) IBC 102.6, Existing Structures, is amended to read.

Buildings, whether previously legally permitted or not, in existence at the time of the adoption of this code may have their existing use or occupancy continued if such use or occupancy existed prior to July 1, 1989 and provided such use or occupancy is not dangerous to life. Buildings legally permitted and approved for occupancy before or after such date are considered legal at the time of the adoption of this edition of this code.

Commented [JM11]: Unless noted otherwise, this section (15.04.030(2)) has not been changed, only relocated from above to provide separate sections for IRC and IBC

Commented [JD12]: § 102.6 is the only place I see fitting for this amendment.

(b) IBC Section R105.2, Work Exempt From Permit, Building exception 1, is amended to read:

1. One story detached buildings 200 square feet or smaller, if all of the following are true:

- (A) The building is not used for sleeping purposes;
- (B) The building meets the setback requirements of Skagit County Code (SCC) 14.16 and the specific requirements of SCC 14.16.810;
- (C) The building is not located in a Special Hazard Flood Area, unless a flood permit has been approved.
- (D) The building is not located in a designated floodway;

Commented [BD13]: Building permits are not required by IBC/IFC for these structures when less than 200 sqft.

(E) The building is not placed within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved;

(F) The building contains no plumbing, unless the water source has been approved;

Commented [BD14]: New addition.

(c) IBC Section 105.2, Work Exempt from Permit, Building, is amended to include:

14. Membrane structures as defined in the International Building Code if all of the following are true:

(A) The structure is used exclusively for the protection or propagation of plants other than marijuana that are not on display for public viewing or sales.

(B) The structure is located a minimum of 20 feet from any property line or other structure and meets the setback requirements of SCC 14.16 and the specific requirements of SCC 14.16.810.

(C) Multiple membrane structures located on the same lot and having an aggregate floor area exceeding 12,000 square feet shall maintain a minimum of 60-foot clear yards on all sides of the structure.

(D) The membrane material is less than 20 mil (0.5 mm) in thickness.

(E) The building is not located in a Special Hazard Flood Area, unless a flood permit has been approved.

(F) The building is not located in a designated floodway;

(G) The building is not located within a defined critical area or its buffer, unless critical areas review has been completed and the location has been approved;

(H) Stormwater management is installed per Chapter 14.32, Skagit County Code.

Commented [PG15]: Additions are consistent with current review requirements under Flood, Stormwater, CAO.

15. Work located primarily in a public way including but not limited to grading, trenching, vaults and walls, installation and maintenance of public utility towers and poles, installation and maintenance of mechanical equipment not specifically regulated in this code, underground utilities, and hydraulic flood control structures.

16. Any project, other than signs, mechanical equipment, or plumbing equipment, that has a valuation of less than \$2,500 as calculated using the method currently adopted by Skagit County.

17. Uncovered decks where all walking surfaces are no more than 30 inches above grade.

18. Replacing or overlaying residential roof coverings (shingles, shakes, metal)

19. Wall mounted signs which project from wall no more than 6 inches

20. Monument signs no more than 7 feet in height

21. Playground equipment compliant with U.S. Consumer Product Safety Commission Public Playground Safety Handbook

22. Self-contained cellular tower generators with no external fuel tank and located within fenced area.

Commented [JM16]: New exemption

(d) IBC 105.5, Expiration, is amended to read:

1. Every building permit issued by the Building Official under the provisions of this code will expire by limitation and become null and void if the building or work authorized by such permit is not completed in accordance with the permitted requirements within three years of the date of issuance.
2. Any permittee may apply, in writing, for a single six-month extension in order to complete the authorized work for no additional cost. The Building Official may grant the extension on if the permittee demonstrates that circumstances beyond their control have prevented the authorized work from being completed. No permit may be extended more than once.
3. Any permittee may apply, in writing, to renew a permit for an additional three-year period. The Building Official may grant the extension if the permittee demonstrates that circumstances beyond their control have prevented the authorized work from being completed. If approved, the permittee must pay the renewal fee per the currently adopted fee schedule. No permit may be renewed more than once. A new permit will be required for any portion of work not inspected and approved prior to expiration.

(e) IBC Section 109.2, Schedule of Permit Fees, is amended to read:

Fees shall be as set forth in the fee schedule for Skagit County Planning and Development Services, adopted under separate resolution by the Skagit County Board of Commissioners.

(f) IBC Section 903.2.7, Automatic Sprinkler Systems, Group M item 4, is amended to read:

4. Where a Group M occupancy that is used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet, but not where the aggregate floor area used for display and sales of upholstered furniture is no more than 350 square feet.

Commented [JD17]: Read the amendment creates an exception and not fully replace this particular text, so added it in for clarity.

(g) IBC Section 1608.2, Ground Snow Load, is amended to read::

Buildings and structures that are located in the designated "CS" zone, as shown in IBC Figure 1608.2 and IRC Figure 301.2(6), must have their snow loads determined by engineered analysis in accordance with the requirements of the International Building Code or must comply with the roof snow loads as shown on the adopted snow load map for Skagit County.

The Skagit County Building Official has determined and mapped the anticipated snow loads for Skagit County. The snow loads and the snow load map of Skagit County have been reviewed by local structural and civil engineers for methodology and conformance

Commented [JD18]: Deleted this amendment since the two amendments in one was confusing and it seems the amendment itself was not on point with 1608.1.

with the 1995 Snow Load Analysis published by the Structural Engineers Association of Washington and have been found to be conforming.

(h) IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, is amended to read:

In all structures two or more stories in height in Group A, E, B, I, R1 and LC occupancies where elevator cars are installed, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door including return panels, of not less than 86 inches by 54 inches (2184 mm x 1372 mm) and a minimum distance from wall to return panel of not less than 51 inches (1295 mm) with a 42 inch (1067 mm) side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 86 inches by 26 inches (2184 mm x 660 mm).

In buildings where one elevator does not serve all floors, two or more elevators may be used. The elevators shall be identified by the international symbol for emergency medical services (Star of Life). The symbol shall not be less than 3 inches (76 mm) and placed inside on both sides of the hoistway door frame. The symbol shall be placed no lower than 78 inches (1981 mm) from the floor level or higher than 84 inches (2134 mm) from the floor level.

(i) IBC Appendix J, Grading, Section J103.2, Exemptions, is amended to read:

A grading permit is not required for the following:

1. Excavation for construction of a structure permitted under this code.
2. Cemetery graves.
3. Refuse disposal sites controlled by other regulations.
4. Excavations for wells, or trenches for utilities.
5. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate, or clay controlled by other regulations, provided that such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
6. Exploratory excavations performed under the direction of a registered design professional.
7. Excavation that:

(A) does not obstruct natural drainage and is less than 3 feet in depth, and

(B) does not create a slope greater than 5 feet in height and not steeper than 1.5 feet horizontal to 1 foot vertical, and

(C) does not exceed 100 cubic yards of excavated material, and

Commented [JD19]: The nature of how this amendment was drafted required to have both this code and the base code up to read, added in the entire section as amended for ease of use.

Commented [PG20]: Changed from 2 feet in depth.

Commented [JM21]: Minor reword for clarity. Original language: "b. does not create a cut slope greater than 5 feet in height and steeper than 1.5:1, and"

(D) impervious area and/or land disturbance does not exceed lower thresholds for stormwater review per Chapter 14.32 SCC, and

Commented [JM22]: Added reference to SCC 14.32

(E) not within a defined critical area or its buffers, unless critical areas review of the project and the area of land disturbance has been approved.

8. Fill that:

Commented [JM23]: Modified 3/4/21

(A) Does not obstruct natural drainage, and

(B) Is less than 3 foot in depth, and

(C) Is placed on natural terrain with a slope less than 12%, and

(D) Does not exceed 100 cubic yards on any one lot, and

Commented [PG24]: Language clarified to remove redundancies.

(E) If fill is more than 1 foot in depth and will support a structure, a soils test is submitted with the building permit application showing minimum 95% compaction, and

(F) impervious area and/or land disturbance does not exceed thresholds requiring stormwater review per Chapter 14.32 SCC, and

Commented [JM25]: Added reference to SCC 14.32

(G) Floodplain compensatory storage is provided, if required by SCC 14.34.150(4), and

(H) Is not within a defined critical area or its buffers, unless critical areas review of the project and the area of land disturbance has been approved.

9. Agricultural projects such as tilling, planting, and fertilizing.

10. Work located primarily in a public way per Section 105.2.

Exemption from the permit requirements of this appendix will not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of Skagit County.

(3) Amendments to International Fire Code (IFC).

(a) IFC Section 107.2, Inspections is amended to include:

To help provide for a reasonable degree of safety to persons occupying existing buildings, there shall be a fire code inspection, at times determined by the Fire code official, for all Group A, B, E, F, H, I, M and S occupancies.

(b) IFC Section 202, General Definitions, is amended as follows:

Fire Chief. The director of the Planning and Development Services department or designee

Fire Code Official. The director of the Planning and Development Services department or designee.

(c) IFC Section 507.3, Fire Flow, Exceptions, is amended to include:

3. Where a public water supply is not available, fire flow may be waived for the following buildings unless required due to access grade per Skagit County Amendments to IFC Appendix D:

(i) Single family dwellings with floor area of 3,600 square feet or smaller, not including the area of any attached accessory spaces.

(ii) Residential accessory buildings, such as garages, carports, etc.

(iii) Agricultural buildings as defined by the International Fire Code, in agricultural resource lands as identified on currently adopted zoning maps.

(iv) Buildings compliant with SCC 14.16.850(6).

(v) Other buildings that comply with all of the following:

(A) Are less than 4000 sq. ft. in area

(B) Do not contain an H, A, or R occupancy group

(C) Have 30-foot clear yards on all sides

(D) Located in a rural area where fire flow is not practical

(d) IFC Appendix C, Fire Hydrant Locations and Distribution, Table C102.1, Required Number and Spacing of Fire Hydrants, footnote c, is amended as follows:

c. Where new water mains are upgraded or extended along streets or roads where hydrants are not otherwise required by other sections of code or by the Skagit PUD #1 Water System Plan, hydrants shall be installed for fire apparatus use at major roadway intersections wherever practical, and the distance between hydrants shall not exceed one mile.

(e) IFC Appendix D, Fire Apparatus Access Roads, Section D101.1, General—Scope, is amended to read:

(h) IFC Appendix D, Fire Apparatus Access Roads, Section D102.1, Required Access—Access and Loading, is amended to include:

Fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when the facility is in excess of 150 feet from fire apparatus access.

(f) IFC Appendix D, Fire Apparatus Access Roads, Section D103.1, Access road width with hydrant, is amended to read:

Commented [PG26]: Board of Appeals is no longer used to hear appeals, Now Hearing Examiner. Ordinance should repeal 15.16 and amend 14.06.

Commented [JM27]: New proposal

Commented [PG28]: The existing definition or AG buildings is limited to use with 14.34 Flood code.

Commented [JM29]: Change is Consistent with IBC Table 602, Fire-resistance for exterior walls

Commented [JM30]: Refer to other applicable requirements to limit confusion

Commented [JM31]: Current language to describe fire trucks, tenders, etc.

Section D103.1 Minimum specifications for driveways and roads serving one or two residential lots

(A) Driveways where a building is less than 150 feet from an approved access road meeting Section D103.2 of this code have no specific requirements.

(B) Driveways that are 150 feet or more in length and serve one or two residential lots must meet the following standards:

(1) Width: 12 feet of driving surface with turnouts located every 300 feet. Driveway width at turnouts shall be increased to 20 feet wide for a distance of not less than 30 feet to allow vehicles to pull over and emergency vehicles to proceed.

(2) Vertical clearance: An unobstructed vertical clearance of not less than 13 feet 6 inches shall be provided.

(3) Driveway Surface and Grade: Shall be able to support the imposed loads of all fire apparatus and shall be surfaced to provide all-weather driving capabilities, using a material such as concrete, asphalt, or gravel as approved by the fire code official.

(a) Where grades are not steeper than 12%, the driving surface must be gravel, concrete, asphalt or equivalent.

(b) Where grades are steeper than 12% and are 14% or less, the driving surface must be concrete, asphalt, or equivalent.

Exception: If a NFPA 13D fire suppression system is installed within the dwelling, the driving surface may be gravel.

(c) Where grades are steeper than 14% and are 16% or less, an NFPA 13D fire suppression system is required for each residence. The driveway must be gravel, concrete, asphalt or equivalent.

(d) Where grades are steeper than 16%, an NFPA 13D fire suppression system and a 10,000-gallon water storage tank with a dry hydrant is required for each residence. The driveway must be gravel, concrete, asphalt or equivalent.

(4) Turning radius for turns along the length of driveway: A minimum of 28 feet of inside radius and 50 feet of outside radius is required.

(5) Dead end driveways in excess of 150 feet in length must provide an approved area for turning around fire apparatus. At fire code official's discretion, turn around area may not comply with all criteria identified in Appendix D.

(6) Bridges must meet Skagit County Public Works Department Road Standards and the International Fire Code Section 503.2.6.

Commented [JD32]: Creating a new sections seems to make more sense than an amendment as this, and the section below, are quite substantive.

Commented [PG33]: No substantive change, language clean up.

Commented [PG34]: Relocated from (G – J) below.

Commented [PG35]: Inside turning radius increased from 20 to 28 feet.

(7) These standards apply to all building permits and are the minimum for building permit purposes. County platting standards may exceed these standards, and these standards are in no way intended to eliminate the need for full compliance with land division requirements.

(8) The fire code official may make modifications to these standards if the road is not buildable because of topography, waterways, non-negotiable grades, or similar conditions. These modifications are based on:

(a) The building being protected by NFPA 13D Automatic Sprinkler Systems.

(b) Additional fire protection as required by the fire code official.

(c) Exceptions may be made for minor additions or accessory buildings when in the opinion of the fire code official the addition or accessory building will not increase risk to life safety.

(9) For roads accepted or platted by Skagit County prior to June 11, 1990, these standards may be modified by the fire code official provided that, in the fire code official's opinion, firefighting or rescue operations would still be possible.

(10) On lots not in a fire district and accessible only by water, the access road requirement may be waived if the project meets all of the other requirements of Skagit County Unified Development Code to qualify for a building permit.

(11) Emergency vehicle access roads or driveways shall not be obstructed in any manner, including the parking of vehicles. Width and clearance requirements consistent with these standards must be maintained at all times. Fire lane signage may be required per IFC 503.3.

(g) IFC Appendix D, Fire Apparatus Access Roads, Section D103.2, Grade, is amended to read:

Section D103.2 Fire Department Vehicle Access Roads—Private roads serving three to eight residential properties |

(A) Width: 20 feet of driving surface for all road lengths.

(B) Vertical clearance: 13 feet, 6 inches of unobstructed overhead clearance.

(C) Turning radius: Turning radius for turns along the length of driveway: A minimum of 28 feet of inside radius and 50 feet of outside radius is required. |

(D) Turnarounds: Per Appendix D, Figure D103.1 or as approved by thef.

(E) Bridges and private roads must also meet Skagit County Road Standards as required by the Skagit County Public Works Department.

Commented [PG36]: Jason, this no longer works as it is all under the section above (103.1), and the numbering is reformatted from the original. Please adjust accordingly.

Commented [PG37]: Added inside turning radius of 28 feet without changing outside radius.

(F) Road Surface and Grade: Shall be able to support the imposed loads of all fire apparatus and shall be surfaced to provide all-weather driving capabilities, using a material such as concrete, asphalt, or gravel as approved by the Skagit County Fire code official.

1. Where grades are 12% or under, the driving surface must be gravel or equivalent or may be concrete, asphalt, or equivalent.
2. Where grades are over 12% to 14%, the driving surface must be concrete, asphalt, or equivalent.
3. Where grades are over 14% to 16%, any residence must have a NFPA 13D fire suppression system is required and the driveway must be gravel or equivalent or may be concrete, asphalt, or equivalent.
4. Where grades exceed 16%, fire vehicle access is impaired thus an NFPA 13D fire suppression system and a 10,000 gallon water storage tank with a dry hydrant is required. The driveway must be gravel or equivalent and may be concrete, asphalt, or equivalent.

(G) Public roads must comply with Skagit County Road Standards and be approved by the Skagit County Public Works Department.

(H) These standards apply to all building permits and are the minimum for building permit purposes. County platting standards may exceed these standards, and these standards are in no way intended to eliminate the need for full compliance with land division requirements.

(I) The fire code official may make modifications to these standards if the road is not buildable because of topography, waterways, non-negotiable grades, or similar conditions. These modifications are based on:

- (1) The building being protected by NFPA 13D Automatic Sprinkler Systems.
- (2) Additional fire protection as required by the fire code official.
- (3) Exceptions may be made for minor additions or small accessory buildings to existing dwellings when in the opinion of the fire code official the addition or accessory building will not increase risk to life safety.

(J) For roads accepted or platted by Skagit County prior to June 11, 1990, these standards may be modified by the fire code official provided that, in the fire code official's opinion, firefighting or rescue operations would still be possible.

(K) On lots not in a fire district and accessible only by water, the access road requirement may be waived if the project meets all of the other requirements of Skagit County Unified Development Code to qualify for a building permit.

(L) Emergency vehicle access roads or driveways shall not be obstructed in any manner, including the parking of vehicles. Width and clearance requirements consistent with these standards shall be maintained at all times. Fire lane signage may be required per IFC 503.3.

(h) IFC Section 308.1.6.3 Open Flames—Sky Lanterns, is amended to read:

The use or discharge of sky lanterns shall be prohibited in unincorporated areas of Skagit County.

“Sky Lantern” means any sky candles, fire balloons and other airborne lanterns made of paper or other combustible material with a wood frame containing a candle, fuel cell composed of waxy flammable material or other open flame which serves as a heat source to heat the air inside the device to cause it to lift into the air.

(i) IFC Section 503.6, Security Gates, is amended to read:

The installation of security gates across fire apparatus access roads require a fire code permit and shall be approved by the Skagit County. Where security gates are installed, they shall have an approved means of emergency operation. The security gate and emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with requirements of ASTM F2200.

(Ord. O20200005 § 1 (Att. 2); Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. R20020270; Ord. 17938 Attch. I (part), 2000: Ord. 17064 (part), 1998: Ord. 16275, 1996; Ord. 16156 (part), 1996; Ord. 15818 (part), 1995: Ord. 15401, 1994; Ord. 14691 (part), 1992; Ord. 14664, 1992; Ord. 14384 (part), 1992)

15.04.040 Administration.

The Skagit County Board of Commissioners has provided in resolution that Skagit County Planning and Development Services shall administer and enforce the State Building Code within its jurisdictional boundaries. Such administration and enforcement of the State Building Code by Skagit County Planning and Development Services shall include all codes comprising the State Building Code as enumerated in SCC [15.04.020](#). (Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

15.04.050 Violation.

See SCC Chapter [14.44](#). (Ord. O20160005 (Att. A); Ord. O20140004 § 4: Ord. O20130001 Attch. A (part); Ord. O20100003 Attch. 1 (part); Ord. O20070005 (part); Ord. O20040013 (part); Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

15.04.060 Civil penalty.

Repealed by Ord. O20140004. (Ord. O20130001 Attch. A (part): Ord. O20100003 Attch. 1 (part): Ord. O20070005 (part): Ord. O20040013 (part): Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

15.04.070 Repeal.

All prior versions of this Chapter are hereby repealed; provided, however, that vesting of existing permits and applications will be in accordance with SCC [14.02.050](#)(1). (Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part): Ord. O20100003 Attch. 1 (part): Ord. O20070005 (part): Ord. O20040013 (part): Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

15.04.080 Severability.

Should any section, paragraph, sentence or word of this Chapter of the Code hereby adopted be declared for any reason to be invalid, it is the intent of the Board of County Commissioners that it would have passed all other portions of this Chapter and of the Code hereby adopted independent of that word determined to be invalid and accordingly such declaration of invalidity shall not affect the validity of this Chapter as a whole nor any part hereof other than the part so declared to be invalid. (Ord. O20160005 (Att. A); Ord. O20130001 Attch. A (part): Ord. O20100003 Attch. 1 (part): Ord. O20070005 (part): Ord. O20040013 (part): Ord. R20020270; Ord. 17064 (part), 1998: Ord. 14384 (part), 1992)

Attachment B – Amendments to Skagit County Code, Chapter 15.16

Chapter 15.16

~~BOARD OF APPEALS FOR INTERNATIONAL BUILDING CODES~~

Sections:

~~15.16.010~~—Authorization.

~~15.16.020~~—Created—Members' appointment—Power.

~~15.16.030~~—Qualifications of members.

~~15.16.040~~—Secretary.

~~15.16.050~~—Terms of office.

~~15.16.060~~—Staggered terms.

~~15.16.070~~—Rules.

~~15.16.080~~—Organization.

~~15.16.090~~—Quorum—Meetings.

~~15.16.010~~ Authorization.

The Board of Skagit County Commissioners does hereby elect to continue to operate under the provisions of the latest revised edition of the International Building Codes to include, but not be limited to, Section 113 which requires a Board of Appeals. The Building Official is hereby authorized and directed to enforce all provisions of the International Building Codes. (Ord. O20160005 (Att. A); Ord. O20070009 (part); Ord. 8011 § 1, 1979)

~~15.16.020~~ Created—Members' appointment—Power.

The Board of County Commissioners pursuant to the International Building Codes does hereby create a board of five (5) members. The members shall be appointed by the Board of County Commissioners and shall hold office at its pleasure. The members shall serve as the review board to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the provisions of the International Building Codes. (Ord. O20070009 (part); Ord. 8011 § 2, 1979)

~~15.16.030~~ Qualifications of members.

The members of the Board of Appeals shall be qualified by experience and training to pass upon matters pertaining to building construction and reside in Skagit County. (Ord. 8011 § 3, 1979)

~~15.16.040~~ Secretary.

The Building Official shall be an ex-officio member of the Board of Appeals and shall act as secretary of the Board. (Ord. 8011 § 4, 1979)

~~15.16.050~~ Terms of office.

The term of office for members of the Board of Appeals shall be four (4) years. (Ord. 8011 § 5, 1979)

~~15.16.060 Staggered terms.~~

~~To assure staggered terms of office for members of the Board of Appeals as provided by this Chapter, of the five (5) persons appointed members to the Board of Appeals, initially two (2) shall be appointed for a term of four (4) years, one (1) shall be appointed for a term of three (3) years, one (1) shall be appointed for a term of two (2) years, one (1) shall be appointed for a term of one (1) year. Thereafter each member appointed to the Board of Appeals shall be appointed (except when appointed to fill a vacancy) for a term of four (4) years. The initial appointments to the Board of Appeals shall be made effective the first day of July, 2002. Thereafter, each four (4) year term shall commence on the first day of July of the year when the term created therein shall expire and the four (4) year anniversary thereof. (Ord. 20020270; Ord. 8011 § 6, 1979)~~

~~15.16.070 Rules.~~

~~The Board shall adopt reasonable rules and regulations for the conducting of its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant and may recommend to the governing body such new legislation as is consistent therewith. (Ord. 8011 § 7, 1979)~~

~~15.16.080 Organization.~~

~~At its first meeting in July, 2002, the Board of Appeals shall organize by electing a chairman and vice chairman to serve until July, 2003. Thereafter, at the regular meeting in July of each year, the Board of Appeals shall organize by electing a chairman and vice chairman to serve for a period of one (1) year beginning as of July of the same year. The Board of Appeals may appoint standing or special committees to each of which it may assign specific responsibilities and authorities, provided only that such committee shall make no recommendation to the Board of Appeals. (Ord. 20020270; Ord. 8011 § 8, 1979)~~

~~15.16.090 Quorum—Meetings.~~

~~Three (3) members of the Board of Appeals shall constitute a quorum. All actions of the Board of Appeals shall be determined by a majority vote at a meeting of which a quorum is present; provided, that where State or County regulations require a larger than the majority of a quorum, such provisions shall govern. The Board shall hold not less than one (1) regular meeting each month; provided, that if no matters over which the Board has jurisdiction are pending upon its calendar, a meeting may be cancelled. (Ord. 8011 § 9, 1979)~~

Attachment C – Amendments to Chapter Skagit County Code, Section 14.06.050

14.06.050 Application level.

(1) Applications for development permits and other administrative determinations shall be categorized as one of four levels as follows; provided, that shoreline applications shall be processed as described in the Skagit County Shoreline Management Master Program:

(a) Level I. Level I applications are those applications for which a final decision is made by the applicable Administrative Staff, either the Director of Public Works or his/her designee, or the Director of Planning and Development Services or his/her designee, without a public hearing. That decision may then be appealed in an open record appeal hearing to the Hearing Examiner. The Hearing Examiner decision may then be appealed in a closed record appeal to the Board. Actions reviewable as Level I applications include:

- (i) Boundary line adjustments pursuant to Chapter 14.18 SCC.
- (ii) Preliminary and final short subdivision approvals and extensions pursuant to Chapter 14.18 SCC.
- (iii) Binding site plans pursuant to Chapter 14.18 SCC of less than 9 lots, tracts, parcels or units.
- (iv) Preliminary long subdivisions of fewer than 9 lots, tracts or parcels unless a public hearing has been requested pursuant to SCC 14.06.110(15), in which case they shall be processed as a Level II-HE decision, the same as preliminary long subdivisions of between 9 and 50 lots; and provided, that the additional notice procedures of SCC 14.06.110(15) for this administrative long subdivision must be met. RCW 58.17.095 provides statutory authority for the administrative long development permits subdivision process.
- (v) Flood area pursuant to Chapter 14.34 SCC.
- (vi) Applicability of any of the provisions of SCC Title 14 to the issuance of Building Permits including, but not limited to, application of mitigation pursuant to the authority of the State Environmental Policy Act and SCC Chapter 16.12. ~~Appeals of interpretations by the building official pursuant to SCC Title 15 shall be governed by the requirements of SCC Chapter 15.16.~~
- (vii) Administrative special use permits, pursuant to SCC 14.16.900(1).
- (viii) Concurrency review pursuant to Chapter 14.28 SCC (Concurrency).
- (ix) Threshold determinations pursuant to SCC Chapter 16.12 (State Environmental Policy Act).
- (x) Technical deviations from the requirements of Chapter 14.32 SCC (Stormwater Management).
- (xi) Administrative interpretations initiated by the County or another party regarding any existing permit or land use approval prior to its issuance or any issued or approved permit or land use approval that did not originally require a public hearing.
- (xii) Administrative decisions.

Commented [PG1]: No longer applicable if Board of Appeals is removed.

- (xiii) Administrative variances pursuant to SCC 14.10.020(1).
- (xiv) Forest Practice Act waivers for single-family residential development.
- (xv) Administrative orders and civil penalties issued pursuant to SCC Chapter 14.44.
- (xvi) Preliminary subdivision approval extensions pursuant to SCC 14.18.100(6)(e).
- (xvii) Development permit application denials pursuant to SCC 14.06.105.

(xviii) [Interpretations by the building official and fire code official pursuant to SCC Title 15.](#)

Commented [JD2]: Put on own line because it is a separate function than the issuance of the permit itself. Probably would be best immediately following subsection (1)(a)(vi), but didn't want to disrupt any cross-references.