

CHAPTER 19.12

A (AIRPORT OVERLAY) DISTRICTS

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19.12.010 PURPOSE

The purpose of this chapter is to promote the public health, safety and general welfare in the vicinity of airports by minimizing exposure to crash hazards and high noise levels generated by airport operations and to encourage future development that is compatible with the continued operation of airports.

19.12.020 DEFINITIONS

For the purpose of this chapter, certain words are defined as follows:

1. **Air Installation Compatible Use Zone Report.** A report prepared by the Department of the Air Force examining, evaluating, and summarizing the aircraft operations at U.S. Air Force Bases with respect to the effects of noise and accident hazards.
2. **Airport District One (AD I).** The area within a 3,000 by 5,000 foot rectangle having 2 of its sides parallel with, and 1,500 feet from either side of, an extension of the centerline of a runway running from 3,000 to 8,000 feet from the midpoint of the end of the runway.
3. **Airport District Two (AD II).** The area within a 3,000 by 7,000 foot rectangle having 2 of its sides parallel with, and 1,500 feet from either side of, an extension of the centerline of a runway running from 8,000 to 15,000 feet from the midpoint at the end of the runway.
4. **Airport District Three (AD III).** The area between the 75 Ldn and 80 Ldn noise contour lines developed by the application of the day-night average sound level methodology of sound measurement (Ldn) but not within any other airport District as defined herein.
5. **Airport District Four (AD IV).** The area between the 70 Ldn and 75 Ldn noise contour lines developed by the application and the day-night average sound level methodology of sound measurement (Ldn), but not within any other Airport District as defined herein.

6. **Airport District Five (AD V).** The area between the 65 Ldn and 70 Ldn noise contour lines developed by the application of the day-night average sound level methodology of the sound measurement (Ldn), but not within any other Airport District as defined herein.
7. **Clear Zone.** The area within a 3,000 by 3,000 foot square having 2 of its sides parallel with and 1,500 feet from either side of, an extension of the centerline of a runway running 3,000 feet from the midpoint of the end of the runway.
8. **Day-night Sound Level (Ldn).** The sound level during a 24 hour time period with a 10 decibel penalty applied to the equivalent sound level during nighttime hours of 10:00 P.M. to 7:00 A.M.
9. **Decibel.** The physical unit commonly used to describe noise level.
10. **High Noise Levels.** Sound levels which equal or exceed that within the 65 Ldn noise contour line developed by the application of the day-night average sound level methodology of sound measurement (Ldn).
11. **Human Occupancy.** Any structure having overnight or longer living accommodations or that is intended for such use.
12. **Ldn.** The day-night sound level.
13. **Runway.** An artificially surfaced strip of ground designed and actively used at an airport for the landing and taking off of aircraft.
14. **Severe Accident Potential.** The level of crash hazard risk associated with the Clear Zone. Said risk shall be identified in the same manner as crash hazard risk is identified in United States Air Force Air Installation Compatible Use Zone Reports for military airports.
15. **Significant Accident Potential.** The level of crash hazard risk associated with Airport District II. Said risk shall be identified in the same manner as crash hazard risk is identified in United States Air Force Air Installation Compatible Use Zone Reports for military airports.
16. **Substantial Accident Potential.** The level of crash hazard risk associated with Airport District I. Said risk shall be identified in the same manner as crash hazard risk is identified in United States Air Force Air Installation Compatible Use Zone Reports for military airports.

19.12.030 AIRPORT DISTRICTS

For the purpose of this chapter, 5 Airport Districts are hereby created. The boundaries of these districts shall be delineated on official land use district maps as overlay districts. These districts are as follows:

1. Airport District One (AD I);
2. Airport District Two (AD II);
3. Airport District Three (AD III);
4. Airport District Four (AD IV); and
5. Airport District Five (AD V).

19.12.040 AIRPORT PROVISIONS

1. Nothing contained herein shall require any change or alteration in a lawfully constructed or established structure, or use in existence at the time of the adoption or amendment of these regulations. These regulations are intended to regulate only the following actions:
 - A. The erection or establishment of any new structure or use;
 - B. The moving or relocation of any structure, or use to a new site or new location;
 - C. The operation or continuance, at any time following the effective date of these regulations, of any structure or use which has been unlawfully established, erected, remodeled, or rehabilitated; and
 - D. The change from 1 use to another of any structure, or land, or the re-establishment of a use after its discontinuance for a period of 180 consecutive days or more.
2. Except for agricultural uses, including structures not more than 20 feet in height and not intended for human occupancy, a Development Permit shall be required for all development in AD I and AD II.

A. DEVELOPMENT PERMIT FINDINGS

A Development Permit shall be approved only when specific findings are made which indicate that the proposed use complies with the following regulations in addition to those outlined elsewhere in this Development Code:

1. All uses shall be compatible with the continued operation of the airport. No uses shall be allowed which:
 - a. release into the air any substances which would impair visibility or otherwise interfere with the operation of aircraft;
 - b. produce light emissions, either direct or indirect (reflective), which would interfere with pilot vision;
 - c. produce emissions which would interfere with aircraft communication systems or navigational equipment; and
 - d. attract birds or water fowl in such numbers as would create a hazard to aircraft operations.
2. No development intended for human occupancy, whether on a temporary or permanent basis, shall be allowed in AD I and AD II.
3. No uses shall cause or produce objectionable effects which would impose a hazard or nuisance to adjacent or other properties by reason of smoke, soot, dust, radiation, odor, noise, vibration, heat, glare, toxic fumes or other conditions that would affect adversely the public health, safety and general welfare.

4. No uses which require the use or storage of materials which are explosive, flammable, toxic, corrosive, or otherwise exhibit hazardous characteristics shall be permitted.
5. No uses which are labor intensive or promote the concentration of people for extended periods of time shall be permitted, except as expressly authorized in this section.
6. No structure or any portion thereof on the premises of a permitted use shall be used for a residential dwelling by the owner, operator, or caretaker, their family members or others.
7. A Noise Level Reduction (NLR) of not less than 30 decibels from exterior to interior shall be incorporated into the design and construction of those portions of structures where the public is regularly received and into office areas.

B. PROCEDURES

The provisions of Section 19.44 (Development Permits) shall apply.

C. DECISION OF DEPARTMENT

1. The decision of the Department shall be based on findings of fact that the purpose of this section has been preserved.
2. The decision of the Department may include reasonable requirements deemed necessary to promote the purpose of this section. Said requirements may include, but are not limited to, the following:
 - a. yards and open spaces;
 - b. fences and walls, or other screening;
 - c. surfacing of parking spaces and specifications thereof;
 - d. street improvements, including provision of service roads or alleys when practical and necessary;
 - e. regulation of points of vehicular ingress and egress;
 - f. regulation of signs;
 - g. landscaping and maintenance thereof;
 - h. maintenance of grounds;
 - i. control of noise, vibration, odor, and other potentially dangerous or objectionable elements;

- j.** lot size;
- k.** height restrictions;
- l.** restrictions in accessory structures;
- m.** time limits which may be imposed for the commencement of construction, and/or review and further action by the Department and/or a time limit within which the Development Permit shall cease to exist.

19.12.050 AIRPORT DISTRICT ONE (AD I)

This overlay district is designed to regulate land use and reduce hazards in an area characterized by high noise levels and a substantial accident potential resulting from aircraft operations. Only those types of activities authorized by this section may be permitted, and any other uses shall be subject to the requirements for a Conditional Use Permit pursuant to Chapter 19.36 except for agricultural uses, including structures not more than 20 feet in height and not intended for human occupancy.

1. INDUSTRIAL/MANUFACTURING USE REGULATIONS

Permitted industrial/manufacturing uses within AD I include, but are not limited to, the following types of labor nonintensive activities provided they comply with the standards prescribed by this chapter:

- A.** warehousing and storage;
- B.** manufacture of stone, clays, leather, glass and similar products;
- C.** manufacture of lumber and wood products;
- D.** printing and publishing;
- E.** paper and allied products;
- F.** furniture and fixtures;
- G.** chemicals and allied products;
- H.** outside storage activities;
- I.** rubber and miscellaneous plastic;
- J.** primary metal industries; and
- K.** fabricated metal products.

The following regulations shall apply to all industrial uses permitted in AD I in addition to those regulations contained in other portions of this chapter:

- A. Lot size: The minimum net lot area shall be 35,000 square feet.
- B. Height restrictions: The maximum height of structures shall be 30 feet.
- C. Parking regulations: The parking restrictions and regulations outlined in Chapter 19.24 shall apply.
- D. Yard regulations: Yards are required as follows:
 - 1. Front yard: There shall be a front yard having a depth of not less than 50 feet from the planned public right-of-way line.
 - 2. Side yard: There shall be a side yard having a width of not less than 20 feet on each side of any structure.
 - 3. Rear yard: There shall be a rear yard having width of not less than 20 feet on each side of any structure.
- E. Signs are permitted in this district subject to the requirements prescribed in Chapter 19.22.

2. COMMERCIAL USE REGULATIONS

Permitted commercial uses within AD I include, but are not limited to, the following types of labor intensive activities, provided they comply with the standards prescribed in this Section.

- A. groceries and related wholesale;
- B. machinery, equipment, supplies, wholesale;
- C. hardware and metals, wholesale;
- D. other wholesale trade activities;
- E. building and lumber materials; retail; and
- F. furniture, home furnishings, retail.

Within AD I, no structure or premise shall be used for:

- A. food, retail;
- B. apparel and accessories, retail;
- C. eating and drinking places; and
- D. general merchandise, retail.

The following regulations shall apply to all commercial activities permitted in AD I in addition to those regulations contained in other portions of this chapter:

- A. Lot size: The minimum net lot area shall be 35,000 square feet.
- B. Height restrictions: The maximum height of structures shall be 30 feet.
- C. Parking regulations: The parking restriction and regulations outlined in Chapter 19.24 shall apply.
- D. Yard regulations: Yards are required as follows:
 - 1. Front yard: There shall be a front yard having a depth of not less than 30 feet from the planned public right-of-way.
 - 2. Side yard: There shall be a side yard having width of not less than 20 feet on each side of any structure.
 - 3. Rear yard: There shall be a rear yard having a depth of not less than 20 feet on each side of any structure.
- E. Signs are permitted in this district subject to the requirements prescribed in Chapter 19.22.

3. ADMINISTRATIVE AND PROFESSIONAL SERVICE REGULATIONS

No administrative and professional service uses shall be permitted in AD I, except repair services.

4. PUBLIC AND QUASI-PUBLIC ADMINISTRATIVE USE REGULATIONS

No public and quasi-public administrative uses shall be permitted in AD I.

5. OUTDOOR RECREATION USE REGULATIONS

Permitted uses shall be limited to the following:

- A. golf courses; and
- B. horseback riding stables and trails (except that no public shows and public events shall be permitted).

6. RESOURCE PRODUCTION USE REGULATIONS

All resource production uses may be permitted in AD I including, but not limited to, the following activities:

- A. agricultural uses;
- B. commercial dairies; and

- C. mining.

19.12.060 AIRPORT DISTRICT TWO (AD II)

This overlay district is designed to regulate land use and reduce hazards in an area characterized by high noise levels and a significant accident potential resulting from aircraft operations. Only those types of activities authorized by this chapter may be permitted, and any other uses shall be subject to the requirements of a Conditional Use Permit contained in Chapter 19.36 except for agricultural uses, including structures not more than 20 feet in height and not intended for human occupancy, as well as the applicable standards established herein.

1. INDUSTRIAL/MANUFACTURING USE REGULATION

Permitted industrial/manufacturing uses within AD II include, but are not limited to, the uses approved for Airport District I, and provided they comply with the standards prescribed by this chapter.

The following regulations shall apply to all industrial uses permitted AD II in addition to those regulations contained in other portions of this section:

- A. Lot size: The minimum net lot area shall be 35,000 square feet.
- B. Height restrictions: The maximum height of structures shall be 30 feet except where otherwise specified.
- C. Parking regulations: The parking restrictions and regulations outlined in Chapter 19.24 shall apply.
- D. Yard regulations: Yards are required as follows:
 - 1. Front yard: There shall be a front yard having a depth of not less than 50 feet from the planned public right-of-way line.
 - 2. Side yard: There shall be a side yard having a width of not less than 15 feet on each side of any structure.
 - 3. Rear yard: There shall be a rear yard having a depth of not less than 15 feet.
- E. Signs are permitted in this district subject to the requirements prescribed in Chapter 19.22.

2. COMMERCIAL USE REGULATIONS

All commercial uses permitted in Section 19.06.020 (Table 06.01) may be allowed in AD II.

Within AD II, no structure or premises shall be used for the following:

- A. funeral chapels;
- B. auditoriums;

- C. sports arenas;
- D. gymnasiums;
- E. stadiums;
- F. churches;
- G. theaters; and
- H. restaurants, except that coffee shops not serving alcoholic beverages and fast food restaurants are permitted.

The following regulations shall apply to all commercial activities permitted in AD II in addition to those regulations contained in other portions of this chapter;

- A. Lot size: The minimum net lot area shall be 35,000 square feet.
- B. Height reductions: The maximum height of structures shall be 30 feet.
- C. Parking regulation: The parking restrictions and regulations outlined in Chapter 19.24 shall apply.
- D. Yard regulations: Yards are required as follows:
 - 1. Front yard: There shall be a front yard having a depth of not less than 30 feet from the planned public right-of-way line.
 - 2. Side yard: There shall be a side yard having a width of not less than 15 feet.
 - 3. Rear yard: There shall be a rear yard having depth of not less than 15 feet.
- E. Signs are permitted in this district subject to the requirements prescribed in Chapter 19.22

3. ADMINISTRATIVE AND PROFESSIONAL USE REGULATIONS

The type of administrative and professional service uses that may be allowed in AD II include, but are not limited to:

- A. professional offices;
- B. banks and other financial institutions;
- C. electrical repair shops;
- D. dry cleaning establishments; and
- E. similar uses not involving high occupancy activities.

The following regulations shall apply to all administrative and professional service activities in addition to those appearing elsewhere in this chapter:

- A. Lot size: The minimum net lot area shall be 35,000 square feet.
- B. Height restrictions: The maximum height of structures shall be 30 feet.
- C. Parking regulations: The parking restrictions and regulations outlined in Chapter 19.24 shall apply.
- D. Yard regulations: Yards are required as follows:
 - 1. Front yard: There shall be a front yard having a depth of not less than 25 feet from the planned public right-of-way line.
 - 2. Side yard: There shall be a side yard having a depth of not less than 15 feet on each side of any structure.
 - 3. Rear yard: There shall be a rear yard having a depth of not less than 15 feet.
- E. Signs are permitted in this district subject to the requirements prescribed in Chapter 19.22.

4. OUTDOOR RECREATION USE REGULATIONS

Permitted uses shall be limited to the following:

- A. Golf courses; and
- B. Horseback riding stables and trails (except that no public shows and public events shall be permitted).

5. RESOURCE PRODUCTION USE REGULATIONS

The following resource production uses may be permitted in AD II:

- A. Agricultural uses;
- B. Commercial dairies; and
- C. Mining.

19.12.070 AIRPORT DISTRICT THREE (AD III)

This district is designed to regulate land use in an area characterized as having high noise levels. All new development located in this district shall incorporate a noise level reduction of 30 decibels. Where the contemplated use to be made of any structure makes noise reduction unnecessary or useless, the noise reduction requirements specified herein shall not apply, but approval may be subject to such conditions as to changes of use or subsequent uses as the Commission may impose.

19.12.080 AIRPORT DISTRICT FOUR (AD IV)

This district is designed to regulate land use in an area characterized as having high noise levels. All new development located in this district shall incorporate a noise level reduction of 25 decibels. Where the contemplated use to be made of any structure makes noise reduction unnecessary or useless, the noise reduction requirements specified herein shall not apply, but approval may be subject to such conditions as to changes of use or subsequent uses as the Commission may impose.

19.12.090 AIRPORT DISTRICT FIVE (AD V)

This district is designed to regulate land use in an area characterized as having high noise levels. All new development located in this district shall incorporate a noise level reduction of 20 decibels. Where the contemplated use to be made of any structure makes noise reduction unnecessary or useless, the noise reduction requirements specified herein shall not apply, but approval may be subject to such conditions as to changes of use or subsequent uses as the Commission may impose.

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