

SENATE BILL REPORT

ESSB 6603

As Passed Senate, February 12, 2010

Title: An act relating to land uses adjacent to general aviation airports.

Brief Description: Concerning land uses adjacent to general aviation airports.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Marr, Haugen, Swecker, Eide and Keiser).

Brief History:

Committee Activity: Transportation: 1/28/10, 2/04/10 [DPS].

Passed Senate: 2/12/10, 47-0.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 6603 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Becker, Benton, Berkey, Delvin, Hatfield, Jacobsen, Kastama and King.

Staff: Amanda Cecil (786-7429)

Background: All cities, counties, and towns that have a general aviation airport must discourage the siting of incompatible uses surrounding the airport in their comprehensive plans. Counties and cities that plan under the Growth Management Act must also include in their comprehensive plans a process for identifying and siting essential public facilities. General aviation airports are considered essential public facilities. No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

Summary of Engrossed Substitute Bill: Local agencies with a general aviation airport are to restrict the siting of incompatible uses adjacent to the airport in their comprehensive plans by evaluating land uses that may be compatible and incompatible. The Washington State Department of Transportation Aviation Office (WSDOT-Aviation) must develop a consultation process to assist local agencies to identify land uses that may be incompatible. All proposed comprehensive plans prepared by local agencies with a general aviation airport must be submitted to WSDOT-Aviation for review and comment.

Appropriation: None.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill is consistent with the recommendations of the long-term Air Transportation Study. Airports are an important part of Washington's economy and they must be protected. Many cities and counties are permitting incompatible uses around airports that compromise the future effectiveness of those airports. The impact of encroachment is chilling to the business climate. The current laws are voluntary and are being ignored. This gives the existing law some teeth. Once an airport is lost to encroachment, it is impossible to replace it. Airports are most compatible with industrial and agricultural uses.

CON: The definitions of an airport influence area and adjacent area are unclear. The term housing would include agricultural farm housing and agricultural is one of the most compatible uses around airports.

OTHER: Counties are already required to consider incompatible uses in their plans. The bill as crafted determines what an incompatible use is and that may not be the same for all airports. This could have negative impacts and take away the local discretion of areas that are already doing the right thing. How will this effect existing land uses?

Persons Testifying: PRO: John Sibold, John Shambaugh, WSDOT-Aviation; John Dobson, WA Pilots Assn; Mike Ferguson, Aircraft Owners & Pilots Assn; Ryan Zulauf, WA Airport Managers Assn; Eric Johnson, WA Public Ports Assn; Leonard Bauer, Department of Commerce; Chris Branch, City of Oroville.

CON: Kim Adams, Hall Equities Group; Brynn Brady, Pierce County.

OTHER: Robert Johnson, Lewis County; Dave Williams, Dave O'Leary, Steve Goins, Assn of WA Cities.