

Special Use Permit – Narrative Discussion by the applicant for Code Compliance describing in detail how the proposed use or project meets the following code requirements:

LCC 17.142.020(2) General Use Findings. General use findings include the requirements that the land use:

(a) Will be harmonious and in accordance with the general and specific objectives of the Lewis County comprehensive plan and zoning regulations.

Applicant Response:

The use and noise from the site will be minimal as it will be 1 to 2 aircraft and there is several feet and vegetation between the neighboring properties and the runway.

(b) Will be adequately served by essential public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and waste disposal, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

Applicant Response:

The airport and runway are for private use and are located on the applicant's residential property. The access to the runway is served from Nicholson Road and the driveway to the hangar is accessible for police and fire vehicles. The site is residential and has refuse disposal, a septic system on site and an existing well for water along with electricity.

(c) Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

Applicant Response:

The runway and hangar will not create any additional costs to the public as it will be used for private use and is not open to the public or public aircraft.

(d) Will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare, or odors.

Applicant Response:

The hangar and runway are located away from neighboring property and will not be of more noise than a riding lawn mower. The area around the site is very heavily vegetated with forest.

(e) Will have vehicular approaches to the property designed as to not create an interference with traffic on surrounding public streets.

Applicant Response:

A private driveway is located from Nicholson Road and is the only approach used for the private airplane hangar. The runway is also for the homeowners' use and not the public.

(f) Will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of major importance.

Applicant Response:

The runway and hangar are located within the center of the applicant's property and will not result in destruction, loss or damage of any natural, scenic or historic features.

(g) Will ensure adequate protection is given critical areas, including surface and ground water consistent with the critical areas requirements of Chapter 17.38 LCC.

Applicant Response:

Yes, a Critical Area report has been completed by Environmental Design and no critical areas will be impacted.

(h) Will ensure that on-site public facilities, or facilities designed to serve the site, are limited to the project area and are not available to spur growth outside the area of the permit, when located in a rural area.

Applicant Response:

Yes, all are designed on the site and are for private use.

LCC 17.142.020(3) General Use Standards. The following criteria are used to help determine the conformance with the general findings for land uses: (a) The applicable portions of the Lewis County Code, and the Lewis County road development standards.

Applicant Response:

There is a private driveway to the runway and is for private use.

(b) The handling and treatment of dangerous or hazardous waste in accordance with LCC Title 8, Chapter 173-303 WAC, and other applicable standards.

Applicant Response:

Any hazardous waste on site or used on site will be disposed of properly and per code and recommendations.

(c) The maximum environmental noise levels established by Chapter 173-60 WAC and incorporated herein by reference, together with any adjustments authorized therein.

Applicant Response:

The noise from the plane will be no louder than a lawn mower and will be minimal and for very brief time during take off and landings.

(d) The air quality standards adopted by the Southwest Clean Air Agency (SWCAA) and any SWCAA permit issued for a project.

Applicant Response:

The planes will be maintained and will be in compliance with the SWCAA and FAA regulations. There will be no other sources on the site that will be of impact to the air quality as the site is for private use.

(e) The terms of any permit issued for a project by a resource agency, including Washington State Department of Fish and Wildlife, HPA, water quality permit, Chapter 90.48 RCW, shoreline permit, Chapter 90.58 RCW, or permit issued by the U.S. Army Corps of Engineers.

Applicant Response:

The terms of any permit issued for the project will be followed and the applicant will comply with the terms and conditions in the permit.

(f) Conditions imposed in any final environmental determination, mitigated determination of nonsignificance or final environmental impact statement under Chapter 43.21C RCW.

Applicant Response:

All conditions in the final environmental determination will be followed and completed.

(g) Health standards for wells and drain fields as set forth in sections such as Chapters 8.40 and 8.41 LCC.

Applicant Response:

An existing well and septic are located on the site and are used for private use.

(h) Flood hazard standards as set forth in Chapter 15.35 LCC.

Applicant Response:

All flood hazard standards will be followed and complied with as necessary.

(i) Stormwater standards as set forth in Chapter 15.45 LCC.

Applicant Response:

Any stormwater requirements for the project will be followed and executed in order to comply with code and to disperse stormwater as needed.

(j) The supplemental requirements of Chapter 17.145 LCC.

Applicant Response:

Any supplemental requirements needed will be supplied as requested and needed.

(k) Other applicable standards.

Applicant Response:

No other applicable standards are required or requested at this time.

17.142.060 Aviation facilities.

(1) The following conditions apply to aviation facilities that provide landing surface and takeoff for aircraft or heliports used by nine or fewer aircraft:

(a) All landing strips shall be designed, and the runways and facilities oriented, so that the incidents of aircraft passing directly over dwellings during their landing or takeoff patterns is minimized. The facilities shall be located so that traffic does not constitute a nuisance to neighboring uses. The hearing examiner shall find, in writing, that the applicant has secured easements and other rights necessary to implement runway protection zones and other safety regulations required by the FAA consistent with the proposed aviation use.

Applicant Response:

The runway is oriented so the landing and take off are on the east. The runway is a one-way in and out. No effect will be to neighboring properties with the private runway in this location and will be flying over very limited buildings in this location.

Easements are not needed as the runway is located on one parcel and the FAA regulations are met as far as the client knows.

(b) The proponents shall show that adequate controls or measures will be taken to prevent offensive noise, vibrations, dust, or bright lights.

Applicant Response:

Due to the distance and surrounding vegetation of the runway noise, vibrations, dust or bright lights will not be an issue to surrounding neighbors and wildlife.

(c) New private use landing strips and heliports shall be allowed in rural or resource zones as a special use, with the standards set forth in FAA regulations in effect on the date of application and subject to the notice requirements of subsection (2)(f) of this section.

Applicant Response:

The runway meets the requirements of the FAA's Standards.

(d) For purposes of this section, an ultra-light aircraft for personal use does not require a permit under this section and shall be considered an accessory use for any residential site in excess of five acres.

Applicant Response:

The private plane is a 2-4 seater and is used for private use only. There are no ultra-light aircraft at this location.

17.142.060 Aviation facilities.

(2) The following conditions apply to aviation facilities that provide landing surface and takeoff for 10 or more general aviation aircraft:

(a) The minimum lot size shall be 60 acres.

Applicant Response:

The parcel is 72.95 acres in size. The runway is only going to be used by 1 or 2 planes and will not have any more using the run way.

(b) The centerline of any such landing area shall not be located within 500 feet of any property line, building, or structure; provided, that a legal affidavit from adjacent property owner(s) allowing all, or a portion, of that 500 feet as a recorded easement on their property, which is presented as part of a special use permit application, shall be acceptable.

Applicant Response:

The run way will only be used for 1 or 2 private airplanes and will not be used for other aircraft. The 500 feet setback does not apply to this application.

(c) The aviation facility shall comply with the standards set forth in the FAA regulations in effect on the date of application.

Applicant Response:

The runway does meet the standards set forth by the FAA. The runway is only for private use and for only 1 or 2 planes.

(d) Fuels and lubricants associated with the operation of personal use aircraft shall be stored and handled in accordance with pertinent state and county codes.

Applicant Response:

All fuels and lubricants will be stored in places in accordance with state and county codes and chemical recommendations.

(e) Compliance with all current federal aviation regulations for the maintenance and operation of aircraft shall be required.

Applicant Response:

This will be completed on the planes on a regular schedule and as required or needed.

(f) Notification.

(i) Notification of a hearing for a special use permit application shall be sent, by first class mail, to residents within 1,000 feet from any point on a proposed aircraft landing area. This notification is intended to supplement all other notification requirements for special use permit applications found in Chapter 17.05 LCC, and the appropriate notification requirements in Chapter 17.158 LCC.

(ii) The notice of the special use hearing shall also be published in the newspaper of record and in the newspaper of widest circulation in the area affected.

Applicant Response:

Applicant agrees and the runway will only be used for private use for 1 or 2 air planes.

(g) Public aviation facilities shall be located on parcels where the allowed aircraft are at least 500 feet off of the ground prior to crossing a property line on takeoff or landing.

Applicant Response:

The runway is for private use of the applicants 1 or 2 planes. The runway will not be used for or by the public.

(h) No residential structure shall be closer than 1,000 feet to the proposed air facility.

Applicant Response:

There are no structures proposed or within 1,000 feet of the runway and the site will be used for private use only.

(i) No place of public assembly shall be located within one-half mile of the end of any such facility.

Applicant Response:

There are no public assembly buildings located within a half mile radius of the runway.

(j) The hearing examiner shall find, in writing, that the applicant has secured easements and other rights necessary to implement runway protection zones and other safety regulations required by the FAA consistent with the proposed aviation use.

Applicant Response:

The runway is for private use, is located on one parcel and is not in need of any easements or any other protection zones as needed. If needed the applicant will provide and complete all necessary documentation.

LCC 17.150.020(1) Rural Areas of More Intensive Development. Any permit issued in a rural area of more intensive development shall meet the following conditions:

(a) The proposed use is consistent with the uses authorized in RCW 36.70A.070(5)(d)(i) through (iii), Chapter 17.42 LCC and the Lewis County comprehensive plan.

Applicant Response:

The development is for private use and will follow the requirements of code.

(b) The public facilities and services that supply the development are sized and located in a manner that is consistent with the Lewis County comprehensive plan, countywide planning policies and Growth Management Act.

Applicant Response:

The runway is not a public facility and is for private use only by the owner of the parcel.

(c) No boundary change is required for the area of more intensive rural development. Where a boundary change is required, no change shall be allowed without an amendment of the comprehensive plan consistent with the requirements of RCW 36.70A.070(5)(d)(i) through (v).

Applicant Response:

No boundary change is needed or required. The runway is located within the owners parcel.

LCC 17.150.020(2) All Rural Area Uses. Any permit issued in rural areas shall meet the following conditions:

(a) Urban growth is prohibited in all rural area developments, except as otherwise allowed in Chapter 36.70A RCW, the Growth Management Act.

Applicant Response:

The project complies with the GMA and code as it is a private runway for the owner's 1 or 2 planes.

(b) To accomplish this objective, the review authority (either the administrator or hearing examiner, depending on the permit) shall find that: (i) The project makes adequate provision to assure that the development is limited to rural development and rural governmental services.

Applicant Response:

Agree the private runway does meet the requirements and is for private use only.

(ii) The project does not, directly or in concert with growth likely in the area affected, create a demand for urban governmental services or establish a form of "urban growth" that is prohibited outside urban growth areas.

Applicant Response:

The runway is for private use of 1 or 2 planes and will not grow to be public or cause growth in the area.

LCC 17.150.030(1)(a) Rural development refers to development outside of urban growth areas and outside designated long-term agricultural forest and mineral resource lands. Rural development can consist of a variety of residential, commercial and industrial uses and densities, including clustered residential development, at levels which are consistent with the preservation of rural character as defined in the Lewis County comprehensive plan.

Applicant Response:

The runway is for private use and is located on the owner's parcel. It will not be used by the public.

(b) Rural development in Lewis County typically relies on existing facilities for school and fire, though existing facilities may be upgraded or expanded.

Applicant Response:

The development of the runway will not rely on public facilities. The site is residential and the runway will be used for private use of the owner's planes.

(c) Rural development commonly uses existing small towns and crossroad commercial facilities to meet local commercial needs.

Applicant Response:

The development does not need a small town or any commercial facilities as the runway is private and for the owner's use only.

(d) Rural residential development typically minimizes any impacts to the overall productivity of designated long-term resource lands within a one-mile radius of the proposed development.

Applicant Response:

No resource lands or rural residential development will be within a mile radius of the proposed development.

(e) Clustered developments are considered appropriate for rural development if: (i) The overall density of the land does not exceed the underlying zoning of the parcel (unless bonus densities are awarded); (ii) The development can be accommodated with fire, school, and other rural public facilities without the need to relocate or create a new facility to serve the newly developing area; and (iii) The development can be served by commercial facilities in existing crossroad commercial areas and small towns and does not establish a new commercial center for the county.

Applicant Response:

No clustered developments is part of the project and will not be needed as the runway is for private use only.

(f) Industrial and commercial uses are appropriate forms of rural development if consistent with the requirements in RCW 36.70A.070(5)(d) and the descriptions of rural character in Lewis County comprehensive plan.

Applicant Response:

The project will not be industrial or commercial. The runway is for the owner's use only.