

Proposed Comprehensive Plan & UDC Amendments

Pursuant to Staff Analysis of MLA03-232 Jefferson County International Airport

Proposed Amendments to the Comprehensive Plan

1) Two additional policies would be added under the heading entitled "GOALS & POLICIES," on page 7-13 of the Economic Development Element, which would read as follows:

EDP 4.4 The County will actively support the efforts of the Port of Port Townsend to operate the Jefferson County International Airport as a self-supporting essential public facility. This may include, but is not limited to, the siting of appropriately scaled aviation and non-aviation-related industrial/manufacturing activities in the Airport Essential Public Facilities District, in accordance with the provisions of this Comprehensive Plan.

EDP 4.5 In accordance with County-wide Planning Policy 7.5, the legislative authority of the Port of Port Townsend is recognized as a valuable tool to implement industry and trade strategies and should be used to the fullest extent to promote employment opportunities to meet the needs of industry consistent with the goals and policies of this Comprehensive Plan.

2) A new section entitled "Jefferson County International Airport," would be added following the section entitled "County-Wide Planning Policy" on page 9-3 of the Essential Public Facilities Element.

JEFFERSON COUNTY INTERNATIONAL AIRPORT

Background

The Jefferson County International Airport (JCIA) is owned and operated by the Port of Port Townsend, a special purpose district governed by an elected Board of Commissioners. The Port is authorized under the laws of Washington State to promote, encourage and participate in economic development activities. The Port strongly desires to operate the airport as a self-supporting enterprise, a goal shared by the Federal Aviation Administration (FAA). The JCIA has been designated by Jefferson County as an essential public facility in accordance with the provisions of the Washington State Growth Management Act and this Plan. This designation is based on the recognition of the critical role that the airport plays in providing transportation services necessary to the general public welfare, and in supporting job generating economic development activities. The airport provides an invaluable alternative to surface routes for emergency medical transports and services, the shipment of goods and materials, and access by local residents, business travelers, and tourists. In addition, given the relatively isolated nature of the County, the airport is a valuable community resource during unplanned and planned road closures, such as periodic closures of the Hood Canal Floating Bridge for maintenance and repairs.

The operation of the JCIA is governed by provisions of the Growth Management Act (GMA) related to essential public facilities, and FAA Regulations that include measures to protect the public health and safety and guidance for encouraging compatible land uses. This is accomplished in part through the preparation of an airport master plan prepared in accordance with FAA guidelines. In 2002, the Port initiated a process to update its Airport Master Plan (AMP), which resulted in the adoption of the AMP by the Port Commissioners on December 22, 2003, and approval by the FAA on May 7, 2004.

Airport Overlay

It is important to recognize that the JCIA is an essential public facility. As with other modes of transportation, there is noise associated with its planned and lawful operations. This is common to all airport operations and the FAA has established standards to ensure that noise from airport operations is not incompatible, and does not unreasonably interfere, with the use and enjoyment of neighboring properties. Airport noise exposure is measured in a day-night average sound level (DNL) and is used to analyze and characterize multiple aircraft noise events, and for determining the cumulative exposure of such noise to individuals around airports. DNL means the 24-hour average sound level, in decibels, for the period from midnight to midnight, obtained after the addition of ten decibels to sound levels for periods between midnight and 7:00 a.m., and between 10:00 p.m. and midnight. The yearly day-night average sound level means the 365-day average, in decibels.

Fortunately, noise abatement measures at the JCIA have achieved compliance with FAA regulations regarding residential compatibility. In general terms, the 75 DNL is considered to be significant and may have severe impacts that would require further study and mitigation. The 65 DNL level delineates moderate noise exposure and is the threshold for residential compatibility. The 55 DNL level represents minimal noise impacts and is below the regulatory threshold of the FAA standards. The 50 DNL is a very conservative measure of noise impacts and is well below the accepted standard of 65 DNL. By way of comparison, 50 DNL is comparable to the noise from a residential lawn mower. It must be recognized, however, that noise abatement measures reduce, but do not eliminate all aircraft noise.

In 2002, using the most current and best available technologies, a revised noise analysis for current and projected operations at JCIA was conducted as a part of the airport master planning process. This analysis projects noise levels through 2022. Documented noise levels in excess of the established residential compatibility threshold of 65 DNL are limited to a very small area located wholly upon Port owned property immediately surrounding the runways. However, DNL levels and noise and compatibility concerns are also considered a matter to be addressed at the local level. Individual and community responses to aircraft noise may differ, and for some individuals, even a moderate or low amount of noise may result in annoyance or irritation.

To address noise, safety and compatibility concerns, and to implement the directives of the Comprehensive Plan as adopted in 1998, the County has established an Airport Overlay. The Overlay boundary is a fixed boundary, reflecting the projected 55 DNL contour in the year 2022, as set forth in Exhibit 6.4 of the adopted Jefferson County AMP. The purposes of this Overlay are as follows:

- To disclose to permit applicants and prospective property owners their proximity to airport operations including take-off and landing patterns, and the potential for low level noise and vibrations associated with such activities; and
- To identify an airport safety zone within which certain uses will be prohibited for public safety and compatibility reasons (e.g., mobile home parks, churches, nursing homes, hospitals, day care facilities and other similar uses).

The Jefferson County Board of Commissioners finds that the Overlay has a rational basis because it is based upon best available technology and reflects those areas adjacent to the airport that are most affected by normal, routine airport operations (i.e., aircraft take-off and landing patterns). It is acknowledged that areas lying outside this fixed Overlay may also be subject to low level noise and vibration.

Future Land Use Planning

The County's current Unified Development Code (UDC) generally limits uses within the Airport Essential Public Facilities District to aviation support facilities and aviation related manufacturing and light industrial uses. The County and Port acknowledge the need to consider permitting a broader range of uses within the district in order to maintain the long-term financial viability of this essential public facility. Accordingly, the County and Port will work together to prepare amendments to this Comprehensive Plan and the Jefferson County Unified Development Code (UDC) addressing Port owned property in the vicinity of JCIA, based on the Airport Master Plan. The Port will assume responsibility for preparing the proposed Plan and Code amendments (in coordination with County staff), and the County will docket the proposal during the applicable amendment cycle. The amendments will address the future use and development of property owned or acquired by the Port in the vicinity of the JCIA. The amendments will ensure the continuing operations of the JCIA as an essential public facility, in accordance with FAA regulations, the requirements of the Washington State Growth Management Act, this Comprehensive Plan, and the County-wide Planning Policies. The goal of these future amendments is to promote compatible land uses, provide employment opportunities, and facilitate the operations of the airport as a self-supporting enterprise in a manner consistent with the goals and requirements of the GMA. The amendments may take the form of expanded rural scale light industrial uses, or another form of amendment equally permissible under the GMA (e.g., major industrial development or land bank (RCW 36.70A.365 and RCW 36.70A.367), or urban growth area (RCW 36.70A.110).

As an essential public facility, the JCIA is also recognized for its important role in the economic health of the County. In accordance with the provisions of the GMA, cities and counties may not preclude the siting or the expansion of essential public facilities. The County-wide planning policies recognize that the Port's statutory authority is a useful tool to implement economic development and employment opportunities (CPP 7.5). Further, the Port desires to run the airport as a self-supporting facility so that it is not a burden upon the taxpayers of Jefferson County and does not negatively impact other Port operations. The County recognizes and supports this goal. The Port has explored all opportunities to make the airport self-supporting, and yet it continues to operate at a deficit.

The long-term economic viability of the airport, as well as the economic development goals and policies contained in this Comprehensive Plan, support consideration of the expansion of the airport uses to include appropriately scaled non-aviation-related industrial development, provided that such uses are consistent with the GMA. The County recognizes that aviation-related industrial/manufacturing development is currently allowed on Port owned property at the Jefferson County International Airport.

If the amendments take the form of an expanded range of rural scale light industrial uses, such a change would not constitute a fundamental change in the purpose of the Airport Essential Public Facility (AEPF) Zone. Instead, such an amendment would merely remove a local limitation on the specific range of uses currently permitted within the zone. Such potential future revisions to the uses permitted within the AEPF zone would also be consistent with the requirement contained in earlier iterations of the Comprehensive Plan (i.e., 1998) that the County reconsider the use limitations during a subsequent planning process.

3) Goal EPG 2.0 and policies EPP 2.1 and EPP 2.2 under the heading entitled "GOALS & POLICIES," beginning on page 9-7 of the Essential Public Facilities Element, would be repealed and replaced with a new goal EPG 2.0 and new policies EPP 2.1 through 2.7 are proposed to be added.

GOAL:

EPG 2.0 — Ensure the continued viability of the Jefferson County International Airport as a transportation hub.

POLICIES:

~~**EPP 2.1 — During the Port's preparation of a sub-area plan for the JCIA and appropriate surrounding properties, limit new development proposals at the JCIA site to only those uses which are clearly identified as aviation support facilities or aviation related development in conformance with the airport's designation as an essential public facility.**~~

~~**EPP 2.1.1 — Aviation Support Facilities are those uses which directly support the operation of the Jefferson County Airport:**~~

~~**EPP 2.1.2 — Aviation Related Development are those uses which are reliant upon the airport for their business:**~~

~~**EPP 2.2 — Cooperate with the Port of Port Townsend to develop a sub-area plan to guide future development at the Jefferson County International Airport. This sub-area plan may evaluate non-aviation uses and activities that are compatible with the airport facility and surrounding area. The sub-area plan should address the following siting issues for all new uses and activities proposed for siting at the Jefferson County International Airport and all plans for facilities expansion:**~~

- ~~a. — Compatibility with airport operations as an essential public facility;~~
- ~~b. — Provision of infrastructure consistent with the requirements of the~~

GMA;

- c. Land use compatibility with surrounding area;
- d. Potential environmental impacts;
- e. Availability of alternative sites;
- f. Public health and safety;
- g. Sub-area plan amendment process for possible future acquisition of adjacent properties

GOAL:

EPG 2.0 Ensure continuing operation of the Jefferson County International Airport as a safe and self-supporting Essential Public Facility.

POLICIES:

EPP 2.1 The Jefferson County Unified Development Code will be reviewed and revised as appropriate to implement the approved JCIA Master Plan in accordance with the requirements of the Washington State Growth Management Act regarding the compatibility of land uses adjoining airports, and the status of the JCIA as a designated Essential Public Facility, and FAA regulations.

A. Jefferson County will revise County Codes and procedures as appropriate, to promote future land uses and development activities in the vicinity of the airport that are compatible with land uses and activities in the AEPF District, in compliance with RCW 36.70.547.

B. All land use and development activities will comply with FAA regulations including but not limited to electrical emissions, lighting, and height restrictions.

C. Jefferson County will, in consultation with the Port of Port Townsend, identify and regulate land uses within the airport approach zone and regulate obstacles in accordance with Federal Aviation Regulations (FAR) 77.

D. Land use or development activities that attract concentrations of birds or waterfowl in or near the designated Airport Overlay Zone will not be permitted.

EPP 2.2 Jefferson County will, in consultation with the Port of Port Townsend, discourage the siting of new, incompatible uses adjacent to the airport, provide disclosure of proximity to the airport to identified parcels, and address noise impacts, consistent with local concerns, FAA Regulations, State Department of Transportation Regulations, and the JCIA designation as an Essential Public Facility under the GMA.

A. The County will, in consultation with the Port of Port Townsend, establish an Airport Overlay consistent with the Noise Contour Map which projects airport noise contours through the year 2022, as adopted by the Port of Port Townsend Board of Commissioners in the 2003 updated Master Plan, or as later amended. The County will

formally adopt the noise contour map showing the 55 DNL as the Airport Overlay.

- B. The County will prepare and implement procedures for informing property owners within the Airport Overlay (55 DNL) of their proximity to the JCIA and airport operations including aircraft takeoffs, landings, and overflights. Such procedures may include, but are not limited to, posting the Noise Contour Map on the County website; overlaying the 55 DNL Contour Line on the County's GIS system; inclusion of the Noise Contour Map in the County Map Index; and the preparation of informational letters and materials. The Map should contain a notation informing interested persons that the JCIA is an essential public facility and important use in the County, that properties in the vicinity may be subject to noise and vibration associated with normal airport operations, and that the County does not consider to be a nuisance any inconvenience or discomfort arising from such operations.
- C. The County will adopt regulations that provide notice and disclosure of airport impacts to property developers within the Airport Overlay (other than Type I permits (e.g. single family residential building permits)), and include a "no public nuisance" provision for normal airport operations.
- D. The County will encourage the Port of Port Townsend to continue its efforts to mitigate noise conflicts at Jefferson County International Airport.

EPP 2.3 In order to discourage the siting of incompatible land uses in the vicinity of the JCIA as required by the GMA, the County will review the uses permitted within the Airport Overlay and revise the UDC use table to prohibit or condition uses in the Airport Overlay that are incompatible as set forth in guidelines established by the Washington State Department of Transportation Aviation Division.

EPP 2.4 The next step after the recent adoption of the updated JCIA Master Plan is for the Port and County to work together to prepare amendments to this Comprehensive Plan and the Jefferson County Unified Development Code (UDC) addressing Port owned property in the vicinity of JCIA. In coordination with County staff, the Port will initiate the proposed amendments, which will be docketed by the County during the applicable Plan amendment cycle. The amendments, as may be modified through the public process, will be brought forth for final legislative action.

- A. The Airport Master Plan and subsequent Plan and Code amendments will provide for the safe operations of the JCIA and guide future development in accordance with Federal Aviation Administration (FAA) regulations and the Airport's designation as an Essential Public Facility under the GMA.

- B. In preparing the Plan and Code amendments, the Port and the County will review and evaluate revisions to the County's Unified Development Code to consider permitting certain non-aviation-related industrial/ manufacturing uses that directly or indirectly support the JCIA. If allowed, such uses should be appropriately scaled, assure visual compatibility with the surrounding area, provide job opportunities for Jefferson County residents, be compatible with airport operations, and consistent with the requirements of the GMA.
- C. If certain non-aviation-related industrial/manufacturing uses are allowed, the County, in cooperation with the Port, may establish design standards to guide future development in the Airport Essential Public Facilities (AEPF) District, including, but not limited to: landscape buffers; visual screening; access requirements; and suitable bulk and dimension standards.
- D. In the event that the amendments take the form of expanded rural scale light industrial uses (i.e., as opposed to another form of amendment equally permissible under the GMA), the County, in cooperation with the Port, may establish rural level of service standards to ensure that the future development of property in the AEPF District does not result in sprawl.

EPP 2.5 Jefferson County will designate parcels owned by the Port of Port Townsend previously classified as being in the Airport Essential Public Facilities Overlay District as the JCIA AEPF District. This new District will supercede and replace the previous Airport Essential Public Facility Overlay District and will be incorporated into the County's Unified Development Code as a distinct District within the Public Lands Classification.

EPP 2.6 Property proposed by the Port, and identified in the FAA-approved Master Plan or future Comprehensive Plan amendment for inclusion in the AEPF District, will become part of the AEPF District, provided that:

- A. The proposed expansion of the AEPF boundaries is considered during the Comprehensive Amendment process as may be required by law; and
- B. Parcels eligible to be considered for inclusion within the AEPF District will be those properties within the airport layout plan (ALP) (which is part of, and incorporated within the FAA approved JCIA Master Plan), and/or bounded by State Route 19, State Route 20, and Four Corners Road, a designated County Arterial.

EPP 2.7 Jefferson County and the Port of Port Townsend will monitor state legislation and will evaluate the potential redesignation of the JCIA and surrounding properties as an Industrial Land Bank, Major Industrial Development, UGA, or related economic development land use category, in accordance with the provisions of Washington State Law.

4) Goal EPG 3.0 and policies EPP 3.1 through EPP 3.10 under the heading entitled "GOALS & POLICIES," beginning on page 9-8 of the Essential Public Facilities Element, would be repealed in their entirety.

5) The subsection entitled "JEFFERSON COUNTY INTERNATIONAL AIRPORT STRATEGY" under the heading entitled "STRATEGIES," beginning on page 9-11 of the Essential Public Facilities Element, would be amended to read as follows:

B. JEFFERSON COUNTY INTERNATIONAL AIRPORT STRATEGY

Action Items

- ~~1. Jefferson County shall work cooperatively with the Port of Port Townsend and aviation officials to develop and adopt an "Airport Overlay Zone" for Jefferson County International Airport. (Corresponding Goal: 3.0)~~
- ~~2. Based upon the results of the Glen Cove/Tri-Area Study, the County may re-evaluate land use designations within the "Airport Overlay Zone." (Corresponding Goals: 2.0, 3.0)~~
1. The County will, in consultation with the Port of Port Townsend, establish an Airport Overlay based on the approved Noise Contour Map, with implementing regulations consistent with the provisions of this Comprehensive Plan, as amended, so as to help protect the current and future viability of the JCIA as an essential public facility.
2. The County will, in consultation with the Port, develop regulations which provide notice and disclosure of airport impacts to property developers within the Airport Overlay (other than Type I permits (e.g. single family residential building permits)), and include a "no public nuisance" provision for normal airport operations.
3. The County will establish a new Airport Essential Public Facility District as a distinct District within the Public Lands Classification, which will include all relevant regulations governing the development of the JCIA.
4. The County and the Port will continue to monitor federal and state legislation that may affect the development of Port owned property and may further amend the County's Comprehensive Plan and Development Regulations as appropriate.
5. During the future land use planning process for the JCIA, the County in consultation with the Port, will consider and evaluate potential revisions to the County's Unified Development Code which would permit non-aviation-related industrial, manufacturing and related activities on property within the Airport Essential Public Facility, and establish appropriate levels of service and design standards, including but not limited to setbacks, landscape buffers, visual screening, access requirements and rural bulk and dimensional standards.

6. The County will encourage the Port to continue its efforts to mitigate noise conflicts at the Jefferson County International Airport.
7. The County, in consultation with the Port of Port Townsend and the Washington State Department of Transportation Aviation Division, will review the UDC Table of Permitted Uses and make revisions as appropriate to ensure the siting of compatible land uses within the Airport Overlay.

Proposed Amendments to the Unified Development Code

Revise UDC Table 1-1 of Section 1.4 to include the Airport Essential Public Facility District, and Airport Overlay.

Table 1-1 Comprehensive Plan Land Use District Designations

RF-40	Rural Forest
IF	Inholding Forest

Master Planned Resorts

MPR	Port Ludlow Master Planned Resort
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Public

PPR	Parks, Preserves and Recreation
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<u>AEPE</u>	<u>Airport Essential Public Facility</u>
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Overlay Designations

ESA	Environmentally Sensitive Areas
MRL	Mineral Resource Lands
WEPA-RR	West End Planning Area-Remote Rural
BRPA-RR	Brinnon Planning Area- Remote Rural
A	Airport Essential Public Facility
<u>AO</u>	<u>Airport Overlay</u>
SRT	Small-scale Recreation and Tourist

UDC Section 3.1, "Land Use Districts," subsection 5, would be amended to read as follows:

5. **Public.** This land use class consists of non-federal public lands used for special purposes. It includes ~~one main district~~ two districts:
 - a. **Parks, Preserves and Recreation (PPR).** This land use district consists of state and county parks, preserves and recreational sites. It is intended to provide for public recreational opportunities consistent with the rural character of the County and preserve significant natural amenities of special or unique character.
 - b. **County Waste Management Essential Public Facility**
 - c. **Airport Essential Public Facility (AEPF).** This land use district consists of land owned by the Port of Port Townsend that directly and indirectly supports the operations of the Jefferson County International Airport as an Essential Public Facility. It is intended to promote compatible land uses and the long-term economic viability of the JCIA consistent with County Goals regarding essential public facilities, the preservation of rural character, and economic development.

The proposed Jefferson County International Airport Essential Public Facility (AEPF) District would be inserted into a newly created Section 3.3.6.

3.3.6 Jefferson County International Airport Essential Public Facility District (AEPF).

- a. **Purpose.** The purpose and intent of this section is to regulate land uses within the "Airport Essential Public Facility" ~~overlay~~ District (AEPF) in order to encourage orderly economic development in a manner compatible with airport operations and adjacent properties and to protect existing general aviation public use airports from conflicting or incompatible adjacent land uses or activities.
- b. **Designation.** ~~The overlay district (see Official Comprehensive Plan Map) applies to all Port of Port Townsend owned property within the Jefferson County International Airport (JCIA). The JCIA aviation airport that provides recreational, business, flight training, charter and air taxi services and other uses. The Jefferson County International Airport (JCIA) is a general purpose, public aviation airport that provides recreational, business, flight training, charter and air taxi services and other uses. The Airport Essential Public Facility District designation (see Official Comprehensive Plan Map) shall apply to the following:~~
 - (1) All property designated as the Airport Essential Public Facility on the Official County Zoning Map;
 - (2) Any parcel or parcels that are subsequently acquired by the Port in accordance with the provisions of the approved JCIA Master Plan and approved through the Jefferson County Comprehensive Plan text and land use amendment process, or any properly included in the Airport

Essential Public Facility District through the Jefferson County Comprehensive Plan text and land use map amendment process, or any other applicable process.

- c. **Allowable Permitted, Conditional and Prohibited Uses.** All new development within the Jefferson County International Airport shall be restricted to uses which are clearly identified as aviation support facilities or aviation related development. New development within the AEPF District shall be restricted principally to Aviation Support Facilities and Aviation Related Manufacturing/Light Industrial Uses that directly or indirectly support its operation as an essential public facility in accordance with the provisions of the approved Airport Master Plan and the Jefferson County Comprehensive Plan, as amended. Provided, however, that certain public and quasi-public non-aviation related uses may be permitted as specifically set forth in this subsection (c); and provided further that the use restrictions set forth in this section shall be reviewed and re-evaluated, consistent with the directive of the Jefferson County Comprehensive Plan (EPP 2.1), during a future land use planning process for the JCIA, to also consider allowing appropriately scaled non-aviation-related industrial/manufacturing uses.

(1) **Permitted Uses:**

- i. ~~Aviation Support Facilities.~~ Aviation Support Facilities are those uses which Aviation support facilities and activities that directly support flight operations and the operation of the Jefferson County International Airport, and include, but are not limited to: pilot and passenger service facilities including food service; charter services and aircraft rentals; airport-related government offices; navigational aids; runway aprons; terminal buildings; hangars; fuel storage facilities; operations/maintenance facilities; aviation museum and/or visitor interpretive center; automobile parking; and restaurants.
- ii. ~~Aviation Related Development.~~ Aviation Related Development are those uses which are reliant upon the airport for their businesses, which include but are not necessarily limited to: Aviation related manufacturing and light industrial uses and activities that comply with FAA guidelines and which contribute to the operations of the JCIA as an economically self-supporting enterprise. These include, but are not limited to: aircraft repair facilities; aircraft remodeling facilities; aircraft sales and related aircraft equipment, services and supplies; aircraft manufacturing; airborne freight facilities; air pilot training schools; aviation clubs; taxi and bus terminal; automobile rental and associated parking; aviation related manufacturing authorized and approved by the Federal Aviation Administration; and aerial recreational activities (e.g., balloon rides, gliders, etc.).
- iii. Public works maintenance/ equipment storage shops;
- iv. Park and ride lots/transit facilities;
- v. Roads, public or private; and
- vi. Public trails and paths.
- vii. Port-related government offices.

- (2) **Conditional, Discretionary and Special Uses** (classified as "C," "C(a)," "C(d)" and "D" as described in the notes preceding Table 3-1, infra):
- i. Large scale regional transportation facilities (State owned) (e.g., freeways) (C);
 - ii. Unnamed Essential Public Facilities (C);
 - iii. Emergency services (police, fire and EMS) (C);
 - iv. Utility developments, major (C);
 - v. Utility developments, minor (C(a));
 - vi. Unnamed transportation uses (D);
 - vii. Unnamed utility uses (D); and
 - viii. Commercial communication facilities (note: this is a special use under section 4.13, infra.).

(3) **Accessory Uses:** Other uses accessory or incidental to uses allowed in 3.3.6(c), above, are permitted in the Airport Essential Public Facility District subject to approval by the Federal Aviation Administration. Such uses include, but are not limited to caretaker residences.

(4) **Prohibited Uses:** ~~In order to determine whether or not a proposed use fits within the Airport Essential Public Facility overlay, the use must be specified.~~ Uses not specified within this section are prohibited.

Additionally, uses or activities that may affect flight operations including, but not limited to the following, are expressly prohibited:

- i. Any use that releases airborne substances, such as steam, dust or smoke;
- ii. Any use that attracts concentrations of birds, waterfowl or other wildlife;
- iii. Uses that are determined to pose a hazard to the safe operation of the Airport as an aviation facility.

d. Development Standards. This section provides standards to minimize the conflicts between the Jefferson County International Airport and proposed future development proximal to the airport proper. ~~These protective standards prevent the establishment of~~ The following development standards are established to prevent future incompatible uses and airspace obstructions in airport clear zones, approaches and surrounding areas and shall comply with the standards established in the Federal Aviation Regulations (FAR), Part 77 (Objects affecting navigable airspace). Where the standards contained in this section conflict with FAR, Part 77, the more restrictive shall apply. All other development standards and review and approval criteria in this Code shall also apply.

(1) **Electrical Emissions.** Any use or activity that emits electrical currents shall be installed in a manner that does not interfere with communication systems or navigational equipment.

(2) **Lighting.** New development that creates glare of lighting that interferes with the lights necessary for aircraft navigation, including landing and take-off, shall be prohibited.

(3) **Height Restrictions.** New development or alteration of existing development within the airport's navigable airspace shall be in

accordance with "Federal Aviation Regulations, Part 77: Objects Affecting Navigable Airspace."

- (4) **Ground Transportation Facilities.** All uses shall be served by adequate transportation facilities, including appropriate facilities for transit, pedestrians, and bicycles. Where transportation facilities are not adequate to serve a proposed use, the applicant shall make provision for necessary improvements. Transportation facilities shall be deemed adequate if necessary improvements are planned and funded in the Jefferson County Comprehensive Plan Six Year Transportation Improvement Program.

Transportation facilities shall meet the design standards of the Department of Public Works and Jefferson Transit. These standards include, but are not limited to, the American Association of State Highway and Transportation Officials (AASHTO) *Policy on Geometric Design of Highways and Streets*, the Institute of Transportation Engineers *Trip Generation Manual*, and the Washington Department of Transportation *Highway Design Manual and Standard Specifications for Road, Bridge, and Municipal Construction*.

- ~~(5) **Notice Provisions.** Land division, site plan applications, and building permits within the airport's area of influence (defined in the interim as that area within the airport's 65 DNL noise contour interval) shall be submitted to the Port of Port Townsend for comment. In addition, these applications shall contain or be accompanied by a notice provided by the administrator. Said notice shall include the following disclosure: "The subject property is near an airport where a variety of airport dependent uses occur that are not compatible with development. Potential discomforts or inconveniences may include, but are not limited to: noise, aircraft take-offs and landings." Such notice to be affixed to the plat and recorded with the Jefferson County Auditor.~~

- ~~(6) **Noise Provisions. [Reserved for Future Use].**~~

UDC Section 3.6.11, "Airport Essential Public Facility District (A)," would be deleted in its entirety and replaced with the Airport Overlay.

~~3.6.11 Airport Essential Public Facility District (A).~~

- ~~a. **Purpose.** The purpose and intent of this section is to regulate land uses within the "Airport Essential Public Facility" overlay district in order to encourage orderly economic development in a manner compatible with airport operations and adjacent properties and to protect existing general aviation public use airports from conflicting or incompatible adjacent land uses or activities.~~
- ~~b. **Designation.** The overlay district (see Official Comprehensive Plan Map) applies to all Port of Port Townsend owned property within the Jefferson County International Airport (JCIA). The JCIA is a general aviation airport that provides recreational, business, flight training, charter and air taxi services and other uses.~~

~~c. **Allowable and Prohibited Uses.** All new development within the Jefferson County International Airport shall be restricted to uses which are clearly identified as aviation support facilities or aviation related development.~~

~~(1) **Aviation Support Facilities.** Aviation Support Facilities are those uses which directly support flight operations and the operation of the Jefferson County Airport, and include, but are not limited to:~~

- ~~i. Passenger service terminals, including food service;~~
- ~~ii. Navigational aids;~~
- ~~iii. Runway aprons;~~
- ~~iv. Terminal buildings;~~
- ~~v. Hangars;~~
- ~~vi. Fuel storage facilities;~~
- ~~vii. Operations/maintenance facilities;~~
- ~~viii. Automobile parking.~~

~~(2) **Aviation Related Development:** Aviation Related Development are those uses which are reliant upon the airport for their businesses, which include but are not necessarily limited to:~~

- ~~i. Aircraft repair facilities;~~
- ~~ii. Aircraft remodeling facilities;~~
- ~~iii. Aircraft sales and related aircraft equipment, services and supplies;~~
- ~~iv. Aircraft manufacturing;~~
- ~~v. Airborne freight facilities;~~
- ~~vi. Air pilot training schools;~~
- ~~vii. Aviation clubs;~~
- ~~viii. Taxi and bus terminal;~~
- ~~ix. Automobile rental and associated parking;~~
- ~~x. Aircraft related manufacturing authorized and approved by the Federal Aviation Administration.~~

~~(3) **Accessory Uses:** Other uses accessory to uses allowed in 3.6.11(c), above, are permitted in the Airport Essential Public Facility Overlay District subject to approval by the Federal Aviation Administration.~~

~~(4) **Prohibited Uses:** In order to determine whether or not a proposed use fits within the Airport Essential Public Facility overlay, the use must be specified. Additionally, uses or activities that may affect flight operations including, but not limited to the following, are prohibited:~~

- ~~i. Any use that releases airborne substances, such as steam, dust or smoke;~~
- ~~ii. Any use that attracts concentrations of birds, waterfowl or other wildlife;~~
- ~~iii. Uses that are determined to pose a hazard to the safe operation of the Airport as an aviation facility.~~

~~d. **Development Standards.** This section provides standards to minimize the conflicts between the Jefferson County International Airport and proposed future development proximal to the airport proper. These protective standards prevent the establishment of future incompatible uses and airspace obstructions in airport~~

~~clear zones, approaches and surrounding areas and shall comply with the standards established in the Federal Aviation Regulations (FAR), Part 77 (Objects affecting navigable airspace). Where the standards contained in this section conflict with FAR, Part 77, the more restrictive shall apply. All other development standards and review and approval criteria in this Code shall also apply.~~

- ~~e. — **Electrical Emissions.** Any use or activity that emits electrical currents shall be installed in a manner that does not interfere with communication systems or navigational equipment.~~
- ~~f. — **Lighting.** New development that creates glare of lighting that interferes with the lights necessary for aircraft navigation, including landing and take off, shall be prohibited.~~
- ~~g. — **Height Restrictions.** New development or alteration of existing development within the airport's navigable airspace shall be in accordance with "Federal Aviation Regulations, Part 77: Objects Affecting Navigable Airspace."~~
- ~~h. — **Ground Transportation Facilities.** All uses shall be served by adequate transportation facilities, including appropriate facilities for transit, pedestrians, and bicycles. Where transportation facilities are not adequate to serve a proposed use, the applicant shall make provision for necessary improvements. Transportation facilities shall be deemed adequate if necessary improvements are planned and funded in the Jefferson County Comprehensive Plan Six Year Transportation Improvement Program. Transportation facilities shall meet the design standards of the Department of Public Works and Jefferson Transit. These standards include, but are not limited to, the American Association of State Highway and Transportation Officials (AASHTO) *Policy on Geometric Design of Highways and Streets*, the Institute of Transportation Engineers *Trip Generation Manual*, and the Washington Department of Transportation *Highway Design Manual and Standard Specifications for Road, Bridge, and Municipal Construction*.~~
- ~~i. — **Notice Provisions.** Land division, site plan applications, and building permits within the airport's area of influence (defined in the interim as that area within the airport's 65 DNL noise contour interval) shall be submitted to the Port of Port Townsend for comment. In addition, these applications shall contain or be accompanied by a notice provided by the administrator. Said notice shall include the following disclosure: "The subject property is near an airport where a variety of airport dependent uses occur that are not compatible with development. Potential discomforts or inconveniences may include, but are not limited to: noise, aircraft take offs and landings." Such notice to be affixed to the plat and recorded with the Jefferson County Auditor.~~
- ~~j. — **Noise Provisions.** [Reserved for Future Use]~~

3.6.11 Jefferson County International Airport Overlay District (Airport Overlay)

- a. **Airport Overlay Designation.** The JCIA has been identified as an essential public facility in the Jefferson County Comprehensive Plans of 1998 and 2004. The airport represents a highly valuable public asset. It provides both an important transportation service and a vital asset to facilitate economic growth in the county. As such, protection measures are needed to preserve the continued future viability of the airport. Therefore, an Airport Overlay is hereby created. For the purpose of this section, the Airport Overlay is that geographic area affected by the airport and defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns and airport safety areas. It is based on the Noise Contour Map contained in the FAA approved JCIA Master Plan, which projects the 55 DNL contour through the year 2022.
- b. **Purpose of Overlay.** The purpose of the Airport Overlay is to promote land uses that are compatible with ~~the impacts of aircraft using the JCIA and~~ normal airport operations within the airport environs. Because impacts of low flying aircraft can lead to pressure to curtail activities at airports, the Overlay is intended to protect the JCIA from such pressure, to apprise ~~put~~ new property owners and developers ~~on notice~~ of impacts from aircraft over-flights and the protect the public health, safety and general welfare. The following regulations are intended to provide a general environmental disclosure to current and prospective property owners of their proximity to airport operations, including flight take-off and landing patterns, to promote compatible land uses, and to discourage the siting of incompatible uses. They are further intended to discourage the siting of incompatible uses adjacent to the airport, protect the airport as an essential public facility, and preserve the ability of the airport to continue its operations into the future.
- c. **Disclosure Provisions.** Information regarding the Airport Overlay shall be provided as follows:
- (1) Jefferson County shall, in consultation with the Port of Port Townsend, prepare and maintain an Airport Overlay Map and supporting informational materials that identify the parcels located within the Overlay. Such information shall also be made available to the public through the County website and the County Map database file, and be included as a layer in the County GIS. The information made publicly available shall include a general notation substantially stating as follows:
“JCIA is a community airport for civil aviation and has been designated an Essential Public Facility by Jefferson County in accordance with the provisions of the Washington State Growth Management Act and the Jefferson County Comprehensive Plan and, as such, is an important use in the County. Properties in the vicinity of the airport may be subject to potential discomforts or inconveniences from noise and vibration associated with aircraft takeoff, landing, over-flight, and normal ground operations at the JCIA site. The County does not consider to be a nuisance those inconveniences or discomforts arising from such operations, if such operations are consistent with Federal Aviation Administration regulations and standards. It is acknowledged that areas lying outside the fixed boundary of the Airport Overlay zone may also be

subject to low level noise and vibration.” This information is intended only as a disclosure to property owners and potential property owners of their proximity to the JCIA, and the potential for low-level noise associated with airport activities.

(2) This section (2) applies to applications for all development EXCEPT Type I permits (e.g., single-family residences) as listed in UDC section 8.1.4, infra. It applies to all land division, site plan, conditional use, and all building permit applications, other than applications for Type I permits (e.g., single-family residential building permits), located within the Airport Overlay. Such applications shall contain, or be accompanied by the following disclosure: “The subject property is near a general aviation airport where a variety of airport dependent uses occur that may not be compatible with certain types of development. Potential discomforts or inconveniences may include, but are not limited to: noise, aircraft take-offs and landings and over-flight.”

(3) Project approvals, EXCEPT Type I permits (e.g., single-family residences) as listed in UDC section 8.1.4, whether permitted outright or conditionally, within the Airport Overlay shall contain as a condition of approval the following disclosure statement: “Jefferson County has determined that the Jefferson County International Airport (JCIA) is an essential public facility, and as such is an important use in the County. Both the Comprehensive Plan and the Growth Management Act require that the County discourage the siting of incompatible uses in the airport vicinity. The County will not consider to be a nuisance those inconveniences or discomforts arising from such operations, if such operations are consistent with accepted federal aviation regulations and standards, the Port’s noise abatement procedures and applicable local, state and federal laws. Since this real property lies within the Airport Overlay (a copy of which is available at the DCD Department and the POPT offices), you may be subject to inconveniences or annoyances including, but not limited to, noise and vibration associated with aircraft takeoff, landing and over-flight, and noise and vibration due to normal ground operations at the JCIA site.”

d. Comment by Port of Port Townsend. The Port of Port Townsend shall receive notice for all Type II and Type III projects that are located within the Airport Overlay. The County shall follow the referral and review requirements as listed in UDC section 8.2.4. The County, in its discretion, may also submit for comment development proposals located outside the Overlay, but in such proximity to JCIA that the County deems appropriate an opportunity to comment by the Port.

e. Nuisance Provisions. The following shall not be considered a nuisance: uses inherent to a general aviation public use airport, including but not limited to on and off-site aircraft noise and aircraft take-offs and landings, as well as airport maintenance, operation, construction and expansion activities, conducted in accordance with normal airport operation on land designated as Airport Essential Public Facility District (AEPF), regardless of past or future changes in the surrounding area land use or land use designations.

f. Uses Prohibited. The Washington State Department of Transportation, Aviation Division, recommends that certain uses be prohibited for safety and compatibility reasons. Such uses include mobile home parks, churches, nursing homes, hospitals, day care facilities, and other similar land uses. See Table 3-1 of this UDC for a list of prohibited uses within the Airport Overlay. Any parcel or portion(s) of parcels located within the Airport Overlay shall be subject to the UDC Table 3-1 provisions prohibiting incompatible uses. Any future changes to the underlying zoning or uses within the Airport Overlay shall be reviewed for incompatibility to the JCIA.

UDC Section 3.7.1, "Jefferson County International Airport Subarea Plan," which is currently reserved for future use, would be deleted.

~~3.7.1 Jefferson County International Airport Subarea Plan (Reserved - See Comprehensive Plan Policy EPP 2.2)~~

UDC Table 3-1, "Allowable and Prohibited Uses" would be amended to specify incompatible uses with the Airport Overlay.

Table 3-1: Allowable and Prohibited Uses

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NOTES:

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5. Land Use Districts:

AG	Agricultural Resource Lands	I	Rural Industrial
AG-20	Commercial Agriculture	RI	Resource Industrial
AG-5	Local Agriculture	LI/C	Light Industrial/Commercial (Glen Cove)
F	Forest Resource Lands	LI	Light Industrial
		HI	Heavy Industrial
CF-80	Commercial Forest		
RF-40	Rural Forest		
IF	Inholding Forest		
RR	Rural Residential	P	Public
RR 1:5	Rural Residential – 1 DU/5 Acres	PPR	Parks, Preserves and Recreation
RR 1:10	Rural Residential – 1 DU/10 Acres	<u>AEPE</u>	<u>Airport Essential Public Facility (Refer to Section 3.3.6)</u>
RR 1:20	Rural Residential – 1 DU/20 Acres		
RC	Rural Commercial	UGA	Future Potential Urban Growth Area (Reserved)
RVC	Rural Village Center		
CC	Convenience Crossroad		
NC	Neighborhood/Visitor Crossroad		
GC	General Crossroad		

Note: Refer to separate document for Table 3-1 amendments.

UDC Section 7.1 "General Provisions," would include a newly created Section 7.1.6 to include disclosure language for Short Subdivisions, Long Subdivisions and Binding Site Plans located within the Airport Overlay.

7.1.6 Compatibility with the Jefferson County International Airport

- a. Incompatible Uses.** If the proposed short subdivision, long subdivision or binding site plan is within the Airport Overlay, that it will not result in the siting of an incompatible use within the vicinity of the airport.
- b. Disclosure.** All short subdivision, long subdivision and binding site plans within the Airport Overlay shall record the disclosure statement required under Section 3.6.11 of this UDC. In addition, the statement shall be signed and affixed to the plat and recorded with the Jefferson County Auditor.

UDC Section 8.8.5, "Approval Criteria for All Conditional Uses," would include the insertion of disclosure language as a condition for final CUP approval.

- (8) The proposed conditional use will not result in the siting of an incompatible use adjacent to an airport or airfield within the Airport Overlay, as defined in Section 3.6.11 of this UDC. In addition, the disclosure language outlined in Section 3.6.11 shall be included as a condition of approval on all conditional use permits issued by Jefferson County;