

CHAPTER 22.54 AIRPORT COMPATIBILITY

Sections:

| | |
|------------------|--------------------------------------|
| 22.54.010 | Purpose. |
| 22.54.020 | Applicability. |
| 22.54.030 | Description of Airport. |
| 22.54.040 | Airspace Protection Areas. |
| 22.54.050 | Airport Compatibility Overlay Zones. |
| 22.54.060 | Height Limitation. |
| 22.54.070 | Land Use Restrictions. |
| 22.54.080 | Development Standards. |
| 22.54.090 | Procedures. |

22.54.010 Purpose.

A. The intent of the airport overlay zoning district is to protect the viability of First Air Field, a general aviation facility, by encouraging compatible land uses and densities, and reducing hazards that may endanger the lives and property of the public and aviation users.

B. The airport overlay zone identifies six compatible use zones designed to minimize incompatible uses and hazards, which are based on the guidelines within the WSDOT Aviation Division's "Airports and Compatible Land Uses, M 3074.00," January 2011 and the California "Airport Land Use and Planning Handbook," January 2002.

C. As the name implies, this is laid over the existing zoning districts. It is shown outside of the current city limits as advisory to adjacent jurisdictions.

22.54.020 Applicability.

A. Provisions Applicable. Provisions of this chapter shall apply to all development including, but not limited to: land use development permits, building permits, subdivisions and short subdivisions, binding site plans, and uses located wholly or partially within an airport compatibility overlay inside the City of Monroe's jurisdictional boundaries or its Urban Growth Area (UGA). The overlay includes six zones, as depicted on the city of Monroe airport compatibility map, as incorporated by reference into this chapter.

B. Exemptions. The following structures, uses or other activities are exempt from the provisions of the airport compatibility overlay when permitted by the underlying zoning district; provided, that the use will not penetrate the FAR Part 77 surfaces, attract bird populations, impact airport operations, or create a safety impact as determined by the airport manager or owner:

1. Necessary aviation facilities. Any air navigation facility, airport visual approach or aircraft arresting device, meteorological device, or a type of device approach by the FAA, the location and height of which is fixed by its functional purpose.
2. Any aeronautical business or event.
3. Preexisting nonconforming uses.
 - a. Nothing contained herein shall require any change or alteration of a legally constructed or established structure, or use in existence at the time of adoption or amendment of these regulations. These regulations are intended to regulate the erection or establishment of any new structure or use; the moving or relocation of any structure or use to a new location; the operation or continuance, at any time following the effective date of these regulations.
 - b. Nonconforming uses and structures shall not be increased in size or intensity.
 - c. In the event that a preexisting use or structure is destroyed by natural disaster, the reconstruction of such use or structure shall comply with the criteria set forth in MMC Chapter 22.40, Nonconformance and Reuse Standards.
4. Other Uses. Other uses may be exempted when determined by the zoning administrator, in consultation with the airport owner and/or airport manager, to be minor or incidental in nature and consistent with this chapter.

22.54.030 Description of Airport.

- A. Airport Name: Firstair Field.
- B. Airport Identifier: W16
- C. Airport Elevation: 50 feet
- D. Firstair Field has one runway

| Runway Identification | Runway Type | Approach/Departure Direction | Runway Length | Runway Width |
|-----------------------|-------------|------------------------------|---------------|--------------|
| 07-25 | Visual | East/West | 2,095 feet | 34 feet |

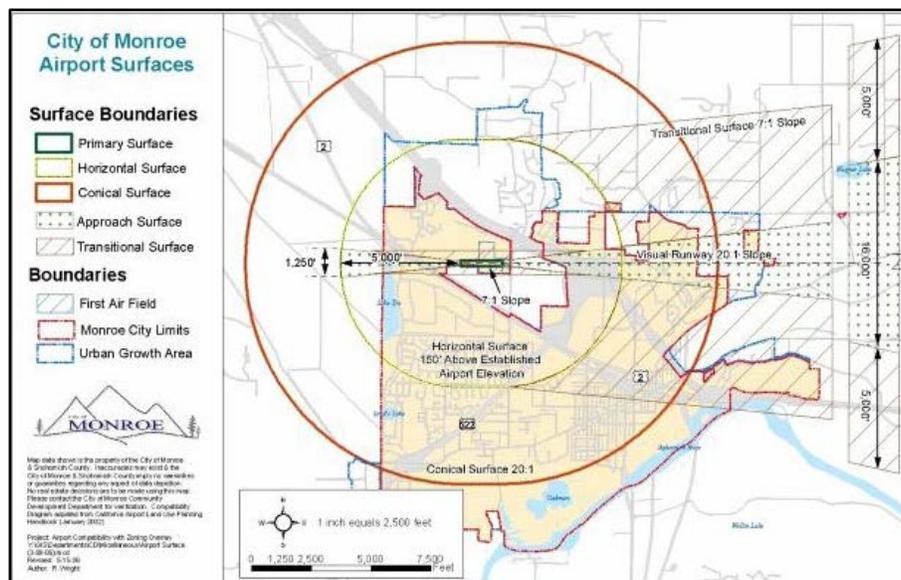
22.54.040 Airspace Protection Areas.

A. In order to carry out the purpose and intent of the airport compatibility overlay as set forth in this chapter, and to restrict those uses that may be hazardous to the operational safety of aircraft operating within the airport influence area, the city hereby creates and establishes the following airspace surfaces as airspace protection areas for Runway 07-25:

1. Primary Surface. A surface longitudinally centered on the runway and extending two hundred feet beyond each runway end. The primary surface is at the same elevation as the elevation of the nearest point on the runway centerline. The primary surface width is two hundred fifty feet.
2. Approach Surface. Inclined planes extending upward and outward from the ends of the primary surface. The approach surface is two hundred fifty feet wide at the intersection with the primary surface. It extends outward for a distance of five thousand feet at a twenty-to-one slope and is one thousand feet at its widest point.
3. Transitional Surface. A surface extending outward and upward, at right angles to the runway centerline and runway centerline extended, from the sides of the primary surface and the approach surfaces. The slope is seven to one and the surface extends until it intersects with the horizontal surface.
4. Horizontal Surface. Horizontal plane one hundred fifty feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway. Tangents then connect the adjacent arcs. The radius of each arc is five thousand feet.
5. Conical Surface. A surface which extends upward and outward from the outer limits of the horizontal surface for a horizontal distance of four thousand feet. The slope of the conical surface is twenty to one measured in a vertical plane.

B. Notification to Federal Aviation Administration. Nothing in this chapter shall diminish the responsibility of project proponents to submit a notice of construction or alteration to the Federal Aviation Administration if required in accordance with Federal Regulations Title 14 Part 77, "Objects Affecting Navigable Airspace."

Figure 22.54.040: Airspace Protection Areas

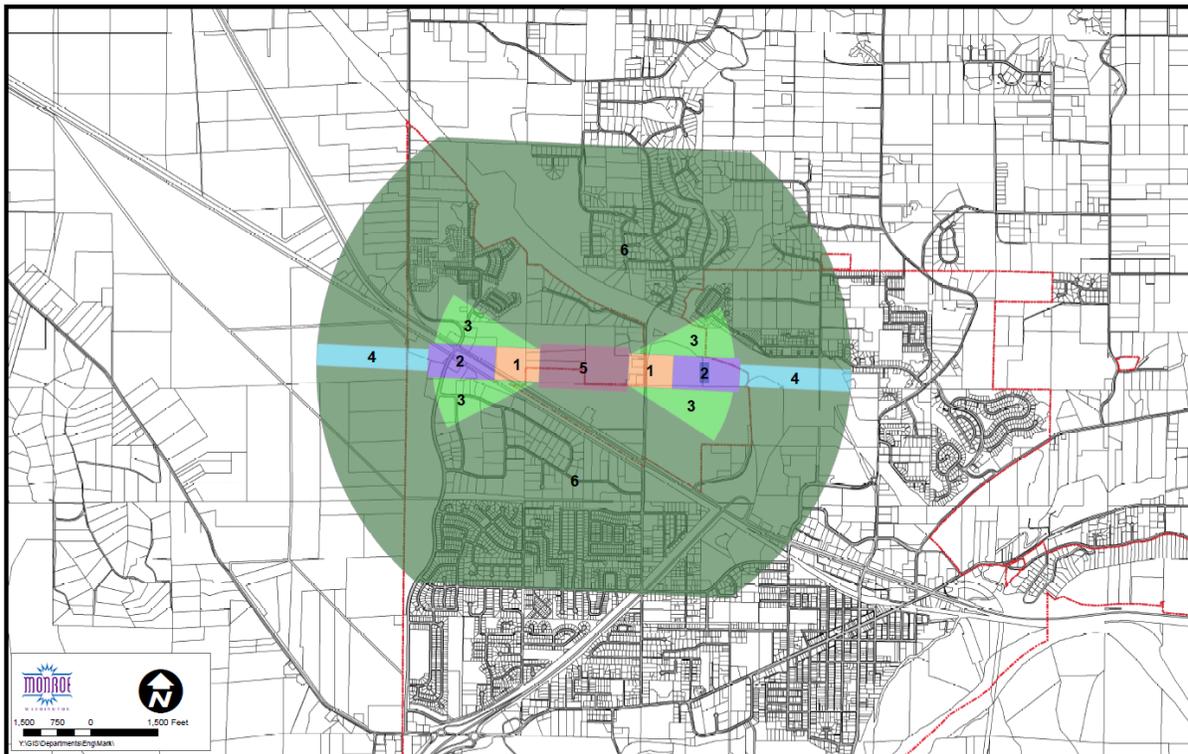


22.54.050 Airport Compatibility Overlay Zones.

The airport compatibility overlay is comprised of six land use zones based on the Washington State Department of Transportation, Division of Aviation, "Airports and Compatible Land Use," M 3074.00," January 2011, Airport Runways Under 3000 Feet, which were derived on federal aviation accident data from the National Transportation Safety Board (NTSB). The six zones are delineated on the city of Monroe airport compatibility zones map, and include:

- A. Zone 1 – Runway Protection Zone. The area is trapezoidal in shape, 750 feet in width, and centered on the ends of the runway centerline. It begins two hundred feet beyond the end of the area usable for takeoff and landing (the extended runway) and extends another one thousand feet.
- B. Zone 2 – Inner Zone. A rectangular shaped area that is positioned on the extended runway centerline, and adjacent to zone 1, is 750 feet wide overall (extending 375 feet laterally from the runway centerline) and extends out 1,500 feet beyond the end of zone 1.
- C. Zone 3 – Inner Turning Zone. A triangular shaped area that begins along each side of zone 1. The area extends 3,000 feet from the vertex located 1,500 feet from the runways endpoint, within a thirty-degree sector of the extended runway.
- D. Zone 4 – Outer Turning Zone. A rectangular area that is centered on the runway, is 500 feet wide overall (extending 250 feet laterally from the runway centerline) and extends approximately 2,500 feet beyond.
- E. Zone 5 – Sideline Zone. A rectangular area that is centered on the runway, is one thousand feet wide overall (extending five hundred feet laterally from the runway centerline) and connects to zone 3.
- F. Zone 6A – Traffic Pattern Zone. This is based on the First Air Field operator's description of the airport's traffic pattern.
- G. Zone 6B – Airport Influence Zone. This area extends, from the centerline of the runway, south, 5,000 feet north of the airport runway and is in the shape of the top half of an oval.

Figure 22.54.050: Airport Compatibility Overlay Zones



22.54.060 Height Limitation.

A. The height limitations are hereby established, consistent with the FAR Part 77 Surfaces-Objects Affecting Navigable Airspace, and are described below:

- 1. No building or object within airport compatibility zones 1,2,3, 4, and 5 shall exceed thirty-five feet above the ground.

2. No building or object within airport compatibility zones 6A or 6B shall exceed thirty-five feet above the ground. Any building or object proposed to exceed this height must undergo further review by the airport manager and the FAA.

B. Federal Aviation Regulations 14 CFR Part 77, impose certain limitations on the height of proposed construction or alteration of structures. Notice is required to be provided to the Federal Aviation Administration (FAA) if the structure falls within the notification requirements outlined in 14 CFR Part 77. An applicant for a permit or approval under MMC Chapter 22.84, Permit Processing, is responsible for researching 14 CFR Part 77 to determine whether notification is required, regardless of whether the property that is the subject of the application is within or outside of the airport compatibility area.

22.54.070 Land Use Restrictions.

A. Prohibited Uses. Land uses that create the following are prohibited in the airport overlay compatibility zones:

1. Lighting that diminishes a pilot’s ability to visually locate the landing strip and/or land an aircraft.
2. Electrical interference with navigational signals or radio communication between the airport and aircraft.
3. Dust, smoke, or other emissions that result in impairment of visibility for pilots.
4. Hazardous conditions such as the manufacturing or warehousing of materials that are explosive, flammable, toxic, or corrosive, with the exception of aircraft fuel, oil, and other fuels intended for aerial application and as outlined in the above matrix.
5. Uses that would foster an increase in bird population and thereby increase the likelihood of a bird impact problem.

B. Land Use Matrix. In addition to the density limitations established in MMC 22.54.080(C), Density Limits, the following land use matrix, Table 22.54.070: Land Use in Airport Compatibility Overlay Zones, illustrates uses prohibited within the airport overlay compatibility zones. A use permitted in this table is not allowed unless it is also permitted, conditionally permitted, or an allowed accessory use in the underlying zoning district of the site, and shall be compliant with the development standards of this chapter.

Table 22.54.070: Land Use in Airport Compatibility Overlay Zones

| Conforming Land Use | Zone 1 | Zone 2 | Zone 3 | Zone 4 | Zone 5 | Zone 6A | Zone 6B |
|---|---------------|---------------|---------------|---------------|---------------|----------------|----------------|
| Adult and/or Family Day Care Facilities | | | | | | P | P |
| Community Centers | | | | | | P | P |
| Day Care Centers | | | | | | P | P |
| Dwelling Units, Attached | | | | P | | P | P |
| Dwelling Units, Detached | | | P | P | P | P | P |
| General Retail | | C | P | P | P | P | P |
| General Services | | C | P | P | P | P | P |
| Health Care Clinics and Offices | | | C | P | | P | P |
| Hospitals | | | | | | EPF | EPF |
| Libraries | | | | | | P | P |
| Motor Vehicle Sales Facilities | | P | P | P | P | P | P |
| Nursing and Convalescent Homes | | | | | | P | P |
| Overhead Utility Lines | | | | | | P | P |
| Parks | C | C | P | P | C | P | P |
| Professional Offices | | C | P | P | P | P | P |

Table 22.54.070: Land Use in Airport Compatibility Overlay Zones

| Conforming Land Use | Zone 1 | Zone 2 | Zone 3 | Zone 4 | Zone 5 | Zone 6A | Zone 6B |
|--|---------------|---------------|---------------|---------------|---------------|----------------|----------------|
| Religious Institutions | | | | | | P | P |
| Retirement Housing /Assisted Living Facilities | | | | | | P | P |
| Schools (Colleges, Universities, Technical) | | | EPF | EPF | EPF | EPF | EPF |
| Schools (K-12) | | | | | | EPF | EPF |
| Senior Centers | | | | | | P | P |
| Temporary Lodging Services | | | P | P | P | P | P |
| Warehouses/Storage Facilities | | P | P | P | P | P | P |

P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See MMC Chapter 22.38 for requirements for Essential Public Facilities (EPF)

22.54.080 Development Standards.

Development standards are necessary to protect health, safety, welfare, and quality of life of the general public, property owners, airport operators, and aviation community, and to ensure compatible land uses in the vicinity of the airport. Development standards imposed within the airport compatibility overlay zones are in addition to the development standards of the underlying zoning district. Where standards imposed by the airport compatibility overlay zone conflict with standards of the underlying zoning district, the more restrictive standards shall be applied. Mixed-use developments that propose both residential and nonresidential uses must meet applicable standards below.

A. Residential Development. When permitted by an underlying zoning district, residential subdivisions, on one acre or more, located within the airport compatibility overlay zones 3 through 5 shall meet the following standards:

1. When developing residential projects in the airport overlay zone, residential lots shall be located as far away from the runway centerline as possible and there shall be a minimum of five hundred feet from the end of any runway and the residential use.
2. Subdivisions and short subdivisions should be developed as cluster developments in airport overlay zones 3 through 5 and shall provide for open space areas to provide sites that are suitable for emergency aircraft landings.

B. Nonresidential Development. Existing or proposed structures located wholly or partly in Zones 1 through 5 shall calculate maximum allowed building occupancy as follows:

1. Divide the gross area of the building (in square feet) by the occupant load factor (in square feet per occupant), as set forth in the building code, as adopted by the city of Monroe) equals the maximum building occupancy
2. Maximum building occupancy divided by gross site acreage equals maximum density of people per acre (nonresidential intensity).

C. Density Limits.

| Land Use | Zone 1 | Zone 2 | Zone 3 | Zone 4 | Zone 5 | Zones 6A and 6B |
|--|---------------|---------------|--------------------|--------------------|--------------------|------------------------|
| Maximum Residential Density ⁽¹⁾ | 0 | 0 | 1 du per 2-5 acres | 1 du per 2-5 acres | 1 du per 1–2 acres | No limit |
| Maximum Nonresidential Intensity ⁽²⁾ (average number of people per acre) | 20 | 75 | 120 | 150 | 150 | No limit |

Table Notes:

1. Residential developments are only permitted in those underlying zoning districts that allow residential development.
2. Infill development is permitted when it complies with the requirements of subsection (D) of this section.

- D. Infill Development. Where substantial incompatible development already exists adjacent to the site of the proposal, additional infill development of similar or less intensive land uses may be allowed to occur even if such land uses are not allowed elsewhere in the airport compatibility overlay zones pursuant to Table 22.54.070: Land Use in Airport Compatibility Overlay Zones. This exception does not apply within zone 1 or 2. A parcel can be considered for infill development if it meets all of the following criteria:
1. The parcel is no larger than two acres.
 2. The site is at least sixty-five percent bounded (excluding roads) by existing uses similar to, or more intensive than, those proposed.
 3. The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.
 4. The proposed project would not, in the case of a residential subdivision, have a density greater than the average of that on other parcels within three hundred feet of the perimeter of the parcel to be subdivided; or in the case of a nonresidential use, have a usage intensity more than fifty percent above the intensity permitted in accordance with this section.
- E. The proposed project will not otherwise increase the intensity and/or incompatibility of the use through special use permits, density transfers, or subdivisions.
- F. Noise originating from aircraft in flight and that is directly related to flight operations shall be expected to impact people in surrounding zones and is generally exempt from noise standards.
- G. All building heights must conform to the standards provided by the Federal Aviation Administration.

22.54.090 Procedures.

- A. Pre-application Meeting. All applicants proposing a land use development or activity within airport compatibility overlay zones 1 through 5 are strongly encouraged to attend a preapplication meeting with the city of Monroe, pursuant to MMC 22.84.040(C), Pre-application Meetings. As soon as the city is notified of such development or activity, a written notification shall be forwarded to the airport operator, and possibly the Washington State Department of Transportation, Aviation Division, with a request for comments.
1. Within ninety days of the effective date of the adopting ordinance for this chapter, and every five years after, the city of Monroe shall mail a disclosure notice to the property owners within the overlay area, which will include explanatory information regarding the designation and the associated land use restrictions. The notice shall include disclosure text stating:

Your property is within the Airport Compatibility Overlay, and you may be impacted by noise relating to activities at First Air Field, you may be required to provide First Air Field with an aviation easement, and are subject to the land use requirements of MMC Chapter 22.54, Airport Compatibility. For more information check the City website at *[current website address]*, contact City Hall at *[phone number for city staff contact person]* or copies are available for review at City Hall, Monday through Friday from 8:00 a.m. to 5:00 p.m.
- B. No use, building, structure, or development activity within the airport compatibility overlay shall be established, altered, or relocated by any person, firm, or corporation except as otherwise authorized by this chapter. Permits for such activities shall be processed in accordance with the underlying zone, subject to the additional standards adopted by this chapter.
- C. A site plan shall be submitted clearly showing the following:
1. The location of the project in relation to First Air Field, and
 2. The location and height of all proposed buildings, structures, and natural vegetation as measured from the airport surface.
 3. The maximum elevation of proposed buildings or structures is based on the established airport elevations, and shall be confirmed by a licensed engineer or professional land surveyor on the site plan.
- D. The permit issuing authority may require the applicant to submit any or all of the following information in addition to that required of a standard permit:
1. A project fact sheet that includes the acreage of the project/proposed use,
 2. The geographical relationship to the airport compatibility overlay,
 3. A description of the proposed land use including the number of dwelling units and/or number of people expected to occupy the site, and
 4. An analysis of the proposal with respect to the density and intensity limitations contained in MMC 22.54.080(C).