

Section 3.160 AIRPORT DEVELOPMENT ZONE - AD

Section 3.161 Purpose. This district provides lands for airport facilities. Potential developments will be reviewed to assure that they will not interfere with the operations of the airport.

Section 3.162 Permitted Uses.

1. Airport support structures: hangars, weather stations, fuel terminals, storage buildings, etc.
2. Restaurant and service-type commercial activities.
3. Any business, service, processing, storage or display essential or incidental to any permitted use in this zone, and conducted entirely within an enclosed building.
4. Similar uses may be permitted when the Planning Commission determines that they meet the intent and standards of this Zone.
5. Manufacturing, assembling, warehousing, storage and processing of goods and products.
6. Maintenance, repair or minor modification to existing roads, sidewalks, bike paths and public utilities and services; New sidewalks and bike paths. Where new right-of way will be required that exceeds 25 percent of the existing right-of-way for the project area, the request shall be reviewed as a conditional use. These activities do not authorize the condemnation of property without due process.

Section 3.163 Conditional Uses

1. Airport runway extensions.
2. Major modification of existing roads and public facilities and services; New roads that are not part of a partition or subdivision. These activities do not authorize the condemnation of property without due process.

Section 3.164 Use Requirements:

1. Plan review and approval. No building permit or other permit for construction or alteration of any building structure or use in the AD Zone shall be issued until plans have been reviewed and approved by the Planning Commission in order to evaluate the conformity with the performance standards of this zone and the compatibility of vehicular access, signs, lighting, building placement and designs, landscaping, adjoining uses and location of water and sewage facilities.
2. Standards.
 - A. Air quality: The air quality standards set by the Department of Environmental Quality shall be the guiding standards in this zone, except that open burning is prohibited in any case.
 - B. Noise: As may be permitted under all applicable laws and regulations.
 - C. Storage: Materials shall be enclosed within a structure or concealed behind a sight obscuring fence or screening when adjoining a residential use.
 - D. Fencing: will be allowed inside a boundary planting screen and where it is necessary to protect property of the use concerned or to protect the public from a dangerous condition. Proposed fence locations and design shall be subject to Planning Commission Review.

- E Buffer: Where the AD Zone adjoins a residential zone, there shall be a buffer area of a depth adequate to provide for a dense evergreen landscape buffer which attains a mature height of 8 - 10 feet, or such other screening measures as may be prescribed by the Planning Commission in the event differences in elevation or other circumstances should defeat the purpose of this requirement. In no case shall the buffer area have less than the required 50-foot setback of this zone.
 - F. Vibration: No vibration other than that caused by highway vehicles, trains and aircraft shall be permitted which is discernible without instruments at the property line of the use concerned.
 - G. Airport Interference: No use shall create electrical or lighting interference with the operations of the airport.
 - H. Heat and Glare: Except for exterior lighting, operation producing heat or glare shall be constructed entirely within an enclosed building.
3. Setback Requirements:
 - A. The front, side and rear yard setbacks shall be 10 feet, except when abutting or across the street from a residential zone it shall be 50 feet.
 4. Building Heights: The maximum building height shall conform to the Airport Development Standards.

Section 3.165 Off-Street Parking Requirements.

Off-street parking shall be subject to Planning Commission approval.

Section 3.166 AIRPORT SAFETY OVERLAY ZONE

Section 3.167 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 Seaside Airport in Clatsop County. Such zones are shown on the current Airport Approach and Clear Zone Maps prepared by the Oregon Aeronautics Division October 1981.

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 Seaside and Clatsop County.

Section 3.168 Compliance. In addition to complying with the provisions of the primary zoning district, uses and activities shall comply with the provisions of (this/these) overlay zone(s). In the event of any conflict between any provisions of (this/these) overlay zone(s) and the primary zoning districts, the more restrictive provision shall apply.

Section 3.169 Special Definitions:

Airport Approach Safety Zone: 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: 1,250 feet for Utility Runway having only visual approaches; and 1,500 feet for a runway other than a Utility Runway having only visual approaches. The Airport Approach Safety Zone extends for a horizontal distance of 5,000 feet at a slope of 20 feet outward for each foot upward (20:1) for all utility and visual runways.

Airport Hazard: Any structure, tree, or use of land which exceeds height limits established by the Airport Imaginary Surfaces.

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.

Clear Zone: Extends from the primary surface to a point where the approach surface is 50 feet above the runway end elevation.

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) and upward extending to a height of 350 feet above the airport elevation.

Horizontal Surface: A horizontal plane 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.

Ldn: Loudness day and night. A re-occurring average noise level.

Noise Sensitive Areas: Within 1,500 feet of an airport or within established noise contour boundaries exceeding 55 Ldn.

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.

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 end of that 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.

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).

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.

Section 3.170 Permitted Uses Within the Airport Approach Safety Zone.

1. Farm use, excluding the raising and feeding of animals which would be adversely affected by aircraft passing overhead.
2. Landscape nursery, cemetery or recreation areas which do not include buildings or structures.
3. Roadways, 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.
4. Pipeline.

5. Underground utility wire.

Section 3.171 Conditional Uses Within the Airport Approach Safety Zone:

1. A structure or building accessory to a permitted use.
2. 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 Clatsop County a Hold Harmless Agreement and Aviation and Hazard Easement and submits them to the airport sponsor and the City of Seaside Planning Department.
3. Commercial and industrial uses when authorized in the primary zoning district, provided the use does not result in the following:
 - A. Creating electrical interference with navigational signals or radio communication between the airport and aircraft.
 - B. Making it difficult for pilots to distinguish between airport lights or others.
 - C. Impairing visibility.
 - D. Creating bird strike hazards.
 - E. Endangering or interfering with landing, take-off or maneuvering of aircraft intending to use the airport.
 - F. Attracting large number of people.
1. Buildings and uses of a public works, public service or a public utility nature.

Section 3.172 Procedures. An applicant seeking a conditional use under Section 3.165 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:

1. Property boundary lines as they relate to the Airport Imaginary Surfaces;
2. Location and height of all existing and proposed buildings, structures, utility lines and roads; and a
3. Statement from the Oregon Aeronautics Division indicating that the proposed use will not interfere with operation of the landing facility.

Section 3.173 Limitations

1. 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 under Section 3.163.
2. No place of public assembly shall be permitted in the Airport Approach Safety Zone.
3. No structure or building shall be allowed within the Clear Zone.
4. 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.
5. No glare producing materials shall be used on the exterior of any structure located within the Airport Approach Safety Zone.

6. 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 55Ldn and above, prior to issuance of a building permit for construction of noise sensitive land use (real property normally used for sleeping or 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 55 Ldn. The planning and building departments will review building permits for noise sensitive developments.