

2020 COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS UPDATE

Comprehensive Plan Language

1.1.1 *Military Training Areas*

When planning for new development within the County, it is important to consider the role of military training areas in support of national defense. There are military training routes (MTRs) present in the County that function as “highways in the sky.” These MTRs are used by military aircraft to practice high- and low-altitude training exercises and to traverse between military installations. Any development or new construction that seriously impacts or hinders the MTRs’ function and viability is considered incompatible land use. When updating plans and/or development regulations, Counties address lands adjacent to military installations to ensure those lands are protected from incompatible development.

As part of the mandatory Land Use Element requirement, the GMA directs counties planning under RCW 36.01.320 to provide notice to the military “upon receipt of an application for a permit to site an energy plant or alternative energy resource” and provide an opportunity to military for comment before action is taken on the permit application.

Per RCW 36.70A.530: "The United States military is a vital component of the Washington State economy. The protection of military installations from incompatible development of land is essential to the health of Washington's economy and quality of life. Incompatible development of land close to a military installation reduces the ability of the military to complete its mission or to undertake new missions and increases its cost of operating..." [2004 c 28 § 1.]

DEVELOPMENT REGULATIONS PERTAINING TO MILITARY TRAINING ROUTE
OVERLAY ZONING IN _____ COUNTY, WASHINGTON
(NEW CODE CHAPTER)

CHAPTER XX.YY - Military Training Route Overlay

SECTION:

- XX.YY.010 PURPOSE
- XX.YY.020 APPLICABILITY
- XX.YY.030 LAND USE REGULATIONS
- XX.YY.040 SPECIAL PROVISIONS
- XX.YY.050 MILITARY FLIGHT TRAINING ROUTE MAP

XX.YY 010 PURPOSE

The regulations of this section shall be applied to protect the public safety of persons residing under Military Training Routes (MTRs) by requiring that all new development is compatible with military operations within the MTRs. The MTRs are comprised of a three-dimensional airspace designated for military training and transport activities that have a defined floor (minimum altitude) and ceiling (maximum altitude). The MTR boundaries and minimum altitudes are identified in the Military Flight Training Route Area map (XX.YY.050). Within the MTR, the County shall consider the impact of new development on military readiness activities and provide notice to the military of new discretionary development within MTRs.

XX.YY.020 APPLICABILITY

The regulations set out in this section shall apply in all areas where an MTR is designated in addition to the regulations specified in this title. If any of the regulations specified in this section differ from any corresponding regulations specified in this title for any base zone, then in such case the provisions of this section shall apply.

XX.YY.030 LAND USE REGULATIONS

- A. The MTR Overlay is established to regulate new development to ensure that it is compatible with military operations. Within the MTR Overlay, all new development that could penetrate the defined floor elevation shall require issuance of an Administrative Permit or Use Permit. If the use is already subject to an administrative Permit or Use Permit no additional permit is required. No permit shall be approved for any use in any zone which is subject to the MTR Overlay until an investigation is conducted by the Community Development Director who shall review the proposed project for hazards to aircraft and military operations including uses that physically obstruct any portion of the MTR due to relative height above ground level.
- B. For the purposes of determining whether a project penetrated the defined floor elevation of the MTR, a penetration shall mean physical obstructions from a structure or object.
- C. For the purposes of calculating height of new proposed structures within the MTR, the height of all structures (including wind turbines) shall mean the distance from ground to the top of the highest point of the structure. For wind turbines this shall mean the highest point of the turbines blade in vertical

position.

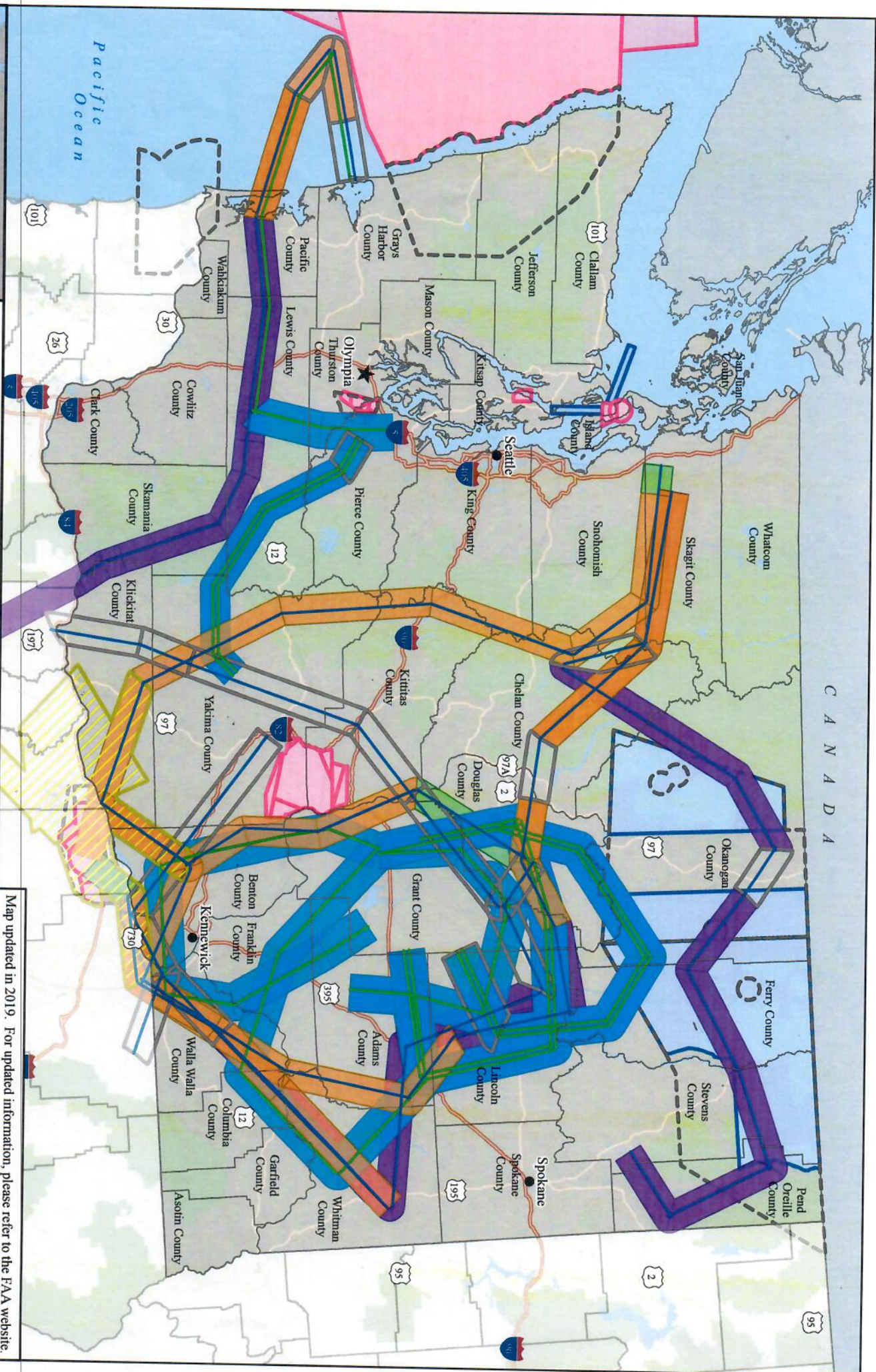
- D. Projects that could penetrate the defined floor elevation shown in the County's Military Overlay Zone Map shall require notices with the project description including location and height be mailed or delivered to the military expert for the Northwest Training Range Complex who is responsible for operations in within the military training route (**XX.YY.050**) upon receipt of the application to the Community Development Department for review.

XX.YY.040 SPECIAL PROVISIONS

Special provisions for the MTR Overlay District shall be as follows:

- A. Within the Military Review Areas depicted in **XX.YY.050**, any structure or land use that is determined to physically or visually obstruct any portion of the applicable MTR shall not be permitted, established or otherwise constructed unless an **administrative Permit or Use Permit** is granted subject to a finding that the proposed structure or land use will not impact military operations within the MTR as follows:
 - i. The proposed structure and use does not penetrate the floor elevation of the MTR.
 - ii. That the project is not detrimental to the function of the MTR and would not pose a health or safety hazard to the public and/or military personnel, and;
 - iii. That the proposed structure and use is consistent with all other applicable provisions of this ordinance
- B. Proposed structures and uses with impacts that penetrate the floor elevation of the applicable MTR as determined by the Community Development Director during review of the Administrative Permit may only be permitted with the issuance of a Use Permit as follows:
 - a. Unless the military expert responsible for operations in the military training areas first provides the Community Development Director with written concurrence that the height of the proposed structure or use would be compatible with military operations and mission, and notwithstanding any other provisions in this title, no Use Permit may be issued for any structure that is above the floor elevations shown in **XX.YY.050**.
 - b. In instances where the required written concurrence from the military expert is requested but not received within 30 calendar days, the **Use Permit** may be considered and approved by the County.
 - c. Approval of a Use Permit for structures above the floor elevations shown in **XX.YY.050** may be approved by the Community Development Commission upon a finding that the benefits of the requested obstruction into the MTRs outweigh the potential impacts on military flight operations.
 - d. That the proposed structure and use is consistent with all other applicable provisions of this ordinance.
- C. Where a finding is made during the Use Permit review that the proposed structure and use penetrates the MTR floor elevation such that military operations within the MTR are impacted, and that the project is detrimental to the function of the MTR and would pose a health or safety hazard to the public and/or military personnel, the issuance of the Use Permit shall be denied.

XX.YY.050 MILITARY FLIGHT TRAINING ROUTE MAP
(Insert)



- Boardman Geographic Area of Concern
- Military Training Routes Floor Elevation
- 200 Feet
- 300 Feet
- 500 Feet
- 1000 Feet
- Greater than 1000 Feet
- Special Use Airspace Floor Elevation
- Surface
- 230 Feet
- 300 Feet
- 500 Feet
- Greater than 1000 Feet

Washington State
with Military Training Routes
and Special Use Airspace
1000 Feet & Below

Map updated in 2019. For updated information, please refer to the FAA website.

0 25 50 Miles

0 25 50 Kilometers