

# *Appendix A*

## Acronyms and Definitions

## Acronyms

AC .....	Advisory Circular
ADG .....	Airplane Design Group
ADO .....	Airport District Office
AGL .....	Above Ground Level
AIM .....	Aeronautical Information Manual
AIP .....	Airport Improvement Program
ALP .....	Airport Layout Plan
ANM .....	Northwest Mountain Region
ARC .....	Airport Reference Code
ARFF .....	Airport Rescue and Fire Fighting
ARP .....	Airport Reference Point
ARTCC .....	Air Route Traffic Control Center
ASDA .....	Accelerate-Stop Distance Available
ASV .....	Annual Service Volume
ATC .....	Air Traffic Control
ATCT .....	Air Traffic Control Tower
AVGAS .....	Aviation Gasoline
AWOS .....	Automated Weather Observing System
CFR .....	Code of Federal Regulations
CIP .....	Capital Investment Plan
CWY .....	Clearway
dB .....	Decibel
dBA .....	A-weighted Decibels
DH .....	Decision Height
DME .....	Distance Measuring Equipment
DOT .....	Department of Transportation
EA .....	Environmental Assessment
EIS .....	Environmental Impact Statement
FAA .....	Federal Aviation Administration
FAA Part 77 .....	Objects Affecting Navigable Airspace
FAR .....	Federal Aviation Regulations
FBO .....	Fixed Based Operator
GA .....	General Aviation

GPS .....	Global Positioning System
IFR .....	Instrument Flight Rules
INM .....	Integrated Noise Model
LDA .....	Landing Distance Available
LDA .....	Landing Distance Available
MIRL .....	Medium Intensity Runway Lights
MSL .....	Mean Sea Level
NAVAIDS .....	Navigational Aids
NDB .....	Non-Directional Beacon
NEPA .....	National Environmental Policy Act
OFA .....	Object Free Area
OFZ .....	Obstacle Free Zone
RPZ .....	Runway Protection Zone
RSA .....	Runway Safety Area
RW .....	Runway
SEPA .....	State Environmental Protection Act
SWY .....	Stopway
TH .....	Threshold
TL .....	Taxilane
TODA .....	Take-Off Distance Available
TORA .....	Take-Off Run Available
TSA .....	Taxiway Safety Area
TW .....	Taxiway
VASI .....	Visual Approach Slope Indicator
VFR .....	Visual Flight Rules
WSCASP .....	Washington State Continuous Airport System Plan
WSDOT .....	Washington State Department of Transportation

## Definitions

- Aeronautical Activity ..... Any activity commonly performed at airports involving, required for, or permitting the operation of aircraft, or required for or contributing to the safety of aircraft operations. Aeronautical activities include, but are not limited to: pilot training, aircraft rental, air taxi, charter operations, sightseeing, air carrier operations, aircraft repair and maintenance, sale of aircraft parts, sale of aviation fuels and petroleum products, air cargo, aerial crop applications, aerial photography, aerial surveying, aerial advertising, aircraft sales, aircraft storage, ultralight operations, skydiving, and power assisted hang gliding or parasailing.
- Aeronautical Service ..... Any service involving, required for or permitting the operation of aircraft or required for or contributing to the safety of aircraft operations. These services are commonly conducted on the airport by persons or businesses who lease facilities or have permission from the airport operator to provide such services.
- Air Taxi ..... An air carrier certificated in accordance with FAR Part 135 and authorized to provide, on demand, public transportation of persons and property by aircraft. Air taxi operators generally operate small aircraft “for hire” for specific trips.
- Aircraft Approach Category ..... A grouping of aircraft based on a speed of 1.3 times the stall speed in the landing configuration at maximum gross landing weight. The aircraft approach categories are:
- Category A - Speed less than 91 knots;
  - Category B- Speed 91 knots or more but less than 121 knots;
  - Category C - Speed 121 knots or more but less than 141 knots;
  - Category D - Speed 141 knots or more but less than 166 knots; and
  - Category E - Speed 166 knots or more.
- Aircraft Mix ..... The classification of aircraft into groups which are similar in size, noise, and operational characteristics. (Also see Fleet Mix.)

Aircraft Operations ..... The airborne movement of aircraft. There are two types of operations: local and itinerant, defined as follows:

1. Local Operations are performed by aircraft which:
  - a... operate in the local traffic pattern or within sight of the airport;
  - b. . are known to be departing for or arriving from a local practice area.
2. Itinerant operations are all others.

Airfield ..... A defined area on land or water including any buildings, installations, and equipment intended to be used either wholly or in part for the arrival, departure, or movement of aircraft.

Airplane Design Group ..... A grouping of airplanes based on wingspan. The groups are as follows:

- Group I: Up to but not including 49 feet (15 m).
- Group II: 49 feet (15 m) up to but not including 79 feet (24 m).
- Group III: 79 feet (24 m) up to but not including 118 feet (36 m).
- Group IV: 118 feet (36 m) up to but not including 171 feet (52 m).
- Group V: 171 feet (52 m) up to but not including 214 feet (65 m).
- Group VI: 214 feet (65 m) up to but not including 262 feet (80 m).

Airport ..... All of the property, buildings, facilities and improvements within the property boundaries of the airport as it now exists or will exist in the future. This area is defined on the Airport Layout Plan or Exhibit A.

Airport Elevation ..... The highest point on an airport's usable runway expressed in feet above mean sea level (MSL).

Airport Layout Plan (ALP) ..... The plan of an airport showing the layout of existing and proposed airport facilities.

Airport Owner .....	Grant County Port District Number 7 and/or its designee who is charged with the operation and administration of the airport.
Airport Reference Point (ARP) ...	The latitude and longitude of the approximate center of the airport.
Airside .....	The runways, taxiways, aprons, ramps, buildings and facilities located inside the security fencing.
Airspace .....	The area above the ground in which aircraft travel. It is divided into corridors, routes, and restricted zones for the control and safety of aircraft.
Ambient Noise Level .....	Background noise level, exclusive of the contribution made by aircraft.
Annual Service Volume .....	A reasonable estimate of an airport's annual capacity. It accounts for differences in runway use, aircraft mix, weather conditions, etc., that would be encountered over a year's time.
Approach End of Runway .....	The near end of the runway as viewed from the cockpit of a landing aircraft.
Approach Surface .....	An imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based upon the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly, depending upon the planned approach.
Approved Instrument Approach .	Instrument approach meeting the design requirement, equipment specifications, and accuracies, as determined by periodic FAA flight checks, and which are approved for general use and publication by the FAA.
Apron .....	A defined area where aircraft are maneuvered and parked, and where activities associated with the handling of flights can be carried out.

Automated Weather Observing System (AWOS) .....	An automatic recording instrument for measuring cloud height, visibility, wind speed and direction, temperature, and dew point.
Aviation Gasoline (AVGAS) .....	Fuel used in reciprocating (piston) aircraft engines. Avgas is manufactured in the following grades: 80/87; 100LL; 100/130; and 115/145.
Avigation Easement .....	A form of limited property right purchase that establishes legal land-use control prohibiting incompatible development of areas required for airports or aviation-related purposes.
Based Aircraft .....	Aircraft stationed at an airport on an annual basis.
Circling Approach .....	An instrument approach procedure in which an aircraft executes the published instrument approach to one runway, then maneuvers visually to land on a different runway. Circling approaches are also used at airports that have published instrument approaches with a final approach course that is not aligned within 30 degrees of any runway.
Clear Zone .....	See Runway Protection Zone.
Clearway .....	A clearway is an area available for the continuation of the take-off operation which is above as clearly defined area connected to and extending beyond the end of the runway. The area over which the clearway lies need not be suitable for stopping aircraft in the event of an aborted take-off. Clearways are applicable only in the take-off operations of turbine-engined aircraft.
Commercial Service or Activity ..	Any commerce, trade or business involved in the exchange of goods, property or services of any kind.
Conical Surface .....	A surface extending outward and upward from the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet.
Controlled Airspace .....	Airspace designated as continental control area, control area, control zone, or transition area within which some or all aircraft may be subject to air traffic control.

Critical Aircraft .....	The aircraft which controls one or more design items based on wingspan, approach speed and/or maximum certificated take-off weight. The same aircraft may not be critical to all design items.
Cross wind .....	When used concerning wind conditions, the word means a wind not parallel to the runway or the path of an aircraft.
dBA .....	Decibels measured on the A-weighted scale to factor out anomalies.
Decibel (dB) .....	The standard unit of noise measurement relating to a logarithm scale in which 10 units represents a doubling of acoustic energy.
Displaced Threshold .....	Actual touchdown point on specific runway designated due to obstructions which make it impossible to use the actual physical runway end.
Effective Runway Gradient .....	The maximum difference between runway centerline elevations divided by the runway length, expressed as a percentage.
Environmental Assessment (EA) .....	A report prepared under the National Environmental Policy Act (NEPA) analyzing the potential environmental impacts of a federally funded project.
Environmental Impact Statement (EIS) .....	A report prepared under NEPA fully analyzing the potential significant environmental impacts of a federally-funded project.
FAR Part 77 .....	Federal Aviation Regulations which establish standards for determining obstructions in navigable airspace.
Federal Aviation Administration (FAA) .....	A branch of the US Department of Transportation responsible for the regulation of all civil aviation activities.
Final Approach .....	The flight path of an aircraft which is inbound to the airport on an approved final instrument approach course, beginning at the point of interception of that course and extending to the airport or the point where circling for landing or missed approach is executed.

Fixed Base Operation (FBO) .....	An individual or business property licensed and authorized by written agreement with the airport owner to provide specified aeronautical services at the airport, and who rents or leases facilities on the airport to conduct these services. These operators commonly occupy an office, hangar or shop on the airport, and are required to comply with the written agreements and referenced rules and regulations.
Fixed Wing .....	For the purposes of this report, any aircraft not considered rotorcraft.
Flying Club .....	A non-commercial organization established to promote flying. Activities include, but are not limited to, development of aeronautical skills such as pilotage, navigation, airmanship, and the awareness and appreciation of aviation requirements and techniques.
Fuel .....	Aviation gasoline, jet fuel, automotive fuel or diesel.
Full Service FBO .....	A fixed base operator who provides a full range of services. This range of services generally includes aircraft rental, flight instruction, aircraft maintenance and repair, and pilot supplies.
General Aviation .....	All civil aviation operations other than scheduled air services and non-scheduled air transport operations for remuneration or hire.
Global Positioning System (GPS) .....	A system of US satellites orbiting the earth which is used to instantly and accurately determine the navigational position of users on or above the earth's surface.
Hazard to Air Navigation .....	An object which, as a result of an aeronautical study, the FAA determines will have a substantial adverse effect upon the safe and efficient use of a navigable airspace by aircraft, operation of air navigation facilities, or existing or potential airport capacity.
Horizontal Surface .....	An elliptical surface at an elevation 150 feet above the established airport elevation created by swinging 5,000-foot radius arcs from the center of each end of the primary surface. Tangent lines then connect these arcs.

- Independent Flight Instructor ..... A single individual, working alone and without employees, partners, or facilities on the airport who provides professional, licensed/certified flight instruction.
- Independent Mechanic ..... A single individual, working alone and without employees, partners, or facilities on the airport who provides professional, certificated repair and/or maintenance services for aircraft or aeronautical components.
- Instrument Flight Rules (IFR) ..... Instrument Flight Rules governing the procedures for conducting instrument flight. Pilots are required to follow these rules when operating in controlled airspace with visibility of less than three miles and/or ceiling lower than 1,000 feet.
- Itinerant Operation ..... All aircraft operations at an airport other than local.
- Landside ..... All buildings and surfaces on the airport used by pedestrian or surface vehicular traffic located outside the airport security fence.
- Large Airplane ..... An airplane of more than 12,500 pounds (5,700 kg) maximum certificated takeoff weight.
- Limited Service FBO ..... A fixed base operator whose services are confined to less than full service. Examples of Limited Service include FBOs who provide specialty services such as aircraft sales, painting or upholstery, avionics repair, or other specialty services, or who provide only aviation fuel, or only aircraft maintenance and repair, or only aircraft rental and charter.
- Local Operation ..... Aircraft operation in the traffic pattern or within sight of the tower, or aircraft known to be departing or arriving from flight in local practice areas, or aircraft executing practice instrument approaches at the airport.
- Minimum Standards ..... Standards established by the airport owner as the minimum requirements to be met as a condition for the right to provide commercial services on the airport.

- Navigational Aid (NAVAID) ..... Any visual or electronic device airborne or on the surface which provides point-to-point guidance information or position data to aircraft in flight.
- Non-Aeronautical Service ..... Any service conducted on the airport that provides products or services that are not associated with aviation. These services are provided by persons or businesses who lease facilities or have permission from the airport operator to provide such services on the airport.
- Non-Directional Beacon (NDB) .. Non-Directional Beacon which transmits a signal on which a pilot may “home” using equipment installed in the aircraft.
- Object ..... Includes, but is not limited to above ground structures, NAVAIDs, people, equipment, vehicles, natural growth, terrain, and parked aircraft.
- Object Free Area (OFA) ..... An area on the ground centered on a runway, taxiway, or taxilane centerline provided to enhance the safety of aircraft operations by having the area free of objects, except for objects that need to be located in the OFA for air navigation or aircraft ground maneuvering purposes.
- Obstacle Free Zone (OFZ) ..... The OFZ is the airspace below 150 feet (45 m) above the established airport elevation and along the runway and extended runway centerline that is required to be clear of all objects, except for frangible visual NAVAIDs that need to be located in the OFZ because of their function, in order to provide clearance protection for aircraft landing or taking off from the runway, and for missed approaches. The OFZ is subdivided as follows:
- Runway OFZ - The airspace above a surface centered on the runway centerline.
  - Inner-approach OFZ - The airspace above a surface centered on the extended runway centerline. It applies to runways with an approach lighting system.
  - Inner-transitional OPZ - The airspace above the surfaces located on the outer edges of the runway OFZ and the inner-approach OFZ. It applies to runways with approach visibility minimums lower than  $\frac{3}{4}$ -statute mile (1,200 m).

Obstruction to Air Navigation ...	An object of greater height than any of the heights or surfaces presented in Subpart C of the Code of Federal Regulation (14 CFR), Part 77. (Obstructions to air navigation are presumed to be hazards to air navigation until an FAA study has determined otherwise).
Precision Approach Path Indicator (PAPI) .....	A lighting system located along side of a runway which provides the pilot with position information related to the desired glide path to the runway. PAPIs contain red and white light units which are configured in a single row.
Primary Surface .....	A rectangular surface with a width of 250 feet (centered on the runway centerline) and a length that extends 200 feet beyond each end of the runway. The elevation of the primary surface corresponds to the elevation of the nearest point of the runway centerline.
Rotorcraft (Helicopter) .....	A heavier-than-air aircraft supported in flight by the reactions of the air on one or more power-driven rotors on substantially vertical axis.
Runway (RW) .....	A defined rectangular surface on an airport prepared or suitable for the landing or takeoff of airplanes.
Runway Blast Pad .....	A surface adjacent to the ends of runways provided to reduce the erosive effect of jet blast and propeller wash.
Runway Protection Zone (RPZ) .....	An area off the runway end to enhance the protection of people and property on the ground.
Runway Safety Area (RSA) .....	A defined surface surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway.
Segmented Circle .....	A system of visual indicators designed to provide traffic pattern information at airports without operating control towers.
Self-Fueling Operator .....	A person who dispenses aviation fuel to aircraft owned by that person, or leased from others and operated by that person.

Shoulder .....	An area adjacent to the edge of paved runways, taxiways, or aprons providing a transition between the pavement and the adjacent surface; support of aircraft running off the pavement; enhanced drainage; and blast protection.
Small Airplane .....	An airplane of 12,500 pounds (5,700 kg) or less maximum certificated takeoff weight.
Stopway (SWY) .....	A defined rectangular surface beyond the end of a runway prepared or suitable for use in lieu of runway to support an airplane, without causing structural damage to the airplane, during an aborted takeoff.
Taxilane (TL) .....	The portion of the aircraft parking area used for access between taxiways and aircraft parking positions.
Taxiway (TW) .....	A defined path established for the taxiing of aircraft from one part of an airport to another.
Taxiway Safety Area (TSA) .....	A defined surface alongside the taxiway prepared or suitable for reducing the risk of damage to an airplane unintentionally departing the taxiway.
Threshold (TH) .....	The beginning of that portion of the runway available for landing. In some instances, the landing threshold may be displaced.
Touch and Go Operation .....	Practice flight performed by a landing touch down and continuous take-off without stopping or exiting the runway.
Transitional Surface .....	A sloping 7:1 surface that extends outward and upward at right angles to the runway centerline from the sides of the primary surface and the approach surfaces.
Ultralight .....	An aeronautical vehicle operated for sport or recreational purposes which does not require FAA registration, an airworthiness certificate, nor pilot certification. They are primarily single occupant vehicles, although some two-place vehicles are authorized for training purposes.
Utility Runway .....	A runway that is constructed for, and intended to be used by, aircraft of 12,500 pounds maximum gross weight and less.

Visual Approach Slope Indicator (VASI) .....	A lighting system located along side of a runway which provides the pilot with position information related to the desired glide path to the runway. VASIs are configured in bars (versus a single row like PAPIs)
Visual Flight Rules (VFR) .....	Visual Flight Rules by which aircraft are operated by visual reference to the ground. Weather conditions for flying under these rules must include a ceiling greater than 1,000 feet, three miles visibility, and standard cloud clearance.
Visual Runway .....	A runway without an existing or planned straight-in instrument approach procedure.
Wind Coverage .....	Wind coverage is the percent of time for which aeronautical operations are considered safe due to acceptable crosswind components.
Wind Rose .....	A scaled graphical presentation of wind information.

# *Appendix B*

## Zoning Ordinances

## 23.04.620 Public Open Space (POS)

- a. Purpose: The Public Open Space zoning district is comprised of publicly-owned lands within the Open Space land use designation shown on the official zoning maps. The POS zoning district includes lands owned by a federal, state or local government entity, which are maintained as closely as possible to their natural state. The resources present on these lands are unique or rare, and are at risk of loss or damage. The primary use of these lands is resource conservation and low-intensity public recreation. The POS zoning district is dedicated or reserved for public use, or for the enjoyment of low-intensity recreation, scenic amenities, or for the protection of environmentally sensitive areas, habitat and species. For example, the following State parks are designated in this zoning district: Potholes State Park, Sun Lakes State Park, Summer Falls State Park, and Steamboat Rock State Park. Those publicly-owned parcels within the Open Space land use designation along the Columbia River, Beezley Hills, Potholes Reservoir, Ancient Lakes area, Crab Creek drainage area, Grand Coulee recreational area, Wahluke Slope, Saddle Mountains, Moses Lake, Priest Rapids and Wanapum Reservoirs, Lake Lenore, Banks Lake, Lake Roosevelt, and Billy Clapp Lake, among others, are also included in this zoning district.
- b. Permitted Uses: In addition to those listed in Table 4, the following uses are allowed outright in this zoning district:
  1. Historic sites open to the public;
  2. Passive recreation;
  3. Public open spaces, including state and federal parks, recreational areas, and wildlife management areas;
  4. Open Space Parks that showcase significant historic, archaeological, scientific, cultural or unique natural features or landscape features or natural processes;
  5. Trails or educational enterprises designed to offer special access to natural resource-based and recreational opportunities on lakes, creeks, streams, river corridors, shorelines, and areas with prominent views; and

In addition to those listed in Table 4, the following uses are allowed in this zoning district subject to a conditional use permit:

1. Cultural and interpretive facilities; provided that they are limited to those designed for the purpose of conserving or interpreting the natural or cultural history of the property or for the education of visitors about its natural or cultural resources. Any such facility shall be small in scale, shall leave the majority of the site undisturbed, and shall have no more than a minimal impact of the character or value of the conservation area;
2. Primitive campgrounds;
3. Temporary outdoor events;

### **23.04.645 Airport safety overlay (ASO)**

(a) Purpose. The purpose of the airport safety overlay (ASO) zoning district is to recognize and protect the airspace around state and federal system airports from airspace obstructions and hazards and incompatible land uses and to protect public health, safety and general welfare within the ASO zone.

(b) Applicability. This section is applicable to new buildings and structures and outdoor activities involving human use or assembly, which lie wholly or in part within the ASO zone of public airports with airport imaginary surfaces defined in accordance with Federal Aviation Regulations (FAR), Part 77, "Objects Affecting Navigable Airspace," as shown on the Part 77 Airspace Plan, Approach Zone, and/or Runway Protection Zone plans for an airport as contained in an airport master plan. Such airports in Grant County include, but may not be limited to:

- (1) Grant County International Airport;
- (2) Ephrata Municipal Airport;
- (3) Grand Coulee Dam Airport;
- (4) Quincy Municipal Airport;
- (5) Desert Aire Airport;
- (6) Warden Municipal Airport; and
- (7) Moses Lake Municipal Airport.

(c) Exemptions: The provisions of this section shall not be applicable to the following when allowed in the underlying zoning district:

- (1) Existing Uses. Uses existing on the effective date of adoption of this chapter shall not be required to change operations to comply with these regulations. However, any use shall not be so changed as to result in a greater degree of nonconformity with respect to these regulations;
- (2) Temporary outdoor events and festivals: temporary outdoor events and temporary outdoor festivals as defined in this unified development code, as long as the period of operation does not exceed five days;
- (3) Temporary structures: temporary buildings and structures auxiliary to residential development and major construction and temporary uses in new subdivisions and other residential developments which support the sale of dwellings and lots within the same subdivision or residential development, so long as such uses and associated structures are constructed or erected as incidental to a development, do not involve any significant investment, are solely used for the designated purpose and remain for a maximum of one year;
- (4) Agricultural structures: Bona fide agricultural buildings, structures, improvements and associated developments so long as not more than one single-family dwelling occurs within that portion of the parcel located within the ASO; and
- (5) Other uses: As determined by the administrative official to be minor or incidental and within the intent or objective of these regulations.

(d) Airport Safety Overlay Zone Designation. The airport safety overlay (ASO) contains those areas defined as Airport Imaginary Surfaces by Federal Aviation Regulations (FAR), Part 77, and the Runway Protection Zone(s) for an airport as delineated on the various airport plans contained in an airport master plan. The boundaries of the airport safety overlay zones are depicted on the various airport plans contained in an airport master plan. Such maps may be amended from time to time by the agency or district having jurisdictional authority for an airport, and shall be kept on record and available for public inspection by the department.

(e) General Regulations. The following general requirements shall apply to the ASO zoning district:

(1) If there is any conflict between the ASO regulations defined in this section and those of the underlying zoning district, the regulations of the ASO shall prevail; and

(2) If there is any conflict between the ASO regulations defined in this section and those of any airport safety-related ordinance adopted by an agency or district having jurisdictional authority for an airport regulated under this section, the ordinance of the jurisdictional authority shall prevail.

(f) Permitted Uses. Uses allowed outright, discretionary uses and conditional uses shall be as listed in Tables 3, 4 and 5 for the underlying zoning district, subject to the limitations specified herein and in Chapter 23.08. Additional or new commercial aircraft operations at an airport constitute an expansion of use subject to conditional use permit requirements of this unified development code.

(g) Limitations on Accessory Uses and Structures. Accessory uses and structures are the same as for the underlying zoning district as listed in Tables 3, 4 and 5.

(h) Prohibited Uses. Prohibited uses are the same as for the underlying zoning district as listed in Tables 3, 4 and 5. No permit shall be granted that would:

(1) Allow the establishment or creation of an airport hazard;

(2) Authorize any use or activity that would result in the siting of an incompatible use adjacent to an airport (RCW 36.70); or

(3) Permit a nonconforming structure or use to be made larger or to become higher or become a greater hazard to air navigation than it was when this unified development code was adopted.

(i) Review Procedures. Review procedures for land use activities within an ASO zoning district shall be as follows:

(1) Development permits for all permitted uses shall be subject to the height restrictions of Section 23.08.030 and Section 23.12.070, Table 3, whichever is more restrictive.

(2) Allowed Outright Uses. No separate application or information is required, provided the administrative official can conclusively determine that the proposed structure or use:

(A) Does not constitute a potentially incompatible land use as defined in Section 25.02.030; and

(B) Will not exceed thirty five feet in height; or, if greater than thirty five feet in height, will not penetrate the approach, transitional, horizontal, or conical surface zones of the airport for any existing or planned approaches as defined by FAR, Part 77; and

(C) Is not within a designated runway protection zone designated in an airport master plan or a FAA-approved airport layout plan; and

(D) Is not within an identified future 65 Ldn (interior day-night average sound level) aircraft noise impacted area designated in an airport master plan of a FAA-approved airport layout plan. Such structures and uses shall in any case be subject to the requirements of Section 23.08.030 and to the recording of an aviation easement, as specified in subsection (n) of this section.

(3) Allowed outright uses for which there exists a potentially incompatible land use or where the administrative official cannot make a conclusive determination as required in subsection (i)(2) of this section shall be subject to discretionary review procedures and must include a separate application as specified in subsection (j) of this section.

(4) Discretionary and Conditional Uses. A separate application be required as specified in subsection (j) of this section, and shall be subject to a determination that the use can be appropriately conditioned to mitigate noise impacts and other airport safety concerns.

(5) Where an airspace hazard has been determined to exist by the administrative official, the FAA determination on obstructions and hazards to air navigation shall be balanced with special consideration for unique characteristics of local terrain, reporting points for pilots using visual flight rules, airport operations, and development patterns.

(j) Application Requirements. An application proposing a use for which an application is required under this chapter shall submit the following technical substantiation, maps, plans, drawings and such other information:

(1) A completed application on forms provided by the department and signed by the applicant;

(2) Property boundary lines as they relate to the boundaries of the airport safety overlay;

(3) Location of all existing and proposed buildings, structures, utility lines, street and site lighting, and trees taller than thirty five feet in height;

(4) Height of all proposed structures;

(5) Outdoor lighting design details;

(6) Identification of the uses to occur within each structure or activity area;

(7) A narrative description describing the location of the site, its total acreage, existing character and use, and the concept of the proposed development or use including (as appropriate) proposed residential density, number of employees and/or estimated number of people who will be engaged in transactions at the site over a twenty-four hour period such as, but not limited to, retail store customers;

(8) Noise attenuation measures to be applied in the development shall be identified, together with the analysis of the noise insulation effectiveness of the proposed construction, showing that the prescribed interior noise level requirements are met. Such analysis shall be prepared by or under the supervision of a person experienced in the field of acoustical engineering who shall be identified. If interior allowable noise levels are met by requiring that windows be fixed or closed, the design for the structures must also specify the means that will be employed to provide ventilation and cooling, if necessary, to provide a habitable interior environment;

(9) A statement of compatibility from the airport manager when the use is to be located within the ASO relative to the impact of the use on airport operations and safety;

(10) A statement from the Washington State Department of Transportation Aviation Division relative to the impact of the use on airport operations and safety; and

(11) A statement from the FAA relative to the impact of the use on airport operations and safety.

(12) In consideration of an application for a building, structure, or other use which will exceed thirty-five feet in height, the administrative official may require the applicant to submit either of the following:

(A) A certificate from a professional engineer or licensed land surveyor, which clearly states that no airspace obstruction will result from the proposed use; or

(B) Either or both of the following:

(i) The maximum elevations of proposed structures based on the established airport elevation and USGS datum. Elevations shall be determined by a professional engineer or licensed land surveyor, accurate to plus or minus one foot shown as mean sea level elevation or other available survey data. The accuracy of all elevations shall be certified by the professional engineer or licensed land surveyor.

(ii) A map of topographic contours with not more than five foot intervals, showing all land within one hundred feet of the proposed structure(s) for which the permit is being sought. This map shall also bear the certification of a professional engineer or licensed land surveyor.

(k) Application Review Criteria. The application described in subsection (j) of this section shall be reviewed and evaluated by the administrative official for conformance with the following criteria:

(1) Land Use and Performance Standards. All elements of the proposed development are consistent with the land use requirements of this section and performance standards specified in Section 23.08.03;

(2) Height. Buildings and structures are located such that their height does not impact any airport imaginary surfaces;

(3) Siting. Buildings and structures are located when reasonable and feasible at the greatest distance from the noise source, taking maximum advantage of existing topographical features to minimize noise impact; and

(4) Design Consideration Regarding Noise. The amount of passive outdoor recreational space where individuals would be subject to high levels of noise is minimized; construction materials utilized are such that sound attenuation yields an interior average sound level as described in Section 23.08.030.

The applicant bears the responsibility of demonstrating compliance through documentation from a qualified professional. The decision maker may impose reasonable conditions necessary to achieve conformance with the application review criteria listed herein.

(l) Development Standards. Development standards, including allowable density, minimum lot area, minimum setbacks, maximum building dimensions, and set aside requirements, are specified in Chapter 23.12 Table 3.

(m) Performance Standards. Performance and use-specific standards for airports and allowable and accessory uses in this zoning district are specified in Chapter 23.08.

(n) Avigation Easement Required. No permit of any type shall be issued for any development or activity subject to this section unless and until an avigation easement permitting the right of flight in the airspace above the subject property is provided to the jurisdictional airport authority. Such easement shall be recorded on the title of the subject property.

(o) Use Restrictions. Notwithstanding any other provisions of this section, no use may be made of land or water within any zoning district in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

(p) The regulations prescribed by this section shall not be construed to require a property owner to remove, lower, or make changes or alterations to any structure which legally existed prior to the effective date of this unified development code, except as may be compelled by state or federal regulation. However, such structures shall be considered nonconforming if such structure is in conflict with the regulations of this section. (Ord. 00-114-CC (part), 2000).