

SECTION 20.1 - AIRPORT OVERLAY ZONE, OR AO DISTRICT

1. Purpose. In order to carry out the provisions of this overlay zone, there are hereby created and established certain zones which include all of the land lying beneath the Airport Imaginary Surfaces as they apply to the Tillamook County Airport in Tillamook County. Such zones are shown on the current Airport Approach and Clear Zone Maps, adopted by the Port of Tillamook Bay.

Further, this overlay zone is intended to prevent the establishment of air space obstructions in airport approaches and surrounding areas through height restrictions and other land use controls as deemed essential to protect the health, safety and welfare of the people of the City of Tillamook and Tillamook County.

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

3. Special Definitions

- A. Airport Approach Safety Zone. A surface longitudinally centered on the extended runway center line and extending outward and upward from each end of the Primary Surface. The inner edge of the approach surface is the same width as the Primary Surface and extends to a width of: 1,250 feet for Utility Runway having only visual approaches; 1500 feet for a runway other than a Utility Runway having only visual approaches; 2,000 feet for a Utility Runway having a non precision instrument approach; 3,500 feet for a non precision instrument runway other than utility, having visibility minimums greater than three-fourths of a statute mile; 4,000 feet for a non precision instrument runway having visibility minimums as low as three-fourths statute mile; and 16,000 feet for precision instrument runways. The Airport Approach Safety Zone extends for a horizontal distance for 5,000 feet at a slope of 20 feet outward for each foot upward (20:1) for all utility and visual runways.
- B. Airport Hazard. Any structure, tree or use of land which exceeds height limits established by the Airport Imaginary Surfaces.
- C. Airport Imaginary Surfaces. Those imaginary areas in space which are defined by the Airport Approach Safety Zone, Transitional Zones, Horizontal Zone, Clear Zone and Conical Surface and in which any object extending above these imaginary surfaces is an obstruction.
- D. Clear Zone. Extends from the primary surface to a point where the approach surface is 50 feet above the runway and elevation.
- E. Conical Surface. Extends 20 feet outward for each one foot upward (20:1) for 4,000 feet beginning at the edge of the horizontal surface (5,000 feet from the center of each end of the Primary Surface of each visual and utility runway at 150 feet above the airport elevation) an upward extending to a height of 350 feet above the airport elevation.

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- F. **Horizontal Surface.** A horizontal plan 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet from the center of each end of the Primary Surface of each visual or utility runway and connecting the adjacent arcs by lines tangent to those arcs.
 - G. **Noise Sensitive Areas.** Within 1,500 feet of an airport or within established noise contour boundaries exceeding 55 Ldn.
 - H. **Place of Public Assembly.** Structure or place which the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement, awaiting transportation or similar activity.
 - I. **Primary Surface.** A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the Primary Surface extends 200 feet beyond each end of that runway. When the runway has no specially prepared hard surface, or planned hard surface, the Primary Surface ends at each runway. The width of the Primary Surface is 250 feet for Utility Runways having only visual approaches and 500 feet for other than utility runways.
 - J. **Transitional Zones.** Extend seven feet outward for each one foot upward (7:1) beginning on each side of the Primary Surface which point is the same elevation as the runway surface, and from the sides of the approach surfaces thence extending upward to a height of 150 feet above the airport elevation (Horizontal Surface).
 - K. **Utility Runway.** A runway that is constructed and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.
4. **Permitted Uses Within the Airport Approach Safety Zone.**
- A. **Farm use,** excluding the raising and feeding of animals which would be adversely affected by aircraft passing overhead.
 - B. **Landscape nursery, cemetery or recreation areas** which do not include buildings or structures.
 - C. **Roadway, parking areas and storage yards** located in such a manner that vehicle lights will not make it difficult for pilots to distinguish between landing lights and vehicle lights or result in glare, or in any way impair visibility in the vicinity of the landing approach. Approach surfaces must clear these by a minimum of 15 feet.
 - D. **Pipeline.**
 - E. **Underground utility wire.**
 - F. **Transportation Facilities and Improvements**

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1. Normal operation, maintenance;
 2. Installation of improvements within the existing right-of-way;
 3. Projects identified in the adopted transportation System Plan not requiring future land use review and approval;
 4. Landscaping as part of a transportation facility;
 5. Emergency measures;
 6. Street or road construction as part of an approved subdivision or partition;
5. Conditional Uses.
- A. A structure accessory to a permitted use.
 - B. Single family dwellings, mobile homes, duplexes and multi-family dwellings, when authorized in the primary zoning district, provided the landowner signs and records in the deed and mortgage records of Tillamook County a Hold Harmless Agreement and Avigation and Hazard Easement and submits them to the airport sponsor and Tillamook City Planning Department.
 - C. Commercial and industrial uses, when authorized in the primary district, provided the use does not result in the following:
 - 1) Creating electrical interference with navigational signals or radio communication between the airport and aircraft.
 - 2) Making it difficult for pilots to distinguish between airport lights or others.
 - 3) Impairing visibility.
 - 4) Creating bird strike hazards.
 - 5) Endangering or interfering with the landing, taking off or maneuvering of aircraft intending to use the airport.
 - 6) Attracting large numbers of people.
 - D. Buildings and uses of a public works, public service or public utility nature.
 - E. Transportation Facilities and Improvements
 1. Transportation projects that are not designated improvements in the Transportation System Plan;
 2. Transportation projects that are not designated and constructed as part of an approved subdivision or partition.
6. Procedures. An applicant seeking a conditional use under 4. above shall follow procedures set forth in the conditional use section of the City zoning ordinance. Information accompanying the application shall also include the following:

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- A. Property boundary lines as they relate to the Airport Imaginary Surfaces;
 - B. Location and height of all existing and proposed buildings, structures, utility lines and roads; and a
 - C. Statement from the Oregon Aeronautics Division indicating that the proposed use will not interfere with operation of the landing facility.
7. Limitations.
- A. To meet the standards and reporting requirements established in FAA Regulations, Part 77, no structure shall penetrate into the Airport Imaginary Surfaces as defined above.
 - B. No place of public assembly shall be permitted in the Airport Approach Safety Zone.
 - C. No structure or building shall be allowed within the Clear Zone.
 - D. Whenever there is a conflict in height limitations prescribed by this overlay zone and the primary zoning district, the lowest height limitation fixed shall govern; provided, however, that the height limitations here imposed shall not apply to such structures customarily employed for aeronautical purposes.
 - E. No glare producing materials shall be used on the exterior of any structure located within the Airport Approach Safety Zone.
 - F. In noise sensitive areas (within 1,500 feet of an airport or within established noise contour boundaries of 55 Ldn and above for identified airports) where noise levels are a concern, a declaration of anticipated noise levels shall be attached to any building permit or development approval. In areas where the noise level is anticipated to be 55 Ldn and above, prior to issuance of a building permit for construction of noise sensitive land use (real property normally used for sleeping or normally used as schools, churches, hospitals, or public libraries) the permit applicant shall be required to demonstrate that a noise abatement strategy will be incorporated into the building design which will achieve an indoor noise level equal to or less than 45 Ldn. The planning and building department will review building permits for noise sensitive developments.

(Added by Ordinance #1187, effective 12/03/03)