

## **Chapter 7 – Airport Land Use Compatibility**



### **Introduction**

This chapter describes land use associated with Southwest Washington Regional Airport (KLS) and its surroundings, land use controls, and other issues related to airport compatibility and jurisdictional responsibilities.

### **Government Roles in Airport Land Use**

#### **FEDERAL**

Land use regulation for airports is a local responsibility. The federal government lead for airport-related land use is the Federal Aviation Administration (FAA), which 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 does not have authority to regulate local land use, including airport land use. However, the FAA has a significant role in controlling on-airport land use through approval of the Airport Layout Plan (ALP) at federally obligated airports. Additionally, the FAA oversight of airport sponsor compliance with FAA Airport Improvement Program (AIP) grant assurances, which include measures intended to maintain airport land use compatibility and protect the aeronautical function of an airport, provides a measure of land use compatibility that is normally consistent with local land use controls.

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 is advisory and addresses compatibility both on and off airport based on the potential for creating a “hazard to air navigation” associated with obstructions/penetrations in the 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.

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 Washington Department of Transportation – Aviation Division (WSDOT Aviation) explains the intent of GMA, as codified in Revised Code of Washington (RCW) Chapter 36.70:

“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.

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

WSDOT Aviation recommends that local land use jurisdictions develop practices that protect the airspace surrounding airports within the FAA Part 77 Imaginary Surfaces and establish when it is appropriate to submit an FAA Form 7460-1 prior to construction. Airspace protection can be accomplished by:

- Incorporating FAR Part 77 airspace surface layers into GIS mapping to automatically flag land parcels located beneath a defined surface to determine whether a new development will impact the airspace.
- Requiring that applicants for all proposed development located within the boundaries of the defined FAR Part 77 airspace surfaces submit FAA Form 7460-1 Notice of Proposed Construction or Alternation and receive a “no hazard” finding from FAA, prior to issuing local permits.

Consider adding or modifying language to the Comprehensive Plan to strengthen airport protection:

- Establishing the airport as an Essential Public Facility “EPF”, WAC 365-196-550 to protect the Airport and surrounding areas. Cities and counties should create their own lists of EPFs to include the minimum set forth in RCW 36.70A.200;
- Include the airport in the Transportation System Inventory;
- Recognize the significance of the airport for economic development; and
- Create policies that discourage the development of incompatible land uses adjacent to the airport.

## **LOCAL**

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

## **Land Use Jurisdiction**

The City of Kelso has land use jurisdiction for the majority of airport property with the exception of one northern parcel that is in unincorporated Cowlitz County. The airport's FAR Part 77 airspace surfaces extend beyond the Kelso city jurisdiction to areas under the jurisdiction of the City of Longview and Cowlitz County in Washington, and the City of Rainier and Columbia County in Oregon. See Chapter 2, Figure 2-9 for the Land Use Jurisdictions map.

See Kelso Municipal Code, Chapter 17 Zoning Code and Cowlitz County Code, Chapter 18.10 Land Use Ordinance for additional details related to surface and overlay zoning applicable to KLS.

## **City of Kelso**

### **LAND USE**

The City of Kelso's Comprehensive Plan includes a series of goals, policies, and objectives for the airport including:

#### Policies

- *Land Use Policy #17: Support land use and development activities that are compatible with the ongoing operations of the Southwest Washington Regional Airport.*
- *Transportation Policy #6: Encourage the ongoing cooperation between the Southwest Washington Regional Airport, BNSF, Amtrak, and the State of Washington so that plans to improve air and rail service to Kelso are compatible and do not adversely affect one another.*
- *Transportation Policy #8: Support the management of the Southwest Washington Regional Airport as a regional, general aviation airport in partnership with the City of Longview, the Port of Longview, and Cowlitz County. This may include, but is not limited to:*
  - A. *The relocation or replacement of existing hangars and the construction of new hangars in accordance of approved plans;*
  - B. *The addition of a 609' stopway at the southern end of the runway to improve airport safety;*
  - C. *The subsequent modification of the stopway when warranted, to extend the runway to 5,000' in accordance with FAA standards;*
  - D. *The realignment of Talley Way in accordance with approved plans;*
  - E. *Approval of modifications to FAA standards to address local circumstances.*
- *Economic Development Policy #3: Promote light industrial manufacturing on the Talley Way Corridor and aviation services near the SWWA Regional Airport.*

## Objectives

- *Land Use Objective #19: In conclusion with the County and affected property owners, designate areas suitable for single family and multi-family residential uses in South Kelso, that do not adversely affect airport operations.*
- *Transportation Objective #8: Review and monitor the plans to develop high speed rail along with FAA regulations to avoid or minimize the potential for conflicts near the airport.*
- *Economic Development Objective #2: Explore the feasibility of transferring administrative responsibility for the SW Washington Regional Airport to the Port District.*
- *Economic Development Objective #3: Further analyze the airport safety zone requirements, especially use restrictions, and update the future Land Use Map accordingly.*

## **ZONING**

The City of Kelso **Title 17.18 Zoning** establishes the zoning guidelines for lands in city jurisdiction, including the airport and adjacent areas.

### **AIRPORT ZONING**

The majority of airport property is zoned **Light Industrial (LI)**. The LI zone “provides opportunities for industrial activities involving manufacturing, processing, assembling, repairing, servicing, or storing of goods or products as well as professional services and mixed-use development in a business park setting...Permitted uses at the airport shall include all buildings and structures essential to airport operations and may include aviation related business and industrial buildings, structures, and uses as well as any use specifically authorized through the Southwest Washington Regional Airport Master Plan as adopted by the City.”

The Kelso-Longview area, including the airport, is protected by a levee system that was last raised and upgraded following the 1980 Mt. St. Helens eruption. KLS is located outside the 100-year floodplain for the Cowlitz River, but is fully within the 500-year floodplain.

### **AIRPORT OVERLAY ZONING**

The City of Kelso has an **Airport Safety Overlay District (AO)** that protects the FAR Part 77 surfaces for the airport and provides regulations and controls on buildings or development within the zone. The airport hazard zone (Kelso Municipal Code, Chapters 17.18 and 17.22.150) was adopted in 2017 (ordinance 3889). Specifically, the AO zone controls the:

- Height of structures and objects of natural growth;
- Conditions or activities that may cause electronic interference with air navigation communication systems;
- Lights that interfere with airport lighting systems;

- Conditions or activities that produce levels of smoke, dust, or glare that would interfere with the safety of airport operations; and
- Conditions or activities that would create a congregation of birds, which would create a hazard for operating aircraft.

## **Cowlitz County**

### **ZONING**

Cowlitz County zoning regulations are contained Chapter 18.10 of the Cowlitz County Code (CCC). The code establishes the zoning guidelines for lands in county jurisdiction, including areas in the Kelso UGA and other unincorporated areas of Cowlitz County.

### **AIRPORT ZONING**

Cowlitz County has land use jurisdiction for a consolidated parcel of airport-owned land (previously seven individual tax lots) located between Douglas Street and Hazel Street, at the north end of the airport. The parcel is located inside the Kelso urban growth area (UGA), between the north end of the airport and the urban center of the City of Kelso. The parcels were acquired in the mid-1980s by the City of Kelso to control land areas within the Runway 12 RPZ, beyond the north end of the runway. The land (tax lot 235690100) is currently maintained as a clear area on the north side of Douglas Street. The zoning for parcel is identified as **Urban**, consistent with its UGA location. The future land use identified in the Kelso comprehensive is **Industrial**, which would be applied upon annexation into the Kelso city limits.

### **AIRPORT OVERLAY ZONING**

The Cowlitz County Airport Overlay District (Chapter 18.10.580, A-G) is intended to promote “*land use compatibility near airports in Cowlitz County.*” Similar to the City of Kelso airport overlay zone ordinance, the Cowlitz County Airport Overlay District also provides height and hazard protections for FAR Part 77 airspace surfaces. The overlay zoning ordinance also provides several airport-specific protections:

1. *To help reduce the potential for airport hazards by establishing a process for review;*
2. *To help protect the viability of the Southwest Washington Regional Airport and Woodland State Airport as significant community resources by encouraging compatible land uses and density standards for the purpose of promoting public health, safety and welfare of Cowlitz County residents and aviation users;*
3. *To recognize the Southwest Washington Regional Airport and Woodland State Airport as essential public facilities, as they are important for Cowlitz County emergency and transportation access, and have continued economic benefits to the region;*
4. *To define a series of imaginary surfaces and safety zones within the influence area of each airport based on federal aviation regulations; and*

5. *To associate an overlay with these imaginary surfaces, to be used in conjunction with the land use requirements determined for these areas in the Land Use Ordinance and the Comprehensive Plan.*

## **Airport Vicinity Zoning**

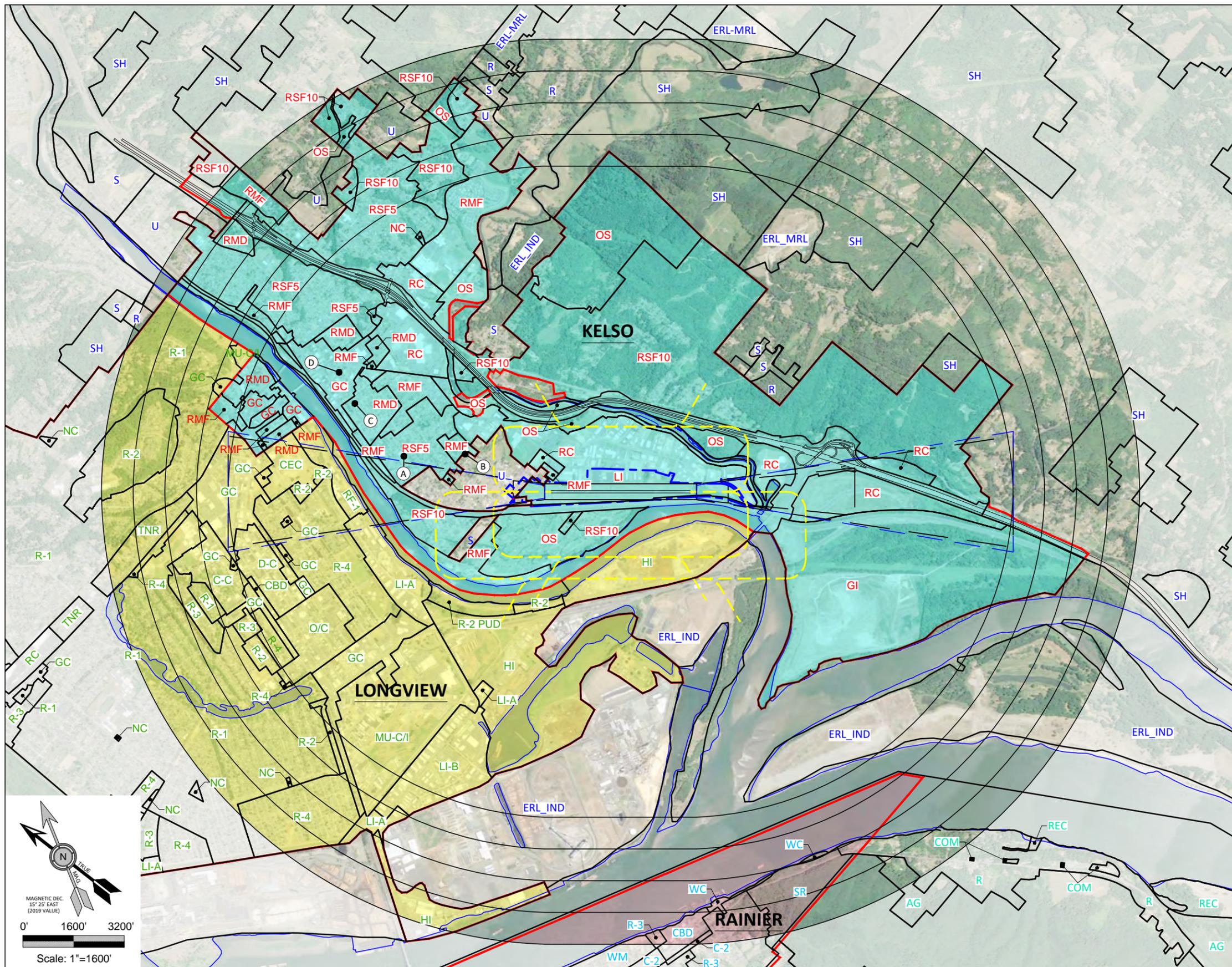
The land use jurisdictions surrounding KLS include City of Kelso (immediately to the south, east, and west of the airport; also further north-northeast), City of Longview (west and north, opposite side of the Cowlitz River), and Cowlitz County (east and south, beyond Kelso UGA). The City of Rainier, Oregon is located within the limits of the FAR Part 77 airspace surfaces for KLS, on the opposite side of the Columbia River. **Figure 7-1** depicts the City of Kelso, City of Longview, Cowlitz County, and City of Rainier (Oregon) zoning designations.

Zoning in the vicinity of KLS includes a wide range of land uses. The areas located nearest the airport have industrial and commercial zoning consistent with both the physical site and major built items (Interstate highway and major rail lines). Areas of residential zoning are located north of the airport in both the Kelso city limits and the pocket of the Kelso UGA located directly north of the airport. These land use patterns are continued throughout the Kelso-Longview urban area, which is surrounded by lower density land uses in unincorporated Cowlitz County, particularly east of U.S. I-5.

## **Essential Public Facilities (EPF)**

Cowlitz County recognizes the Southwest Washington Regional Airport as an EPF in their airport overlay zoning. However, the City of Kelso does not include EPFs in their comprehensive plan or unified development code.

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### ZONING CODES

	ZONING BOUNDARY		AIRPORT TRAFFIC PATTERN (TYP.)
	RUNWAY PROTECTION ZONE		APPROACH SURFACE
	AIRPORT PROPERTY LINE (EXISTING)		CITY LIMITS
	CITY OF KELSO		CITY OF LONGVIEW
	CITY OF RAINIER		

COWLITZ COUNTY	
S	SUBURBAN
U	URBAN
R	RURAL
IND	ERL-IND

COLUMBIA COUNTY	
COM	COMMERCIAL
R	RESIDENTIAL
AG	AGRICULTURE
REC	COMMUNITY SERVICE REC.

CITY OF KELSO	
RSF5	SINGLE FAMILY RES. (5,000 SF MIN.)
RSF10	SINGLE FAMILY RES. (10,000 SF MIN.)
RMD	RESIDENTIAL MIXED DENSITY
RMF	RESIDENTIAL MULTI-FAMILY
NC	NEIGHBORHOOD COMMERCIAL
GC	GENERAL COMMERCIAL
RC	REGIONAL COMMERCIAL
LI	LIGHT INDUSTRIAL AREA
GI	GENERAL INDUSTRIAL
OS	OPEN SPACE

CITY OF LONGVIEW	
R-1	RESIDENTIAL
R-2	RESIDENTIAL
R-3	RESIDENTIAL
R-4	RESIDENTIAL
TNR	TRAD. NEIGHBORHOOD RESIDENTIAL
CBD	CENTRAL BUSINESS
CEC	COUNTY EVENT CENTER
DC	DOWNTOWN COMMERCIAL
PUD	PLANNED UNIT DEVELOPMENT
GC	GENERAL COMMERCIAL
HI	HEAVY INDUSTRIAL
MU-C/I	MIXED USE COMMERCIAL/IND.
NC	NEIGHBORHOOD COMMERCIAL
O/C	OFFICE/COMMERCIAL
RC	REGIONAL COMMERCIAL
RF-1	RIVERFRONT DISTRICT
C-C	CIVIC CENTER

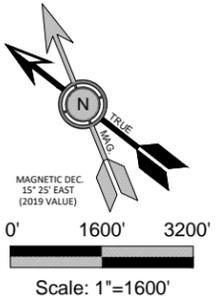
CITY OF RAINIER	
WC	WATERFRONT COMMERCIAL
CBD	CENTRAL BUSINESS DISTRICT
WM	WATERFRONT MIXED USE
SR	SUBURBAN RESIDENTIAL
C-2	GENERAL COMMERCIAL
R-3	HIGH DENSITY RESIDENTIAL

### PUBLIC FACILITIES KEY

NO.	DESCRIPTION
(A)	WALLACE ELEMENTARY SCHOOL
(B)	CHURCH OF GOD OF PROPHECY
(C)	ABUNDANT LIFE CHURCH OF THE NAZARENE
(D)	FIRST BAPTIST CHURCH OF KELSO

**NOTE:**  
 1. CITY OF KELSO AIRPORT HAZARD ZONING (CHP. 17.18 & CHP. 17.22.150) ORD 3889, ADOPTED 2017. THE 2016 COWLITZ COUNTY LAND USE ORDINANCE (CHP. 18.10.580) ALSO DEFINES ITS AIRPORT OVERLAY ZONE BASED ON PROTECTION OF FAR PART 77 AIRSPACE.

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**OFF-AIRPORT LAND USE PLAN**  
 FIGURE 7-1

**SOUTHWEST WASHINGTON REGIONAL AIRPORT**  
 AIRPORT MASTER PLAN

