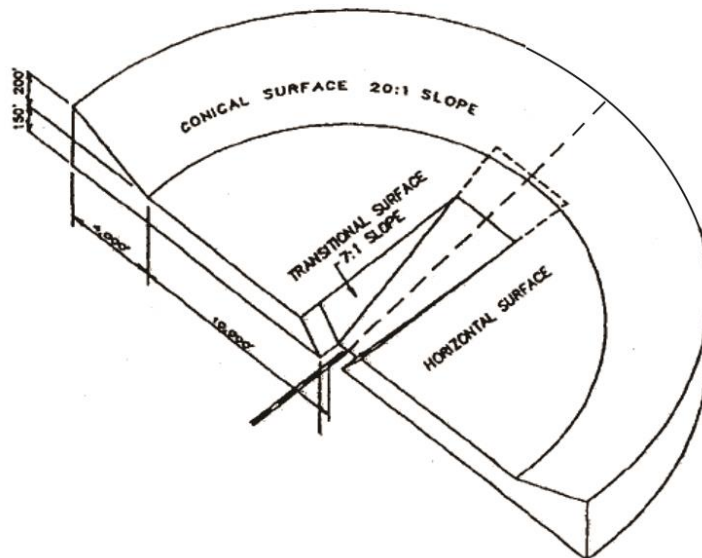


UDO-274
AN ORDINANCE AMENDMENT PROPOSED BY
PLANNING AND DEVELOPMENT SERVICES STAFF TO REVISE
CHAPTERS A AND CHAPTER B OF THE *UNIFIED DEVELOPMENT ORDINANCES*
TO AMEND THE AIRPORT OVERLAY (AO) DISTRICT STANDARDS

Be it ordained by the City Council of the City of Winston-Salem, North Carolina, that the *Unified Development Ordinances* is hereby amended as follows:

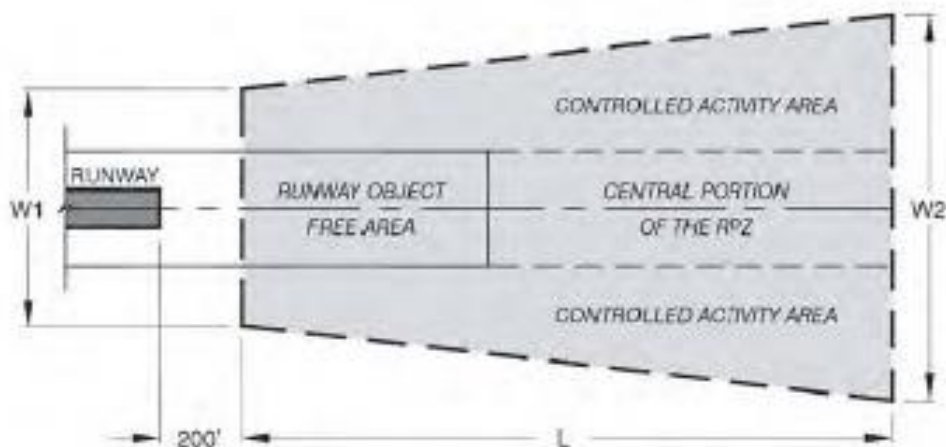
Section 1. Chapter A, Article II - Definitions is hereby amended as follows:

AIR SPACE OBSTRUCTION ZONE. Above ground zones, composed of transitional surfaces, horizontal surfaces, conical surfaces and approach surfaces as defined in FAA FAR Part 77, established in relation to runways 15, 33, 4 and 22 at Smith Reynolds Airport, for which any object extending above these imaginary surfaces is a potential obstruction to airport operations and may constitute a hazard. Any such structure in these zones are subject to review and determination by the FAA as to whether the structure will constitute an obstruction or hazard prior to the issuance of construction permits. Maps defining the AO District boundaries are available in the Department of Planning and Development Services.



RUNWAY PROTECTION ZONE (RPZ). A trapezoidal area at ground level prior to the threshold or beyond the runway end to enhance the protection of people and property on the ground during airport activities. The table below gives the inner width (W1), Outer Width (W2) and Length (L) for all of the runways at Smith Reynolds Airport:

Smith Reynolds Airport Runway Protection Zones				
Dimension	Runway 4	Runway 22	Runway 15	Runway 33
Inner Width (W1)	500 ft.	500 ft.	500 ft.	1,000 ft.
Outer Width (W2)	700 ft.	700 ft.	1,010 ft.	1,750 ft.
Length (L)	1,000 ft.	1,000 ft.	1,700 ft.	2,500 ft.



Section 2. Chapter B, Article II - Zoning Districts, Official Zoning Maps, and Uses is hereby amended as follows:

2-1.6 OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS – PURPOSE STATEMENTS AND REGULATIONS

- (C) Airport Overlay District (AO) (W)
 - (1) ~~Purpose. The AO District is intended to prohibit the erection of structures which would, because of their height, become airport hazards and interfere with airport operations at Smith Reynolds Airport.~~
 - (1) Purpose. The AO District is intended:
 - (a) To recognize Smith Reynolds Airport as a public facility providing air transportation services;

- (b) To establish that an airport hazard endangers the lives and property of users of the Smith Reynolds Airport and property or occupants of land in the vicinity, thereby, impairing the utility of the airport and the public investment therein;
- (c) To prevent the creation or establishment of airport hazards for the protection of the public health, safety and general welfare and to promote the most appropriate use of land; and
- (d) To avoid air space obstructions in the flight paths to Smith Reynolds Airport.

~~(2) Authority. These AO District regulations are adopted under and pursuant to the Model Airport Zoning Act (G.S. 63-29 through 63-37.1) and all pertinent and applicable provisions of the act are incorporated by reference as part of the Zoning Ordinance.~~

(2) Administration.

Airport zoning regulations shall be administered and enforced as a part of the Zoning Ordinance. The Inspections Division shall have the duty of administering and enforcing airport zoning regulations. ~~including the hearing and deciding of all permits in accordance with G.S. 63-32(a) of the Model Airport Zoning Act.~~

~~(3) Applicability. The regulations of the AO District shall apply to an area in the vicinity of Smith Reynolds Airport defined by the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces shown on a map entitled Smith Reynolds Airport Approach and Vicinity Plan, Winston-Salem, North Carolina, and dated October 27, 1982. Copies of this map are on file in the office of the Planning Board and in the office of the Director of Inspections. This map is made part of this Ordinance by reference.~~

(3) Air Space Obstruction Zone

(a) Establishment. An Airspace Obstruction Zone is established to carry out the purposes of this Ordinance. These regulations are intended to limit the height of structures and objects that may be hazardous to the operational safety of aircraft operating to and from the Airport.

(b) Boundary. The boundary of this zone shall apply to the area in the vicinity of Smith Reynolds Airport defined by the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as shown on the AO District boundary map on file in the Department of Planning and Development Services.

~~(4) Definition of Terms. The terms approach surface, transitional surface, horizontal surface and conical surface shall have the same meanings as are defined in Section 77-25 and subparagraphs thereunder of Part 77, title 14 of the Code of Federal Regulations and dated January 1, 1982, copies of which are on file in the office of the Planning Board and in the office of the Director of Inspections; and which is incorporated by reference as a part of the Zoning Ordinance.~~

(4) Runway Protection Zones

(a) Establishment. Runway Protection Zones (RPZs) are trapezoidal areas established at ground level prior to the threshold or beyond the end of runways at Smith Reynolds Airport to provide a clear area free of airport activity obstructions.

(b) Boundary. The boundary of these trapezoidal zones are shown on the AO District boundary map on file in the Department of Planning and Development Services.

(c) Alternative Planting Requirement. Medium variety trees shall be planted in lieu of large variety trees wherever landscaping is required by this Ordinance for any site located in Runway Protection Zones permitted after adoption of this ordinance.

~~(5) Overlay District Requirements.No structure or vegetation shall be erected, altered, allowed to grow, or maintained so that it extends into the air space above the approach surfaces or transitional surfaces at and in the vicinity of Smith Reynolds Airport.~~

~~Structures and vegetation which extended into the airspace above the approach surfaces and transitional surface before January 17, 1983 are declared to be airport hazards and prohibited subject to the nonconforming provisions of Section B.5. The owner of a structure or tree which exceeds the height limitations of this section and is allowed to continue as nonconforming shall permit the Airport Authority to install, operate, or maintain thereon, at the City's expense, any markers and lights necessary to indicate the presence of such a hazard to aircraft operations.~~

~~Within all the remaining geographical areas underlying horizontal surfaces and conical surfaces, no person shall construct a structure which would extend into the airspace above these surfaces without giving notice to the Federal Aviation Administration and to the Director of Inspections. No zoning permit shall be issued for any proposed structure which would extend into the airspace above these surfaces for a period of one hundred twenty (120) days or until the Federal Aviation Administration has made a study and issued a report on the effect of said structure on airport operations, whichever occurs first.~~

- (5) Zoning and Building Permits. Within the Airspace Obstruction Zone, or within any Runway Protection Zone, the following activities shall require a Zoning/Building Permit to be granted by the Inspections Division.

New/Expanding Structures or Land Uses. No person shall construct or expand a structure which could extend above the Airspace Obstruction Zone (or establish or expand a land use or new structure in any Runway Protection Zone) without first giving appropriate notice (e.g. Form 7460-1) to the Federal Aviation Administration (FAA), to Smith-Reynolds Airport and to the Inspections Division. No Zoning/Building Permit shall be issued for any proposed structure that could extend above the Airspace Obstruction Zone (or for any structure or land use within in a Runway Protection Zone) for a period of one-hundred twenty (120) days or until the FAA has made a study and issued a report on the effect of said structure or land use on airport operations, whichever occurs first.

- (6) Exceptions.....These regulations shall not apply to any air navigation facility, airport visual approach or landing aid, or aircraft arresting device, of a type approved by the Federal Aviation Administration, the location and height of which is fixed by its functional purpose.

(7) ~~Administration:~~

- (a) ~~Airport zoning regulations shall be administered and enforced as a part of the Zoning Ordinance; provided, however, that the Zoning Ordinance shall not limit the effectiveness or scope of specific airport zoning regulations of the act.~~
- (b) ~~The Director of Inspections shall have the duty of administering and enforcing airport zoning regulations, including the hearing and deciding of all permits in accordance with G.S. 63-32(a). The Director of Inspections shall be the administrative agency as that term is used in the act.~~
- (c) ~~The Board of Adjustment shall, in connection with the administration of airport zoning regulations, have and exercise all powers and perform all the duties granted to and imposed upon the Board of Appeals under the act. In all hearings relating to airport zoning regulations before the Board of Adjustment, the Airport Commission of Forsyth County shall be deemed a party in interest. The public parties in interest shall be given not less than ten (10) days' notice of hearings before the Board of Adjustment.~~

Section 3. This ordinance shall become effective upon adoption.