

§ 18.04.185. AP – Aerospace district.

This district is intended to allow airport related activities such as runway, flight operations, aircraft storage, aircraft repair and maintenance, aircraft modification, commercial land uses, industrial land uses, and residential land uses.

A. Permitted Uses. The following uses are permitted, provided they do not violate the restrictions identified and listed in EMC § 18.04.187.

1. Airport, heliport and aircraft tie-down areas;
2. Hangars, fuel depots, aircraft sales and repair facilities, and similar facilities pertaining to aircraft;
3. Single-family residential use as permitted in EMC § 18.04.010;
4. Commercial uses as permitted in EMC § 18.04.140;
 - a. Except marijuana retail outlets shall not be allowed in the AP – aerospace district.
5. Industrial uses as permitted in EMC § 18.04.180;
 - a. Except marijuana producer and marijuana processor uses are prohibited in the AP – aerospace district.
6. Any structure customarily accessory to the above uses shall be permitted;
7. Flight instruction;
8. Aircraft rental;
9. Air taxi service;
10. Aircraft and parts manufacturing; and
11. Electric vehicle battery charging stations, Levels 1, 2 and 3 subject to compliance with the development standards of EMC § 18.08.020.

B. Conditional Use. Conditional uses shall be processed in accordance with EMC § 18.09.030. Conditional uses are:

1. Public facilities and utilities and essential public facilities;
2. Other uses as determined by the board of adjustment to be of a similar and compatible nature are permitted upon application and approval of a conditional use permit. In reviewing and granting a conditional use permit, the board of adjustment shall follow the conditional use permit procedures outlined in EMC § 18.09.030.

C. Variances. The board of adjustment may grant a variance upon application and approval of a variance permit; provided, that the granted variance does not significantly endanger the operation of an aircraft and the lives and property in the

aerospace district and its surrounding area. In reviewing and granting a variance, the board of adjustment shall follow the variance procedures outlined in EMC § 18.04.187 and 18.09.040.

- D. Restrictions. It is found that airport operations create a hazard that endangers the lives and property of users of the airport and of occupants of land or property in its vicinity. Therefore, it is necessary in the interest of the public health, public safety and general welfare that the creation or establishment of airport hazards be prevented by overlaying certain restrictions on development as specified below and further specified in EMC § 18.04.187, Airport overlay zone.
1. No use may be made of land within the aerospace district in such manner as to create electrical interference with radio communication between the aircraft and the airport and air traffic control, making it difficult for fliers using the airport, impair visibility in the vicinity thereof, or otherwise endanger the landing, taking off or maneuvering of aircraft.
 2. The planning commission may attach any reasonable restrictions and requirements to any parcel of land within the aerospace district and any parcel of land adjacent to or in the vicinity of the aerospace district as the planning commission deems necessary to protect the public health, safety and general welfare and to mitigate any adverse effects of proposed development that in the judgment of the planning commission is incompatible with the operation of the airport.
 3. Any commercial use within the aerospace district shall provide for a six-foot-wide buffer on each side of the commercial use when it abuts residential property. If the adjacent residential properties are not as yet developed, the planning director may require, as a condition of issuing a building permit, a landscaping plan to be completed at a future date set by the planning commission. The planning commission shall have the authority to require a bond to secure performance of the future landscaping requirement.
 4. No landscaping higher than one foot above ground shall be permitted in an area extending from the edge of the runway to a distance of 100 feet. Landscaping along streets and taxiways shall not exceed two feet in height in order to allow unobstructed taxiing of aircraft. Light poles and street signs are not permitted. Any lighting along streets and taxiways shall be at ground level, not exceeding one foot in height.
 5. No building or structure in the aerospace district shall have a height greater than 28 feet for a residential structure and 38 feet for a commercial or industrial structure. No building or structure in the aerospace district is permitted to penetrate the height limitation set forth in EMC § 18.04.187 without a board of adjustment approved variance as specified in EMC § 18.04.187.
- E. Minimum Lot Size. No lot within the aerospace district shall be less than 21, 500 square feet. The minimum lot width shall be 100 feet. All lots in this district shall

abut a dedicated public street or shall have such other access as held suitable by the planning commission, meeting required road standards for private roads, or, if applicable, subdivisions.

- F. **Setback Requirements.** Every front yard shall have a minimum setback requirement of 25 feet, and a minimum side yard setback of eight feet except for corner lots which shall have minimum side yard setback of 25 feet for the side yard facing another street. There shall be a minimum 25-foot setback from the rear property line. An accessory building which is detached and located within 10 feet of a rear or side property line provided said property line does not front on a street. All attached accessory structures shall comply with the setback requirements for the main structure.
- G. **Parking.** All lots shall provide parking spaces in accordance with lot usage as set forth in Chapter 18.05 EMC. Hangars do not qualify as required parking spaces for automobiles.
- H. **Signs.** No sign erected in the aerospace district shall exceed two feet in height, measured from ground level.
(Ord. 2006-06 § 1, 2006; Ord. 2007-05 § 1, 2007; Ord. 2019-04 § 2 (Exh. A), 2019; Ord. 2019-10 § 2 (Exh. A), 2019)