

# Senate Bill 169

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs local governments to amend their comprehensive plan and land use regulations regarding certain airports not later than specified date.

Requires local governments to implement land use regulations applicable to airport with existing or approved control tower.

## A BILL FOR AN ACT

1  
2 Relating to airports; amending ORS 836.610 and 836.616.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 836.610 is amended to read:

5 836.610. (1) Local governments shall amend their comprehensive plan and land use regulations  
6 consistent with the rules for airports adopted by the Land Conservation and Development Commis-  
7 sion under ORS 836.616 and 836.619. Airports subject to the rules [*shall*] include:

8 (a) Publicly owned airports registered, licensed or otherwise recognized by the Department of  
9 Transportation on or before December 31, 1994, that in 1994 were the base for three or more air-  
10 craft; and

11 (b) Privately owned public-use airports specifically identified in administrative rules of the  
12 Oregon Department of Aviation that:

13 (A) Provide important links in air traffic in this state;

14 (B) Provide essential safety or emergency services; or

15 (C) Are of economic importance to the county where the airport is located.

16 (2)(a) Local governments shall amend their comprehensive plan and land use regulations as re-  
17 quired under subsection (1) of this section not later than:

18 (A) The first periodic review, as described in ORS 197.628 to 197.650, conducted after the date  
19 of the adoption of a list of airports by the Oregon Department of Aviation under subsection (3) of  
20 this section **or December 31, 2014, whichever comes first; or**

21 (B) **Within two years after the date that an airport is added to the list adopted under**  
22 **subsection (3) of this section if the airport is added to the list after December 31, 2012.**

23 (b) A state agency or other person may provide funding to a local government to accomplish the  
24 planning requirements of this section earlier than otherwise required under this subsection.

25 (3) The Oregon Department of Aviation by rule shall adopt a list of airports [*described*] **identi-**  
26 **fied** in subsection (1) of this section. The rules shall be reviewed and updated periodically to add  
27 or remove airports from the list. An airport may be removed from the list only upon request of the  
28 airport owner or upon closure of the airport for a period of more than three years.

29 **SECTION 2.** ORS 836.616 is amended to read:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 836.616. (1) Following consultation with the Oregon Department of Aviation, the Land Conser-  
 2 vation and Development Commission shall adopt rules for uses and activities allowed within the  
 3 boundaries of airports identified in ORS 836.610 (1) and airports described in ORS 836.608 (2).

4 (2) Within airport boundaries established pursuant to commission rules, local government land  
 5 use regulations shall authorize the following uses and activities:

6 (a) Customary and usual aviation-related activities including but not limited to takeoffs,  
 7 landings, aircraft hangars, tie-downs, construction and maintenance of airport facilities, fixed-base  
 8 operator facilities and other activities incidental to the normal operation of an airport;

9 (b) Emergency medical flight services;

10 (c) Law enforcement and firefighting activities;

11 (d) Flight instruction;

12 (e) Aircraft service, maintenance and training;

13 (f) Crop dusting and other agricultural activities;

14 (g) Air passenger and air freight services at levels consistent with the classification and needs  
 15 identified in the State Aviation System Plan;

16 (h) Aircraft rental;

17 (i) Aircraft sales and sale of aviation equipment and supplies; and

18 (j) Aviation recreational and sporting activities.

19 (3) All land uses and activities permitted within airport boundaries, other than the uses and  
 20 activities established under subsection (2) of this section, shall comply with applicable land use laws  
 21 and regulations. A local government may authorize commercial, industrial and other uses in addition  
 22 to those listed in subsection (2) of this section within an airport boundary where such uses are  
 23 consistent with applicable provisions of the acknowledged comprehensive plan, statewide land use  
 24 planning goals and commission rules and where the uses do not create a safety hazard or limit ap-  
 25 proved airport uses.

26 *[(4) The provisions of this section do not apply to airports with an existing or approved control*  
 27 *tower on June 5, 1995.]*

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