

Merrill, Hannah

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Sent: Sunday, March 10, 2013 2:47 PM
To: Karl Spees; zSMP
Cc: harry bell; Jo Anne Estes; [REDACTED]; Jay Petersen; Keith Olson; Randy Dutton; Steve Gray; Miller, Sheila Roark
Subject: RCW 90.58.100 DEFINITION AND PROTECTION of "Single-family residence"

To assist ESA in the legal clarification, definition and correction of WA State RCW 90.58.100, I am providing the following documentation for the SMP Update.

THIS IS THE RCW [90.58](#) DEFINITION OF "Single-family residence"

Pursuant to chapter [90.58](#) RCW. **"Single-family residence"** means a detached dwelling designed for and occupied by one family **including those structures and developments within a contiguous ownership which are a normal appurtenance.**

An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances **include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading** which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark.

THIS IS THE WA STATE LAW RCW 90.58.100 protection of single family residences and appurtenant structures

(6) Each master program shall contain standards governing the **protection of single family residences and appurtenant structures against damage or loss due to shoreline erosion.** The standards shall govern the issuance of substantial development permits for shoreline protection, including structural methods such as construction of bulkheads, and nonstructural methods of protection. The standards shall provide for methods which achieve effective and timely protection against loss or damage to single family residences and appurtenant structures due to shoreline erosion. The standards shall provide a preference for permit issuance for measures to protect single family residences occupied prior to January 1, 1992, where the proposed measure is designed to minimize harm to the shoreline natural environment.

Pearl Rains Hewett