



February 21, 2010

The Honorable Geoff Simpson
Chair, House Local Government and Housing Committee
426 John L. O'Brien Building
Olympia, WA 98504-0600

RE: ESSB 6603 relating to land uses adjacent to general aviation airports

Dear Representative Simpson:

The Washington Chapter of the American Planning Association (APA Washington) has significant concerns regarding ESSB 6603 and respectfully requests that the House Local Government and Housing Committee reject this legislation. This bill would require that comprehensive plans and development regulations ensure that land uses: (1) are compatible with the operations of adjacent airports; and (2) restrict the siting of incompatible uses adjacent to airports.

APA Washington supports the overall concept of restricting incompatible land uses around general aviation airports, but we have many concerns and questions about how this bill would achieve this objective. Our specific concerns are addressed below:

1. **Are the New WSDOT Rules Guidelines or Mandates?** ESSB 6603 requires WSDOT to develop a set of rules to implement the bill. We would oppose mandates that remove local land use control from local governments.
2. **Creation of 5,000 Foot Super-Zone.** ESSB 6603 restricts land use within an "airport influence area" which is defined in Section 6. The definition references 14 CFR Part 77, Subpart C. This reference essentially creates a 5,000 foot radius around a runway—an area in which incompatible uses could not locate. Carving out a nearly one-mile zone on each side of a runway end would remove significant portions of a community from local land use control.



3. **Unknown Economic Impact.** ESSB 6603 could adversely affect surrounding land use permit processes, economic development and the tax base of smaller communities. It could also impede critical health/safety issues of services like the Smoke Jumper Base – Twisp (Winthrop Airport), Industrial/Government Use – Omak, JAL Testing Facility at Moses Lake, etc.
4. **Removal of Local Land Use Control.** For small cities such as Deer Park and Airway Heights (both in Spokane County), ESSB 6603 would effectively cede local land-use control to the local general aviation boards. These often non-elected boards would be handed authority to dictate land-use terms to surrounding jurisdictions.
5. **Airports Are Already Being Protected.** Cities and counties across the state have already adopted Comprehensive Plan policies and land-use regulations protecting airports in accordance with their responsibilities under both the GMA and PEB. If some cities and counties are not protecting airports, then WSDOT and the airport operators should be addressing those situations individually with those cities and counties.
6. **Coordination and Consultation Requirement is Not Needed.** Jurisdictions near airports are already required to:
 - a. Coordinate with general aviation airports located in their vicinity when amending or developing their comprehensive plans under existing statutes.
 - b. Submit proposed land-use changes to the Department of Transportation under the existing RCW 36.70.547.
7. **Inappropriate to Amend Comprehensive Plan.** The Comprehensive Plan is not the appropriate place to list specific allowed, encouraged, discouraged, or disallowed land-uses. These belong in local development regulations and functional plans.

Thank you for the opportunity to comment. If I can answer any questions about this position statement, please do not hesitate to contact me.



American Planning Association
Washington Chapter

Making Great Communities Happen

Respectfully,

A handwritten signature in blue ink, appearing to read 'Scott Greenberg'.

Scott Greenberg, AICP
Washington Chapter of the American Planning Association
President

Cc: Members of the House Local Government and Housing Committee