

1 **Section 5: Skagit County Code Section 14.16.210 is hereby amended to**
2 **read as follows :**

3
4 **14.16.210 Airport Environs Overlay (AEO).**

5 1) Purpose. The Skagit County Regional Airport is located in the Bayview Ridge
6 Subarea Planning area. The airport has been identified as an essential public
7 facility in the Skagit County Comprehensive Plans of 1997 and 2000. The airport
8 provides both an important transportation service to the region and a vital asset to
9 facilitate economic growth in the county. The airport represents a highly valuable
10 public asset. The airport has been operated for general aviation and commercial
11 purposes by local municipal governments since the 1950's when it was acquired
12 from the federal government. The Port of Skagit County has owned and operated
13 the airport since 1965. The Port of Skagit County asserts that it has obtained
14 avigation easements by prescription over property adjacent to the Skagit Regional
15 Airport. Noise, smoke, dust, vibration, and illumination from aircraft landing and
16 taking off at Skagit Regional Airport will impact persons and property adjacent
17 thereto. The purpose of the Airport Environs Overlay is to promote land uses
18 which are compatible with the impacts of aircraft utilizing the Skagit Regional
19 Airport and within the airport's Airport Environs Overlay. Because impacts of
20 low flying aircraft can lead to pressure to curtail activities at the Skagit Regional
21 Airport, the Airport Environs Overlay is intended to protect the Skagit Regional
22 Airport from such pressure, to put new property owners and developers on notice
23 of impacts from aircraft over flights and to protect the public health, safety and
24 general welfare within the aforementioned Airport Environs Overlay. The purpose
25 of the Airport Environs Overlay district is to promote land uses compatible with
26 the Skagit Regional Airport within the airport's designated environs and to protect
27 public health, safety and general welfare within aforementioned designated
28 environs.

29 2) Determination of Airport Environs. For purposes of this Section, the airport
30 environs is that geographic area affected by the airport and defined on the basis of
31 factors including, but not limited to, aircraft noise, aircraft flight patterns, airport
32 safety zones, local circulation patterns and area development plans. The
33 boundaries of the Airport Environs are shown in the Airport Environs Overlay
34 map and include Airport Safety Zones 1-6. Maps portraying the airport environs
35 and noise contours shall be on file and open for public inspection in the offices of
36 the Port of Skagit County and the Skagit County Planning and Permit Center and
37 recorded with the Skagit County Auditor. ~~These maps will be provided by and~~
38 updated by the Port of Skagit County.

39 3) Application of Airport Environs Overlay Review-Ordinance.

40 a) New Buildings, and Structures, subdivisions, binding site plans, and/or land
41 uses and their associated permits/approvals, which lie wholly or in part within
42 the AEO airport environs, shall be subject to the provisions of this Section.

43 i) The following land uses shall be prohibited in all airport safety zones:
44 (a) K-12 schools (replacement and expansion at Bayview Elementary
45 school is allowed); hospitals; nursing homes; churches; and, other
46 similar land uses, as may be determined by the Administrative

1 Official, for which the significant common element is the relative
2 inability of the people occupying the space to move out of harms way
3 in a safe and rapid manner.

4 (b) Above ground bulk storage of flammable or hazardous materials
5 which are not incidental to the permitted use.

6 (c) Mobile home parks.

7 ii) All development within the Bayview Ridge Subarea AEO which impedes
8 the contours shown on the Bayview Ridge Subarea Plan FAA Permit
9 Contour Map shall be required to apply for a permit from the Federal
10 Aviation Administration using form 7460-1 (Notice of Proposed
11 Construction or Alteration). In other cases Skagit County shall determine
12 if a Federal Aviation Administration (FAA) Form 7460-1 (Notice of
13 Proposed Construction or Alteration) is required. The purpose of said
14 Notice of Proposed Construction or Alteration is to minimize land uses
15 and activities that: create obstructions as defined by Section 77.23 of the
16 Federal Aviation Regulations [Doc. No. 10183, 36 FR 5970, Apr. 1,
17 1971], create electrical interference with navigational signals or radio
18 communication between the airport and aircraft; make it difficult for pilots
19 to distinguish between airport lights and others; result in glare in the eyes
20 of pilots using the airport; impair visibility in the vicinity of the airport;
21 create bird strike hazards; or otherwise in any way endanger or interfere
22 with the landing, takeoff, or maneuvering of aircraft intending to use the
23 airport.

24 b) Outdoor activities. All activities, which are to occur in unenclosed space
25 involving human use or assembly, which lie wholly or in part within the
26 airport environs, shall be subject to the provisions of this Section. Such
27 activities include, but are not limited to:

28 i) Open storage areas, roofed or unroofed, separate or adjoining another
29 structure.

30 ii) Parks, playgrounds and playing fields.

31 ~~e) Zone A. Development review for:~~

32 ~~(a) Noise;~~

33 ~~ii) Height;~~

34 ~~iii) Avigation easement; and~~

35 ~~iv) Notice to purchasers.~~

36 ~~d) Zone B.~~

37 ~~i) Avigation easement.~~

38 ~~ii) Notice to purchasers.~~

39 4) Exemptions. The provisions of this Section shall not be deemed applicable to the
40 following when allowed in the underlying zone:

41 a) Existing Uses. Uses existing on the effective date of the Ordinance codified
42 in this Section shall not be required to change operations to comply with these
43 regulations. However, any use shall not be so changed as to result in a greater
44 degree of nonconformity with respect to these regulations.

- 1 | b) Temporary uses. Within Airport Safety Zone 6, Temporary uses including,
2 | but not limited to, circus, carnival or other outdoor entertainment events and
3 | religious assemblies as long as the period of operation does not exceed 5 days.
- 4 | c) Temporary Structures. Temporary buildings and structures, ~~except signs~~
5 | ~~which are regulated by Skagit County Code 14.16.820,~~ auxiliary to residential
6 | development and major construction and temporary uses in new subdivisions
7 | and other residential developments which support the sale of dwellings and
8 | lots within the same subdivision or residential development, so long as such
9 | uses and associated structures are constructed or erected as incidental to a
10 | development, do not involve any significant investment, are solely used for
11 | the designated purpose and remain for a maximum of 1 year.
- 12 | d) Agricultural Structures. ~~Bona fide~~ Agricultural buildings, structures,
13 | improvements and associated developments so long as not more than 1 single-
14 | family dwelling occurs within that portion of the parcel located within the
15 | airport environs.
- 16 | e) Other Uses. As determined by the Administrative Official Department to be
17 | minor or incidental and within the intent or objective of these regulations.
- 18 | 5) ~~Interior Noise Levels Established. (Zone A) Interior Day Night Average Sound~~
19 | ~~Level (Ldn) with windows closed, attributable to exterior sources, shall not~~
20 | ~~exceed the levels described in this Section. For uses not specifically identified,~~
21 | ~~the Department shall make a determination of the applicable standards using this~~
22 | ~~Section as the basis for that decision. The Applicant bears the responsibility of~~
23 | ~~demonstrating compliance through documentation from a qualified professional.~~
- 24 | a) ~~Residential uses.~~
25 | i) ~~Single or Multiple Family — 45 Ldn~~
26 | ii) ~~Manufactured Homes — 50 Ldn~~
- 27 | b) ~~Commercial/Industrial uses.~~
28 | i) ~~Offices — 60 Ldn~~
29 | ii) ~~Retail/Restaurant — 60 Ldn~~
30 | iii) ~~Other uses as guided by regulations of the State of~~
31 | ~~Washington and/or the U. S. Occupational Safety and~~
32 | ~~Health Administration (OSHA) — 60 Ldn~~
- 33 | c) ~~Civic uses.~~
34 | i) ~~Schools, Churches, Libraries — 45 Ldn~~
35 | ii) ~~Hospitals, Convalescent Homes~~
36 | ~~(sleeping area only) — 45 Ldn~~

37 |
38 | ~~Field testing may be required by the Department or by an individual with~~
39 | ~~vested interest in the structure(s). Where a complaint as to noncompliance~~
40 | ~~with this Section requires a field test to resolve the complaint, the complainant~~
41 | ~~shall post a bond or adequate funds in escrow for the cost of such testing.~~
42 | ~~Such cost shall be chargeable to the complainant when such field tests show~~
43 | ~~that compliance with these regulations is in fact present. If such tests show~~
44 | ~~noncompliance, then such testing costs shall be borne by the owner or builder.~~
45 | ~~Actions shall be taken by the owner or builder to comply with the sound~~

~~attenuation provisions of this Section. Interior noise measurements shall be taken under conditions of typical maximum exterior noise levels.~~

5) Height (Airport Safety Zones A- 1-6).

a) ~~An~~ Obstructions as defined by Section 77.23 of the Federal Aviation Regulations [Doc. No. 10183, 36 FR 5970, Apr. 1, 1971] have ~~has~~ the potential for endangering the lives and property of users of the Skagit Regional Airport and property or occupants of land in its vicinity. An obstruction may affect existing and future instrument approach minimums of Skagit Regional Airport. An obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft thus tending to destroy or impair the utility of the Skagit Regional Airport and the public investment therein. ~~All development within this zone shall conform to Federal Aviation Administration (FAA) guidelines including height elevations/slopes as discussed in the Skagit Regional Airport master Plan, dated June 1995, as amended or updated so as to not interfere with the current and future use of the Skagit Regional Airport. The Applicant bears the responsibility of demonstrating compliance with this section through documentation from a qualified professional.~~

b) All development within the AEO as depicted on the Bayview Ridge Subarea Plan Building Height Restriction Contours Map shall not impede the airspace above an imaginary plane; as such plane is defined by Section 77.25 of the Federal Aviation Regulations [Doc. No. 10183, 36 FR 5970, Apr. 1, 1971; 36 FR 6741, Apr. 8, 1971]. Said plane is depicted on the Bayview Ridge Subarea Plan Building Height Restriction Contours Map minus the underlying ground elevations. The Applicant bears the responsibility of demonstrating compliance with this section through documentation from a qualified professional.

c) All development within the Bayview Ridge Subarea AEO which impedes the contours shown on the Bayview Ridge Subarea Plan FAA Permit Contour Map shall be required to apply for a permit from the Federal Aviation Administration using form 7460-1 (Notice of Proposed Construction or Alteration).

76) Avigation Easement Required. (Airport Safety Zones 1-6A and B). No permit of any type, including subdivisions and binding site plans, shall be issued for any development or activity on non-Port of Skagit County property subject to this Section until the Port of Skagit County is provided an avigation easement permitting the right of flight in the airspace above the subject property. Such easement shall be recorded on the title of the subject property. Said easement shall be substantially in the form set forth as follows and shall include complete exhibits:

AVIGATION EASEMENT

This easement made this _____ day of _____, _____ between _____ (hereafter "Grantor"), and the Port of Skagit County, a municipal corporation within the County of Skagit of the State of Washington (hereafter "Grantee"), provides that:

RECITALS

The parties hereto acknowledge the following:

- A. Grantor owns certain real property in Skagit County, Washington, described on Exhibit A and depicted on Exhibit B (the "Property"). All exhibits mentioned herein and attached hereto are incorporated herein as if set forth in full.
- B. Grantee is the owner and operator of the Skagit Regional Airport ("Airport"), an identified essential public facility pursuant to the Washington Growth Management Act, Chapter 36.70A RCW. The Airport is operated pursuant to federal law and Title 53 RCW and RCW 36.70A.510 and RCW 36.70.547 and legally described in Exhibit C and depicted in Exhibit D hereto.
- C. The Airport is the principal airport in Skagit County, serving both recreational and commercial aircraft, including freight and passenger carriers. The Airport represents a public asset currently valued at over \$132,230,000. The Airport provides an essential transportation service and facilitates economic growth in Skagit County.
- D. Skagit County has identified undeveloped property in the vicinity of the Airport as part of an Urban Growth Area in which urban development is planned to occur. Unless carefully managed, urban development in the vicinity of airports leads to incompatible uses. Persons owning or occupying property within the vicinity of airports experience noise, exhaust fumes, illumination, smoke, vibration and loss of quiet enjoyment due to aircraft overflights associated with landing and taking off ("Overflight Effects"). In response to Overflight Effects, some persons are prone to assert legal claims or to exert other pressures to limit or terminate airport operations. The occurrence of urban development in the vicinity of the Airport therefore could, unless mitigated, have a harmful effect on Airport operations, limit the usefulness of an essential public facility and be contrary to the public interest and the requirements of the Growth Management Act.
- E. Portions of the Property lie within the Skagit Regional Airport Safety Overlay Zones established by the Washington State Department of Transportation's Aviation Division as set forth in Airport Land Use Compatibility Study, prepared by Reid Middleton and published in 2000 and on file with Skagit County. Portions of the Property also lie within certain aircraft noise contours established in the Airport Maser Plan, 1995, prepared by W & H Pacific and on file at the Port of Skagit County. These zones and contours are depicted on maps comprising a portion of the Skagit County UDC Airport Environs Overlay Map Portfolio.
- F. The Property has been continuously subject to aircraft overflights, either directly above the Property or over adjacent properties for an uninterrupted period in excess of ten years. These overflights, known to Grantor and/or Grantor's predecessors, by aircraft either landing at or taking off from the Skagit Regional Airport have subjected the Property to Overflight Effects. Grantee has not sought, nor has either Grantor nor Grantor's predecessors granted, permission to operate the Airport or to cause Overflight Effects upon the Property.

1 G. Pursuant to Section 14.16.210 of the Skagit County Code, Grantor must
2 grant to Grantee an avigation easement for the portions of Grantor's real
3 property within the Skagit Regional Airport Safety Overlay Zones,

4
5 H. Grantor is willing to grant Grantee an easement with respect to Grantor's
6 real property in accordance with the terms and conditions of this Agreement
7 as a condition of development approval by Skagit County.
8

9
10 **CONVEYANCE OF EASEMENT**

11
12 1. The GRANTOR for and in consideration of fulfillment of a condition of a
13 Skagit County project approval, Skagit County permit number _____,
14 does hereby grant to Grantee, its successors and assigns, a perpetual and
15 assignable easement in, near, upon and over the Property (legally described
16 in Exhibits "A" and "B") for the free and unrestricted passage and flight of
17 aircraft of the class size and category as is now or hereinafter may be
18 operationally compatible with the Skagit Regional Airport ("Aircraft"),
19 across and about the airspace above an imaginary plane, as such plane is
20 defined by Part 77 of the Federal Aviation Regulations, over or in the
21 vicinity of the Property (the "Airspace").
22

23 2. The aforesaid easement described in Paragraph Number 1 above includes but is
24 not limited to:

25
26 a. For the use and benefit of the public and Grantee, the
27 continuing right to fly, or cause or permit the flight by any and all
28 persons of Aircraft in, through, across or about any portion of the
29 Airspace hereinabove described; and

30
31 b. The right to cause or create, or permit or allow to be
32 caused or created upon the Property, Overflight Effects as may be
33 inherent in the proper operation of Aircraft.
34

35 3. The easement herein granted shall be deemed both appurtenant to and for the
36 direct benefit of that real property which now or hereinafter constitutes the
37 Skagit Regional Airport, and shall further be deemed in gross, being
38 conveyed to the GRANTEE for the benefit of the GRANTEE, and any and
39 all members of the general public who may use said easement taking off
40 from, landing upon, or operating such aircraft in or about the Airport, or in
41 otherwise flying through said Airspace.
42

43 4. This grant of avigation easement shall not operate to deprive the GRANTOR, its
44 successors or assigns, of any rights that it may otherwise have from time to
45 time against any individual or private operator for negligent or unlawful
46 operation of aircraft.
47

48 5. It is understood and agreed that these covenants and agreements run with the
49 land and shall be binding upon the heirs, representatives, administrators,
50 executives, successors, an assigns of the GRANTOR, and that for the
51 purposes of this instrument, the Property shall be the servient tenement and
52 the Airport shall be the dominant tenement.
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54 6. The avigation easement, covenants and agreements described herein shall
55 continue in effect until the Airport shall be abandoned or shall cease to be
56 used for public airport purpose, at which time this easement shall terminate.

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GRANTOR:

Signature _____ Date _____

Print Name and Title: _____

Signature _____ Date _____

Print Name and Title: _____

(Acknowledgement for Individual Grantor)

(Acknowledgement for Corporate Grantor)

78) Notice and Acknowledgement to Purchasers Required (Airport Safety Zones 1-6 A and B). No permit of any type shall be issued for any development or activity subject to this Section, including subdivisions and binding site plan approvals until the proponent executes and records with Skagit County the following Notice and Acknowledgement running with the land in the chain of title for the subject property. until purchasers of property within a the Airport Environs sign a notice to purchasers

NOTICE AND ACKNOWLEDGEMENT

AIRPORT AND AIRCRAFT OPERATIONS AND NOISE DISCLOSURE

SKAGIT REGIONAL AIRPORT ENVIRONS

Permit Number: _____

Property Legal Description:

Property Address/Location:

NOTICE

The above referenced property is located within the Airport Environs Overlay Zone and is included in a mapped airport-impacted area in the vicinity of the Skagit Regional Airport (and depicted in Exhibits A, B & C, attached hereto). Skagit Regional Airport has been identified in the Skagit County Comprehensive Plan as an Essential Public Facility pursuant to Chapter 36.70A RCW (Washington Growth

1 Management Act). It is the policy of Skagit County to support the continued use of
2 Skagit Regional Airport, including its future accommodation of both increased
3 aircraft traffic and utilization of aircraft of the class, size and category as is now or
4 may hereafter be operationally compatible with the Skagit Regional Airport. The
5 Port of Skagit County, which owns and operates Skagit Regional Airport, claims to
6 have acquired through prescriptive avigation easements the right to operate Skagit
7 Regional Airport with the attendant impacts of low flying aircraft over, near and
8 upon those properties identified in Exhibit A attached hereto.

9
10 The Skagit Regional Airport is an aviation facility and is depicted on the maps
11 attached as Exhibits A, B and C. The property subject to this notice will routinely
12 experience the effects of low flying aircraft. As a result, the subject property will
13 experience aircraft noise, exhaust fumes, vibration, glare and invasion of quiet
14 enjoyment resulting from propeller-driven and jet aircraft. The airport noise
15 contours for the immediate vicinity of the Skagit regional Airport have been
16 identified for the then existing 1994 - 1995 traffic volumes (Exhibit "B") and those
17 forecast for the year 2013 (Exhibit "C"). The contours and the level of noise
18 received by properties in the vicinity of Skagit Regional Airport will change in the
19 future and impacts to property occupants may increase.

20
21 More specific information regarding airport operation and aircraft noise can be
22 obtained by calling the Port of Skagit County, Skagit Regional Airport, Operations
23 Office at (360) 757-0011.

24
25 This notice conveys actual and constructive knowledge to any person or entity
26 acquiring or obtaining a real property interest or right of occupancy in or on the
27 subject property.

28
29 **ACKNOWLEDGEMENT**

30
31 I, _____, the owner of the referenced property hereby
32 acknowledge that I have read and understand the NOTICE provided above. I
33 understand that that this NOTICE AND ACKNOWLEDGEMENT will be
34 recorded with the Skagit County Auditor.

35 The Auditor will convey notice to of its contents to all persons or entities acquiring
36 or obtaining an interest or right occupancy in or on the subject property. I have
37 freely executed this ACKNOWLEDGEMENT as a condition of approval for
38 permit/subdivision/binding site plan application number _____, as
39 required by Skagit County Code Section 14.16.210 (6).

40
41 Dated the _____ day of _____, 200 _____.

42
43
44 By _____ By _____
45 Owner Owner

46
47
48 Printed Name _____ Printed Name _____

49
50 **(Acknowledgement for Individual Grantor)**

51
52 **(Acknowledgement for Corporate Grantor)**

- 1 ~~9) Use Restrictions (Zone 1-6 A and B). Notwithstanding any other provisions of~~
2 ~~this Section, no use may be made of land or water within any zone established by~~
3 ~~this Section in such a manner as to create electrical interference with navigational~~
4 ~~signals or radio communication between the airport and aircraft, make it difficult~~
5 ~~for pilots to distinguish between airport lights and others, result in glare in the~~
6 ~~eyes of pilots using the airport, impair visibility in the vicinity of the airport,~~
7 ~~create bird strike hazards, or otherwise in any way endanger or interfere with the~~
8 ~~landing, takeoff, or maneuvering of aircraft intending to use the airport.~~
- 9 ~~10) Content of Development Plan. The required development plan shall include~~
10 ~~technical substantiation, maps, plans, drawings and such other information as is~~
11 ~~necessary to show:~~
- 12 ~~a) Ldn contours. Average Day Night Sound Level (Ldn) contours, as provided~~
13 ~~in the most current airport master plan, shall be superimposed on a~~
14 ~~topographic map of the development site to show both present and future~~
15 ~~aircraft generated sound levels projected for the property.~~
- 16 ~~b) Location of structures. The placement of all existing and proposed buildings~~
17 ~~and structures shall be identified on the site/contour map. All maps shall be~~
18 ~~drawn at a scale designated by the Department. A vicinity map shall also be~~
19 ~~provided.~~
- 20 ~~c) Specifications of uses. Identification of the uses to occur within each~~
21 ~~structure or activity area shall be designated on the site/contour map.~~
- 22 ~~d) Noise Mitigation Measures. Noise attenuation measures to be applied in the~~
23 ~~development shall be identified, together with the analysis of the noise~~
24 ~~insulation effectiveness of the proposed construction, showing that the~~
25 ~~prescribed interior noise level requirements are met. Said analysis shall be~~
26 ~~prepared by or under the supervision of a person experienced in the field of~~
27 ~~acoustical engineering who shall be identified. If interior allowable noise~~
28 ~~levels are met by requiring that windows be fixed or closed, the design for the~~
29 ~~structures must also specify the means that will be employed to provide~~
30 ~~ventilation and cooling, if necessary, to provide a habitable interior~~
31 ~~environment.~~
- 32 ~~e) Narrative description. A narrative shall be provided describing the location of~~
33 ~~the site; its total acreage; existing character and use; the concept of the~~
34 ~~proposed development or use including as appropriate proposed residential~~
35 ~~density, number of employees and/or estimated number of people who will be~~
36 ~~engaged in transactions at the site over a 24 hour period such as, but not~~
37 ~~limited to, retail store customers; and the relation of the proposed plan to the~~
38 ~~Skagit County Comprehensive Plan.~~
- 39 ~~f) Height of all proposed structures and outdoor lighting design.~~
- 40 ~~11) Development Plan Review Criteria. The development plan described in~~
41 ~~Subsection (10) shall be reviewed and evaluated by the Department for~~
42 ~~conformance with the following criteria:~~
- 43 ~~a) Permitted Uses. All elements of the proposed development are consistent with~~
44 ~~the land use compatibility standards for the Skagit Regional Airport environs~~
45 ~~and with the requirements of this Section.~~

- 1 ~~b)Height. Buildings and structures are located such that their height does not~~
2 ~~impact any airspace surfaces as depicted in the Skagit Regional Airport~~
3 ~~Master Plan, dated June 1995, as amended or updated.~~
- 4 ~~c)Siting. Buildings and structures are located when reasonable and feasible at the~~
5 ~~greatest distance from the noise source, taking maximum advantage of~~
6 ~~existing topographical features to minimize noise impact.~~
- 7 ~~d)Design Consideration Regarding Noise. The amount of passive outdoor~~
8 ~~recreational space where individuals would be subject to high levels of noise~~
9 ~~is minimized; construction materials utilized are such that sound attenuation~~
10 ~~yields an interior average sound level as described in Subsection (5).~~
- 11 8) Airport Safety (Zones 1-6). In an effort to protect the safety of pilots and
12 people on the ground in the event of an airplane crash, the requirements
13 shown in the following Table 1 are imposed within Airport Safety Zones 1-
14 6.
- 15 9) Open space located in Airport Safety Zones 1- 5 shall be maintained as
16 pavement, mowed lawn or vegetation not more than four feet in height,
17 except that trees may be used as landscaping adjacent to buildings or other
18 areas not specifically included as required open space. In all other Airport
19 Safety Zones or locations outside the Airport Safety Zones, landscaping
20 plans shall include trees.
- 21 ~~1210)~~ Marking and Lighting. The owner of any existing nonconforming
22 structure or tree is hereby required to permit the removal, or installation,
23 operation and maintenance hereon of such markers and lights as shall be
24 deemed necessary by the Port of Skagit County to indicate to the operators
25 of aircraft in the vicinity of the airport the presence of such airport
26 obstruction. Such markers and lights shall be installed, operated and
27 maintained at the expense of the ~~landowner~~Port of Skagit County.
28

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Table 1

<u>SAFETY ZONE</u>	<u>URBAN GROWTH AREA LAND USE¹</u>	<u>NON-UGA LAND USE</u>	<u>OPEN SPACE</u>
<u>1</u>	<u>No new structures or uses permitted</u>	<u>Not applicable</u>	<u>All land shall be in open space, except airport structures.</u>
<u>2</u>	<u>Use limited to warehousing, light industrial allowed with no air emissions that obscure visibility; maximum building size footprint is 13,000 square feet limited to one per acre, except aircraft hangars.</u>	<u>No new development allowed. Existing structures and uses permitted to be replaced.</u>	<u>30% open space</u>
<u>3S</u>	<u>Use limited to warehousing, light industrial allowed with no air emissions that obscure visibility; maximum building size footprint is 13,000 square feet limited to one per acre, except aircraft hangars.</u>	<u>Not applicable</u>	<u>15% open space</u>
<u>3L</u>	<u>Existing residences and residential lots allowed to be replaced, built and/or created per the residential standards in the BR-R zone.</u> <u>Other use limited to warehousing, light industrial allowed with no air emissions that obscure visibility; maximum structure size footprint is 13,000 square feet limited to one per acre, except aircraft hangars.</u>	<u>New residential land divisions not to exceed 1 dwelling unit/ 5 acres.</u>	<u>15% open space</u>
<u>4S</u>	<u>Existing residences and residential lots allowed to be replaced, built and/or created; provided that, newly created residential lots are to be based on a 1 dwelling unit per 2 acre density.</u> <u>Industrial development allowed with a maximum structure size of 100,000 square feet with no air emissions that obscure visibility.</u>	<u>Not applicable.</u>	<u>10% open space</u>
<u>4L</u>	<u>Existing residences and residential lots allowed to be replaced, built and/or created per the residential standards in the BR-R zone.</u> <u>Industrial development allowed with a maximum structure size of 100,000 square feet with no air emissions that obscure visibility.</u>	<u>New residential land divisions not to exceed 1 dwelling unit/ 5 acres.</u>	<u>10% open space</u>
<u>5</u>	<u>Use limited to warehousing, light industrial allowed with no air emissions that obscure visibility; maximum building size 30,000 square feet limited to one per acre, except aircraft hangars.</u>	<u>Not applicable.</u>	<u>30% open space</u>

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Table 1 (continued on next page)

¹ Based on the application of the Uniform Building Code and the SCC zoning code parking requirements, these limitations fully comply with the recommended industrial density limitations expressed in employees per acre in the Skagit Regional Airport Land Use Compatibility Study. Building size may increase or decrease as long as the overall ratio of building size to acreage remains the same.

1 | Table 1 (continued from previous page)
 2

<u>SAFETY ZONE</u>	<u>URBAN GROWTH AREA LAND USE²</u>	<u>NON-UGA LAND USE</u>	<u>OPEN SPACE</u>
6	<p><u>Existing residences and residential lots allowed to be replaced, built and/or created per the residential standards in the BR-R zone.</u></p> <p><u>Industrial development allowed with no air emissions that obscure visibility to the extent that it creates a safety hazard to aircraft.</u></p> <p><u>Community Center development allowed for public facilities and services with a maximum building footprint of 15,000 square feet and commercial buildings with a maximum structure size of 15,000 square feet.</u></p>	<p><u>New residential land divisions not to exceed those land use densities as prescribed by the Skagit County Comprehensive Plan and Skagit County Code 14.16.</u></p>	<p><u>10% open space</u></p>

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² Based on the application of the Uniform Building Code and the SCC zoning code parking requirements, these limitations fully comply with the recommended industrial density limitations expressed in employees per acre in the Skagit Regional Airport Land Use Compatibility Study. Building size may increase or decrease as long as the overall ratio of building size to acreage remains the same.