



ADMINISTRATIVE ORDER #000126 081715

CODE INTERPRETATION

CODE SECTION: 20.50.020

I. ISSUE: Do flag poles have to meet setbacks? In what other ways are they regulated?

II. FINDINGS:

- **Building Code:** Building permits are required for a structure over eight feet in height.
- **Engineering Development Manual:** Sight Distance requirements ensure there is no visual blockage for vehicular egress from a driveway.
- **Shoreline Municipal Code (SMC)**

20.50.020 establishes setbacks and height limits for each zoning district.

20.50.040(I) does not allow projections into the minimum 5-foot setback (other than certain drainage systems).

Exception 20.50.050(3) allows certain features to project above the height limit, such as fire or parapet walls, skylights, *flagpoles*, chimneys, and utility line towers and poles..
[emphasis added]

Exception 20.50.100(1): *One uninhabited freestanding structure less than 10 feet high and 200 square feet in footprint area, such as a storage shed or greenhouse, may be located within the required rear or side yard setback. This structure shall retain a fire separation distance as specified in adopted building codes.*

Exception 20.50.100(2): *If the accessory structure, which is less than 200 square feet in footprint and less than 10 feet high, is located in the side yard, such structure shall be set back at least five feet further than the house from any street.*

SMC 20.50.610 Exempt Signs: State or Federal flags are exempt from the sign code under 20.50.610(E). The flag of a commercial business is exempt from the sign code under 20.50.610(G) as long as there is no more than one and it does not exceed 20 square feet in surface area.

III. CONCLUSIONS

A flag pole is a structure requiring a building permit with structural review for a miscellaneous structure. It is typically less than 200 square feet but greater than eight feet in height.

Since no projections are allowed in the minimum 5-foot setback, with the exception of small sheds less than 10 feet high, it can be assumed that no structure such as a flag pole would be permitted as they are generally over 10 feet in height. There is also somewhat of a visual and sometimes auditory impact associated with the use. However, since most flagpoles are associated with the front of a building or site, it makes sense to allow them in the front yard setback, as there is no discernable impact to the public right-of-way. This is assuming sight distance requirements for safe egress are met.

Since there is a provision in the code regulating the size of a flag in commercial zones, exempting from review those that are one per business premises and 20 square feet, these parameters are also reasonable for a residential property.

IV. DECISION: One flag pole may be placed in the front yard setback, but would have to maintain a 5-foot setback from all other property lines in residential zones. A building permit is required, and sight-distance as described in the adopted Engineering Development Manual must be met. The flag flying from the pole shall be no more than 20 square feet.



Director's Signature

8-17-15

Date