

**Chapter 14.700
Overlay Zones**

Chapter 14.702 Airport Overlay (AO) Zone

14.702.100 Purpose and Intent

The purpose and intent of the Airport Overlay Zone is to reduce the potential for airport hazards, based on the following findings:

1. An airport hazard endangers the lives and property of users of landing fields and property or occupants in the vicinity of landing fields within Spokane County.
2. An airport hazard of the obstructive nature in effect reduces the size of the area available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of an airport and the public investment therein.
3. The creation or establishment of an airport hazard is a public nuisance and detrimental to the region served by the airport affected.
4. It is necessary to prevent the creation or establishment of airport hazards in order to protect the public health, safety, and general welfare, and to promote the most appropriate use of land.

In order to carry out the purpose and intent of the Airport Overlay Zone, the following development standards shall apply to the described conical areas, approach areas and accident potential zones indicated on the official Spokane County Zoning Maps. The following subsections provide additional specific detail concerning safe airport operations and use of surrounding properties.

14.702.200 Applicability

The Airport Overlay Zone apply to four airports in Spokane County. Those airports are Spokane International Airport, Felts Field, Fairchild Air Force Base, and the Deer Park Airport.

14.702.210 Airspace and Accident Potential Areas

In order to carry out the purpose and intent of the Airport Overlay Zone as set forth above, and to restrict those uses which may be hazardous to the operational safety of aircraft operating to and from airports within Spokane County, the following air space and land use safety areas are established.

1. **Conical Area (CA)**: The conical area is all that land which lies directly under an imaginary three-dimensional surface (the conical surface) extending outward from the primary surface at an elevation of 35 feet above the elevation of the centerline of the runway for a distance of 3500 feet. The conical surface continues upward and outward at a slope of 1 vertical foot for every 100 horizontal feet for a horizontal distance of 30,000 feet as measured radially outward from the edge of the primary surface.
2. **Approach Area (AA)**: The approach area is all that land which lies directly under an imaginary trapezoid-shaped approach surface longitudinally centered on the extended centerline at each end of a runway. The inner edge of the approach surface is the same width and elevation as the end of the primary surface. The approach area extends outward from the ends of the primary surface a minimum of 10,000 feet.
 - a. For those runways 10,000 feet or less in length the approach area expands uniformly to a width of:
 - i. Four thousand feet for existing or planned precision instrument runways or nonprecision instrument runways having visibility minimums as low as $\frac{3}{4}$ of a statute mile.
 - ii. Three thousand five hundred feet for existing or planned nonprecision instrument runways having visibility minimums greater than $\frac{3}{4}$ of a statute mile.
 - iii. Two thousand five hundred feet for existing or planned visual runways other than utility.
 - iv. Two thousand two hundred fifty feet for existing or planned visual utility runways.

- b. For those runways greater than 10,000 feet in length, the width of the trapezoidal approach area expands outward uniformly for a distance equal to the length of the runway.
3. Accident Potential Zone A (APZ-"A"): Accident Potential Zone "A" is all land in that portion of the approach area of the runway as defined hereinabove which extends outward from the end of the primary surface a distance equal to 1/3 of the existing or planned length of the runway.
4. Accident Potential Zone B (APZ-"B"): Accident Potential Zone "B" is all land in that portion of the approach area of a runway as defined hereinabove which extends outward from Accident Potential Zone "A" a distance equal to 2/3 of the existing or planned length of the runway.

14.702.220 General Use Restrictions

1. No use shall be made of any land in the conical area defined hereinabove that would cause any one of the following circumstances.
 - a. The use creates or causes interference with the operations of radio or electronic facilities at the airport or with radio or electronic communications between airport and aircraft.
 - b. The use makes it difficult for pilots to distinguish between airport lights and other lights.
 - c. The use results in glare in the eyes of pilots using the airports.
 - d. The use impairs visibility in the vicinity of the airport.
 - e. The use endangers the landing, taking off, or maneuvering of aircraft.
 - f. The use creates a bird attractant that, in the opinion of the airport, could interfere with aircraft operations.
2. The following restrictions also apply:
 - a. Spokane International Airport, Felts Field, and Deer Park Airport: Prior to development or issuance of a building permit in any of the airspace and/or Accident Potential Areas defined herein, the awarding of an aviation easement by the property owner(s) to the appropriate airport(s) shall be required and recorded with the Spokane County Auditor's Office.
 - b. Fairchild AFB: Prior to development or issuance of a building permit within APZ A, APZ B, or a permit which will result in a facility greater than 35 feet in height within the conical surface as defined herein the proponent shall provide a copy of the proposal to the Base Civil Engineer at Fairchild AFB. Fairchild AFB shall be given 15 working days to review and comment on the proposal.
 - c. In all cases, the filing of an FAA Form 7460-1 with the FAA Northwest Mountain Region may also be required by the airport(s), based on the overall height, location, and/or nature of the proposed construction as directed by CFR Part 77.13.

14.702.230 Height Restrictions

Structures or vegetation may not be constructed, altered, maintained, or allowed to grow in any air space area as described hereinabove so as to project above the conical surface. The following items are exempt from this provision.

1. Any structure or object that would be shielded by existing permanent structures or by natural terrain or topographic features of equal or greater height.
2. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of a type approved by the Federal Aviation Administration, or an appropriate military service at military airports, with a fixed location and height.
3. Incinerator(s) and/or associated structure(s) owned and/or operated by a municipal corporation or political subdivision, either individually or jointly.
4. Structures necessary and incidental to airport operations.

Where an area is covered by more than one height limitation, the more restrictive limitation shall prevail. No structure shall be erected so high as to increase the Federal Aviation Administration

landing and/or approach and/or departure minimums for aircraft using the runways of the affected airports, unless the airport operator approves of such action.

14.702.240 Administrative Height Exception

The Director may administratively grant height exceptions after review of a proposal under the following procedure.

1. A request for an exception to the height restriction standards shall follow the procedures for an Administrative Exception as outlined in chapter 14.510.
2. A finding by the Director that the structure will not exceed specifications identified in the Federal Aviation Regulations, Part 77(Objects Affecting Navigable Airspace).

14.702.250 Approach Areas (AA)

Building permits will not be issued until the final site development plans have been approved. Such approval may include requirements to mitigate impacts of the project and to ensure that the standards of the zone are upheld. The Director at his/her option may require Hearing Examiner approval of site development plans consistent with the procedural requirements for a Type II project application as set forth in Title 13 (Application Review Procedures) of the Spokane County Code.

14.702.260 Accident Potential Zone A (APZ-"A")

Within areas designated as Accident Potential Zone "A" no buildings or premises shall be used nor any building or structure be erected or altered unless otherwise provided in this Code except for one or more of the following uses when allowed in the underlying zone.

1. Warehousing/self storage facility including building(s) for commercial storage of personal property.
2. Outdoor storage of equipment, automobiles, machinery, building materials, and contractor's equipment storage yards.
3. Cemetery.
4. Nursery.
5. General agricultural use except feed lots or other agricultural uses which attract substantial quantities of birds.
6. Public utility local distribution or transmission facilities necessary for public service.
7. Maintenance and repair facility.
8. Open storage area for commercial storage of personal property such as boats and travel trailers.
9. Auto wrecking, junk, and salvage yard.
10. Rail or trucking freight terminal.

14.702.270 Accident Potential Zone B (APZ-"B")

1. The following primary uses and accessory uses are specifically prohibited in Accident Potential Zones "B" associated with the Spokane International Airport and Fairchild Airforce Base.

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| a. Child day-care center | j. Motel |
| b. Church | k. Nursing Home |
| c. Community residential facility | l. Participant sports and recreation |
| d. Community treatment facility | m. Recreational vehicle park |
| e. Family day-care provider | n. School |
| f. Heliport or helipad | o. Spectator sports facility |
| g. Hospital | p. Theater |
| h. Hotel | q. Residential subdivision as defined in Chapter 58.17 RCW as well as residential binding site plans as defined in the Spokane County |
| i. Manufactured home park | |

Subdivision Ordinance.

2. The following primary uses and accessory uses are specifically prohibited in Accident Potential Zones "B" associated with the Felts Field and Deer Park Airport.

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|-----------------------------------|--------------------------------------|
| a. Child day-care center | i. Manufactured home park |
| b. Church | j. Motel |
| c. Community residential facility | k. Nursing home |
| d. Community treatment facility | l. Participant sports and recreation |
| e. Family day-care provider | m. Recreational vehicle park |
| f. Heliport or Helipad | n. School |
| g. Hospital | o. Spectator sports facility |
| h. Hotel | p. Theater |

14.702.280 Substantial Noise Impact Areas (Ldn-75)

1. Substantial Noise Impact Areas are defined as those areas where it has been determined that existing or potential noise levels exceed 75 Ldn (day-night average sound level). The official Spokane County Zoning Maps shall show where substantial noise impact areas occur or are anticipated and shall be amended when conditions change or as new information becomes available.

2. In areas where substantial noise impacts exist, as shown on the official Spokane County Zoning Maps, the following uses are prohibited.

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|-----------------------------------|--|
| a. Church | g. Library |
| b. Child day-care center | h. Manufactured home park |
| c. Community residential facility | i. Nursing home |
| d. Community treatment facility | j. Residential subdivision as defined in chapter 58.17 RCW |
| e. Family day-care provider | k. School |
| f. Hospital | |