



Brian Carrico

**Question today**  
*imagine tomorrow*  
create for the future

 **Van Ness  
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# The Growth Management Act: 2023 Updates & Implications for Ports

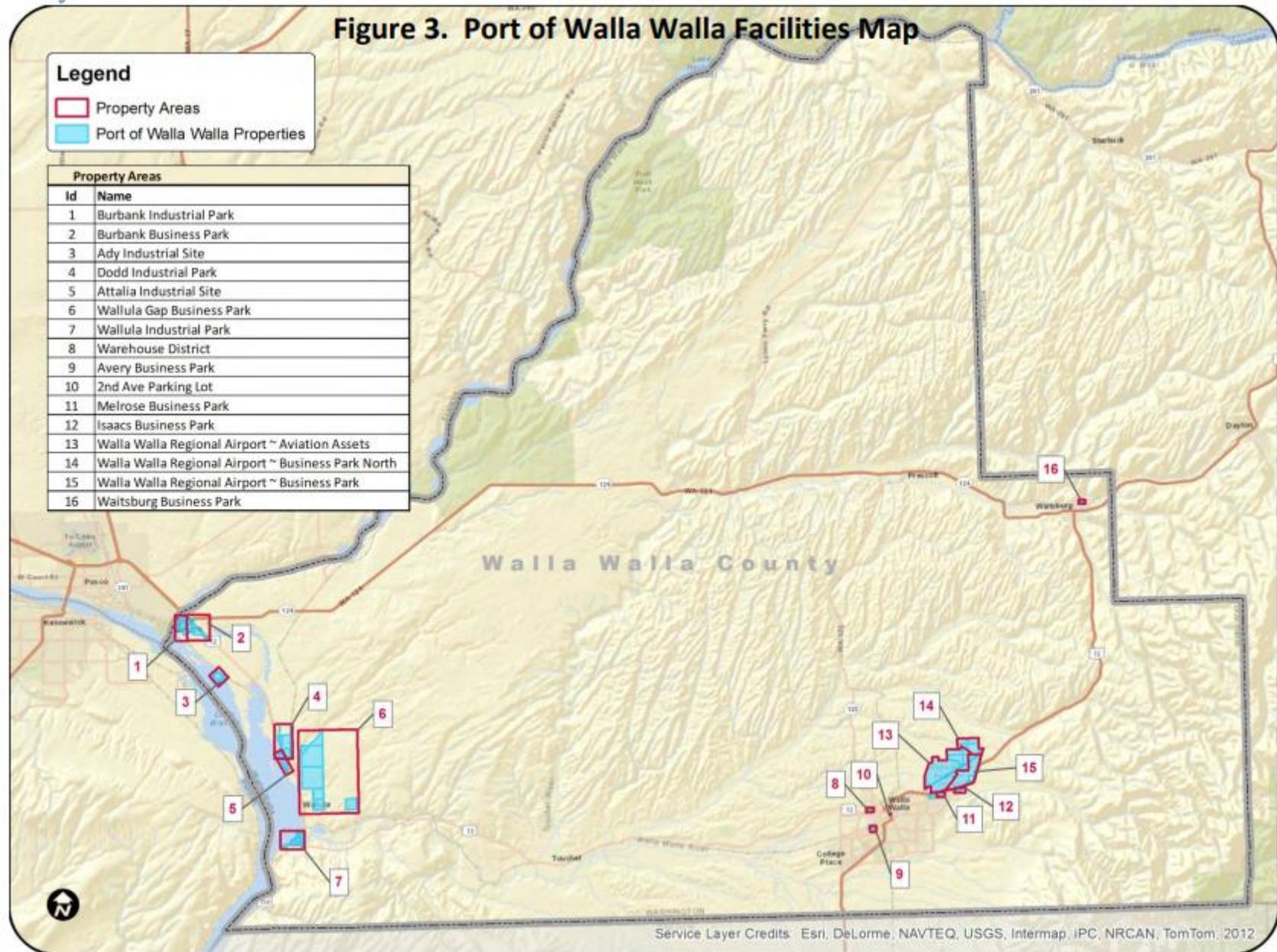
- Overview of the Growth Management Act (GMA)
- Port Activities and Relationship to the GMA
- Port Participation in GMA Activities
- Recent Legislation and Changes That Are Coming

# Growth Management Act (GMA) - Background / Context

- The GMA was first adopted in 1990 to address methods to accommodate growth.
  - *GMA establishes land use designation and environmental protection requirements for all Washington counties and cities.*
  - *Fastest growing counties and cities (aka “fully planning” counties and cities) have additional planning requirements.*
- GMA contains fifteen guiding goals in RCW 36.70A.020.
- GMA provides mandatory and optional comprehensive elements.
- Key Principles:
  - *Designate and Protect Critical Areas and Natural Resource Lands*
  - *Establish Urban Growth Boundaries*
  - *Facilities and Services to Support Development*
  - *Establish Development Regulations to Implement*
- Recent Updates
  - *Emphasis on housing, climate change and environmental justices*



# How Ports Relate to the GMA

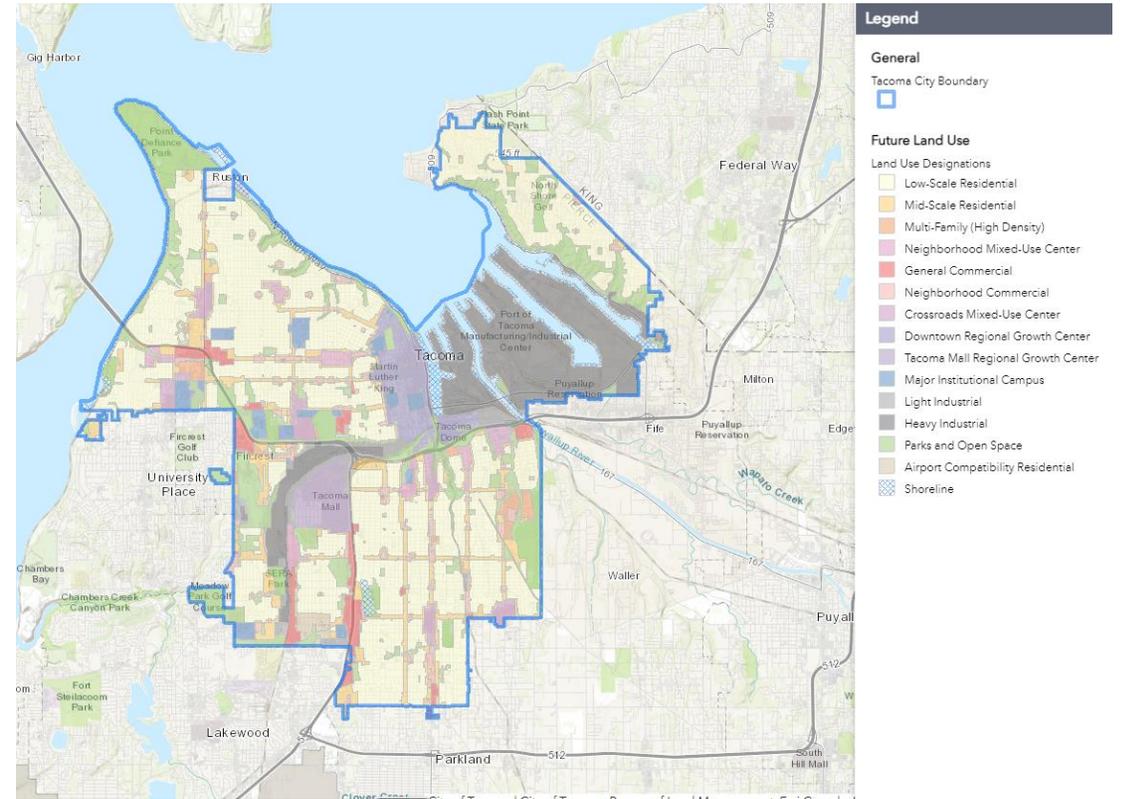
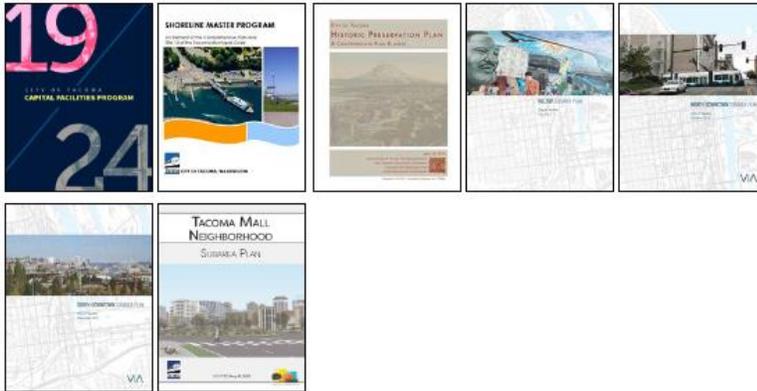


# How Can the GMA Impact Port Properties?

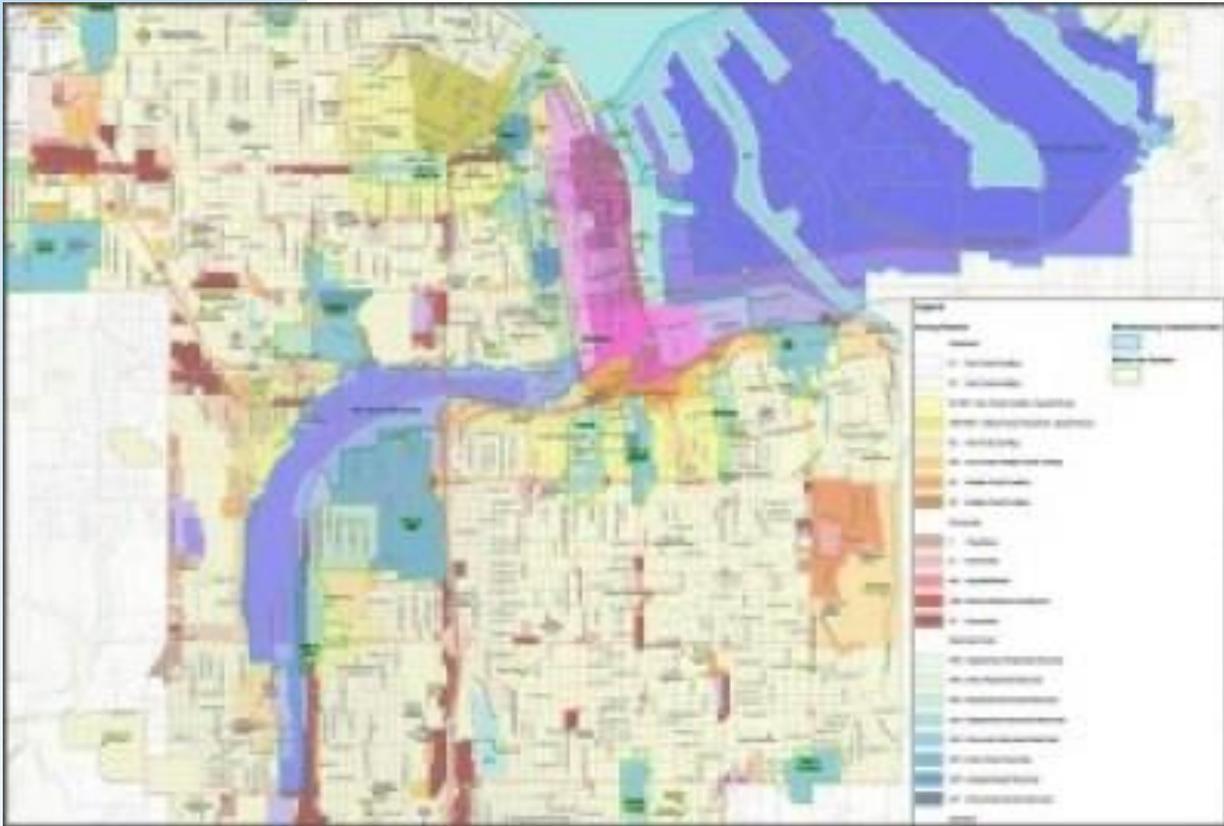
Book One: Core Policy Elements



Book Two: Implementation Programs and Strategies



# How Can the GMA Impact Port Properties?



Tacoma Municipal Code

## TITLE 13 LAND USE REGULATORY CODE

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# What Is Addressed in the GMA Plan

- Minimum Provisions
  - *Land Use*
  - *Housing*
  - *Capital Facilities Plan*
  - *Utilities*
  - *Rural Development (Counties only)*
  - *Transportation*
  - *Ports (mandatory for cities with container port with annual maritime port revenues exceeding \$60M, optional for maritime ports exceeding \$20M)*
- Not only must you plan but you must implement!

## Table of Contents- Plan Elements

[Chapter 1 Introduction](#)

[Chapter 2 Land Use + Appendix](#)

[Chapter 4 Housing + Appendix](#)

[Chapter 5 Transportation + Appendix](#)

[Chapter 6 Capital Facilities and Utilities](#)

[Chapter 7 Economic Development](#)

[Chapter 8 Urban Design and Historic Preservation](#)

[Chapter 9 Parks and Recreation](#)

[Chapter 10 Climate Change and Sustainability](#)

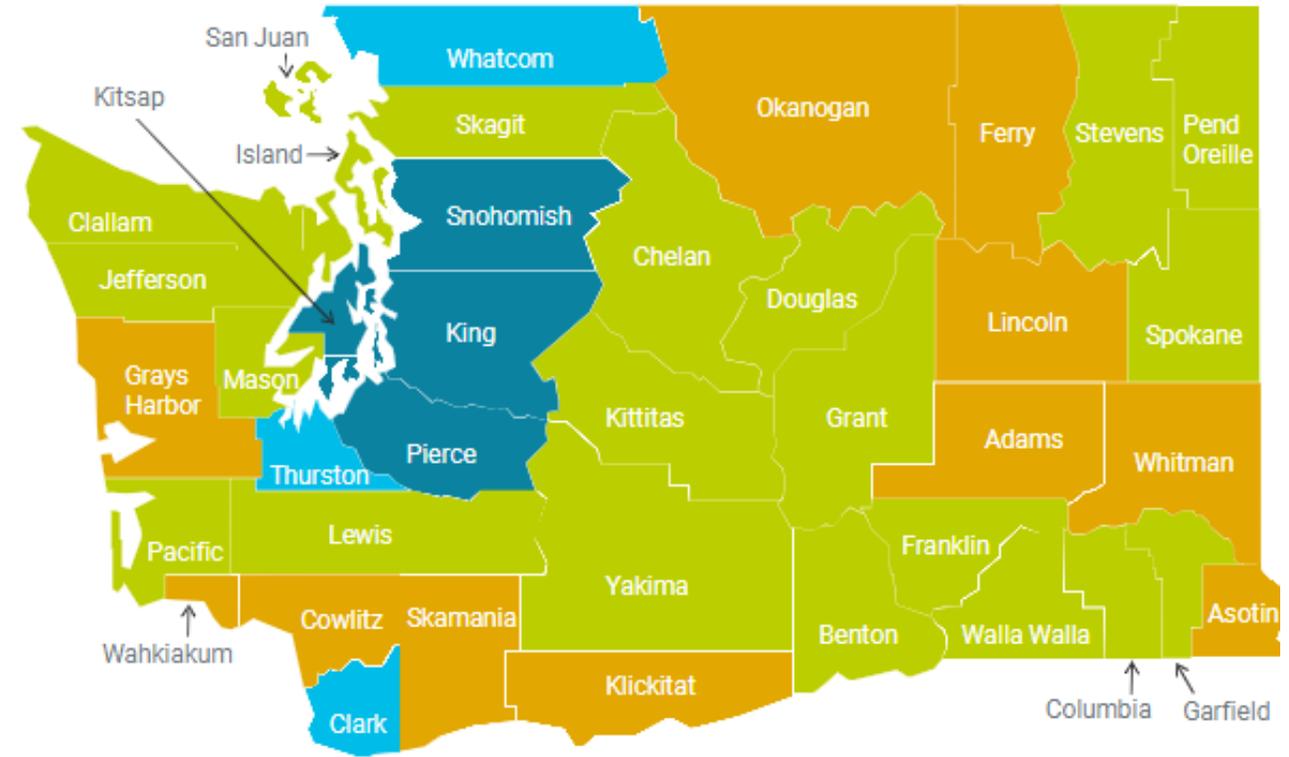
[Chapter 11 Marine Port Element](#)

[Chapter 12 Other Information](#)

## Subarea Plans

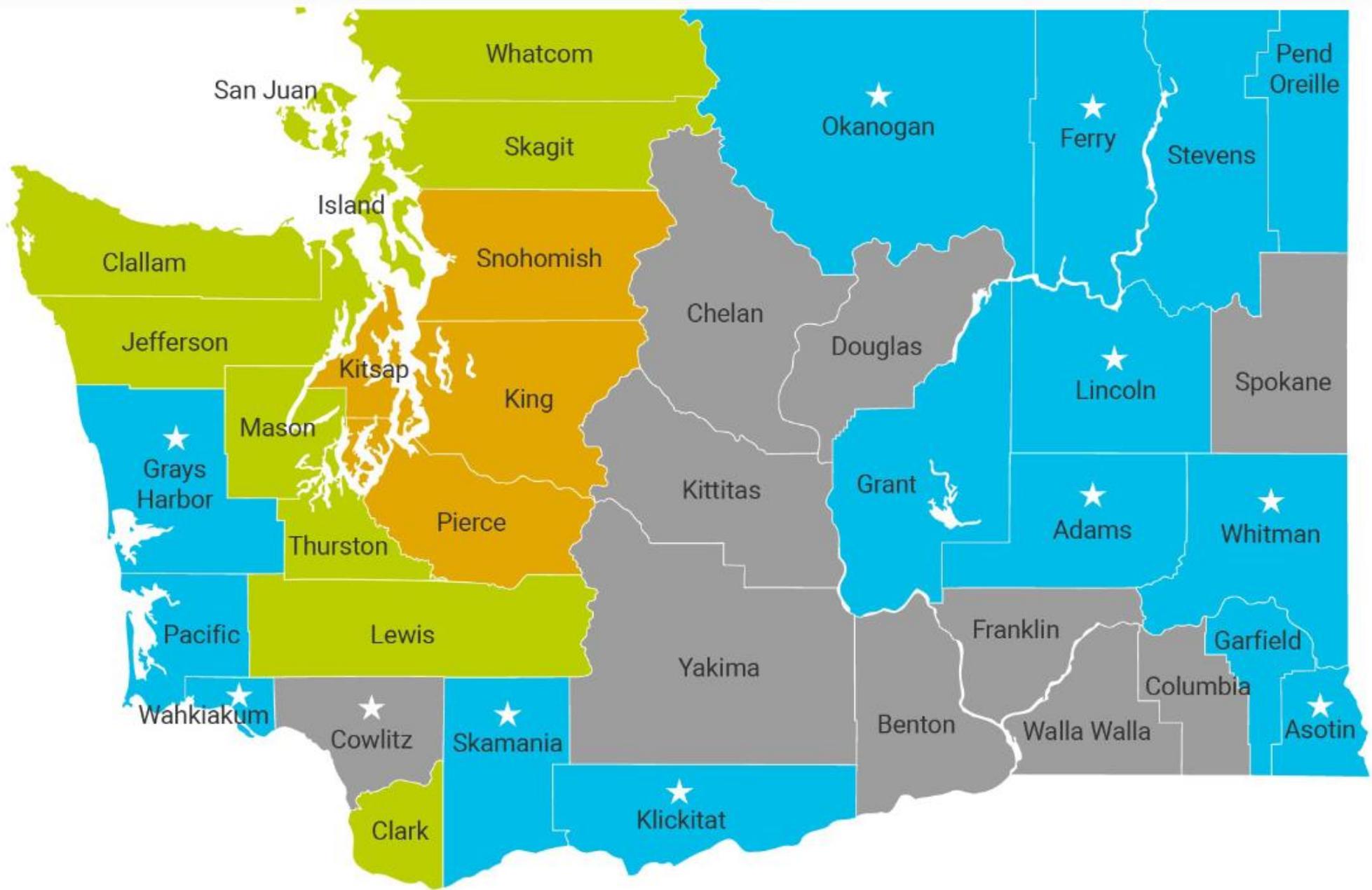
# Regional Variations

	Metro Puget Sound	Other Buildable Lands	Rest of GMA	Partially Planning
Vision 2050	█			
Buildable Lands	█	█		
UGA	█		█	
Concurrency	█			
Countywide Planning Policies	█			
Local Project Review	█			
REET 2	█			
Impact Fees Authorized	█			
Essential Public Facilities	█			
GMHB Hears Appeals	█			
Rural Element	█			
Conservation of Resource Lands	█			
Periodic Review	█			
Designation of Resource Lands	█			█
Best Available Science Critical Areas	█			
SMA	█			
SEPA	█			
Planning Enabling Act	█			



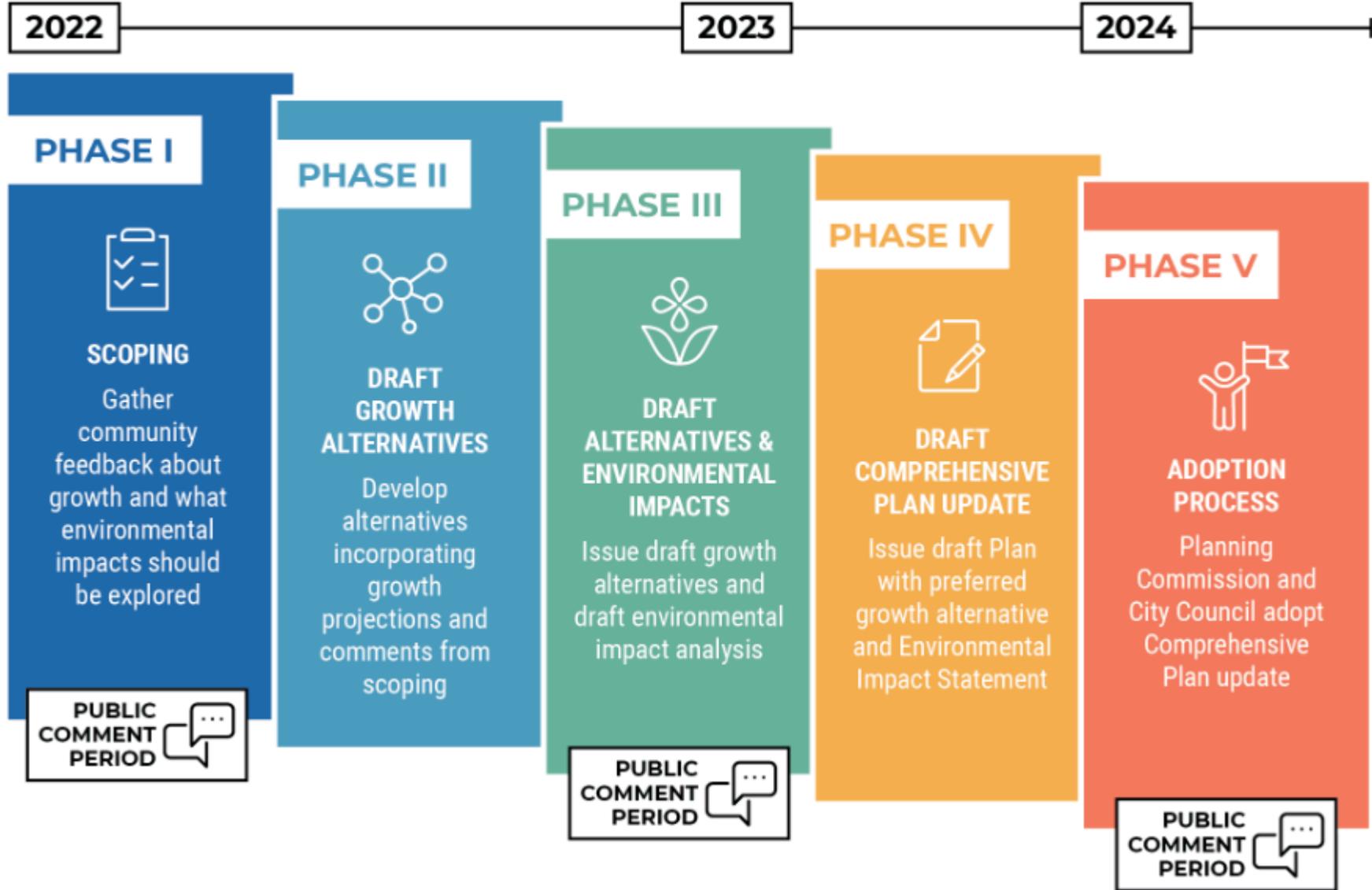
# Mandatory Updates

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**2024** Due December 31<sup>st</sup> **2025** Due June 30<sup>th</sup> **2026** Due June 30<sup>th</sup> **2027** Due June 30<sup>th</sup>

# Everett 2044 timeline



# Shoreline Master Programs as part of GMA Comprehensive Plans

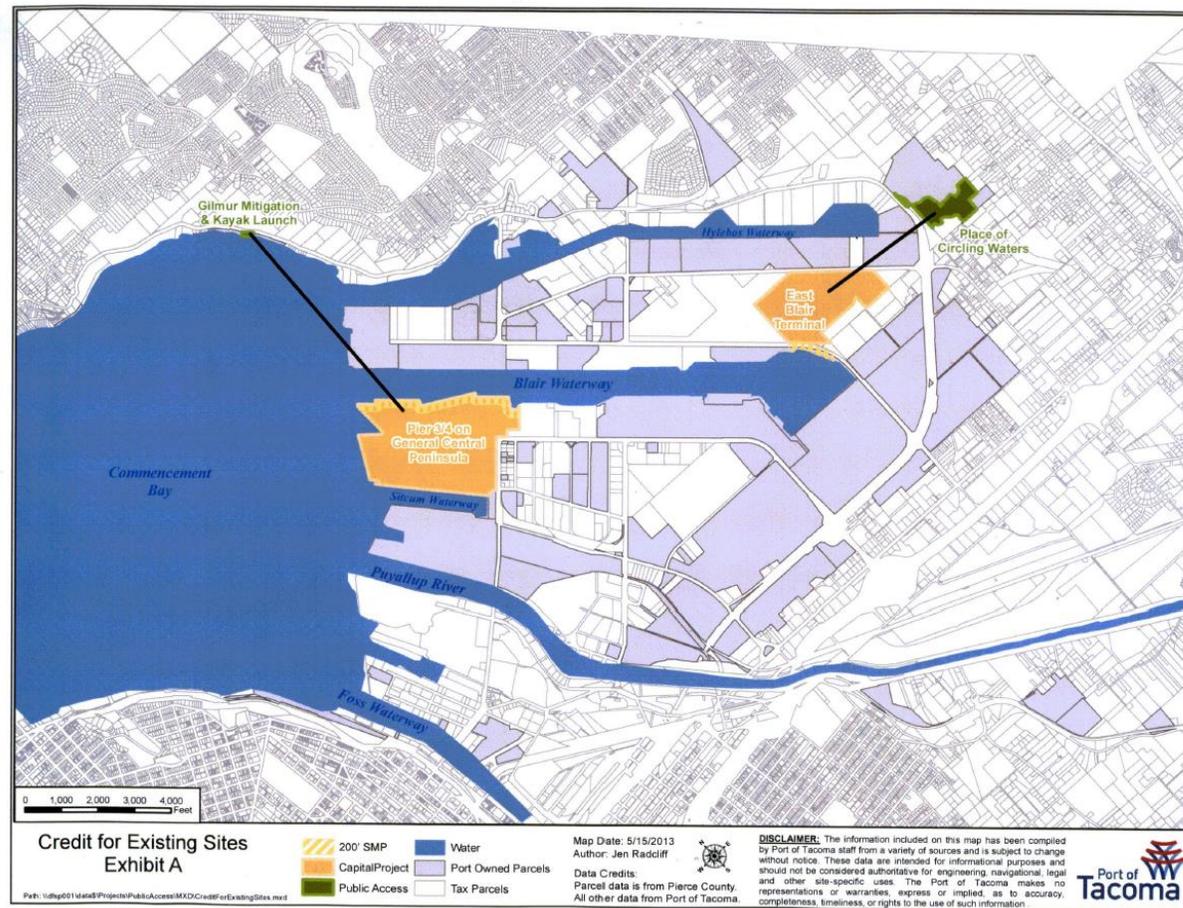
- SMPs cover “shorelines”
  - *Marine shorelines;*
  - *Streams, lakes, wetlands associated with streams and lakes;*
  - *Land extending landward 200 feet from the OHWM;*
  - *Floodways and contiguous floodplain areas landward two hundred feet from such floodways; and*
  - *Wetlands and river deltas associated with SMA streams, lakes, and tidal waters.*
- Public Access Element
  - *Must provide for “public access to publicly owned areas”*
  - *No takings protections for public ports*
  - *Master plan option for ports (WAC 173-26-221(4))*

**INTERLOCAL AGREEMENT AUTHORITY  
SHORELINE PUBLIC ACCESS PROVISION  
THE PORT OF TACOMA**

**THIS INTERLOCAL AGREEMENT** (“Agreement”) is made this \_\_\_ day of \_\_\_\_\_, 2013 by and between the State of Washington, and the Port of Tacoma, a port district organized under RCW 35.01, hereinafter called “Port” (collectively referred to as the “Parties”).

**RECITALS**

**WHEREAS**, the State Shoreline Management Act specifically requires Washington Administrative Code (WAC) 173-26-221 (4)(c) to demonstrate that a more effective public access system can be achieved through alternate means, such as focusing public access at the most desirable locations, local governments may institute master program provisions for public access based on that approach in lieu of site-by-site public access requirements; and



**WHEREAS**, when public access planning, as described in WAC 173-26-221 (4)(c), demonstrates that a more effective public access system can be achieved through alternate means, such as focusing public access at the most desirable locations, local governments may institute master program provisions for public access based on that approach in lieu of site-by-site public access requirements; and

## Ports as public utilities

### — Port authority to provide sewer and water

RCW 53.08.040

(1) . . . A district may also acquire, construct, install, improve, and operate *sewer and water utilities* to serve its own property and other property owners under terms, conditions, and rates to be fixed and approved by the port commission.

(4) No port shall enter into an agreement or contract to provide *sewer and/or water utilities* or pollution control facilities if substantially similar utilities or facilities are available from another source (or sources) which is able and willing to provide such utilities or facilities on a reasonable and nondiscriminatory basis unless such other source (or sources) consents thereto.

### — GMA capital facilities/utility planning

RCW 36.70A.070 (required elements include capital facilities plan and utilities element)

# HB 1181: GMA Goals / Climate change and resiliency element

- New/amended GMA goals
  - *New climate change and resiliency goal:*  
*Ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies . . . adapt to and mitigate the effects of a changing climate; support reductions in greenhouse gas emissions and per capita vehicle miles traveled; prepare for climate impact scenarios; foster resiliency to climate impacts and natural hazards; protect and enhance environmental, economic, and human health and safety; and advance environmental justice.*
  - *Environment goal: must now protect “and enhance” the environment*
  - *Transportation goal: must now encourage efficient transportation systems that “will reduce” GHG emissions and per capita VMTs.*
  - *Citizen participation goal: must now encourage “the participation of vulnerable populations and overburdened communities”*
- Climate change and resiliency element
  - *Designed to result in reductions in overall greenhouse gas emissions*
  - *Enhance resiliency to and avoid the adverse impacts of climate change*
  - *Include efforts to reduce localized greenhouse gas emissions*
  - *Avoid creating or worsening localized climate impacts to vulnerable populations and overburdened communities*

# HB 1181: Resiliency Sub-element

- Sub-element must “*equitably enhance resiliency to, and avoid or substantially reduce the adverse impacts of, climate change in human communities and ecological systems*”
- Through goals, policies, and programs that:
  - “*moderate or avoid harm*”;
  - “*enhance the resiliency of natural and human systems*”; and
  - “*enhance beneficial opportunities.*”
- Must prioritize actions that benefit overburdened communities
- Goals, policies, and programs must be designed to:
  - *Identify, protect, and enhance:*
    - Natural areas to foster resiliency to climate change impacts
    - Areas of vital habitat for safe passage and species migration
    - Community resiliency to climate change impacts (social, economic, and built environment) that support adaptation to climate impacts consistent with environmental justice
  - *Address natural hazards created or aggravated by climate change*

## HB 1181: GHG Reduction Sub-element

- Sub-element must identify actions that will:
  - *Result in reductions in overall greenhouse gas emissions generated by transportation and land use within the jurisdiction but without increasing greenhouse gas emissions elsewhere in the state;*
  - *Result in reductions in per capita vehicle miles traveled within the jurisdiction but without increasing greenhouse gas emissions elsewhere in the state; and*
  - *Prioritize reductions that benefit overburdened communities in order to maximize the cobenefits of reduced air pollution and environmental justice.*
- Actions must be consistent with Department of Commerce guidelines

## HB 1181: Land use element

- “Green spaces” and “urban community forests”
- Environmental justice
- Reduce per capita VMT
- Wildfire mitigation

## HB 1181: Capital facilities and Utilities elements

- Inventory “Green infrastructure”
- Identify public utilities with capital facilities or utilities
- Attempt to inventory capital facilities and utilities

# E2SHB 1110 and EHB 1337: Housing Amendments

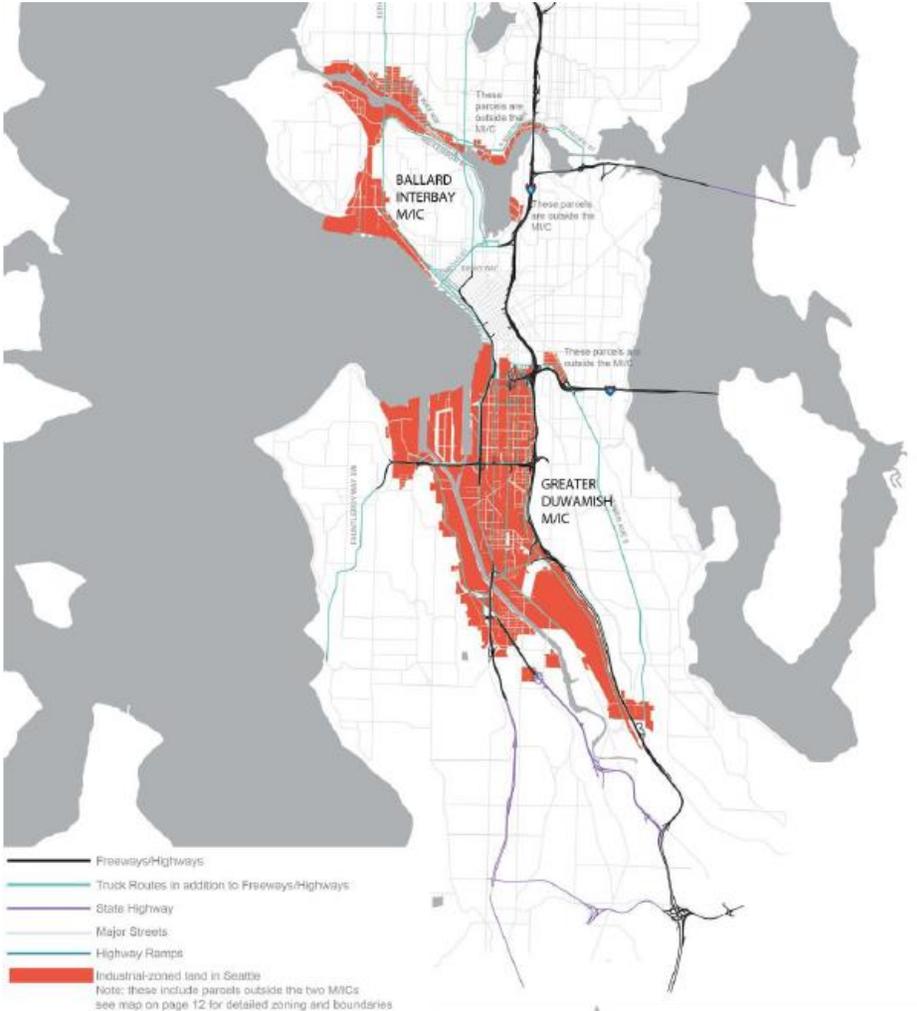


Figure 1: Map of Industrially-zoned land

# Thank you!

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# Port of Everett example (bonus content)

