



## POLICIES/PROCEDURES/INTERPRETATIONS

### Determining Residential Building Height

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Issued 10/01/2023  
BP-2023-01\_SJ-DetermineResHeight

**ISSUE:** The method for determining the height of residential buildings is different depending on site-specific regulations and conditions. Measuring the height of a residential building is determined differently within the shoreline jurisdiction than it is elsewhere in the County. Additionally, the code language for determination of height is confusing within the San Juan County Unified Development Code (UDC).

This policy is intended to provide clarity on how height of a residential building is determined. This policy does not specify the applicable maximum height restrictions, nor does it address specific exceptions from maximum height measurement requirements.

**ANALYSIS:** The method for determining the height of a residential building varies by the following site-dependent considerations: A) Whether or not the development is located in the shoreline jurisdiction; and B) The applicable land use designation and site-specific conditions.

Section [18.20.080](#) "H" definitions contains three different definitions regarding height. Specifically:

- *"Height" means the vertical distance measured from the average existing grade beneath a structure or object along a plumb line to the highest point of a structure or object.*
  
- *"Height of building" means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hip roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:*

*The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade; or*

*An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection (1) of this definition is more than 10 feet above lowest grade.*

*The height of a stepped or terraced building is the maximum height of any segment of the building.*

- *“Height, shoreline” means the height of shoreline structures, measured from average grade level to the highest point of a structure; provided, that television antennas, chimneys, and similar appurtenances are not used in calculating height, except where they obstruct the view of the shoreline of a substantial number of residences on areas adjoining such shorelines, excluding temporary construction equipment ([WAC 173-27-030](#)).*

The definition for “height” was introduced to the UDC in 2012 via “[Ordinance 10-2012](#)- Ordinance regarding Wireless Facilities and Commercial Communication Facilities.” The ordinance’s clear intention was to amend Ordinance 15-2010 to facilitate improved wireless coverage within the County while at the same time protecting scenic vistas and preventing undesirable adverse impacts to property values and the character of rural and residential areas.

The definition for “height of building” was codified as early as 1998 under “Ordinance 2-1998 ([see Part 2 of 5](#))”, which provided for the definitions of technical and procedural terms used throughout the Comprehensive Plan and San Juan County Code. This definition originates from the Unified Building Code (UBC) was the regulatory document governing building construction requirements and standards in 1998. Though Washington State had adopted the IRC and IBC by 2004, the definition for “height of building” in the County’s UDC has remained largely unchanged since the 1998 ordinance. The only modification to this definition was made via [Ordinance 1-2016](#) where the reference to the UBC was dropped while the definition remained unchanged.

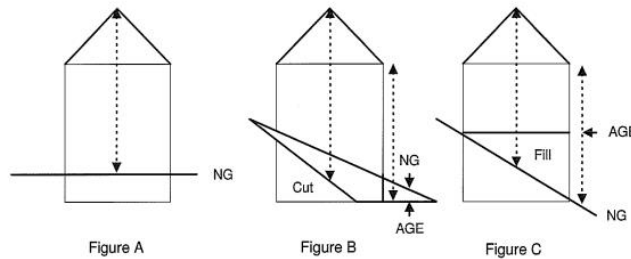
The definition for “height, shoreline” was last updated to under [Ordinance 1-2016](#) and is further established under [RCW 90.58.320](#) and [WAC 173-27-030](#). Unless superseded by another provision (for example in the case of structures on docks as noted in 18.50.240(A)(6), etc.) the definition for “height, shoreline” is appropriate for all residential buildings governed by the shoreline jurisdiction or the land and waters of the County that fall under the jurisdiction of the Shoreline Management Act (SMA) per [SJCC 18.50.030\(A\)](#).

In addition to the above definitions and methodologies for determining height of a structure and building there are various instances where development-specific conditions may have a more appropriate definition or methodology. These may be defined in a specific subarea plan, approved land use permit, plat, County-binding deed restriction or other applicable regulation or development standard. While it is not feasible to list every single instance of variation to the methodology for determining height, the following are examples of such variations within the UDC:

➤ Article IV. Subarea Plans, Interim Controls and Development Standards [18.30.246](#) **Olga Hamlet Plan – Design standards provision (A):**

A. Structure Height Limits – Measurement Methods.

1. Where the natural grade remains unchanged the structure height shall be measured as by a plumb line from every point on the roof to the natural grade (NG). Natural grade shall mean the existing grade prior to any human modification. See Figure A below.
2. Where the natural grade has been cut at any point around the structure footprint, the structure height shall be measured as by a plumb line from every point on the roof to the altered grade elevation (AGE). See Figure B below.
3. Where fill material has been added to the natural grade, the structure height shall be measured as by a plumb line from every point on the roof to the natural grade. Artificially created grades shall be included in computing the structure height above natural grade. See Figure C below.



1. Ord. 10-2006 Exh. A. Formerly 18.30.245(B)

➤ Article V. **Deer Harbor Hamlet Plan** [18.30.350](#) **Definitions provision (F):**

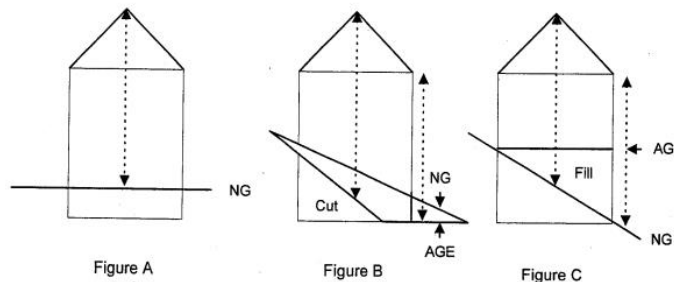
F. Height. To be determined as follows: Regardless of roof slope, the maximum height shall be 26 feet to the highest point of a structure where the height is measured from the average of the existing predevelopment grade as determined from the center of the perimeter exterior walls of the proposed structure. No more than two stories are permitted.

2. Ord. 25-2012 § 31; Ord. 31-2008 § 2; Ord. 26-2007 § 14

➤ Article VI. **Orcas Village Activity Center** [18.30.440](#) **Development standards provision (B):**

B. Building Height Measurement. No structure shall exceed 28 feet above grade, measured as described in the illustration below. However, a height bonus allowing a maximum height of 32 feet will be granted for those buildings with a minimum roof pitch of 6:12. Structure height limit measurement methods are as follows:

1. Where the natural grade remains unchanged the structure height shall be measured as by a plumb line from every point on the roof to the natural grade (NG). "Natural grade" shall mean the existing grade prior to any human modification. See Figure A, below.
2. Where the natural grade has been cut at any point around the structure footprint, the structure height shall be measured as by a plumb line from every point on the roof to the altered grade elevation (AGE). See Figure B, below.
3. Where fill material has been added to the natural grade, the structure height shall be measured as by a plumb line from every point on the roof to the natural grade, regardless height of fill. See Figure C, below.



3. Ord. 25-2012 § 35; Ord. 46-2008 § 6(G)

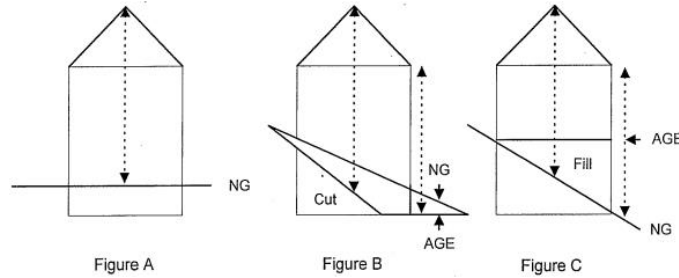
➤ **Article VII. Country Corner Island Center Plan section [18.30.453](#) Building height measurement:**

No structure shall exceed 30 feet above grade, measured as described in the illustration below. Structure height limit measurement methods are as follows:

A. Where the natural grade remains unchanged the structure height shall be measured by a plumb line from every point on the roof to the natural grade (NG). Natural grade shall mean the existing grade prior to any human modification. See Figure A, below.

B. Where the natural grade has been cut at any point around the structure footprint, the structure height shall be measured as by a plumb line from every point on the roof to the altered grade elevation (AGE). See Figure B, below.

C. Where fill material has been added to the natural grade, the structure height shall be measured as by a plumb line from every point on the roof to the natural grade, regardless of the height of fill. See Figure C, below.

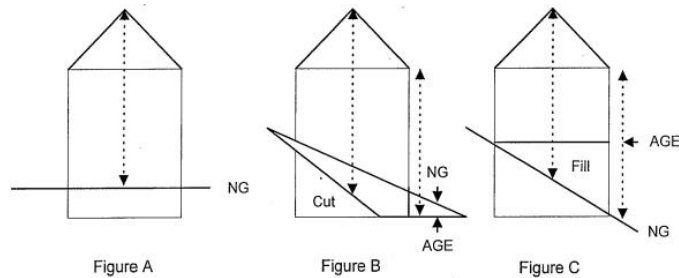


4. Ord. 25-2012 § 36; Ord. 14-2010 § 6. Formerly 18.30.450(H)

➤ **Article VIII. Eastsound Subarea Plan section [18.30.600](#) Height Measurement:**

Except for personal wireless service facilities, the maximum height of structures in Eastsound is 35 feet.

Structure height measurement method follows:



A. Where the natural grade remains unchanged the structure height is measured as by a plumb line from every point on the roof to the natural grade (NG). Natural grade means the existing grade prior to any human modification. See Figure A, above.

B. Where the natural grade has been cut at any point around the structure footprint, the structure height is measured as by a plumb line from every point on the roof to the altered grade elevation (AGE). See Figure B, above.

C. Where fill material has been added to the natural grade, the structure height is measured as by a plumb line from every point on the roof to the natural grade, regardless of height of fill. See Figure C, above. (Ord. 21-2015 § 16)

5. Ord. 21-2015 § 16

**POLICY:** Based on the above sections, the following clarifications on the methodology for determining height of a residential buildings are as follows:

- Determining Height of Residential Buildings Within the Shoreline Jurisdiction-** Any residential structure that is regulated by the shoreline jurisdiction shall have its height determined using the definition for “height, shoreline” in [SJCC 18.20.080](#) unless an alternate method explicitly supersedes this definition within [Chapter 18.50](#) of the San Juan County

Code. In such cases, the applicable superseding portion of Chapter 18.50 shall be used to determine height.

2. **Determining Height of Residential Buildings Within Uplands** (i.e., non-shoreline jurisdiction)- Generally, the appropriate method for determining height of a residential building is by using the definition for “height of building” in [SJCC 18.20.080](#) unless an alternate method explicitly supersedes this definition within the San Juan County Code, Comprehensive Plan, County-binding deed restriction, or applicable land use permit conditions. In such cases, the applicable superseding definition shall be used to determine height.

**Method 2 Exceptions:** Exceptions to methodology 2 definition include, but are not limited to, developments proposed in the following land use designations:

- a. Olga Hamlet Plan- See [18.30.246\(A\)](#)
- b. Deer Harbor Hamlet Plan- See [18.30.350\(F\)](#)
- c. Orcas Village Activity Center- See [18.30.440\(B\)](#)
- d. Country Corner Island Center Plan- See [18.30.453](#)
- e. Eastsound Subarea Plan- See [18.30.600](#)