

SENATE BILL REPORT

SB 5909

As of March 5, 1997

Title: An act relating to lease of unused highway land or air space.

Brief Description: Modifying procedures for lease of unused highway land.

Sponsors: Senators Thibaudeau, Fairley and Heavey.

Brief History:

Committee Activity: Transportation: 3/5/97.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Gene Baxstrom (786-7303)

Background: The Department of Transportation has authority to lease properties which it owns and are held for highway purposes, but are not presently needed. In addition, certain leases are maintained along the rights of way of existing highways. The use of these leases include rental housing, parking space under urban freeways, use by abutting property owners such as farming, and other activities.

Currently, there are no requirements for notification for such leases other than those public notice requirement standards by local agencies for certain activities within affected communities.

Summary of Bill: The Department of Transportation is required, within 30 days of an application for lease for department property, to post a notice at the lease site, provide notice in a newspaper of general circulation in the area and to notify the general purpose government within which the lease space is located.

The department must allow 30 days for comments, and if comments warrant, convene a public meeting in the neighborhood of the parcel to be leased to solicit comment.

The department may then tentatively approve the lease and give notice to interested parties of the leases approvals availability. The department may not finalize a lease until ten days after the notice of availability. Leases of more than one year require a finding of consistency with the public interest.

Notification requirements do not apply to leases of residential property, leases of less than one year, and leases for farming or for parks or natural areas. The notification requirements may be suspended with the declaration of an emergency by the department. The notification requirement is waived when at a department public meeting within the previous year, leasing that site for that purpose was discussed.

Appropriation: None.

Fiscal Note: Not requested.

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