



Construction Exempt from Building Permit

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When is a building permit required?

Generally, Skagit County requires a building permit (or a mechanical, plumbing, or grading permit) anytime you erect, construct, enlarge, alter, repair, move, improve, convert, or demolish a building or structure, including:

- Construction, including remodeling;
- Placement of a shipping container or mobile home;
- Installation of a furnace, wood stove, plumbing, or mechanical system (see plumbing and mechanical handout);
- Grading (see clearing and grading handout).

When is a building permit NOT required?

The following types of construction are exempted from the general requirement to obtain a building permit:

- 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
- Fences that are 7 feet or less tall.² Note that fences may need to comply with setback requirements; see our fences handout for details.
- Retaining walls not over four feet in height as measured from the bottom of the footing to the top of the wall.²
- Uncovered decks with walking surfaces no more than 30" above grade at any point.³
- Prefabricated swimming pools accessory to a single-family residence in which the pool walls are entirely above adjacent grade and whose capacity does not exceed 5000 gallons.²
- Window awnings supported by an exterior wall of a single-family residence or mercantile occupancies when projecting not more than 54 inches.²
- One story detached buildings 200 square feet or smaller, if all of the following are true:¹
 - The building is not used for sleeping purposes.
 - The building is not placed within a defined critical area or its buffer, unless critical areas review has been completed and the location is approved.
 - Only one such exempt building is allowed for each 5 acres of any property up to a maximum of 4 exempt buildings.
 - The building is not located in a designated floodway.
 - The building contains no plumbing.

- Membrane structures (as defined in the International Building Code) if all of the following are true:¹
 - 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.
 - The structure is located a minimum of 20 feet from any property line or other structure and meets standard setback requirements.
 - The membrane material is less than 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.
- Replacement of windows without increasing the size.⁴
- Re-siding or roofing of existing residential structures. No more than two layers of asphalt/composition shingles.⁴
- Solar photovoltaic panel installations on existing roof of a single-family dwelling consistent with the Department's handout on solar panel installation.⁴

Compliance with the code is still required

Importantly, although a building permit is not required, you must still comply with the building and land use codes, including setback and flood requirements, and requirements to obtain any other types of permits required by law. Within the **Swinomish Reservation**, check with the Swinomish Planning Department to confirm your work is permit-exempt.

What other permits may be required?

Floodplain. If you are in a Special Flood Hazard Area, **you must obtain a flood permit.**

Shorelines 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're unsure, request critical areas review.

Plumbing and mechanical. Unless otherwise exempt, separate permits for plumbing and 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 (www.lni.wa.gov).

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.