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HOUSE BILL 2102

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State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Benton, Skinner and Elliot

Read first time . Referred to Committee on .

1            AN ACT Relating to existing general aviation airport land use  
2 encroachment planning; adding a new section to chapter 35.63 RCW;  
3 adding a new section to chapter 35A.63 RCW; adding a new section to  
4 chapter 36.70 RCW; adding a new section to chapter 36.70A RCW; adding  
5 a new section to chapter 47.01 RCW; and creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7            NEW SECTION.    **Sec. 1.** The legislature finds that existing general  
8 aviation airports are essential to the state's interest in an efficient  
9 and effective transportation system. Consequently, such airports,  
10 whether publicly owned or privately owned public-use, should be  
11 protected against encroachment by incompatible land uses.

12            It is the purpose of this act to protect existing general aviation  
13 airports against encroachment by incompatible land uses. It is also  
14 the purpose of this act to protect public health, safety, and welfare  
15 by encouraging adoption of land use measures that minimize the public's  
16 exposure to excessive noise and safety hazards within areas around  
17 public general aviation airports and private public-use general  
18 aviation airports to the extent that these areas are not already  
19 devoted to incompatible uses.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 35.63 RCW  
2 to read as follows:

3        Every municipality, including municipalities planning under a  
4 charter, in which there is located a general aviation airport that is  
5 not served by a scheduled airline, but is operated for the benefit of  
6 the general public, whether publicly owned or privately owned public-  
7 use, shall, through its comprehensive plan and development regulations,  
8 discourage the siting of incompatible uses adjacent to such general  
9 aviation airport.    Such plans and regulations may only be adopted or  
10 amended after formal consultation with:    Airport owners and managers,  
11 private airport operators, general aviation pilots, ports, and the  
12 aviation division of the department of transportation.

13        Any additions or amendments to comprehensive plans or development  
14 regulations required by this section may be adopted during the normal  
15 course of land use proceedings.

16        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 35A.63 RCW  
17 to read as follows:

18        Every city in which there is located a general aviation airport  
19 that is not served by a scheduled airline, but is operated for the  
20 benefit of the general public, whether publicly owned or privately  
21 owned public-use, shall, through its comprehensive plan and development  
22 regulations, discourage the siting of incompatible uses adjacent to  
23 such general aviation airport.    Such plans and regulations may only be  
24 adopted or amended after formal consultation with:    Airport owners and  
25 managers, private airport operators, general aviation pilots, ports,  
26 and the aviation division of the department of transportation.

27        Any additions or amendments to comprehensive plans or development  
28 regulations required by this section may be adopted during the normal  
29 course of land use proceedings.

30        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 36.70 RCW  
31 to read as follows:

32        Every county in which there is located a general aviation airport  
33 that is not served by a scheduled airline, but is operated for the  
34 benefit of the general public, whether publicly owned or privately  
35 owned public-use, shall, through its comprehensive plan and development  
36 regulations, discourage the siting of incompatible uses adjacent to  
37 such general aviation airport.    Such plans and regulations may only be

1 adopted or amended after formal consultation with: Airport owners and  
2 managers, private airport operators, general aviation pilots, ports,  
3 and the aviation division of the department of transportation.

4 Any additions or amendments to comprehensive plans or development  
5 regulations required by this section may be adopted during the normal  
6 course of land use proceedings.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A RCW  
8 to read as follows:

9 Every county or city in which there is located a general aviation  
10 airport that is not served by a scheduled airline, but is operated for  
11 the benefit of the general public, whether publicly owned or privately  
12 owned public-use, shall, through its comprehensive plan and development  
13 regulations, discourage the siting of incompatible uses adjacent to  
14 such general aviation airport. Such plans and regulations may only be  
15 adopted or amended after formal consultation with: Airport owners and  
16 managers, private airport operators, general aviation pilots, ports,  
17 and the aviation division of the department of transportation.

18 Any additions or amendments to comprehensive plans or development  
19 regulations required by this section may be adopted during the normal  
20 course of land use proceedings.

21 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.01 RCW  
22 to read as follows:

23 (1) Each county or city required to protect general aviation  
24 airports from encroachment by incompatible land uses, as stated in  
25 sections 2 through 5 of this act, shall notify the department of  
26 transportation of its intent to discourage incompatible land uses  
27 through its comprehensive plan at least sixty days prior to final  
28 adoption.

29 (2) The department of transportation shall review each  
30 comprehensive plan affected by this act to ensure that cities and  
31 counties protect general aviation airports from encroachment by  
32 incompatible land uses. If the department determines that the city or  
33 county's comprehensive plan does not adequately protect general  
34 aviation airports from incompatible land uses, the department may  
35 require the city or county to change its comprehensive plan so that it  
36 meets the intent of this act.

1       (3) Each county and city affected by this act shall transmit a  
2 complete and accurate copy of its comprehensive plan to the department  
3 of transportation within ten days after final adoption.

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