



PLANNING, COMMUNITY, & ECONOMIC DEVELOPMENT DEPARTMENT

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SHORELINE STRUCTURE CHECKLIST

APPLICABILITY			
<p>This checklist is to supplement a Building Permit Application for projects that are located within shoreline jurisdiction, meaning the project is occurring within 200 ft. or waterward of the shoreline.</p> <p>Most projects that occur near or in water require shoreline permitting from not only the City of Anacortes, but other shoreline agencies as well. This checklist should assist with what is needed to move forward with the proposed project.</p>			
PROJECT INFORMATION			
WATERBODY:			
<p>Is your structure new construction or expanding in size?</p> <p><i>If YES, you may need a Shoreline Exemption or a Shoreline Substantial Development Permit, issued by the City of Anacortes.</i></p>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Does your project involve the repair and/or maintenance of an existing structure within 200 ft. of the shoreline?</p> <p><i>If YES, you may qualify for a Shoreline Exemption per SMP 2.4.E.2 - See "normal repair & maintenance" criteria verbiage on Pg. 2</i></p> <p>PLEASE NOTE, legally established non-conforming structures may be continued or maintained, so long as the modifications do not increase the non-conformity – See non-conforming verbiage on Pg. 2 - 3.</p>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Is your structure to occur over or in water?</p> <p><i>If YES, you may need permits from City of Anacortes, WA Dept. of Fish & Wildlife, US Army Corps of Engineers, and/or WA Dept. of Natural Resources.</i></p> <p>PLEASE NOTE, the project may require SEPA Review. Inquire with Planning staff to determine if the project is or is not exempt from SEPA Review</p>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Please provide copies of any issued and/or approved shoreline permits from the City and other shoreline agencies – Use below checklist to determine other required agency permits.			
SCOPE OF WORK - <i>Check all that apply</i>		REQUIRED AGENCY PERMITS	
<input type="checkbox"/>	Project located on, over, through, under, or otherwise impacts state owned aquatic lands. Aquatic lands are defined as tidelands, shorelands, harbor areas, and the beds of navigable waters.	WA DNR	Aquatic Use Authorization
<input type="checkbox"/>	Projects that use, divert, obstruct, or change the natural flow or bed of salt or fresh state waters	WDFW	Hydraulic Project Approval (HPA)
<input type="checkbox"/>	Application for federal license or permit that could affect water quality. Under the Clean Water Act, states have authority to	DOE	Section 401 Water Quality Certification

	approve, deny, or condition any project in wetlands or other state waters		
<input type="checkbox"/>	Excavating, land clearing, or discharging dredged or fill material into wetlands or other U.S. waters.	USACE	Section 404 Permit: Discharge of Dredge or Fill Material
<input type="checkbox"/>	Any project that creates an obstruction or alteration in, over, or under navigable U.S. waters. Includes construction and maintenance of piers, pilings, wharfs, and bulkheads.	USACE	Section 10 Permit: Work or Structures in Navigable Waters
<input type="checkbox"/>	All private aids to navigation (fixed or floating) within navigable U.S. waters must be reviewed by U.S. Coast Guard.	US Coast Guard	Private Aids to Navigation (PATON)

CITY OF ANACORTES SHORELINE MASTER PROGRAM

SMP 2.4.E.2 - Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition within one year after decay or partial destruction except where repair causes substantial adverse effects to the shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.

SMP 3.3 - Nonconforming development, includes shoreline uses and structures which were lawfully constructed, established, or created prior to the effective date of the Act or the Master Program, or amendments thereto, but which do not conform to present regulations or standards of the Master Program or policies of the act.

SMP 3.4.1 - Nonconforming uses, includes shoreline uses which were lawfully established prior to the effective date of the Act or the Master Program, or amendments thereto, but which do not conform to present regulations or standards of the Master Program or policies of the Act. Any nonconforming use may be continued subject to the following standards:

- a. Change of ownership, tenancy, or management of a nonconforming use shall not affect its nonconforming status; provided, that the use does not significantly change or intensify.
- b. Additional development of any property on which a nonconforming use exists shall require that all new uses conform to this Master Program and the Act.
- c. If a nonconforming use is converted to a conforming use, no nonconforming use may be resumed.
- d. A nonconforming use which is moved any distance must be brought into conformance with the Master Program and the Act.
- e. If a nonconforming use is discontinued for a period of 365 or more consecutive calendar days, it shall lose its nonconforming status, and the continued use of the property shall be required to conform to the provisions of this Master Program and the Act.

SMP 3.4.2 - A nonconforming use, which is destroyed or substantially damaged by fire or other act of nature (or accident) may be resumed provided that any structure occupied by the nonconforming use may be rebuilt to the same or smaller configuration existing immediately prior to the time the structure was destroyed.

SMP 3.5 - Nonconforming structures, include shoreline structures which were lawfully constructed or placed prior to the effective date of the Act or the Master Program, or amendments thereto, but which do not conform to present bulk, height, dimensional, setback, or density requirements. Nonconforming structures may continue even though the structures fail to conform to the present requirements of the environment designation in which they are located. A nonconforming structure may be maintained as follows:

1. A nonconforming structure which is destroyed by fire or other act of nature (or accident) may be rebuilt to the same or smaller configuration existing immediately prior to the time the structure was destroyed, provided that such rebuilding shall be completed within two years of destruction, unless an extension for just cause is granted, and the replacement structure does not warrant new shoreline armoring.
2. A nonconforming building or structure may be repaired and maintained as provided in and as limited by this section. The maintenance of such building or structure shall include only necessary repairs and incidental alterations, which alterations, however, shall not increase the nonconformity of such building or structure in any direction; provided, that necessary alterations may be made as required by other law or ordinance.
3. The Shoreline Administrator shall determine the replacement cost of a structure.
4. A building or structure, nonconforming as to the bulk, dimensional and density requirements of this title, may be added to or enlarged if such addition or enlargement conforms to the regulations of the shoreline environment in which it is located. In such case, such addition or enlargement shall be treated as a separate building or structure in determining conformity to all of the requirements of this title.
5. A structure for which a variance has been issued shall be considered a legal nonconforming structure and the requirements of this section shall apply as they apply to preexisting nonconformities.

SHORELINE AGENCY CONTACT INFORMATION

AGENCY	PHONE	EMAIL / WEBSITE
WA Department of Ecology NW Regional Office – Bellingham Chris Luerkens, NW Region Contact	360-255-4400	Email: chris.luerkens@ecy.wa.gov Website: https://ecology.wa.gov
WA Department of Natural Resources Shoreline District	360-825-1631	Email: aquaticleasing.shoreline@dnr.wa.gov
WA Department of Fish & Wildlife Aquatic Protection Permitting Marcus Reaves, Marine Biologist	360-466-4345	Email: marcus.reaves@dfw.wa.gov Website: https://wdfw.wa.gov/licenses/environmental
US Army Corps of Engineers Northwestern Division – Seattle District	206-764-3750	Email: paoteam@nws02.usace.army.mil Website: https://www.nws.usace.army.mil
US Coast Guard 13 th District Headquarters	503-861-6380	Website: https://www.news.uscg.mil/Astoria/