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## ***Chapter 3 – Shoreline Environment Designations***

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### **3.1 Introduction**

In order to plan and effectively manage shoreline resources and to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas, a system of categorizing shoreline areas is required by the SMA. Shoreline environment designations are based on shoreline ecological functions, existing development patterns, potential for restoration, and community aspirations. La Conner's marine shoreline is divided into six shoreline environments: "historic commercial," "commercial," "industrial," "residential," "public use" and "aquatic" environments as depicted on Shoreline Master Program Map (Appendix A).

Uses are encouraged in each environment that enhance the character of that environment.

Development and performance standards regulate use activities in accordance with the purpose and management policies expressed for each shoreline environment. Additionally, in accordance with Ecology guidelines (WAC 173-26-211(3)), the shoreline environment designations and their respective management policies and regulations should be consistent or compatible with the Town of La Conner's Comprehensive Plan. The shoreline environment designations established by the Town of La Conner SMP are consistent and compatible with land use designations adjacent to the Town's marine shoreline, and the conservation and environmental protection policies contained in the comprehensive plan.

Each shoreline environment designation type includes:

1. A purpose that clarifies the meaning and intent of the designation;
2. Designation criteria for determining the appropriate application of the environment designation to the shoreline; and
3. A general description of the location where the environment designation is applied. The purpose and general management policies of each designation have been used to inform the regulations that determine allowed and prohibited shoreline modifications and uses within each environment designation; and
2. General management policies designed to regulate uses and development consistent with the character of the environment.

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## **3.2 Historic Commercial Environment (HCE)**

### **3.2.1 Purpose**

The purpose of this environment is to ensure optimum utilization of and preservation of historic significance along the Town's marine waterfront, allowing as much public access as practicable in conjunction with a variety of water-enjoyment uses, and ensuring redevelopment is accomplished in such a way as to minimize any adverse impact on the both aquatic resources and historic environments

### **3.2.2 Designation Criteria**

The historic commercial environment is defined by the commercially zoned properties upland of the OHWM within the National Historic District of La Conner in the shoreline boundary. It is also an area of high-intensity land use including public, commercial, and residential use.

### **3.2.3 Location**

The historic commercial environment extends from approximately 80 feet south of Commercial Street on the south to a point 100 feet north of the north side of Morris Street between the OHWM of the Swinomish Channel on the west and a point 200 feet landward of the OHWM less the designated public use environment.

### **3.2.4 Management Guidelines**

1. Identify, preserve, protect, and restore the Town's historic buildings and sites having historic, cultural, educational or scientific values.
2. Conserve and protect the natural resources of the Town's marine shoreline including its water quality, existing vegetation, habitat, and ecological functions.

## **3.3 Commercial Environment (CE)**

### **3.3.1 Purpose**

The purpose of this environment is to ensure optimum utilization of existing urban commercial portions of the Town's marine shoreline outside the National Historic District for a variety of uses, with priority given to water-dependent, water-related, and water-enjoyment uses.

### **3.3.2 Designation Criteria**

The commercial environment is designated for shoreland properties that are both commercially zoned and developed upland of the OHWM outside the National Historic District of La Conner.

### **3.3.3 Location**

The commercial environment is that shoreline area extending on the south from Sherman Avenue north to approximately 80 feet south of the south side of Commercial Street, and on the east at a point 200 feet landward of the OHWM and at the west at the OHWM of the Swinomish Channel. On the north, the area 200 feet from the OHWM of the Swinomish Channel from an east-west line 100 feet north of the north side of Morris Street along First Street, South Basin Street

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and the east side of North Third Street to the north side of South Pearle Jensen Way, less the area of the drainage ditch designated public use environment.

### **3.3.4 Management Guidelines**

1. Provide for economically productive uses that are water-dependent, water-related, or that provide an opportunity for a substantial number of people to enjoy physical and visual access to the Town's marine shoreline.
2. Ensure that the reasonable use of property and existing commercial uses can be reasonably accommodated without excessive impacts on the ecological functions and values of the Town's marine shoreline.

## **3.4 Industrial Environment (IE)**

### **3.1 Purpose**

The purpose of this environment is to ensure optimum utilization of existing urban industrial shorelines for a variety of uses, with priority given to water-dependent, water-related, and water-enjoyment uses.

### **3.4.2 Designation Criteria**

The industrial area is an area of high-intensity light industrial land use, including port and water-oriented activities

### **3.4.3 Location**

In south La Conner, the industrial environment is that shoreline area bounded on the west by the OHWM of the channel, on the south by the Town's southern boundary, on the north by the south side of Sherman Avenue and on the east to a point 200 feet landward of the OHWM of the Swinomish Channel . In the north end of town, from the north side of South Pearle Jensen Way north to the northernmost town boundary, and between the OHWM of the Swinomish Channel (including the OHWM of the north and south basins of the Port of Skagit County) on the west and a line 200 feet landward.

### **3.4 Management Guidelines**

1. Provide for the reasonable accommodation of fishing and boating related industrial activities focused in areas that are removed from the retail, residential, and historic portions of the Town's shorelands.
2. Assure that development, redevelopment and operations of uses in the industrial environment employ best practices to avoid or mitigate any adverse impacts on the ecological functions and values of the Town's marine shoreline.

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### **3.5 Residential Environment (RE)**

#### **3.5.1 Purpose**

The purpose of this environment is to preserve residential use as the primary use in the limited portion of the Town's residential neighborhoods which fall within 200 feet of the OHWM of the Swinomish Channel but which have no functional relationship to the marine Shoreline.

#### **3.5.2 Designation Criteria**

The designated residential environment is limited to small portions of the Town's predominant residential lot pattern that falls within 200 feet of the OHWM of the Swinomish Channel.

#### **3.5.3 Location**

The residential environment extends 200 feet landward of the OHWM of the Swinomish Channel on the east side of Third Street, consisting of a portion of Parcel # 74222 starting from the Drainage Ditch south 130 feet; and again on the east side of North Third Street extending south from the Public Use Environment approximately 450 feet, consisting of portions of Parcel #s 74221, 74220, 74192 and 126948.

#### **3.5.4 Management Guidelines**

1. Discourage residential development as a primary use inside the 200-foot shoreline jurisdiction in all environments except the Residential Environment.
2. Residential development should be permitted only where there are adequate provisions for utilities, drainage, and transportation access and circulation.
3. Liveaboard vessels should be encouraged to moor in marinas with adequate water and sanitary facilities to accommodate them.
4. Preference should be given to joint-use community piers and docks.

### **3.6 Public Use Environment (PUE)**

#### **3.6.1 Purpose**

The purpose of the Public Use Environment is to ensure optimum utilization of existing public use areas for existing or planned public purposes.

#### **3.6.2 Designation Criteria**

Lands designated for the public use environment include publicly owned lands that are presently used or planned for public purposes, including Pioneer Park, street ends such as Gilkey Square, the Sherman Boat Launch, and the portion of the playfields at the junior high school which fall within 200 feet of the OHWM of the Swinomish Channel

#### **3.6.3 Location**

The **public use environment** includes the open drainage ditch south of North Basin Street and Dunlap Street. Also the area from the OHWM west of North Third Street 200 feet east of North Third Street containing portions of Parcel #'s 74223, 74224, 74217, and 74219. Also included is property 200 feet landward of the OHWM of the

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Swinomish Channel from the intersection of north side of Sherman Avenue and the east side of Conner Way (i.e., Pioneer Park, and also Totem Park). Also include Jordan Street end, Calhoun Street end, Washington Avenue end, Morris Street end (Gilkey Square), Caledonia Street end (Dirty Biter Park), Benton Street (Swinomish Park), Public Boat Launch on Sherman Street end, and the Post Office.

#### **3.6.4 Management Guidelines**

1. Public lands such as street ends, rights-of-way and utilities should provide visual access to the water and shoreline in accordance with RCW 35.79.035 and 36.87.130.
2. Public access provided by shoreline street ends, public utilities, and rights-of-way should not be diminished.
3. Shorelines owned or leased by the Town of La Conner should be limited to water-dependent uses or public recreational uses, otherwise such shorelines should remain protected open space.
4. Public access afforded by shoreline street ends, public utilities and rights-of-way should be preserved, maintained and enhanced.

### **3.7 Aquatic Environment (AE)**

#### **3.7.1 Purpose**

The purpose of this environment is to ensure protection of marine resources while allowing as much water-dependent use as possible and keep a clear navigation channel.

#### **3.7.2 Designation Criteria**

All lands which are water ward of the OHWM of the Town's marine shoreline are designated as Aquatic Environment. Uses and activities that depend on contiguous access from the shoreline, such as marinas, docks, outfalls, floats, and ramps are prevalent in this area.

#### **3.7.3 Location**

The aquatic environment includes all submerged lands water ward of the OHWM along the shoreline of the Town of La Conner to the middle of the channel excluding the Drainage Ditch south of Dunlap Street and North Third Street.

#### **3.7.4 Management Guidelines**

1. Priority should be given to "water-dependent," "water-related," and "water-enjoyment" uses in the Aquatic Environment.
2. The construction of over water structures in any shoreline environment should mitigate any net increase in the cumulative amount of shade that falls on the surface area of the Swinomish Channel.
3. Dredging and filling activities should be conducted with minimum impact on marine habitat in the Swinomish Channel and as authorized by appropriate agencies.
4. Uses in the aquatic environment should not block navigation channels or restrict access to sections of the marine shoreline.

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5. For improvement of existing and new over-water structures that will create shade, the Town's shade analysis should be conducted and if the project will result in a net increase of shade, the proponent should provide mitigation in the form of reducing shade elsewhere in the Swinomish Channel or enhancing or restoring ecological functions in other ways.
  6. Multiple uses of over-water facilities are encouraged.
  7. Uses which adversely impact ecological functions of critical saltwater habitat shall be limited except where necessary to fulfill other SMA objectives and then only when impacts are appropriately mitigated.
  8. New over-water structures shall be:
    - a. Allowed only for water-dependent uses, public access, or ecological restoration.
    - b. Limited to the minimum necessary to support the intended use.
  9. Location and design of all developments and uses are required to:
    - a. Minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
    - b. Prevent water quality degradation and alteration of natural hydrographic conditions.