



CITY OF BAINBRIDGE ISLAND
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

SMP Regulatory Guidance Memo

Title: Enlargement/Expansion of Existing Single-Family Residential Primary Structures
Number: 15-01
Date: July 7, 2015
SMP Citation: 4.2.1.6.3.2.a

Background

Alteration or expansion of an existing primary structure is a common activity for shoreline substantial development (SSDE) applications. The code provision for this activity is confusing largely due to its use of terms that do not have definitions included in the SMP. Further, the sentence structure makes it difficult to determine the location of the permitted alteration or expansion.

Regulatory Language

SMP 4.2.1.6.3.2.a states, in part: “Enlargement or expansion of the building configuration, including any new impervious surfaces located within the Shoreline Buffer shall be located landward of the existing or original building footprint...”

Need for Regulatory Clarification

Clarification is needed because neither the SMP nor BIMC provide a definition for “building configuration” making the location of approved enlargement/expansion unclear. Further, there was initial confusion as to whether this provision applied to primary structures only within the shoreline buffer or anywhere within the shoreline jurisdiction.

Analysis

First, staff reads the code to apply to primary structures only within the shoreline buffer and notes that a comma between the word “surfaces” and “located” would help to clarify. Further, a subsequent section of the code (SMP 4.2.1.6.3.4) states specifically, “Increases in structure footprint outside of the shoreline buffer shall be allowed, even if all or a portion of the existing footprint is within the shoreline buffer.” This section would not be needed if the prior section applied to areas outside the shoreline buffer.

Second, "building" is defined in the SMP (and BIMC, Zoning) as "any structure having a roof, designated for shelter of persons, animals or property." Staff reads this definition to include covered outdoor space such as decks (above and below) and porches attached to a primary residential structure since they are structures with a roof designated for shelter. The "building footprint," then, is the footprint (the structural perimeter) of the covered space (or the space with a roof). The "building configuration" is read to mean the arrangement of elements considered buildings.

"Landward" is defined in the SMP as "in a direction toward shoreland areas." Staff reads this to mean *not waterward, or not further toward the water*. This reading of "landward" allows for (1) vertical expansion (which is allowed in SMP 4.2.1.6.3.2.b – "any vertical expansion must meet height requirements of this Program) and (2) any enlargement/expansion that does not result in a structure further waterward whether it be enclosure of existing covered outdoor space or an addition to an existing primary structure.

Conclusion

Enlargement/expansion of an existing primary structure is allowed to occur under and/or over a covered porch or deck to the extent of the structural perimeter. This does not include the area under the eaves.

Staff finds that this reading of the code would meet the goals and policies of the SMP and the "no net loss" standard since it would not result in vegetation disturbance or creation of new impervious surface area. Additional provisions of this code section protect existing views of the water from other residences and require that the remodel or expansion not cause adverse impacts to shoreline ecological functions and/or processes.

Enlargement/expansion of an existing primary structure includes the addition to an existing structure as long as the addition is not further waterward of the existing building footprint. Any vegetation disturbance and/or new impervious surface area would require mitigation pursuant to SMP 4.1.2.

Approved by:

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Date