



Part I: Code Amendments at a Glance – Airport-Port-Navy Compatibility (Chapter 19.17):

A. What is it?

The Growth Management Act ([RCW 36.70A.510](#)) requires development regulations affecting a general aviation airport discourage the siting of incompatible uses adjacent to the airport. Plans and regulations can only be adopted or amended after formal consultation with the airport owners and managers, private airport operators, general aviation pilots, ports and the aviation division of the department of transportation.

The City adopted Airport Compatibility standards in 2015 ([EMC 19.17](#)). The draft amendments narrow the types of land use actions subject to notice on title and notice to the airport.

The chapter has also been expanded to include compatibility standards for development adjacent to Naval Station Everett and the working waterfront of the Port of Everett.

B. Type of revision drafted:

- Minor revision to an existing chapter(s)
- Rewrite of existing chapter
- New chapter

C. Key changes from existing code:

Proposed changes to chapter 17 include:

- 1) The City would no longer be responsible for ensuring that an applicant has submitted required documentation to the Federal Aviation Administration (FAA) for development. The responsibility for this would be with the applicant.
- 2) Notice to the airport manager is scaled back from all development within a large perimeter of the airport to those projects with 10,000 square feet of gross floor area or greater or structures that are taller than 30'. After consultation with the airport manager, it is the taller structures, as well as storage of hazardous material, that is the most concern for airport compatibility.
- 3) Notice on title that an airport is nearby would be scaled back to only those projects subject to consultation with the airport (see 2 above).
- 4) Sections addressing Port and Navy compatibility have been added.
 - The Navy standards are the same as currently exist in [EMC 19.26](#) (M-2 Zone) for compatibility with Naval Station Everett. EMC 19.26 is planned to be repealed with industrial zone consolidation, so the existing standards are incorporated into this amended chapter. **Update:** the following words were added at the end of 19.17.120.B.3 at the request of Naval Station Everett: “...*and other activities within the NCA.*”
 - The Port standards require consultation with the Port. Due to staffing concerns, an earlier proposal to require notice on title for developments has been removed from the current draft. **Update:** a new provision was added to provide notice to applicants as shown below to 19.17.110.B at the request of the Port. This notice is not on title, but a notice the city would provide during the application process.

B. Notice and disclosure within Port Compatibility Area.

This subsection establishes notification and disclosure requirements for any development activities or uses within a Port Compatibility Area (PCA) subject to the requirements of this section.

1. The city shall provide written notice to applicants that their project is within the PCA. That notice shall include the following language:

Your real property is located within the Port Compatibility Area (PCA). Occupants of properties within the PCA may be subject to inconveniences or discomforts arising from maritime activities, including but not limited to noise, odors, glare, fumes, dust, construction activity, smoke, traffic, hours of operation, low overhead flights and other maritime activities. Everett Municipal Code (EMC) 19.17 requires that you receive this disclosure notice in connection with permits you are or may be seeking. Provisions of EMC 20.08 provide that noise exemptions apply to “created by watercraft ... in operation”, and “operation of equipment or facilities of surface carriers engaged in commerce by railroad”. The City of Everett has adopted PCA regulations in Chapter 19.17 EMC which may affect you and your land.