SB 255 (2005)

Table of Contents for Draft Airport Affected Area Regulations

Section I. Title 1

Section II. Purpose and Intent 1

Section III. Designation of Airport Affected Area 1

Section IV. Jurisdictional Area [Alternates] 2

Section V. Definitions

A. Generally 2

B. Specifically 2

Section VI. Airport Affected Area (AAA)

A. Introduction 6

B. Explanation of Zones 6

C. Height Restrictions in Zones 7
1. Approach Zone and Surface 7
2. Transitional Zone and Surface 7
3. Horizontal Zone and Surface 7
4. Conical Zone and Surface 7

D. Explanation of Areas within the AAA 8
1. Airport Property Area 8
2. Runway Protection Area 8
3. Limited Development Area(s) 8

E. Land Use in Areas 8
1. Airport Property Area 9
2. Airport Critical Area [Airport Impact Area] 11
3. Limited Development Areas 11

Section VII. Nonconforming Uses

A. Documentation of uses and structures and trees 13

B. Substantial damage to a nonconforming use 13
C. Maintaining nonconforming trees 14

Local Government Subcommittee
October 6, 2005

Exhibit #10

D. Marking nonconforming trees or structures 14

E. Residential land uses 14

Section VIII. Variances

A. When necessary 14

B. Circumstances for granting a variance 15

a. Substantial practical or unnecessary hardship 15
b. Public interest 15
2. Conditions for a variance 15

C. Procedure to obtain a variance 15

Section IX. Administration

A. Appointment of Enforcement Officer 15

B. Fees for Permits and Variances 16

C. Permit Procedure
1. When a permit is required 16
2. Procedure for Obtaining an Airport Affected Area Construction Permit 17
3. Procedure for Obtaining an Airport Affected Area Tree Permit 17
4. Procedure for Obtaining an Airport Affected Area Use Permit 18
5. Criteria for Granting Permits 18

D. Variance Procedure
1. Procedure for Requesting an AAA Obstruction Variance 19
2. Criteria for Granting an AAA Obstruction Variance 20
3. Procedure for Requesting an AAA Use Variance 20
4. Criteria for Granting an AAA Use Variance 21

E. Appeals 22

F. Enforcement
1. Penalty 22
2. Injunction 22

G. Immunity
1. Generally 23
2. After granting a variance 23

X. **Amendment of Regulations** 23

XI. **General Provisions**
A. **Acquisition of property rights** 23
B. **Relationship of AAA regulations to zoning ordinances** 23