

(NEW SUBSECTION)

Section XX Military Training Route and Military Operations Area Overlay

A. Purpose. The MTR Overlay is established to ensure that proposed structure(s) and use(s) with impacts within Military Training Routes (MTRs)<sup>1</sup> and Military Operations Area (MOA)<sup>2</sup> are compatible with military operations. The MTR boundaries and defined floor elevations are identified on the Military Flight Training Route Corridors and Special Use Airspace Floor Elevation GIS mapping layers.

B. Review Process and Decision Criteria.

1. Pursuit to notice, including location and height of proposed structures, shall be given to the military expert responsible for operations in the Northwest Training Range Complex for proposed structure(s) and use(s) with impacts within a MTR or MOA that could penetrate the defined floor elevation.
2. Proposed structure(s) and use(s) with impacts that penetrate the MTR or MOA floor elevation may only be permitted as follows:
  - i. Unless the military expert responsible for operations in the military training areas first provides written concurrence that the height of the proposed structure would be compatible with military operations and mission, no approval shall be granted for any structure that is above the floor elevations shown in the MTR Overlay map.
  - ii. When the requested written concurrence from the military expert has not been received within 30 calendar days from the notice, the development may be considered and approved by the Director.
  - iii. Approval may be granted upon a finding that the benefits of the requested obstruction into the MTRs outweigh the potential impacts on military flight operations.
  - iv. That the proposed structure and use is consistent with all other applicable provisions of this Title.
3. Within the MTR Overlay, proposed structure(s) and use(s) with impact that could penetrate<sup>3</sup> the defined floor elevation shall require County review of 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<sup>4</sup>. Land use decisions shall include a finding, and applicable development conditions, that the proposed structure(s) or use(s) will not impact military operations within the MTR as follows:
  - i. The proposed structure(s) and use(s) with impact does not penetrate the floor elevation of the MTR.
  - ii. That the proposed structure(s) and use(s) are not detrimental to the function of the MTR and would not pose a health or safety hazard to military personnel, and;
  - iii. That the proposed structure(s) and use(s) are consistent with all other

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<sup>1</sup> 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).

<sup>2</sup> A Military Operations Area (MOA) is airspace established outside of Class A airspace to separate certain nonhazardous military activities in the Roosevelt MOA, part of which is located within the county. MOAs are established to contain certain military activities such as air combat maneuvers, air intercepts, and acrobatics.

<sup>3</sup> 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.

<sup>4</sup> 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.

applicable provisions of this Title.

4. Proposed structures and uses with impacts that penetrate the MTR floor elevation shall be denied when a finding is made that the such 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 military personnel.