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SENATE BILL 5879

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State of Washington

54th Legislature

1995 Regular Session

By Senator Winsley

Read first time 02/13/95. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to regulating vegetation height along shorelines;  
2 and amending RCW 90.58.320.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 90.58.320 and 1971 ex.s. c 286 s 32 are each amended  
5 to read as follows:

6 (1) No permit shall be issued pursuant to this chapter for any new  
7 or expanded building or structure of more than thirty-five feet above  
8 average grade level on shorelines of the state that will obstruct the  
9 view of a substantial number of residences on areas adjoining such  
10 shorelines except where a master program does not prohibit the same and  
11 then only when overriding considerations of the public interest will be  
12 served.

13 (2) A person shall not install or cause to be installed on property  
14 used for residential or commercial purposes on shorelines any  
15 ornamental vegetation that will significantly obstruct or restrict the  
16 view from existing residences on areas adjoining such shorelines. For  
17 purposes of this subsection, ornamental vegetation includes any type of  
18 plant introduced to the site by the owner or the owner's agent, except  
19 vegetation introduced pursuant to a requirement for environmental

1 mitigation or remediation. Local government may include provisions in  
2 master programs establishing appropriate height and bulk standards for  
3 ornamental vegetation in residential and commercial areas of the  
4 shoreline that balance view protection and aesthetic considerations.  
5 Where such provisions have been adopted they shall be deemed to provide  
6 compliance with this subsection. This subsection does not apply to  
7 areas managed for open space, forestry, or agricultural purposes.

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