§15-1 Applicability. (a) Minor structures and activities may be permitted in the shoreline setback[,] if they [do] will not affect beach processes or artificially fix the shoreline; [do] will not interfere with public access, public views or open space along the shoreline; and, [do] will not otherwise endanger the public health, safety or welfare.

(b) Minor structures and activities include[, but are not limited to the following]:

1. Open-work metal, open-work wood, or open-work vinyl (or similar synthetic material) fences no more than six feet in height, with individual post foundations no more than four inches in diameter or width. For the purpose of this section, “open-work” shall mean at least 50 percent open;

2. Underground potable or irrigation water and electrical conduits no more than one-inch in diameter;

3. Irrigation fixtures and ground lighting fixtures no more than 30 inches in height;

4. Tree-mounted lighting fixtures directed away from the shoreline;

5. Activities related to installation of trees, shrubs and ground cover, provided that they do not artificially extend the shoreline area and do not require a grading or grubbing permit;

6. Masonry headers or pavers needed for a border or pathway; areas of headers or pavers shall not be greater than 20 square feet and when combined with all other structures within the shoreline setback, shall comprise no more than ten percent of the area between the shoreline and shoreline setback line;

7. Lifeguard stands, vehicle barriers less than 30 inches in height, signs, water fountains, picnic tables, and other minor amenities within public parks;

8. Planters, barbecues, benches, and other structures built in place, which are no higher than 42 inches and which altogether occupy no more than 20 square feet of the shoreline area, and when combined with other structures within in the shoreline setback shall occupy no more than ten percent of the area between the shoreline and the shoreline setback line;

9. Liquid fuel-fired torches no more than eight feet in height without underground fuel conduits;
(10) Roof overhangs which extend no more than 30 inches into the shoreline area with less than a 30-inch vertical thickness;

(11) Minor structures and activities which are necessary for or ancillary to continuation, but not expansion, of existing agriculture or aquaculture;

(12) Embankment of natural beach sand which is of the same color and grain size as exists along the beach area, and including the dewatering of sand for the purpose of beach replenishment projects;

(13) Temporary emergency stabilization of an eroding shoreline with sandbags; [and]

(14) Civil defense warning or signal devices and sirens; and

(15) Other structures as may be determined by the director to be appropriate pursuant to subsection (c).

(c) For the purposes of this Chapter, the director may consider for treatment and include other types of structures as minor structures, provided such structures shall, as a class:

(1) Satisfy the criteria enumerated in subsection (a); and

(2) Share essential characteristics with those types of structures identified in subsection (b), above.

(3) Minor structures shall specifically exclude all buildings and roofed structures, swimming pools, walls of any kind and at any height, any work requiring a grading or grubbing permit, and facilities related to wastewater treatment or disposal.

(Imp: ROH §23-1.5)