

Appendix B

Zoning Ordinances

40.230.060 Airport District (A)

A. Purpose.

The Airport (A) district is intended to recognize and protect those areas devoted to public use aviation, and which are designated on the comprehensive plan. It is also intended to provide areas for those activities supporting or dependent upon aircraft or air transportation, when such activities benefit from a location within or immediately adjacent to primary flight operations and passenger or cargo service facilities.

B. Uses.

The uses set out in [Table 40.230.060-1](#) are examples of uses allowable in this zone district. The appropriate review authority is mandatory.

- “P” – Uses allowed subject to approval of applicable permits.
- “R/A” – Uses permitted upon review and approval as set forth in Section [40.520.020](#).
- “C” – Conditional uses which may be permitted subject to the approval of a conditional use permit as set forth in Section [40.520.030](#).
- “X” – Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Chapter [40.260](#), Special Uses and Standards, or other applicable chapter is noted in the “Special Standards” column.

Table 40.230.060-1. Uses		
	A	Special Standards
1. Retail Sales – Restaurants, Drinking Places.		
a. Restaurants in urban growth areas	C	
2. Services, Business.		
a. Auto rental agencies in urban growth areas	C	
b. Business activities which utilize air travel and transportation in their daily business activities in urban growth areas	C	
3. Services – Amusement.		
a. Outdoor public entertainments, amusements and assemblies	R/A	Chapter 5.32 40.260.060
4. Services, Membership Organization.		
a. Aviation clubs	C	
5. Services – Educational.		
a. Air pilot training schools	C	

6. Transportation and Distribution Facilities.		
a. Aerial mapping and surveying	P	
b. Air cargo warehousing and distribution facilities	C	
c. Helicopter pads	P	
d. Repair, service and storage of aircraft	P	
e. Service to commuter airlines	C	
f. Taxi and bus terminals	C	
g. Truck terminals in urban growth areas	C	
h. Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc.	P	
7. Public Services and Facilities.		
a. In urban growth areas, government structures, including fire stations, libraries, museums, and post offices; but not including storage or repair yards, warehouses, or similar uses	P	
8. Resource Activities.		
a. Agricultural activities	P	
9. Accessory Uses and Activities.		
a. On-site hazardous waste treatment and storage facilities, subject to state siting criteria (RCW 70.105.210)	P	
10. Other.		
a. Buildings or structures which exceed thirty-five (35) feet in height	C	
b. Utilities, other than wireless communications facilities	P	40.260.240
c. Wireless communications facilities	P/C ¹	40.260.250
d. Solid waste handling and disposal sites	C	40.260.200
e. Temporary uses	P	40.260.220

¹ See [Table 40.260.250-1](#).

C. Development Standards.

1. New lots and structures and additions to structures subject to this chapter shall comply with the applicable standards for lots, building height, setbacks and building separation in [Table 40.230.060-2](#) and [40.230.060-3](#), subject to the provisions of Chapter [40.200](#) and Section [40.550.020](#). Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section [40.520.040](#)).

Table 40.230.060-2. Lot Requirements					
Zoning District	Minimum Lot Area (sq. ft.)		Minimum Lot Width (feet)		Minimum Lot Depth (feet)
Airport	None		None		100
Table 40.230.060-3. Setbacks, Lot Coverage and Building Height					
Zoning District	Minimum Setbacks			Maximum Lot Coverage	Maximum Building Height (feet)
	Front (feet)	Side (feet)	Rear (feet)		
Airport	20	50 ¹	50 ¹	50%	35 ²

¹ When abutting a residential district.

² No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five (35) feet in height, unless a conditional use permit is granted.

2. Signs. Signs shall be permitted according to the provisions of Chapter [40.310](#).
3. Off-Street Parking and Loading. Off-street parking and loading shall be provided as required in Chapter [40.340](#).
4. Special Provisions. When an airport district abuts a residential district, there shall be a minimum of five hundred (500) feet from the end of any runway and the residential district.

40.250 OVERLAY DISTRICTS

40.250.010 AIRPORT ENVIRONS OVERLAY DISTRICTS (AE-1, AE-2)

A. Purpose.

1. General. These overlay districts are intended to provide notice of pending pre-applications and applications to nearby airports, provide an opportunity to mitigate adverse impacts of new development on airport operations and provide for comment from the airport owner, Federal Aviation Administration and State Aviation Division on development pre-applications and applications
2. Airport Environs (AE-1) Overlay. This district is intended to identify and protect existing general aviation public use airports that have been significantly impacted by adjacent development. This overlay provides for notification of airport owners, Federal Aviation Administration and the State Aeronautics Division to provide an opportunity to mitigate the adverse impacts of new development on airport operations, reduce the range of airport noise sensitive uses from locating in close proximity to the airport and require notification to future land owners of the impacts on property inherent in locating near an airport
3. Airport Environs (AE-2) Overlay. This district is intended to identify and protect future/new general aviation public use airports by providing, in addition to the protections of the AE-1 overlay, protective surfaces standards that are combined with the underlying zoning district to minimize the conflicts between airports and proposed future development. These protective surfaces: (a) prevent future incompatible uses and the establishment of airspace obstructions in airport clear zones, approaches and surrounding areas through height restrictions, (b) restrict noise-sensitive uses and regulate further establishment of uses sensitive to airport operations by precluding some uses and notification of airport impacts of other uses.

B. Applicability.

1. The application of the AE-1 overlay zone extends outward from the airport runway approximately two thousand (2,000) feet as shown on the official maps adopted by Clark County.
2. The AE-2 overlay zone will be applied on the official zoning map of Clark County and include the AAZ and RPZ; provided, the RPZ shall be applied only if the airport owns the property subject to this zone.
3. Where the standards contained in this district conflict with base zone standards, the more restrictive standard shall apply.

C. Definitions. For the purposes of this section, the following definitions shall apply:

Airport approach zone (AAZ)	"Airport approach zone (AAZ)" shall mean the land area beneath the approach surface, excluding the runway protection zone.
Airport hazard	"Airport hazard" shall mean any structure, tree or use of land which exceeds height limits established by the airport imaginary surfaces.
Airport imaginary surface	"Airport imaginary surface" shall mean those imaginary areas in space which are defined by the approach surface, transitional surface, horizontal surface and conical surface and in which any object extending above these imaginary surfaces is an obstruction.
Approach surface	"Approach surface" shall mean a surface longitudinally centered on the extended runway centerline 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: one thousand two hundred fifty (1,250) feet for a utility runway having only visual approaches; one thousand five hundred (1,500) feet for a runway other than a utility runway having only visual approaches; two thousand (2,000) feet for a utility runway having a nonprecision instrument approach; three thousand five hundred (3,500) feet for a nonprecision instrument runway other than utility, having visibility minimums greater than three-fourths (3/4) of a statute mile; and four thousand (4,000) feet for a nonprecision instrument runway having visibility minimums as low as three-fourths (3/4) statute mile. The approach surface extends for a horizontal distance of five thousand (5,000) feet at a slope of twenty (20) feet horizontally for each foot vertically (20:1) for all utility and visual runways; and ten thousand (10,000) feet at a slope of thirty-four (34) feet

	horizontally for each foot vertically (34:1) for all nonprecision instrument runways other than utility.
Conical surface	"Conical surface" shall mean a surface extending twenty (20) feet horizontally for each foot vertically (20:1) from the periphery of the horizontal surface for a horizontal distance of four thousand (4,000) feet.
Conical zone	"Conical zone" shall mean the area beneath the conical surface.
Hazard to air navigation	"Hazard to air navigation" shall mean an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
Height	"Height" shall mean, for the purpose of determining the height limits set forth in this chapter and shown on the approach and clear zone maps, the elevation above mean sea level datum unless otherwise specified.
Horizontal surface	"Horizontal surface" shall mean a horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of five thousand (5,000) feet from the center of each end of the primary surface of each visual or utility runway and ten thousand (10,000) feet from the center of each end of the primary surface of all other runways and connecting the adjacent arcs by lines tangent to those arcs.
Horizontal zone	"Horizontal zone" shall mean the area beneath the horizontal surface.
Noise sensitive area	"Noise sensitive area" shall mean the area within approximately two thousand (2,000) feet of the runway as identified on the zoning map of Clark County.
Non-precision instrument runway	"Non-precision instrument runway" shall mean a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved, or planned, or indicated on an FAA or state planning document or military service airport planning document.
Obstruction	"Obstruction" shall mean any structure, growth, or other object, including a mobile object which exceeds a limiting height set forth in this section (see definition of Airport imaginary surface).
Place of public assembly	"Place of public assembly" shall mean schools, churches, theaters, arenas, entertainment activities.
Primary surface	"Primary surface" shall mean a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (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 end of that runway. The width of the primary surface is two hundred fifty (250) feet for utility runways having only visual approaches, five hundred (500) feet for utility runways having nonprecision instrument approaches, five hundred (500) feet for other than utility runways having only visual approaches or nonprecision instrument approaches with visibility minimums greater than three-fourths (3/4) of a mile, and one thousand (1,000) feet for nonprecision instrument runways with visibility minimums of three-fourths (3/4) of a mile or less.
Runway protection zone (RPZ)	"Runway protection zone (RPZ)" shall mean an area owned by the airport, longitudinally centered on the extended runway centerline and extending outward from each end of the primary surface to a point in which the approach surface is fifty (50) feet above the established runway elevation. The boundaries of the runway protection zone correspond to the approach surface.
Transitional surface	"Transitional surface" shall mean a surface extending outward at ninety (90) degree angles to the runway centerline and runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary surfaces and approach surfaces and to where it intersects the horizontal surface.
Transitional zone	"Transitional zone" shall mean the area beneath the transitional surface.
Utility runway	"Utility runway" shall mean a runway that is constructed for and intended to be used by propeller-driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.
Visual runway	"Visual runway" shall mean a runway that is intended solely for the operation of aircraft

	using visual approach procedures with no instrument approach procedures approved, planned, or indicated on an FAA or state planning document or military service airport planning document.
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D. Comments required.

1. Applicants with property within an airport or airport environs overlay district shall provide written comments from the State Aeronautics Division, Federal Aviation Administration and the airport owner to Clark County at the pre-application conference.
2. Where no pre-application conference is required, the written comments shall be provided with the application packet.
3. Where the applicant has provided written requests for comments and the agency or airport owner has failed to respond within thirty (30) days from the date the written request was mailed, the applicant may submit the pre-application or application without the required comments.

E. Standards.

1. General.
 - a. Noise-Sensitive Uses. Prior to final approval, the land owners of land divisions and site plan reviews located within an AE zone shall sign and separately record in the deed and mortgage records of Clark County a notice of airport activities and submit it to the airport sponsor and the responsible official, pursuant to subsection (F), below.
 - b. Lighting. New development that creates glare or lighting that interferes with lights necessary for aircraft landings is prohibited.
2. Airport Environs Overlay (AE-1). Based on the responses from the airport owner, state and federal aviation authorities, Clark County shall determine whether the proposal causes a significant threat to the health or safety of people on or off the property. Where a significant adverse structural impact is identified the responsible official may issue a determination of significance where mitigation measures are not known or a mitigated determination of nonsignificance where mitigation measures are known.
3. Airport Environs Overlay (AE-2).
 - a. While it is desirable to prevent new obstructions from the runway protection zone (RPZ), some uses are permitted, provided they do not attract wildlife, are below the approach surface, and do not interfere with airport operations.
 - (1) Agricultural operations (other than forestry or livestock farms).
 - (2) Golf courses (but not club houses).
 - (3) Automobile parking facilities.
 - b. Places of public assembly are prohibited in the AAZ.
 - c. No structure shall penetrate into the airport imaginary surfaces as defined under Section 40.250.010(C).

F. Notice of airport activities. Land divisions and site plan applications within an airport environs overlay district shall contain or be accompanied by a notice provided by the responsible official. Said notice shall include the following disclosure:

1. The subject property is near an airport where a variety of airport related activities occur that are not compatible with development. Potential discomforts or inconveniences may include, but are not limited to: noise, aircraft take offs and landings.
2. Such notice shall be recorded separately with the County Auditor.