



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, hot water tank replacement, 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).

Compliance with code is still 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.
- 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.
- Swinomish Reservation. Check with Swinomish Planning Department to confirm your work is permit-exempt.

A building permit is not required if one of the criteria below is satisfied.

- 1) One story detached buildings ≤ 200 square feet, if all of the following are true:¹
 - a. The building is not used for sleeping purposes.
 - b. The building is not placed within a defined critical area or its buffer, unless approved after critical areas review.
 - c. Only one such exempt building is allowed for each 5 acres of property up to a maximum of 4 exempt buildings.
 - d. The building is not located in a designated floodway.
 - e. The building meets setback requirements of SCC 14.16.
 - f. The building contains no heating or plumbing.
- 2) 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
- 3) Fences that are ≤ 7 feet.² Fences that are ≥ 6 feet must comply with setback requirements; see our fences handout for details.
- 4) Retaining walls ≤ 4 feet in height measured from the bottom of the footing to the top of the wall², unless supporting a surcharge or impounding a Class I, II, or IIIA liquids.
- 5) Uncovered decks with walking surfaces ≤ 30 " above grade at any point.³
- 6) 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
- 7) Window awnings, exterior wall supported, of a single-family residence or mercantile occupancy projected ≤ 54 inches.²
- 8) Membrane structures (as defined in the IBC) if all of the following are true:¹
 - 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 standard setback requirements.
 - c. The membrane material is < 20 mil (0.5 mm) in thickness.
 - d. 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.
 - e. A siteplan is submitted, showing compliance.
- 9) Replacement of windows without increasing the size.⁴
- 10) Re-siding or roofing of existing residential structures. No more than two layers of asphalt/composition shingles.⁴
- 11) Solar photovoltaic panel installations on existing roof of a single-family dwelling consistent with the Department's handout on solar panel installation.

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.