

Chapter 9 – Land Use Planning



Chapter 9 – Airport Land Use Compatibility



Introduction

This chapter describes land use associated with Bremerton National Airport and its surroundings, land use controls and other issues related to airport compatibility and jurisdictional responsibilities. A summary of environmental conditions associated with the airport, including updated noise exposure is provided in Chapter Six and in **Appendices D and E**.

Government Roles in Airport Land Use

FEDERAL

The Federal Aviation Administration (FAA) does not have authority to regulate off airport land use, including the construction of built items. Land use regulation is a local responsibility and FAA has a technical advisory role based on its interest in protecting the airspace associated with an airport as part of the national airspace system. The FAA has a role in regulating on-airport land use through approval of the Airport Layout Plan (ALP) and airport sponsor compliance with FAA Airport Improvement Program (AIP) grant assurances, which include measures to maintain airport land use compatibility and to protect the aeronautical function of an airport by restricting the location of non-aviation land uses.

Under 14 Code of Federal Regulations (CFR), Part 77, the FAA has the authority to review proposed construction through its 7460-1 (Notice of Construction or Alteration) process. The FAA review addresses compatibility both on- and off-airport based on the potential for creating a “hazard to air

navigation” that is associated with obstructions/penetrations in defined airspace. FAA airspace reviews include FAR Part 77 surfaces, Terminal Instrument Procedures (TERPS) surfaces, visual runway traffic patterns, and visual navigation aid (e.g., VASI, PAPI, etc.) protected airspace. When a proposed structure penetrates navigable airspace, the FAA will issue a letter objecting to the proposed action (determination of presumed hazard to air navigation) for the consideration of local authorities. When proposed actions do not present a hazard to air navigation, a “no objection” finding is issued. It is important to note that this analysis is based on an obstruction evaluation and is not intended to address land use compatibility in terms of noise exposure or proximity to an airport or runway.

In cases where the airport sponsor is also the local land use authority, local land use actions are reviewed for compliance with the FAA grant assurances intended to protect airports from incompatible land uses. However, in the case of Bremerton National Airport, which is owned and operated by the Port of Bremerton, the City of Bremerton is the primary responsible land use authority, with Kitsap and Mason Counties having secondary responsibility (areas located outside the city limits). City code requires consultation with the Port for all proposed development in the vicinity of the airport, although the City has final approval authority.

The FAA recommends that local jurisdictions include the following language in their development codes: “Nothing in this chapter shall diminish the responsibility of project proponents to submit a Notice of Construction or Alteration to the Federal Aviation Administration if required in accordance with Federal Aviation Regulations Part 77, “Objects Affecting Navigable Airspace.”

FAR Part 150 (Airport Noise Compatibility Planning) provides guidance for land use compatibility around airports. The 1990 Airport Noise and Capacity Act (ANCA) defines federal policy on the regulation of airport noise (operating curfews, aircraft restrictions, etc.), with the intent of standardizing noise controls throughout the national system.

STATE

Washington State’s goals for land use planning are defined by the Growth Management Act (GMA), adopted by the Washington State Legislature in 1990. In 1996, the GMA was amended to assist in preserving the social and economic benefits of aviation. The GMA requires towns, cities and counties to address airport land use compatibility, and identifies airports as “essential public facilities.”

The following summary developed by the WSDOT Aviation Division explains the intent of the Act:

“RCW 36.70.547 and RCW 36.70A.510 require all cities and counties to adopt comprehensive plan goals, policies and regulations to discourage development of incompatible land uses adjacent to public use airports. Local jurisdictions must consult with aviation interests, including WSDOT Aviation, when

adopting comprehensive plan amendments to address airport land use compatibility during GMA updates, subject to the schedule designated by state law.”

WSDOT Aviation Division reviews comprehensive plans and regulations; provides technical assistance on aviation issues; and provides land use compatibility guidelines to help local jurisdictions protect airports from incompatible uses. The Aviation Division recommends that local jurisdictions consider three primary areas in determining potential land use compatibility: height hazards, noise, and safety. The specific measures used by each jurisdiction are locally determined based on the guidelines provided by the Aviation Division. Although local compliance with RCW 36.70 is required, the means and degree to which local jurisdictions (cities and counties) achieve compliance are not mandated.

It is recognized that an airport’s surrounding land use may extend beyond the immediate jurisdiction to include unincorporated county land areas, or nearby municipalities. Since the responsibility for land use controls may involve more than one jurisdiction, it is critical that effective communication and coordination occur between the airport and all local jurisdictions.

LOCAL

The role of Local government is to ensure that their comprehensive plans, goals, policies and regulations discourage development of incompatible land uses near airports. As noted earlier, these rules are codified in the Revised Code of Washington (RCW) 36.70.547 and 36.70A.510 for all local jurisdictions.

Land Use Jurisdiction

The City of Bremerton has land use authority for Bremerton National Airport and its immediate surroundings. In conjunction with the 2009 annexation of the Airport and the surrounding industrial land base, known as the South Kitsap Industrial Area (SKIA), the City of Bremerton formally created the SKIA Subarea to enable focused land use planning and development, consistent with the City code.

Beyond the SKIA Subarea and the Bremerton city limits, unincorporated areas of Kitsap and Mason County are located in the vicinity of Bremerton National Airport. Portions of the airport’s FAR Part 77 Airspace extend into these adjacent jurisdictions, which also extends land use responsibilities.

CITY OF BREMERTON – SKIA SUBAREA

The City of Bremerton adopted the SKIA Subarea Plan on August 1, 2012 as Ordinance 5188. The Subarea Plan provides comprehensive land use controls that integrate wide ranging policies and strategies intended to promote sustainable industrial employment while preserving the area’s natural environmental setting. Bremerton National Airport features prominently in the SKIA Subarea and a variety of measures have been created that directly and indirectly protect the airport from incompatible land uses.

Comprehensive Plan Land Use

Section A of the SKIA Subarea Plan defines the goals and strategies for SKIA that are consistent with the intended goal to “support a vibrant industrial center that is a model of environmental stewardship and sustainability.” A core element in SKIA planning is the Manufacturing/Industrial Centers (MIC) designation, one of eight in the region recognized by the Puget Sound Regional Council (PSRC). A 2008 amendment to the City of Bremerton Comprehensive Plan states that the SKIA MIC is “expected to retain a different form of urban development than Bremerton’s current regional or district centers. The physical size and location of the center allow strategic focused economic growth and it is expected to receive a significant proportion of Kitsap County’s employment growth in the manufacturing and industrial sectors.”

Although all of the SKIA Subarea goals are compatible with airport operations, several of the goals directly highlight the value of the ongoing planning, development and operation of Bremerton National Airport:

Land Use:

Goal LU2. Restrict uses that are incompatible with intense industrial development, encourage compatibility with airport operations, and ensure consistency with regional planning policies and criteria for Manufacturing/Industrial Centers.

An associated strategy (LU2.3) is “Consistent with FAA and WSDOT guidance, promote controls on land uses and development that are incompatible with Bremerton National Airport.”

Transportation:

Goal T1. Develop a complete transportation system that supports all modes of travel and all potential users of the site.

Goal T2: Develop a transportation system that is financially feasible.

Capital Facilities:

Goal CF1. Use capital improvements as an economic development measure to encourage private business investment in SKIA.

Goal CF2. Seek funding for public facilities that are needed to support development in SKIA.

The 2009 City of Bremerton Official Land Use Map has “**Manufacturing/Industrial Center**” land use designation assigned to the Airport. An earlier City of Bremerton land use map identified Bremerton

National Airport as “Urban Industrial” within the SKIA UGA. These designations appear to reflect consistent planning and intended use within the City’s urban growth area (UGA) prior to annexation and now through the SKIA Subarea, that are highly compatible with airport operations.

Zoning

The zoning within the SKIA Subarea is industrial and commercial, which provides a high degree of land use compatibility with airport operations. SKIA Subarea Plan, Section 3.010 Zone Establishment and Purpose, states “These goals include promoting the economic viability of manufacturing and industrial uses, encouraging employment growth, protecting Bremerton National Airport from incompatible land uses and preventing the encroachment of unplanned residential and other large non-industrial development within industrial zones.” **Figure 9-1** depicts the surface zoning and airport overlay zoning associated with the SKIA Subarea.

The airfield portion of Bremerton National Airport is zoned **Aviation Business (AB)**. The AB zone is defined as “The purpose of this zone is to provide areas for aviation related business, manufacturing and service-related uses, while ensuring compatibility with aircraft operations. A broad range of non-aviation industrial uses that do not include significant outdoor operations are also allowed in this zone, provided measures are taken to reduce the potential negative impacts of these uses on adjacent property through site design, screening, buffers, and landscaping.”

The Port’s Olympic View Business and Industrial Park are recognized by the Federal Aviation Administration (FAA) as part of Bremerton National Airport. The business and industrial park area accommodates exclusively non-aeronautical (no direct aircraft access to the adjacent airfield) land uses and is zoned **Port Industrial Mix (PIM)**. The PIM zone is defined as “The purpose of this zone is to promote a wide range of light industrial, support retail and service uses, government uses and compatible service uses within a business park built form, as well as recreational facilities that are designed and operated in a manner that is compatible with industrial uses. Heavy industrial uses are also allowed in this zone, provided that additional measures are taken to reduce the potential negative impacts of these uses on adjacent property through site design, screening, buffers, and landscaping.”

Large areas of property north and east of the airport is zoned **General Industrial (GI)**. The GI zone is defined as “The purpose of this zone is to promote a wide range of light and heavy industrial uses and compatible support retail and service uses.”

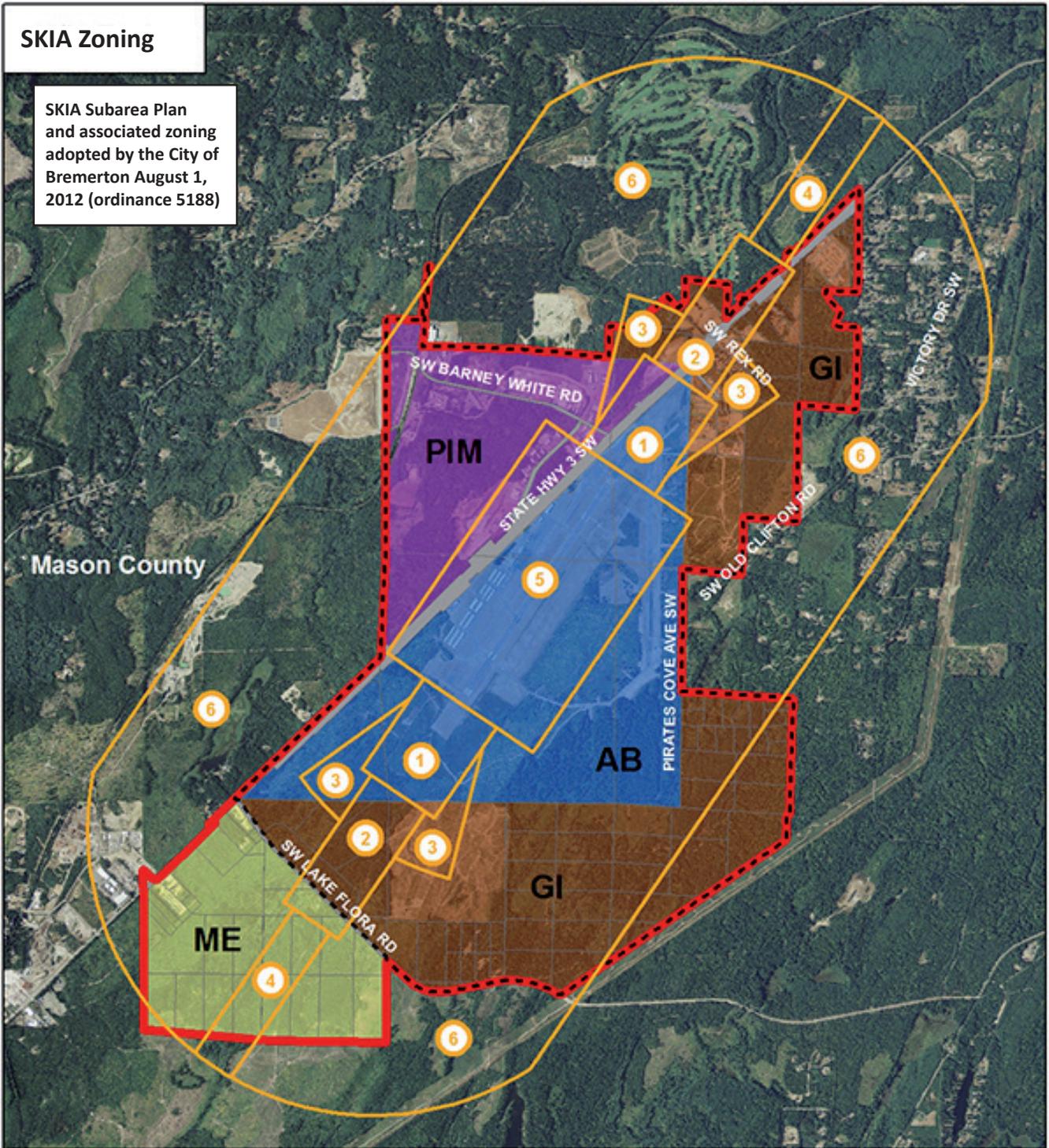
A large area of property located southwest of the Airport and southwest of SW Lake Flora Road is zoned **Mixed Employment (ME)**. The ME zone is defined as “The purpose of this zone is to promote a range of commercial, office and light industrial uses outside the MIC boundaries that are compatible with land

uses in the MIC, with improved non-motorized connections and amenities. Light industrial activities in this zone should occur within enclosed buildings and heavy industrial uses are discouraged.”

These zones provide a mix of land uses and activities that are highly compatible with airport operations. As noted in the Environmental Review Chapter, the airport noise analysis indicates that current and future noise levels of 65DNL and above are contained within airport property, except for a small area that extends over Highway 3. Areas of lower noise intensity (55, 60 DNL) are largely contained within the SKIA subarea.

SKIA Zoning

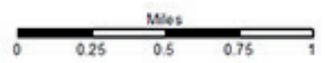
SKIA Subarea Plan and associated zoning adopted by the City of Bremerton August 1, 2012 (ordinance 5188)



- ROW
- SKIA Boundary
- MIC Boundary
- Parcel

- Zoning**
- Aviation Business (AB)
 - General Industrial (GI)
 - Port Industrial Mix (PIM)
 - Mixed Employment (ME)

- Airport Compatibility Overlay
- Airport Compatibility Zone Number - Assigned per WSDOT Aviation Compatibility Guidebook



SOURCE: Kitsap County Assessor, August 2010



SKIA Subarea Development Restrictions

The development standards established within the SKIA Subarea are complimentary to airport operations and are designed to avoid or mitigate any potential negative impacts. Several examples are noted below:

Section 3.050 Prohibited Uses addresses outright prohibited uses (junk yard, residential as primary use) and also identifies items that could have a potentially adverse impact on airport operations (light/glare encroachment, odor, dust or smoke encroachment) that are prohibited.

Section 3.060 Site Development Standards provides a high degree of design flexibility that is intended to maintain compatibility with neighboring uses while accommodating a wide range of development needs. The maximum height of structures for all zones within the SKIA Subarea is identified as “market driven.” The standards also include a note related to maximum height and protecting the airport: (Table C-1, Note 1) “Where building heights might affect airport operations at Bremerton National Airport applicants must demonstrate compliance with the criteria specified in Federal Aviation Regulations Part 77 and other applicable requirements.”

Section 4.070 Exterior Lighting addresses light pollution by requiring that development “does not result in the trespass of excess light onto adjacent parcels or public rights-of-way.” Section 4.070 b.3. requires all exterior building and site lighting to use full cut-off fixtures, except when waived by the Director (City of Bremerton) due to specific lighting requirements. The use of full cut-off fixtures in the vicinity of an airport significantly reduces upward projection of glare. Section 3.140 b.4. states “Building-mounted accent lighting should be directed downward onto the illuminated object or area, and not upward into the sky.”

Section 4.080 Noise and Emissions is primarily intended to control noise generated by industrial users within the SKIA Subarea. However, the code notes the following regarding airport-generated noise (4.080 b.1.): “All zones within SKIA are hereby (sic) established as Noise Control District III, as defined in BMC Chapter 6.32. All requirements of BMC Chapter 6.32 shall apply to development within SKIA, provided that FAA shall be the sole regulator of noise levels associated with Bremerton National Airport.”

Airport Overlay Zoning

In addition to primary zoning assigned to individual land parcels within the SKIA Subarea, airport overlay zoning has been adopted, consistent with the Airports and Compatible Land Use Guidelines, published by the WSDOT Aviation Division. Airport Compatibility Overlay (ACO) zoning is established as an element of the SKIA Subarea Plan (Section 3.010 Zone Establishment and Purpose).

The SKIA Subarea zoning includes Airport Compatibility Overlay (ACO) zoning based on WSDOT Aviation Airport Safety Zones 1-6.¹ The SKIA Subarea Plan states “ACO zones are defined based on guidance in the WSDOT Airports and Compatible Land Use Guidebook, available online at <http://www.wsdot.wa.gov/aviation/Planning/ACLUguide.htm>.” The descriptions of the zones are direct from the WSDOT publication, including sensitive land uses that should not be allowed within certain compatibility zones. However, density restriction guidelines provided by WSDOT Aviation for each of the ACO zones are not referenced in the code.

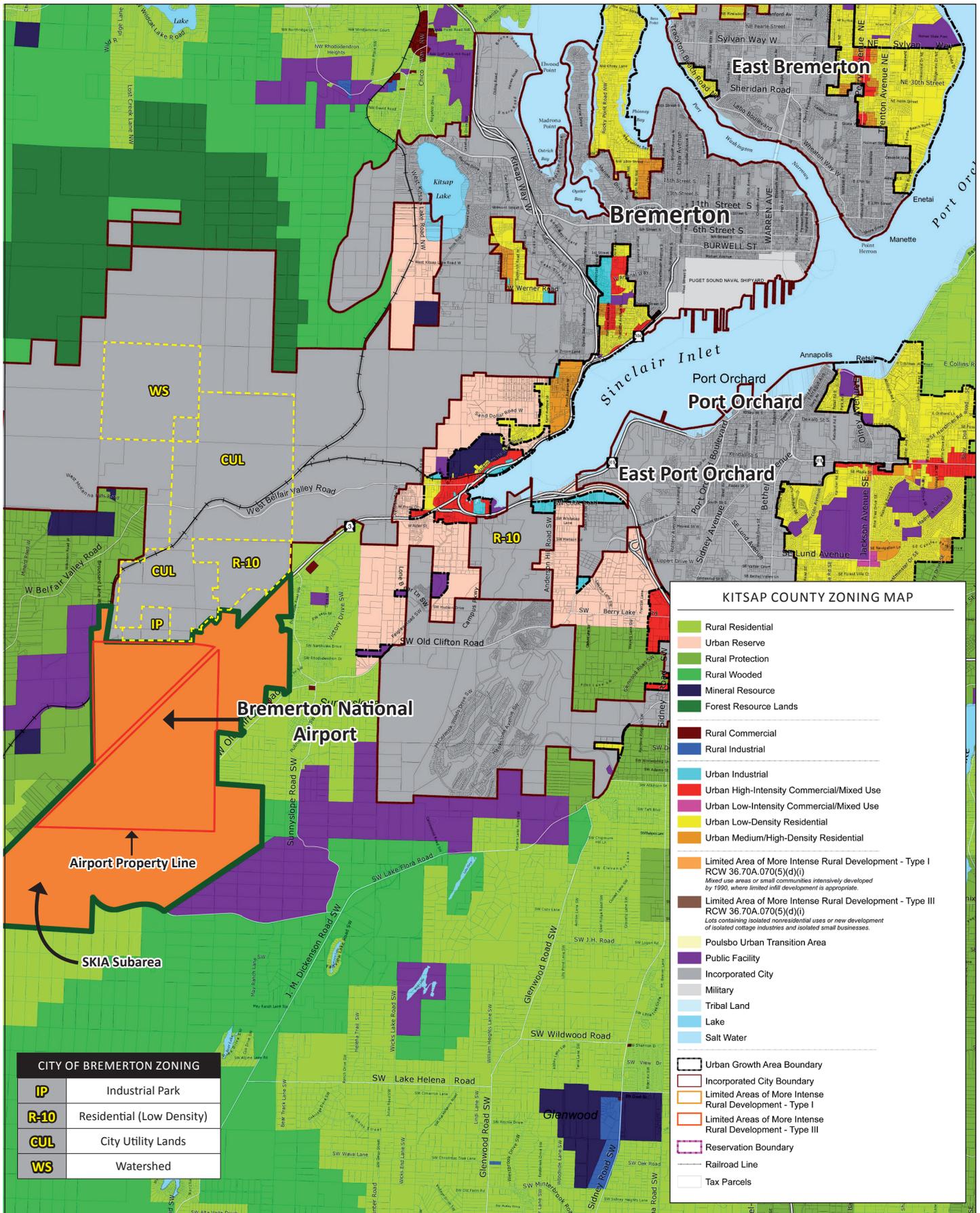
Per the requirements of the SKIA Subarea Plan, defined in City of Bremerton Ordinance 5188 (August 1, 2012), “All applicants proposing work in ACO zones 1 through 6 shall consult the Port of Bremerton after submitting a land use, site development, or building permit application.”

Adjacent County Zoning and Land Use

Beyond the SKIA subarea are lands located in unincorporated Kitsap County and Mason County. The land use designations and zoning in these areas is predominantly rural, forest resource zones with limited areas of low density residential. **Figure 9-2** depicts current Kitsap County zoning in the vicinity of the SKIA Subarea. **Figure 9-3** depicts current land use designations from the Kitsap County Comprehensive Plan.

The airport overlay zoning adopted by the City of Bremerton in 2012 as part of the SKIA Subarea does not appear to have been jointly adopted by either Kitsap or Mason County. The Kitsap County Code (Title 17 – Zoning) does not contain airport overlay zone language. The Mason County Code (Chapter 17 – Zoning) does contain an airport overlay zone (Chapter 17.60), however, the ordinance is written specifically for Sanderson Field and it does not recognize any other airports or the airspace associated with any other airports that is located within Mason County. As depicted in **Figure 9-1**, portions of Airport Compatibility Zone #6 and #4 for Bremerton National Airport extend over the adjacent unincorporated counties. Local land use officials should consider jointly adopting the currently defined overlay zoning for Bremerton National Airport across all jurisdictions for consistency.

¹ WSDOT Aviation Division Airports and Compatible Land Use Guide



KITSAP COUNTY ZONING MAP

- Rural Residential
- Urban Reserve
- Rural Protection
- Rural Wooded
- Mineral Resource
- Forest Resource Lands
- Rural Commercial
- Rural Industrial
- Urban Industrial
- Urban High-Intensity Commercial/Mixed Use
- Urban Low-Intensity Commercial/Mixed Use
- Urban Low-Density Residential
- Urban Medium/High-Density Residential
- Limited Area of More Intense Rural Development - Type I
RCW 36.70A.070(5)(d)(i)
Mixed use areas or small communities intensively developed by 1990, where limited infill development is appropriate.
- Limited Area of More Intense Rural Development - Type III
RCW 36.70A.070(5)(d)(i)
Lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small businesses.
- Poulsbo Urban Transition Area
- Public Facility
- Incorporated City
- Military
- Tribal Land
- Lake
- Salt Water
- Urban Growth Area Boundary
- Incorporated City Boundary
- Limited Areas of More Intense Rural Development - Type I
- Limited Areas of More Intense Rural Development - Type III
- Reservation Boundary
- Railroad Line
- Tax Parcels

CITY OF BREMERTON ZONING	
IP	Industrial Park
R-10	Residential (Low Density)
CUL	City Utility Lands
WS	Watershed



KITSAP COUNTY

Washington

Comprehensive Plan

Land Use Map

Effective February 15, 1999
Amended January 15, 2014

- Rural Residential
- Urban Reserve
- Rural Protection
- Rural Wooded
- Mineral Resource
- Forest Resource Lands
- Rural Commercial
- Rural Industrial
- Urban Industrial
- Urban High-Intensity Commercial/Mixed Use
- Urban Low-Intensity Commercial/Mixed Use
- Urban Low-Density Residential
- Urban Medium/High-Density Residential
- Limited Area of More Intense Rural Development - Type I
RCW 36.70A.070(5)(d)(i)
Mixed use areas or small communities intensively developed by 1990, where limited infill development is appropriate.
- Limited Area of More Intense Rural Development - Type III
RCW 36.70A.070(5)(d)(ii)
Lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small businesses.
- Poulsbo Urban Transition Area
- Public Facility
- Incorporated City
- Military
- Tribal Land
- Lake
- Salt Water

- Urban Growth Area Boundary
- Incorporated City Boundary
- Limited Areas of More Intense Rural Development - Type I
- Limited Areas of More Intense Rural Development - Type III
- Reservation Boundary
- Railroad Line
- Tax Parcels

Kitsap County Comprehensive Planning Map Series

This map series for the Planning Map Series for Kitsap County's Comprehensive Plan is approved by the Kitsap County Board of Commissioners for adoption on the date of Washington approval by the Washington State Growth Management Act (RCW 36.70A.070, 2008).

NOTE:
This map was developed for general land use planning purposes. The user of this map must assume responsibility for determining its applicability to other purposes.

Amendments:

February 15, 1999	Final Comprehensive Plan
April 15, 1999	Sequimish Rural Village
May 15, 1999	Northwest Rural Reserve Area
July 21, 1999	Port Gardner Rural Reserve Area
June 15, 2002	Northwest Comprehensive Plan
June 15, 2002	Ord No. 276 2002 Comprehensive Plan Amendment
September 4, 2003	Ord No. 388 2003 Comprehensive Plan Amendment
December 8, 2003	Ord No. 311 2003 Comprehensive Plan Amendment
October 21, 2004	General Comprehensive Plan Amendment
October 21, 2005	Ord No. 392 2005 Comprehensive Plan Amendment
December 15, 2005	Ord No. 393 2005 Comprehensive Plan Amendment
January 15, 2007	Ord No. 394 2007 Comprehensive Plan Amendment
June 15, 2007	Ord No. 395 2007 Comprehensive Plan Amendment
November 14, 2007	Ord No. 402 2007 General Comprehensive Plan
December 15, 2007	Ord No. 403 2007 Comprehensive Plan Amendment
October 13, 2008	Ord No. 424 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 405 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 406 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 407 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 408 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 409 2008 Comprehensive Plan/Policy Amendment
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December 15, 2008	Ord No. 412 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 413 2008 Comprehensive Plan/Policy Amendment
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December 15, 2008	Ord No. 497 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 498 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 499 2008 Comprehensive Plan/Policy Amendment
December 15, 2008	Ord No. 500 2008 Comprehensive Plan/Policy Amendment

Map Date: February, 2014

Scale of Miles: 0 1 2 3 4 5

Kitsap County Department of Community Development
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360-203-7781 • FAX 360-203-6743
Product of Kitsap County Geographic Information System

