

**ST. MARY'S COUNTY AIRPORT PROPERTY
DEVELOPMENT REVIEW PROCEDURES**

AIRPORT ADVISORY COMMITTEE

(Originally Adopted: July 22, 2002)

(Amended: April 26, 2004)

(Amended: July 25, 2011)

PURPOSE

Establish written procedures for the evaluation and review of development and building construction proposals at the St. Mary's County Regional Airport.

PROCESS

1. Proposed private sector buildings or new development activities at the Airport shall be presented by the applicant at a regular Airport Advisory Committee meeting. The presentation shall contain the following:
 - a. Written description of proposed activity:
 - Service(s) to be provided
 - Estimated income and benefits to the County
 - Draft lease and / or amendment terms outlined
 - Business plan and listing of partners
 - b. Concept Plan
 - Conformance with approved Airport Layout and Master Plans
 - Consistency with Airport Rules and Minimum Standards
 - Impact of Noise Contours and Site Development Standards cited in Chapters 43.2 and 43.4 of the Zoning Ordinance
 - Proposed location of facility, land use compatibility and impact(s) of Airport Environs
 - Rough sketch and dimensions (s.f.) of Demised Area(s) requested
 - All facilities and auxiliary structures to be constructed (i.e., taxiways, aprons, etc.)
 - c. Business Background Report
 - For new businesses, a report shall be provided for review by the County's Legal Department and Department of Economic & Community Services
 - The report shall include, but not be limited to a; Dunn & Bradstreet report request, personal financial background information, risk of credit worthiness, Federal Tax ID Number for the business, and all applicable items specified within the Airport Rules & Minimum Standards
2. Concept Plan Review
 - a. After presentation, the Airport Advisory Committee, the Department of Economic Development, and the Department of Public Works & Transportation representatives shall review the proposal prior to the next month's Airport Advisory Committee meeting.
 - b. Findings and evaluation shall be presented at the following Airport Committee meeting (approximately 60 days after initial presentation). The Airport Advisory Committee shall review the staff report and offer recommendations to proceed, not to proceed, or to proceed with conditions.
3. Final Plans
 - a. Upon concept endorsement by the Airport Advisory Committee and concurrence from the Federal Aviation Administration (FAA) and Maryland Aviation Administration (MAA), final engineering plans shall be prepared. Plans shall be professionally certified by an engineer/surveyor licensed in the State of Maryland.
 - b. The final plan shall be submitted through the County's Technical Evaluation Committee (TEC), (via the Department of Land Use & Growth Management), and through the Airport Manager simultaneously. All comments from the respective agencies shall be adequately addressed prior to plan approval. The plan will also include the Airport Easements, Restrictions and Covenant notes cited in Chapter 43.5 of the Zoning Ordinance.

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3. Final Plans (Cont'd.)
- c. Lease agreements shall also be submitted for review and approval at the same time as the Final Plan submittal. Lease agreements and/or amendments shall be reviewed by the County Attorney for legal sufficiency and by the FAA to ensure that Grant Assurances have been met. A sketch and description of the demised area shall also be included in the agreement as an exhibit in sufficient detail for the County to update the FAA Exhibit A for property dedicated to airport use and the Lease Area Plat.
 - d. After all comments have been addressed, the applicant will complete and submit to the Airport Manager an environmental assessment, categorical exclusion, ALP redline revision, Notice of Proposed Construction or Alteration Form 7460 and/or a Checklist for Environmental Impacts for submission to the FAA and MAA for their final concurrence / approval of the proposed development.
 - e. An engineer's cost estimate will be reviewed by the Department of Public Works & Transportation to establish the bond amount and inspection fees associated with the Public Works Agreement and Grading Permit, if applicable. The bonds shall be posted and fees paid prior to issuance of any construction permits.
 - f. Proof of insurance will be required prior to presentation of the formal lease agreement to the Board of County Commissioners for St. Mary's County, Maryland. Once the lease has been formally executed, permits may be issued.
 - g. Prior to construction, a building permit will need to be obtained through the County's Department of Land Use & Growth Management. This permit must include a set of structural drawings signed by a Professional Engineer registered in the State of Maryland. The permit also requires inspections at various stages during construction (i.e., footings, foundations, framing, electrical). **All FAA and MAA approvals must be in place at this time.**
 - h. Testing and professional certification of all materials during construction, including concrete, asphalt, base materials, or other tests as required by the Department of Public Works & Transportation shall also be submitted.
 - i. Upon completion of construction, as-built plans signed by a Professional Engineer/Surveyor showing final grades, structure elevations, and exterior finishes will need to be prepared for review and approval.
 - j. The Department of Public Works & Transportation will be included in the final sign-off for Use and Occupancy.
4. Additional information is contained in the "St. Mary's County Airport Rules and Regulations".


Airport Advisory Committee Chairman

July 25, 2011
Date

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**AIRPORT ADVISORY COMMITTEE
SUPPLEMENT**

A. APPLICATION REQUIREMENTS

Demonstration of intent to conduct a business operation at the Airport shall commence with application to the St. Mary's County Airport Advisory Committee. The written application shall contain at the minimum:

1. The proposed nature of the business.
2. The signatures of all parties whose names are being submitted as owing an interest in the business, or who will appear on leases or other documents as being a partner, director, or corporate officer, and those who will be managing the business.
3. The current financial statement prepared or certified by a Certified Public Accountant.
4. A listing of assets owned, or being purchased, or leased, which will be used in the business on the Airport.
5. A current credit report for each party owning or having a financial interest in the business and a credit report on the business itself covering all geographical areas in which it has done business in the ten-year period immediately prior to such application.
6. An agreement to provide a bond or suitable guarantee of adequate funds to the County to be used to defray any expenses and fees normally paid by the Lessee between the estimated time the Lessee may default and a new lease is executed and another Lessee takes over.
7. A written authorization for the FAA, any aviation or aeronautics commissions, administrators, and departments of all states in which the applicant has engaged in aviation business to release information in their files relating to the applicant or its operation. The applicant will execute such forms, releases, or discharges as may be required by those agencies.
8. Preliminary plans, specifications and dates for any improvements, which the applicant intends to make on the Airport as part of the activity for which approval is sought. Applicant must comply with the adopted Public Works & Transportation's Development Review Procedures adopted by the Airport Advisory Committee.
9. Proof (provide copy) of liability insurance coverage for the business operation, flight operations, itinerant aircraft and operators, and premises insurance.
10. Such other information as the Airport Advisory Committee may recommend or the County may require.

B. COMMITTEE RECOMMENDATION

All applications will be reviewed by the Airport Advisory Committee within 90 days from the receipt of the application and forwarded with a recommendation to the Airport Manager and the Board of County Commissioners.

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C. COUNTY ACTION ON APPLICATIONS

Applications may be denied for one or more of the following reasons:

1. The applicant does not meet qualifications, standards, and requirements established by these minimum standards.
2. The applicant's proposed operations or construction will create a safety hazard on the Airport.
3. The granting of the applications will require the expenditure of local funds, labor, or materials on the facilities described in or related to the application or the operation will result in a financial loss to St. Mary's County.
4. There is no appropriate or adequate available space or building on the Airport to accommodate the entire activity of the applicant.
5. The proposed operation, Airport development, or construction does not comply with the approved Airport Layout Plan (ALP), FAA Airport Compliance Requirements, FAA Advisory Circulars, etc. **Both the filing of a 7460 Form and a redline ALP approval is required prior to issuance of any Permit for construction on Airport property.**
6. The development or use of the area requested will result in a congestion of aircraft or buildings, or will result in unduly interfering with the operations of any present fixed based operator on the Airport, such as problems in connection with aircraft traffic or service, or preventing free access and egress to the existing fixed based operator area, or will result in depriving, without the proper economic study, an existing fixed base operator of portions of it leased area in which it is operating.
7. Any party applying, or having interest in the business, has supplied false information, or has misrepresented any material fact in the application or in supporting documents, or has failed to make full disclosure on the application.
8. Any party applying, or having an interest in the business, has a record of violating the Rules or the rules and regulations of any other airport, Civil Air Regulations, Federal Aviation Regulations, or any other rules and regulations applicable to this or any other airport.
9. Any party applying, or having an interest in the business, has defaulted in the performance of any lease or other agreement with the County, or any lease or other agreement at any other airport.
10. Any party applying, or having an interest in the business, is not sufficiently credit worthy and responsible in the judgment of the County to provide and maintain the business to which the application relates and to promptly pay amounts due under the FBO lease.
11. The applicant does not have the finances necessary to conduct the proposed operation for a minimum of six (6) months.
12. The applicant has committed any crime, or violated any County ordinances, rule, or regulation, which adversely reflects on its ability to operate the FBO operation for which the application is made.