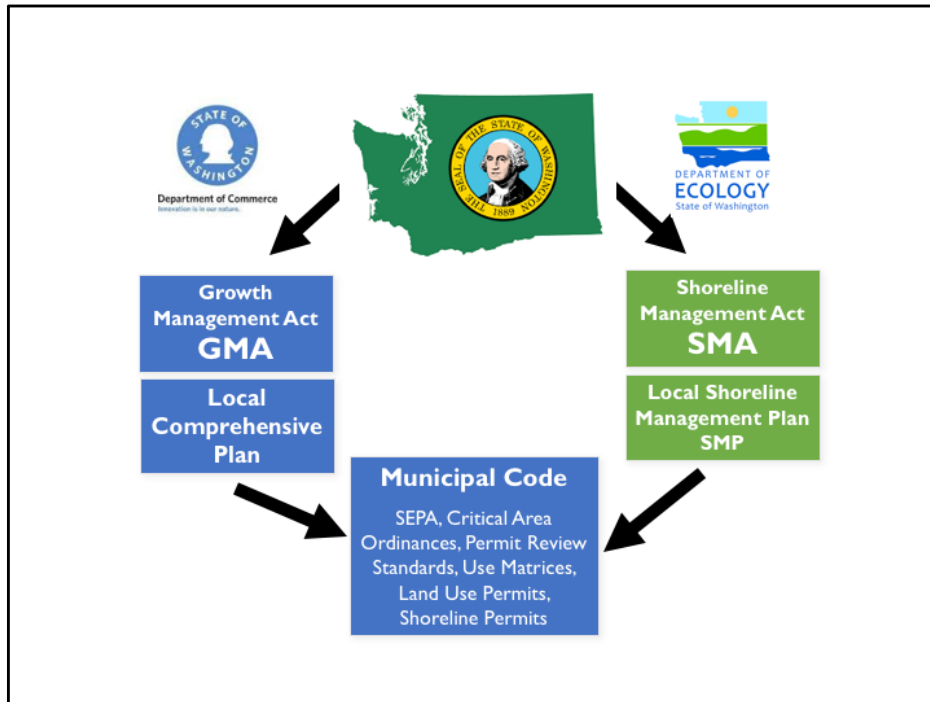




Ports and Cities Working Together

SCPG Spring 2017
April 13, 2017





SMA

Conflicts over use of the waterfront led to push for a more organized way for state government to control development along the shoreline. In 1971 state legislature passed the Shoreline Management Act (SMA) that authorized Dept of Ecology to oversee development of shoreline master programs in every coastal community.

Three broad policy areas:

- Encourage water dependent activity
- Protect shoreline resources
- Promote public access

GMA

Growth Management Act (GMA) enacted in 1990. Prior to that time cities and counties developed plans but weren't required to do so by law. The Department of Commerce provides assistance (and funding) but IT'S A LOCAL PLAN

GMA intended to establish a comprehensive planning network

First create your comp plan

Then create your regulations to implement that plan

SMP considered an ELEMENT of Comp plan

HOWEVER, SMP must be approved by ECY



Creation of Public Ports in WA –

In 1889 state constitution declared the beds of navigable waters belonged to people, and legislature was given power to designate which of those beds could become harbors

FIGHT over harbor lines and sale of tidelands to private entities led to creation of port districts to buy back sold land and tidelands

Port District Act created by legislature and signed into law on March 14, 1911

Independent governmental agency

Run by commissioners elected directly by votes in district

First Port _ Port of Seattle, followed by Tacoma and Everett in 1918

Currently there are 75 port districts in the state of Washington.

*...Port Commissioners, before creating any
improvements hereunder, must adopt a*
**comprehensive scheme of harbor
improvement...**

RCW 53.20.010

Creation of Public Ports in WA –

In 1889 state constitution declared the beds of navigable waters belonged to people, and legislature was given power to designate which of those beds could become harbors

FIGHT over harbor lines and sale of tidelands to private entities led to creation of port districts to buy back sold land and tidelands

Port District Act created by legislature and signed into law on March 14, 1911

Independent governmental agency

Run by commissioners elected directly by votes in district
First Port – Port of Seattle, followed by Tacoma and Everett in 1918
Currently there are 75 port districts in the state of Washington.

Planning Powers of the port are set out in state law RCW 53.20.020:

Authority of a PORT: "construction, maintenance, operation, development and regulation of a system of harbor improvements and rail and water transfer and terminal facilities within such districts, and providing the method of payment therefor,"

State created requirement for ports to plan in 1943

It shall be the duty of the port commission of any port district, before creating any improvements hereunder, to adopt a **comprehensive scheme of harbor improvement** in the port district...

no expenditure for the carrying on of any harbor improvements shall be made by the port commission (other than the necessary salaries...) unless and until the comprehensive scheme of harbor improvement has been so officially adopted by the port commission.

NOT governed by State Growth Management Act

Ports continue to grow and develop under existing general purpose governmental land use laws and regulatory requirements such as:

Local zoning

State Environmental Policy Act (SEPA)

Shoreline Management Act (SMA)

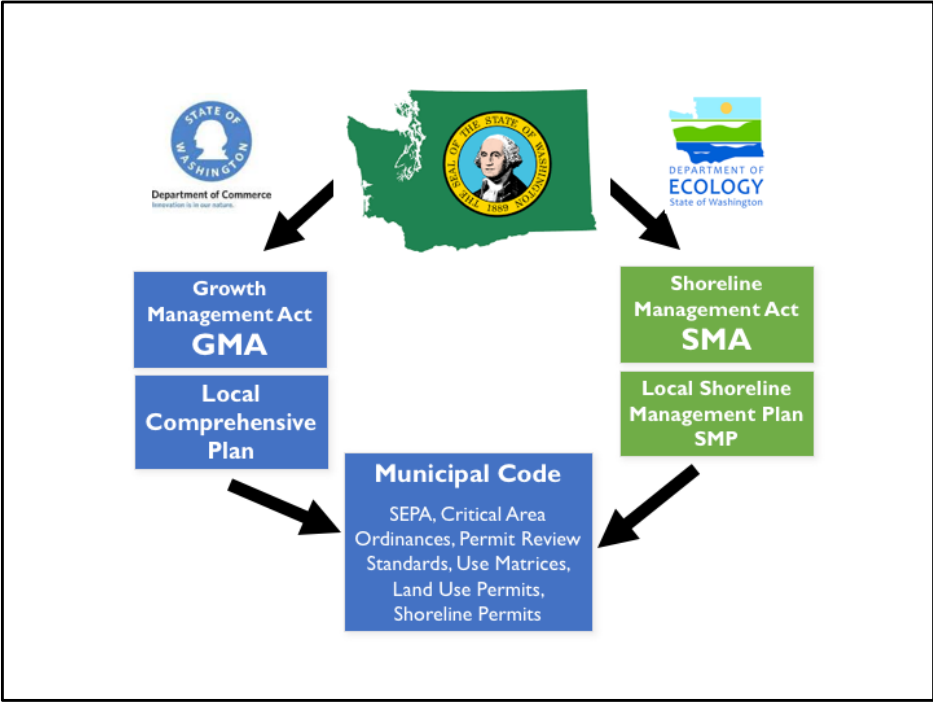
Growth Management Act (GMA)

Critical Areas Ordinance (CAO)

Endangered Species Act (ESA)

Storm and surface water management

Noise control statutes





Ports and Cities Working Together

SCPG Spring 2017
April 13, 2017

