

ORDINANCE NUMBER 15-06

**AMENDMENT TO NEW MASON COUNTY CODE
CHAPTER 17.40 AIRPORT OVERLAY ZONE**

AN ORDINANCE amending the new Mason County Code Chapter 17.40 Airport Overlay Zone to be renumbered as Mason County Code Chapter 17.60.

WHEREAS, the Mason County Board of County Commissioners adopted Ordinance Number 108-05, "Amendments to the Mason County Comprehensive Plan, Resource Ordinance, Shoreline Master Program, and Mason County Development Regulations"; and

WHEREAS, the adoption of new Mason County Code Chapter 17.40 "Airport Overlay Zone" was included in amendments of Ordinance Number 108-05; and

WHEREAS, the Mason County Code Chapter 17.40 is an existing Chapter entitled "Historic Preservation"; and


WHEREAS, the new Airport Overlay Zone chapter was incorrectly given an existing code chapter number; and

WHEREAS, the new Airport Overlay Zone is now known as Mason County Code Chapter 17.60 (attached).


NOW, THEREFORE, BE IT HEREBY ORDAINED, the Mason County Board of Commissioners hereby approves and adopts the new Airport Overlay Zone known as Mason County Code Chapter 17.60.

DATED this 28th day of February, 2006.


ATTEST:

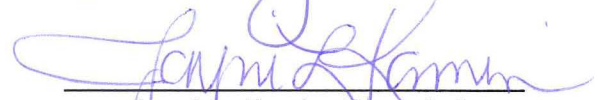

Clerk of the Board

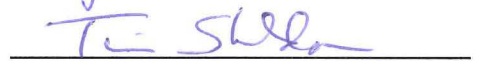
APPROVED AS TO FORM:


Prosecuting Attorney

**BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON**


Lynda Ring Erickson, Chairperson


Jayni L. Kamin, Commissioner


Tim Sheldon, Commissioner

Airport Overlay Zone Ordinance

17.60.010 TITLE

The ordinance codified in this chapter shall be known and may be cited as the "Airport Overlay Zone Ordinance."

17.60.020 PURPOSE AND INTENT

(1) Purpose

The Airport Overlay Zone Ordinance has two fundamental purposes:

- (A) To minimize the public's exposure to excessive noise and safety hazards that would result from incompatible land use development around Sanderson Field; and
- (B) To protect Sanderson Field from potential encroachment by land uses that are incompatible with airport activities and that may impair the planned development and use of the airport.

(2) Intent

The intent of this chapter is to:

- (A) Implement policies of the Mason County Comprehensive Plan and the Port of Shelton, Sanderson Field Airport Master Plan.
- (B) Establish land use zoning regulations around Sanderson Field that are specifically designed to address issues of compatibility between the airport and surrounding land uses. Regulations are established with respect to compatible land use, noise, safety, and height limits (airspace protection).

17.60.030 APPLICABILITY

(1) Affected Land Use Activities and Structures—General Applicability

- (A) In general, this chapter applies to the following activities and structures situated within the Airport Overlay Zone established as the Land Use Compatibility Zones (Map 1) and the Airspace Protection Areas (Map 2):

- (1) Proposed land divisions.
- (2) Proposed new construction.
- (3) Changes to the existing uses of land or structures to the extent that such changes require review under other applicable regulations.

(2) Uses and Structures Not Affected

This chapter does not apply to:

- (A) Existing development as of the effective date of this chapter for which no expansion or changes of use are proposed even if the existing uses are not in conformance with the standards herein.
- (B) Aviation and related development or use of airport property for aeronautical purposes.
- (C) The manner in which aircraft operate on the airport or in the surrounding airspace.

17.60.040 DEFINITIONS

The following definitions apply for the purposes of this chapter:

- (A) "Airport" means Sanderson Field airport in Mason County. This includes the terminal, fixed-base operations, and the area of land designated and set aside for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings, and open spaces, designated for the storage, repair, and operation of aircraft, and utilized or to be utilized in the interest of the public for such purposes.
- (B) "Airport Manager" means the Port of Shelton Board of Commissioners or another person delegated to represent the Board for the purposes established in the Airport Overlay Zone Ordinance.
- (C) "Federal Aviation Regulations (FAR) Part 77" means that part of federal regulations dealing with obstructions to air navigation.
- (D) "Temporary Special Events" are ones (such as balloon fairs or an air show at an airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.
- (E) "Residential Density" means the number of dwelling units, including detached secondary units, on a specific parcel, site, or land use development divided by the gross acreage of the parcel, site, or development.
- (F) "Special Function Land Use" means land use for which the significant common element is the relative inability of the people occupying the space to move out of harm's way; this includes schools (K-12), hospitals, nursing homes, daycare centers, and other similar uses.
- (G) "Structure" means an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, antennas, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
- (H) "Usage Intensity" is the number of people occupying a specific parcel, site, or land use development divided by the gross acreage of the parcel, site, or development. Usage intensity criteria are applicable to all types of land uses except residential.

17.60.050 AIRPORT OVERLAY ZONE MAPS

The area of the Airport Overlay Zone is defined by two maps as established below.

(1) Land Use Compatibility Zones (Map 1)

(A) The Land Use Compatibility Zones map depicts the boundaries of the Sanderson Airfield influence area and airport land use zones for which various compatibility criteria are defined in this chapter. The Land Use Compatibility Zone boundaries take into account incompatible land use activity, relative risks of aircraft accidents in various portions of the airport environs, noise and other associated activities that may impact the operations of the airport in the future.

(B) Specific factors upon which the boundaries of the Land Use Compatibility Zones are delineated are as follows:

- (1) Zone 1 - Runway Protection Zone (RPZ): This zone is trapezoidal in shape and centered about the extended runway centerline. It begins 200 feet beyond the end of the area usable for takeoff or landing. The RPZ dimensions are a function of the type of aircraft operating at the airport and the approach visibility minimums associated with each runway end.
- (2) Zone 2 - Inner Safety Zone (ISZ): This Encompasses a rectangular area that is positioned on the extended runway centerline, and adjacent to the RPZ boundary. For runway 5-23, Zone 2 extends approximately 2,300 feet beyond the RPZ boundary.
- (3) Zone 3 - Inner Turning Zone (ITZ): The ITZ boundary is defined by a triangular shaped area that is positioned along each side of the RPZ and ISZ boundaries. For Runway 5-23, the ITZ extends approximately 4,500 feet from the inner width of the RPZ, within a 60-degree sector of the extended runway centerline.
- (4) Zone 4 - Outer Safety Zone (OSZ): The OSZ is a rectangular area that is also centered on the runway. For Runway 5-23, the OSZ is 1,000 feet wide overall (extending 500 feet laterally from the runway centerline) and extends approximately 3,000 feet beyond the ISZ.
- (5) Zone 5 - Sideline Safety Zone (SSZ): For Runway 5-23, the SSZ boundary is defined by a 1,000 foot centerline offset on each side of the runway that connects the ITZs on each end of the runway.
- (6) Zone 6 - Traffic Pattern Zone (TPZ): Encompasses an area surrounding the runway of approximately 5,000 feet, as depicted in Airport Land Use Zoning map.

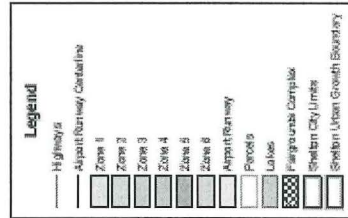
(2) Airspace Protection Areas (Map 2)

The Airspace Protection Areas map depicts the airspace surfaces defined for Sanderson Field in accordance with Federal Aviation Regulations, Part 77, Subpart C. For the purposes of this chapter, planned future runway configuration or types of runway ap-

proaches are assumed in the Airspace Protection Areas. The critical airspace surfaces are defined by a set of five types of surfaces as follows:

- (A) A primary surface is longitudinally centered and extends 200 feet beyond each end of the runway. The width is 1,000 feet for Runway 5-23. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- (B) Approach surfaces are longitudinally centered on the extended runway centerline and extend outward and upward beginning at, and at the same elevation as, each end of a primary surface. Approach surface dimensions and slopes for each runway end are as follows:
 - (1) Runways 23:
 - (a) Inner edge width: 1,000 feet.
 - (b) Outer end width: 16,000 feet.
 - (c) Length: 50,000 feet.
 - (d) Slope: 50 to 1 (1 foot vertically for each 50 feet horizontally) for the inner 10,000 feet of length and 40 to 1 for the outer 40,000 feet.
 - (2) Runways 5:
 - (e) Inner edge width: 1,000 feet.
 - (f) Outer edge width: 4,000 feet.
 - (g) Length: 10,000 feet.
 - (h) Slope: 20 to 1.
- (C) Transitional surfaces extend outward from the sides of each primary surface and each approach surface. These surfaces slope upward one foot vertically for each seven feet horizontally (7:1), measured at a 90 degree angle to the runway centerline and extended runway centerline, and continue to where they intersect a horizontal or conical surface. For those portions of a precision approach surface which extend through or beyond the limits of the conical surface, the adjacent transitional surfaces extend a distance of 5,000 feet horizontally from the edge of the approach surface, measured at a 90 degree angle to the extended runway centerline.
- (D) A horizontal surface is established at an elevation of 254 feet above the highest point on airport runway 5, and 269 feet above the highest point on airport runway 23, specifically 419 feet above mean sea level. The inner edge of the horizontal surface is defined by its intersection with transitional surfaces. The outer edge is defined by drawing arcs with radii of 10,000 feet centered on the runway centerline at each end of the primary surface of Runway 9-27, then connecting the arcs with lines drawn tangent to them.
- (E) A conical surface extends outward for a distance of 4,000 feet from the periphery of the horizontal surface and upward at a slope of one foot vertically for each 20 feet horizontally (20:1).

**Sanderson Field
Shelton, WA
Land Use Compatibility Zones**



0 1,000 2,000 Feet

Produced By: Mason County Public Works GIS Department
Project File:
Sanderason_Field_Safety_Compatibility_Zones.mxd
Publication Date: 11/01/2013

When Data Is Missing

Hydrology is from the WA Dept. of Natural Resources, Road and Travel, the Mason County Public Works, and data was compiled from a variety of sources. Sanderson Field currently contains data was obtained from WA Dept. of Transportation. All the Safety Computability Zone data was created using this centerline as a base and the zone dimensions came from the California Map and Use Planning Handbook (University of Oregon, 1993).

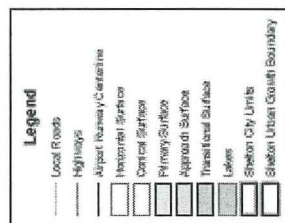
This paper was accepted for publication on 11 July 2011.

THE UNIVERSITY OF CHICAGO PRESS

The table below lists the 100 largest U.S. municipalities for revenue, based on the amount reported for 1990. The cities are ranked in descending order of revenue. The 100th largest city, San Jose, Calif., reported \$1.1 billion in revenue, or 0.01 percent of the total revenue reported by the 100 largest cities. The 100th largest city, San Jose, Calif., reported \$1.1 billion in revenue, or 0.01 percent of the total revenue reported by the 100 largest cities.



Sanderson Field
Shelton, WA
Airspace Protection Areas Map



0 5,000 10,000 Feet

Produced By: Mason County Public Works GIS Department
Project File:
Scenario: Field_Airspace_Protection_Plan.mxd
Publication Date: 11/27/2019

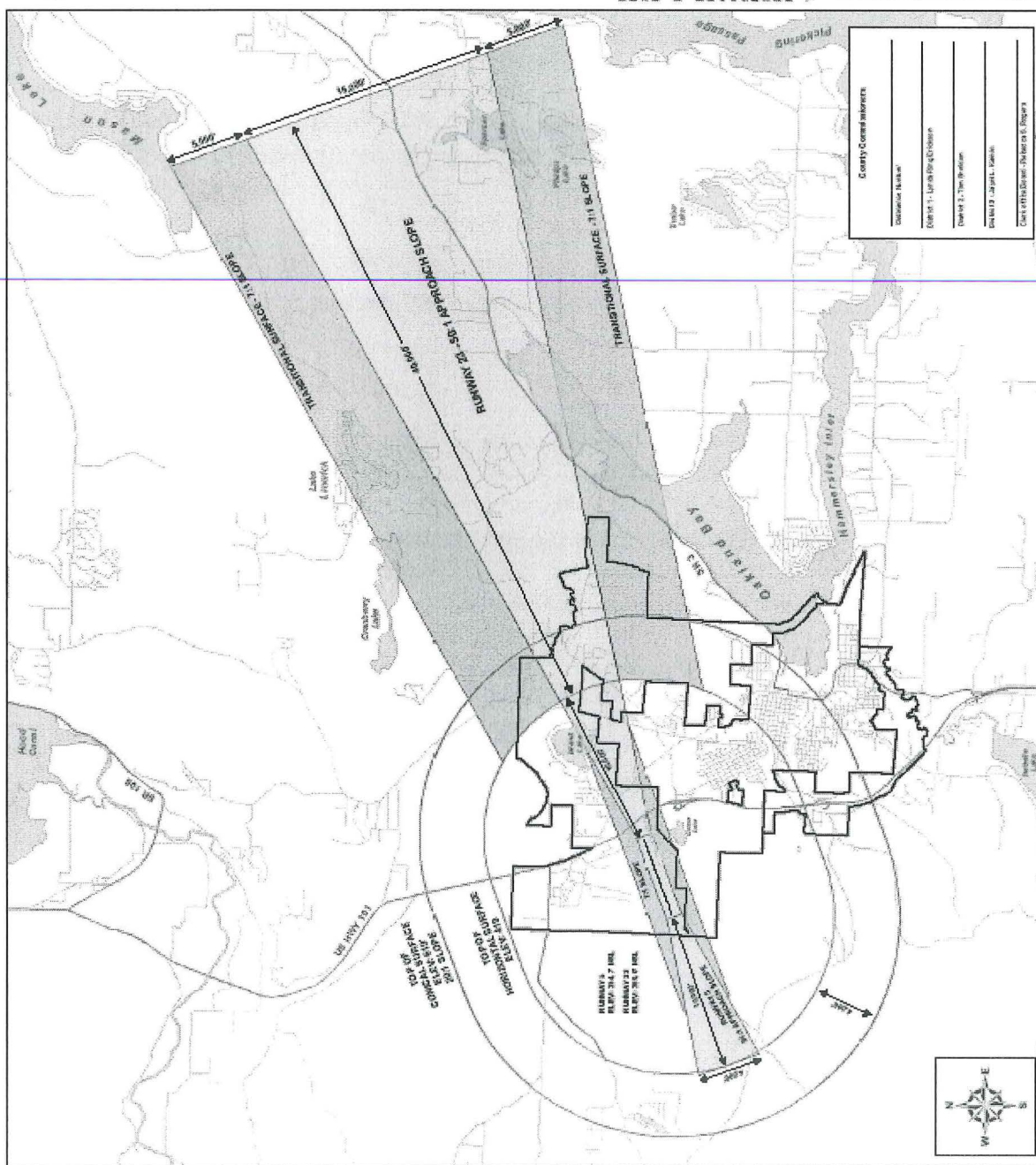
Using Data Sources

[illegible]

† This finding was reproduced using ArcGIS 10.1.

ALTERNATIVE DISPUTE RESOLUTION

The tables used contained 100 holes that were 10 cm in diameter, arranged in a 10 × 10 grid. The holes were 10 cm apart, and the tables were 100 cm long and 100 cm wide. The tables were used to measure the area of the hole that was covered by the animal. The area of the hole was measured by the number of holes that were covered by the animal. The area of the hole was measured by the number of holes that were covered by the animal. The area of the hole was measured by the number of holes that were covered by the animal.



17.60.060 DENSITY AND INTENSITY LIMITATIONS FOR NEW DEVELOPMENT

(1) Residential Development Density Criteria

Any subdivision of property for the purposes of residential development within the Land Use Compatibility zones shall comply with the following density criteria:

- (A) Land Use Compatibility Zones 1, 2 and 5: No new residential land divisions are permitted. No new residential dwellings permitted, except infill in Zone 5 as provided in subsection (8) of this section.
- (B) Land Use Compatibility Zones 3 and 4: No new land divisions for the purpose of creating additional multi-family residential parcels, except as permitted in Section 17.60.060(2). Residential land divisions for single family development are limited to one dwelling unit per five acres. Other residential development must comply with usage intensity (Section 17.60.060 (4)) and deed notification (Section 17.60.080) requirements. Infill development is allowed as provided in subsection (8) of this section.

(2) Mixed Use Development

If residential uses are proposed to be located with nonresidential uses in the same or nearby buildings on the same site, they shall be treated as nonresidential development provided the residential development does not exceed 30% of the overall square footage of the structures. The occupancy of the residential portion shall be added to that of the nonresidential portion and evaluated with respect to the non-residential usage intensity criteria defined in Section 17.60.060 (4).

(3) Special Function Land Use

Special Function Land Uses as defined in 17.60.040(F) shall be prohibited in the Land Use Compatibility Zones 1, 2, 3, and 4. New special function land uses are also prohibited in Zone 6; however, expansion of such existing uses is conditioned upon review for impacts to the airport.

(4) Nonresidential Development Usage Intensity Criteria

Any proposed nonresidential construction or use of land within the Land Use Compatibility Zones shall not be permitted if they exceed the following usage intensity limitations.

- (A) Zone 1: No people other than aircraft occupants, airport personnel, and other persons authorized by airport regulations.
- (B) Zone 2: No more than 5 people per acre average over the site.
- (C) Zone 3: No more than 25 people per acre average over the site.
- (D) Zone 4: No more than 4 people per acre in buildings and no more than 75 people per acre outside of buildings.

(E) Zone 5: No more than 100 people per acre average over the site.

(5) Usage Intensity Calculation Factors

The maximum number of people permitted on a site within the Land Use Compatibility zones shall be calculated based on the following factors:

- (A) All people (e.g. employees, customers, visitors, etc.) who may be on the property are to be included in the calculations.
- (B) The calculations must reflect the total number of people on the site at any time, except temporary special events.
- (C) All usage intensities are calculated on a gross acreage basis including the use's share of adjacent roads and permanently open lands.
- (D) Intensity on the property under review shall be calculated for each acre of the site by a site plan identifying each one acre area and the respective use and density. The one-acre areas indicated are to be rectangular in shape, not elongated or irregularly shaped. To the extent that the parcel is irregularly shaped, the site plan shall show the best fit of the one acre or portion of one acre areas consistent with the intent of this chapter.

(6) Usage Intensity Data Sources

The usage intensity of all individual uses highly depends upon the specifics of the proposed land use and its design. Where necessary to determine the acceptability of a particular proposal within the Land Use Compatibility zones, the anticipated number of people per acre can be calculated based any of the following methods:

- (A) *The number of automobile parking spaces required on the site:* Unless a substantial number of people would arrive at the site by means other than automobile (or would park off site), the anticipated number of people on the site can be estimated to be at least equal to the number of automobile parking spaces required for the use. A higher number shall be assumed for uses that typically attract more than one person per vehicle.
- (B) *International Building Code (IBC) occupancy levels:* The anticipated maximum number of people occupying indoor facilities on a site can be assumed to be no higher than the total floor area of the proposed use divided by the minimum square feet per occupant requirements listed in the IBC. Because the IBC criteria represent highly intensive levels of usage, the number obtained through this calculation can normally be divided in half for the purposes of the usage intensity criteria in this section.
- (C) *Documented Survey or Analysis Results:* A project applicant may provide evidence, such as surveys of existing uses similar to the type proposed, documenting that specific features of a proposal would result in a usage intensity lower than that assumed using the methods indicated above. Acceptance of such evidence shall be at the discretion of Mason County.

(7) Parcels Lying within Two or More Land Use Compatibility Zones

If a parcel proposed for residential subdivision is split by Land Use Compatibility Zone boundaries, the total number of dwelling units permitted shall be calculated as if the parcel were multiple parcels divided at the compatibility zone boundary line. Similarly, if a parcel proposed for nonresidential use is split by compatibility zone boundaries, the usage intensity shall be calculated as if the parcel were divided at the compatibility zone boundary line. In both cases, however, the development density or intensity allowed within the more restricted portion of the parcel can (and is encouraged to) be transferred to (clustered on) the less restricted portion even if the resulting development in the latter area then exceeds the criteria for that compatibility zone. This transfer of development is also allowed with respect to multiple parcels proposed to be developed as a single project.

(8) 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 **Land Use Compatibility Zones**. This exception does not apply within Land Use Compatibility Zones 1 or 2. A parcel can be considered for infill development if it meets *all* of the following criteria:

- (A) The parcel size is no larger than 2 acres.
- (B) The site is at least 65% bounded (excluding roads) by existing uses similar to, or more intensive than, those proposed.
- (C) The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.
- (D) 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 300 feet of the perimeter of the parcel to be subdivided; or in the case of a nonresidential use, have a usage intensity more than 50% above the intensity permitted in accordance with Section 17.60.060(4) of this chapter.
- (E) The proposed project will not otherwise increase the intensity and/or incompatibility of use through special use permits, density transfers, or subdivisions.

17.60.070 AIRSPACE PROTECTION AREAS - HEIGHT LIMITATIONS

(1) Basis for Height Limits

Protection of navigable airspace from obstructions that can be hazards to aircraft flight requires establishment of limits on the height of structures, trees, and other objects in the vicinity of Sanderson. These limits are primarily based upon Part 77, Subpart C, of the Federal Aviation Regulations (FAR), but also may take into account the United States Standard for Terminal Instrument Procedures (TERPS) and applicable airport design standards published by the Federal Aviation Administration.

(2) Criteria

- (A) No structure shall penetrate or be permitted to have a height exceeding that of the critical airspace surfaces defined above, except as specifically necessary for airport operations.
- (B) Variance procedure height adjustments from the height limit criteria may be permitted subject to the Mason County development code and only if all of the following conditions are met:
 - (1) There is located another existing object or obstruction (terrain, trees, buildings or other structures of greater height) within a 200-foot radius of the proposed object.
 - (2) The owner of the property agrees to take responsibility for ensuring that any obstruction marking and/or lighting required by the Federal Aviation Administration is installed, operated, and maintained, unless the Airport Manager has agreed in writing to be responsible for such installation, operation, and maintenance.
 - (3) The Federal Aviation Administration has conducted an aeronautical study of the proposed object and determined that the object would not create a hazard to the navigable airspace of the airport.

(3) 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 Subpart B of Federal Aviation Regulations Part 77, "Objects Affecting Navigable Airspace."

17.60.080 OTHER REQUIREMENTS

(1) Deed Notification

- (A) As a condition for approval of new development within the approach surfaces (17.60.050(2)(B)) shown on the Airspace Protection Areas Map (Map 2), or Land Use Compatibility Zones 2, 3, 4, 5, and 6 (Map 1); a notice shall be recorded with the county auditor prior to final approval of new subdivisions, short subdivisions, building permits, conditional use permits, special use permit or other similar permits, unless said notice is already recorded on the property. Said notice shall state: "This property is located adjacent to an airport and routinely subject to overflight activity by aircraft using the airport; and residents and tenants may experience inconvenience, annoyance, or discomfort from noise, smell or other effects of aviation activities."

17.60.090 NONCONFORMING CONDITIONS

- (A) Land uses and structures not in conformance with this Airport Overlay Zone Ordinance as of the effective date of the chapter may continue in use under the following conditions:

- (1) Continuation of the use must not be in conflict with other development regulations.
 - (2) A nonconforming use may be changed to another nonconforming use only if the new use does not involve expansion of the affected land area, an increase in building size, or an increase in the intensity of usage (i.e. the number of people per acre).
 - (3) Once a nonconforming use or structure has been abandoned as defined by Section 1.05.016 of the Mason County Development Regulations, then any future use of land or buildings must conform to the provisions of the Mason County Development Regulations.
- (B) Nothing in this section shall be interpreted to prevent normal maintenance of existing uses and structures.

17.60.100 REVIEW PROCEDURES

- (A) Applications for land uses or land use development within Airport Overlay Zone shall include the following information:
- (1) Property boundaries and acreage of the project/proposed use, including the geographic relationship to the Land Use Compatability and Airspace Protections Zones.
 - (2) Location, elevation, and height of all existing and proposed buildings, structures, and utility lines. The applicant may also be asked for the location, elevation, and height of trees.
 - (3) A description of the proposed land use including the number of dwelling units and/or number of people expected to occupy the site.
- (B) In consideration of an application for a building, structure, or other use, the reviewing official may require the applicant to submit a certificate from a registered professional engineer or a licensed land surveyor clearly indicating the average ground elevation, maximum elevations of proposed structure(s) and the critical airspace surfaces based on the established airport elevation and USGS datum. The registered professional engineer or a licensed land surveyor shall determine elevations plus or minus one foot shown as mean sea level (msl) elevation and maximum elevation above the airport runway elevation.
- (C) When requested the application shall also include the analysis of the proposal with respect to the density and intensity limitations contained in Section 17.40.070.
- (1) Review Criteria**
- (A) In reviewing such proposals, the Mason County Department of Community Development shall consider the following factors:
- (1) The compatibility criteria adopted by the County;
 - (2) Characteristics of the proposed land use development.

The County may consult with the Airport Manager or Washington Department of Transportation, Aviation Division, before making a determination.

(B) The review of variances from height limits under Section 17.40.080 shall be considered a Type II Administrative variance.