

Chapter 19.51 – AIRPORT LANDING ZONE OVERLAY DISTRICT (ALO)

Section 19.51.010. - Declaration of Intent.

The Airport Landing Zone Overlay District is intended to restrict the height of structures and objects of natural growth and to require the marking and lighting of existing and new uses within the Airport Landing Hazard Zone as established herein, all to control the hazard aircraft as required by Part 77 (Objects Affecting Navigable Airspace) of the Federal Aviation Regulations.

In order to carry out the provisions of these overlay zones there are hereby created and established certain zones on and around both airports with and without instrument approaches which include all of the land lying beneath the Airport Imaginary Surfaces as they apply to each and every airport within Whitman County. Such zones are shown on the current airport approach and clear zone maps, as prepared for individual airport sites.

Further, these overlay zones are intended to prevent the establishment of air space obstructions in airport approaches and surrounding areas through height restrictions and other land use controls as deemed essential to protect the health, safety and welfare of nearby residents and Whitman County.

Section 19.51.020. - Compliance.

In addition to complying with the provisions of the primary zoning district, uses and activities shall comply with the provisions of the overlay zone. In the event of any conflict between any provisions of the overlay zone and the primary zoning districts, the more restrictive provisions shall apply.

Section 19.51.030. - Establishment of Airport Landing Hazard Zones.

The following zones and definitions are hereby established, and are to be displayed on any map for an established Airport Commercial (AC) District.

Section 19.51.040. - Special Definitions.

1. *Airport Approach Safety Zone.* A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the Primary Surface. The inner edge of the approach surface is the same width as the Primary Surface and extends to a width of: 1,250 feet for Utility Runway having only visual approaches; 1,500 feet for a runway other than a Utility Runway having only visual approaches; 2,000 feet for a Utility Runway having a nonprecision instrument approach; 3,500 feet for a nonprecision instrument runway other than utility having visibility minimums greater than three-fourths of a statute mile; 4,000 feet for a nonprecision instrument runway having visibility minimums as low as three-fourths statute mile; and 16,000 feet for precision instrument runways. The Airport Approach Safety zone extends for a horizontal distance of 5,000 feet at a slope of 20 feet outward for each foot upward (20:1) for all utility and visual runways; 10,000 feet at a slope of 34 feet outward for each one foot upward (34:1) for all nonprecision instrument runways other than utility; and for all precision instrument runways extends for a horizontal distance of 10,000 feet at a slope of 50 feet outward for each foot upward (50:1); thence slopes upward 40 feet outward for each foot upward (40:1) an additional distance of 40,000 feet.

2. *Airport Hazard.* Any structure, tree or use of land that exceeds height limits established by the Airport Imaginary Surfaces.
3. *Airport Imaginary Surfaces.* Those imaginary areas in space which are defined by the Airport Approach Safety Zone, Transitional Zones, Horizontal Zone, Clear Zone and Conical Surface and in which any object extending above these imaginary surfaces is an obstruction.
4. *Clear Zone.* Extends from the primary surface to a point where the approach surface is 50 feet above the runway end elevation.
5. *Conical Surface.* Extends 20 feet outward for each one foot upward (20:1) for 4,000 feet beginning at the edge of the horizontal surface (5,000 feet from the center of each end of the Primary Surface of each visual and utility runway or 10,000 feet for all nonprecision instrument runways other than utility at 150 feet above the airport elevation) and upward extending to a height of 350 feet above the airport elevation.
6. *Horizontal Surface.* A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet from the center of each end of the Primary Surface of each visual or utility runway and 10,000 feet from the center of each end of the Primary Surface of all other runways and connecting the adjacent arcs by lines tangent to those arcs.
7. *Noise Impact.* Noise levels exceeding 65 Ldn.
8. *Place of Public Assembly.* Structure or place that the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement, waiting transportation or similar activity.
9. *Primary Surface.* A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the Primary Surface extends 200 feet beyond each end of that runway. When the runway has no specially prepared hard surface, or planned hard surface, the Primary Surface ends at each end of that runway. The width of the Primary Surface is 250 feet for Utility Runways having only visual approaches, 500 feet for other than utility runways and 1,000 feet for nonprecision instrument runways with visibility minimums of three-fourths of a mile or less and for precision instrument runways.
10. *Transitional Zones.* Extend seven feet outward for each one foot upward (7:1) beginning on each side of the Primary Surface which point is the same elevation as the runway surface, and from the sides of the approach surfaces thence extending upward to a height of 150 feet above the airport elevation (Horizontal Surface.)
11. *Utility Runway.* A runway that is constructed and intended to be used by aircraft having less than 118 foot wing span or an approach speed of less than 121 knots.

Section 19.51.050. - Permitted uses within the Airport Approach Safety Zone.

1. Airport facilities, including runways, hangars, service facilities such as for aviation fuel, passenger terminal buildings, and all other uses common or incidental to airport use.

2. Uses which are permitted in the respective zones which are overlaid by the Airport Landing Zone Overlay District.
3. Farm use, excluding the raising and feeding of animals which would be adversely affected by aircraft passing overhead.
4. Cemetery or recreation areas which do not include buildings or structures.
5. Roadways, parking areas and storage yards located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between landing lights and vehicle lights or result in glare, or in any way impair visibility in the vicinity of the landing approach. Approach surfaces must clear these by a minimum of 15 feet.
6. Pipeline.
7. Underground utility wire.

Section 19.51.060. - Conditional uses within the Airport Approach Safety Zone.

1. A structure or building accessory to a permitted use.
2. Single family dwellings, mobile homes, duplexes and multi-family dwellings, when authorized in the primary zoning district, provided the landowner signs and records in the deed and mortgage records of Whitman County a Hold Harmless Agreement and Aviation and Hazard Easement and submits them to the airport sponsor and County Planning Department.
3. Commercial and industrial uses, when authorized in the primary zoning district, provided the use does not result in the following:
 - a. Creating electrical interference with navigational signals or radio communication between the airport and aircraft.
 - b. Making it difficult for pilots to distinguish between airport lights or others.
 - c. Impairing visibility.
 - d. Creating bird strike hazards.
 - e. Endangering or interfering with the landing, taking off or maneuvering of aircraft intending to use the airport.
 - f. Attracting large number of people.
4. Buildings and uses of a public works service or public utility nature.

Section 19.51.070. - Procedures.

An applicant seeking a conditional use under Section 19.51.060 above, shall follow procedures as set forth in Section 19.06 of the Whitman County Code.

Section 19.51.080. - Limitations.

1. To meet the standards and reporting requirements established in FAA Regulations, Part 77, no structure shall penetrate into the Airport Imaginary Surfaces as defined above under Section 19.51.040(3).
2. No place of public assembly shall be permitted in the Airport Approach Safety Zone.
3. No structure or building shall be allowed within the Clear Zone.
4. Whenever there is a conflict in height limitations prescribed by this overlay zone and the primary zoning district, the lowest height limitation fixed shall govern; provided, however, that the height limitations here imposed shall not apply to such structures customarily employed for aeronautical purposes.
5. No glare producing materials shall be used on the exterior of any structure located within the Airport Approach Safety Zone.
6. In noise sensitive areas (within 1,500 feet of an airport or within established noise contour boundaries of 65 Ldn and above for identified airports) where noise levels are a concern, a declaration of anticipated noise levels shall be attached to any building permit and land division appeal. In areas where the noise level is anticipated to be 65 Ldn and above, prior to issuance of a building permit for construction of noise sensitive land use (real property normally used for sleeping or normally used as schools, churches, hospitals, or public libraries) the permit applicant shall be incorporated into the building design which will achieve an indoor noise level equal to or less than 65 Ldn. The planning and building department will review building permits for noise sensitive developments.

Section 19.51.090. - Issuance of Building Permits.

No building permit shall be issued for erection of any new structure or alteration to or expansion of any existing structure that would create an airport hazard due to height or increase the height of an existing airport hazard.

Section 19.51.095. - Hazard Marking and Lighting.

Any building permit may be conditioned, if deemed necessary by the Airport Manager to avoid an airport landing hazard, so as to require that the structure or tree in question is marked and/or lighted to indicate to pilots the presence of an airport hazard. Marking and lighting shall be installed, operated and maintained by the local airport authority.

Any existing use not in conformance with the height limitations herein may be required to permit the installation, operation and maintenance of markers and lights if an airport hazard exists.

(Five pages of diagrams inserted in here)