

## 7.10 PIERS AND DOCKS

### 1. POLICIES

#### A. **General**

- (1) **Feasibility** - Proposals for piers or wharves should exhibit the need or feasibility for such structures.
- (2) **Uses** - Piers and docks should be allowed only for use by watercraft, water dependent and related economic activities, water related public recreation, and emergency vessels.
- (3) **Existing Facilities** - Multiple use and expansion of existing piers, wharves, and docks should be encouraged over the addition and/or proliferation of new facilities.
- (4) **Community or Joint Use** - All new or existing shoreline developments that propose new or additions to piers, docks, and swim or recreation floats should provide such facilities for common, joint use by appropriate development organizations, community residents, or users.  
New developments include industrial, port, commercial, residential, or recreational activities.
- (5) **Public Access/Use** - Encourage pier and dock projects to provide for public access, docking, launching, and use.
- (6) **Water Quality, Fish, Shellfish, and Wildlife** - Piers and docks and their associated activities should conserve and enhance water quality, fish, shellfish, and wildlife resources and habitats.
- (7) **Mooring Buoys** - Mooring buoys for individual mooring of craft in areas where there are no or insufficient docking facilities are preferred over the construction of individual shoreline docks.
- (8) **Restoration** - Local programs and coordinated efforts among private and/or public agencies should be initiated to remove or repair failing, hazardous, or nonfunctioning piers and docks and restore such facilities and/or shore resources to a safe, usable state for commercial and public recreation activities.

## **B. Geohydraulics and Design/Location**

### **(1) Marine and lake shores:**

- a. Where geohydraulic processes are active (shore erosion and accretion, littoral drift), piers and docks should allow for a maximum of littoral drift and should minimize interference with basic geohydraulic processes.
- b. If a bulkhead-like base is proposed for a fixed pier or dock where there is net positive littoral drift, the base should be built landward of the ordinary high water mark (foreshore) or protective berms.
- c. Piers and docks should not be located in estuaries and biologically productive marshlands.
- d. The use of mooring buoys should be preferred if proposed docking facilities for small boat and pleasure craft will adversely interfere with basic geohydraulic processes or utilize valuable and unique shoreline resources.

### **(2) River shores:**

- a. Piers and docks should not locate along braided or meandering river channels or where the river channel is subject to change in direction or alignment.
- b. Bulkhead-like bases for piers and docks along river shorelines should be built landward of the ordinary high water mark.
- c. If docks are allowed along river shorelines, they should be of the floating type, securely anchored to piling to allow for changes in the river level. Construction of such docks and their accessory uses should be able to withstand 100-year frequency flooding.

### **(3) Floating and/or open-pile construction should be utilized:**

- a. where geohydraulic processes are active

- b. where shore trolling and commercial fishing is a significant activity
  - c. if there will be interference with currents, circulation, and aquatic life.
- (4) Open-pile piers and docks should not form groins or baffles that trap littoral drift, adversely affect river channel form and alignment, promote erosion or interfere with fisheries resources and other aquatic life
  - (5) **Impacts** - Piers and docks should be sited and designed to minimize all possible adverse impacts.
  - (6) **Boathouses** should be located inland from the ordinary high water mark, be in conformance with Skagit County zoning ordinances regarding accessory buildings, and should be designed to minimize visual impacts to the shoreline environment.
  - (7) **Mooring Buoys and Swim Floats** should be of the anchored, floating type, be located out of main navigational channels and areas of intensive water surface use, and be painted or designated to avoid being a hazard to other water users.

**C. Docks**

Although docks for private, noncommercial pleasure craft and common to single family residences and costing less than two thousand, five hundred dollars (\$2,500) are exempt from the shoreline permit procedure (RCW 90.58.030 (3-e-vii)), the county, for the benefit of the lot owner, adjacent properties, and water body users, should review all proposals for docks to determine if:

- (1) The proposal is or is not exempt from permit procedures.
- (2) The proposal is suitably located and designed and that all potential impacts have been recognized and mitigated.
- (3) The proposal is consistent with the intent, policies and regulations of the Act and this program (RCW 90.58.140(1)).

**2. REGULATIONS**

**A. Shoreline Areas**

**(1) Urban**

- a. Docks, mooring buoys, and floats are permitted subject to the General Regulations.
- b. Piers and wharves for port, industrial, or commercial purposes are permitted subject to the General Regulations.
- c. Boathouses for private use shall be setback 35 feet landward of the OHWM and eight feet from side property lines.

**(2) Rural Residential**

- a. Docks, mooring buoys, and floats are permitted subject to the General Regulations.
- b. Piers and wharves for commercial purposes are permitted as a conditional use.
- c. Boathouses for private use shall be setback 50 feet landward of the OHWM and eight feet from side property lines.

**(3) Rural**

- a. Docks, mooring buoys, and floats are permitted subject to the General Regulations.
- b. Piers and wharves for port, industrial, or commercial purposes are permitted as a conditional use.
- c. Boathouses for private use shall be setback 50 feet landward of the OHWM and 50 feet from side property lines.

**(4) Conservancy**

- a. Docks, mooring buoys, and floats are permitted on lake and marine shorelines subject to the General Regulations.
- b. Docks and mooring facilities are permitted on river shorelines as a conditional use.
- c. Piers and wharves are prohibited.

d. Boathouses for private use shall be setback 100 feet landward of the OHWM and 75 feet from side property lines.

(5) **Natural**

Piers, docks, boathouses, and other permanent moorage facilities are prohibited, EXCEPT for officially approved facilities essential for public access and/or nature interpretation or observation compatible with the area's physical and visual character.

(6) **Aquatic**

a. Piers, docks, mooring buoys, and floats are permitted according to the appropriate upland Shoreline Area designation and the General Regulations.

b. Monobuoys, sea islands, and other floating or fixed bulk liquid or petroleum transfer facilities are permitted as a conditional use.

**B. General**

(1) **Permit/statement of exemption** - In order to assure that piers, dock, and related development are consistent with this program as required by RCW 90.58.140 (1), no such development may commence on shorelines without the responsible person having first obtained either a shoreline permit or statement of exemption from the county; provided, that no shoreline permit nor statement of exemption shall be issued for a pier or dock on state owned tidelands or shorelands without the applicant having a lease from the Department of Natural Resources.

(2) **Application information** - Proposals for piers, docks, or floats shall submit the following information concurrently with the Skagit County Application for Shoreline Management Substantial Development Permit or Statement of Exemption:

a. Ownership of tidelands, shorelands, or bedlands.

b. Proposed location of piers or docks relative to property lines and OHWM.

- c. Location and length of piers and docks on adjacent properties.
- (3) **Piers or wharves** - Construction of piers or wharves for port, industrial, or commercial purposes are subject to the Shoreline Area regulations and applicable regulations for Commercial Development or Ports and Industry.
- (4) **Private, Noncommercial docks**
- a. **Number** - No more than one (1) private, noncommercial dock is permitted per platted or subdivided shoreline lot or unplatted shoreline tract owned for residential or recreational purposes.
  - b. **Sideyard setback** - Docks shall be set back a minimum of eight (8) feet from side property lines, EXCEPT that a joint use or community dock may be located adjacent to or upon a side property line.
- (5) **Design and construction** - for private, noncommercial, joint use, and community docks.
- a. **Length**
    - 1. If there are existing docks within 300 feet of side property lines:
      - Private docks shall be no longer than the average length of those docks as measured from the OHWM.
      - Joint use and community docks shall be no longer than 15 feet greater than average length of those docks as measured from the OHWM.
    - 2. If there are no existing docks within 300 feet of side property lines, proposals for private, joint use, or community docks shall show reasonable

justification to exceed 50 feet in length from OHWM.

- b. **Height** - Docks shall not exceed three feet in height above OHWM on the landward side.
  - c. **Width** - Dock width shall be no greater than ten (10) feet.
  - d. **Materials** - Docks shall utilize open pile construction techniques. Solid materials such as rocks or concrete utilized for bulkhead bases shall be placed landward of the OHWM.
  - e. **River shorelines** - Docks on river shorelines shall be of the floating type, securely anchored to piling to allow for changes in river level, and shall be able to withstand 100-year frequency flooding.
- (6) **Community docks** - Docks for private recreational or residential subdivisions and camping clubs shall limit the number of berths to one (1) per dwelling, camping unit or lot. Proposals for community docks which provide more than twelve (12) berths shall be reviewed as marinas under Master Program Section 7.07, "Marinas and Boat Launch Ramps," and shall be in accordance with all policies and regulations of that section.
- (7) **Boathouses** - Boathouses for private use shall meet the setback requirements and standards of the respective Shoreline Area, Section A.
- (8) **Covered moorages** - Covered moorages are permitted only as part of marina development. See "Marinas and Launch Ramps."
- (9) **Floats**
- a. Floats shall be limited to one (1) per platted or subdivided shoreline lot or unplatted shoreline tract owned for residential or recreational purposes.
  - b. Joint use or community floats shall be preferred over individual lot facilities.

- c. Floats shall be of the nonpermanent, floating type only and must be securely anchored to real or material property owned by the applicant. Such anchoring should allow the float to be removed to an onshore location during extended periods of nonuse.
  - d. Floats shall be no larger than necessary to meet the anticipated use. Covered or enclosed floats are not permitted.
  - e. Floats shall not constitute a hazard to public safety and established navigation and shall not materially interfere with normal public use of the water and shorelines.
- (10) **Float plane facilities** - Docks and facilities for the moorage of float planes are a conditional use. Standards for private, noncommercial docks shall apply unless for commercial purposes in which case Commercial Development and Marina standards shall apply.
- (11) **Residential use** - Piers, docks, floats and any watercraft moored thereto are not permitted to be used for residential purposes.
- (12) **Utilities** - Overhead wiring or plumbing is not permitted on piers or docks. All utilities must meet the standards of applicable Uniform Building and Electrical Codes.
- (13) Petroleum and hazardous products storage and handling:
- a. Bulk storage of gasoline, oil, and other petroleum products for any use or purpose is not permitted on piers and docks. Bulk storage means nonportable storage in fixed tankage. Storage tanks for boat fueling facilities shall locate landward of the OHWM and meet the policies and regulations for "Utilities," Chapter 7.18.
  - b. Docks, piers, and floats used for the transfer of bulk petroleum and/or other hazardous products shall utilize technology and procedures to prevent spills and mishaps.



Spill cleanup facilities shall be available for prompt application at all piers and docks involved in oil and hazardous products transfer.

- (14) **Safety** - All piers, docks, mooring buoys and floats shall be located, constructed, and designated with appropriate markings so as not to be a hazard to public health, safety, and navigation and shall not materially interfere with normal public use of the water and shorelines.