



Construction Exempt from a Building Permit

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Generally, Skagit County requires a building permit (or a mechanical, hot water tank replacement, demolition or grading permit) anytime you erect, construct, enlarge, alter, repair, move, improve, convert, or demolish a building or structure, including: construction (remodels included), placement of a shipping container or mobile home, installation of a furnace, wood stove, hot water heater, or mechanical system and grading (see clearing and grading handout for thresholds).

Building Permit Exemptions:

- 1) One story detached buildings ≤ 200 square feet, if all of the following are true:¹
 - It is not used for sleeping purposes.
 - It meets setback requirements of SCC14.16.810.
 - It is not located in a Special Hazard Flood Area unless a flood permit has been approved.
 - It is not located in a designated floodway.
 - It is not placed within a defined critical area or its buffer, unless approved after critical areas review.
 - It contains no plumbing or water source has been approved for that project by the County.
- 2) Membrane structures (as defined in the IBC) if all of the following are true:¹
 - It is used exclusively for the protection or propagation of plants other than marijuana that are not on display for public viewing or sales.
 - It is located a minimum of 20 feet from any property line or other structure and meets standard setback requirements.
 - The membrane material is < 20 mil (0.5 mm) in thickness.
 - Multiple membrane structures located on the same lot and having an aggregate floor area exceeding 12,000 square feet must maintain a minimum of 60-foot clear yards on all sides of the structure.
 - It is not located in a Special Hazard Flood Area, unless a flood permit has been approved.
 - It is not located in a designated floodway.
 - It 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 SCC 14.32.
- 3) Work located primarily in a public way, including but not limited to grading, trenching, vaults/walls, install and maintenance of public utility towers and poles, install and maintenance of mechanical equipment not specifically regulated in this code, underground utilities, and hydraulic flood control structures.
- 4) 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.¹
- 5) Uncovered decks where all walking surfaces are no more than 30" above grade.
- 6) Replacing deck walking surfaces, roof coverings, siding or residential windows with no modification of framing.
- 7) Wall mounted signs which project from the wall no more than 6 inches and monument signs no more than 7 feet in height.
- 8) Playground equipment compliant with U. S. Consumer Product Safety Commission Public Playground Safety Handbook.
- 9) Self-contained cellular tower generators with no external fuel tank and located within fenced area.
- 10) Prefabricated swimming pools accessory to a single-family residence in which the pool walls are entirely above adjacent grade and whose capacity is ≤ 5000 gallons.²
- 11) Window awnings, exterior wall supported, of a single-family residence or mercantile occupancy projected ≤ 54 inches.²
- 12) Fences that are ≤ 7 feet.² Fences that are ≥ 6 feet must still comply with setback requirements; see our fences handout for details.
- 13) Retaining walls ≤ 4 feet in height measured from the bottom of footing to top of wall unless supporting a surcharge.²
- 14) Solar photovoltaic panel installations on existing roof of a single-family dwelling consistent with the Department's handout on solar panel installation.⁴

Caution: other permit & code compliance may be required

Although a building permit may not be required, you must still comply with building and land use codes, including setbacks, flood requirements, and requirements to obtain any other types of permits required by law. The following permits may still be required:

- **Floodplain.** If you are in a Special Flood Hazard Area, you must obtain a flood permit.
- **Shoreline jurisdiction.** If you are building within 200 feet (and sometimes more) of a high-volume stream, lake, or the ocean, your structure may be subject to Shoreline Master Program rules.
- **Critical areas review.** You should be careful that your permit- exempt construction does not occur near a wetland, creek, stream, or its buffer. If you are unsure, request critical areas review.
- **Water review.** Projects that add plumbing may require that the water source is approved by the County.
- **Mechanical.** Unless otherwise exempt, separate permits for mechanical work may be required even for work exempt from a building permit.
- **Electrical work.** Construction that is exempt from a County building permit may still require electrical permits from the Washington State Department of Labor and Industries.
- **Swinomish Reservation.** Check with Swinomish Planning Department to confirm your work is permit-exempt.

¹ SCC 15.04.030(1).

² IBC 105.2, Work exempt from permit.

³ IRC 105.2, Work exempt from permit.

⁴ Department Policy