

(7) Wall signs, A-1, B-1, B-2, C-1, M-1, and M-2 districts. (Ord. 645 § 22(D), 1982).

Chapter 20.78 AIRPORT HEIGHT REGULATIONS

20.78.010 Short title.

This chapter shall be known and may be cited as "the Fairfield municipal airport height regulations ordinance." (Ord. 679 § 1, 1984).

20.78.020 Definitions.

As used in this chapter, unless the context otherwise requires:

- (1) "Airport" means the Fairfield municipal airport.
- (2) "Airport elevation" means the highest point of an airport usable landing area measured in feet above mean sea level, which elevation is established to be seven hundred ninety-seven feet.
- (3) "Airport hazard" means any structure or tree or use of land which would exceed the federal obstruction standards as contained in Fourteen Code of Federal Regulations Sections seventy-seven point twenty-one (77.21), seventy-seven point twenty-three (77.23) and seventy-seven point twenty-five (77.25) as revised March 4, 1972, and which obstruct the airspace required for the flight of aircraft and landing on takeoff at an airport or is otherwise hazardous to such landing or taking off of aircraft.
- (4) "Airport primary surface" means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred feet beyond each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- (5) Airspace Height. For the purpose of determining the height limits in all zones set forth in this chapter and shown on the zoning map the detour shall be mean sea level elevation unless otherwise specified.
- (6) "Control zone" means airspace extending upward from the surface of the earth which may include one or more airports and is normally a circular area of five statute miles in radius, with extensions where necessary to include instrument approach and departure paths.
- (7) "Instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities or area-type navigation equipment, for which an instrument approach procedure has been approved or planned.
- (8) "Minimum descent altitude" means the lowest altitude, expressed in feet above mean sea level, to which descent is authorized on final approach or during circle-to-land maneuvering in execution of a standard instrument approach procedure, where no electronic glide slope is provided.
- (9) "Minimum enroute altitude" means the altitude in effect between radio fixes which assures acceptable navigational signal coverage and meets obstruction clearance requirements between those fixes.
- (10) "Minimum obstruction clearance" means the specified altitude in effect between radio fixes on VOR airways, off-airway routes, or route segments which meets obstruction clearance requirements for the

entire route segment and which assures acceptable navigational signal coverage only within twenty-two miles of VOR.

(11) "Runway" means a defined area on an airport prepared for landing and takeoff of aircraft along its length.

(12) "Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on a FAA approved airport layout plan, a military services approved military airport layout plan, or by any planning document submitted to the FAA by competent authority. (Ord. 679 § 2, 1984).

20.78.030 Areas and airspace height limitations.

In order to carry out the provisions of this chapter, there are created and established certain areas which are depicted on the Fairfield municipal airport height regulation areas map. A structure located in more than one area of the following areas is considered to be only in the area with the more restrictive height limitation. The various areas are established and defined as follows:

(1) Airport Height Regulation Areas.

(A) Horizontal Area. The land lying under a horizontal plane one hundred fifty feet above the established airport elevation, the perimeter of which is constructed by:

(i) Visual Runway. Swinging arcs of five thousand feet radii from the center of each end of the primary surface of runway 8 : 26 and connecting the adjacent area by lines tangent to those arcs.

(ii) Nonprecision Instrument Runway. Swinging arcs of ten thousand feet radii from the center of each end of the primary surface of runway 17 : 35 and connecting the adjacent arcs by lines tangent to those arcs. (NOTE: The radius of the arc specified for each end of a runway will have the same arithmetic value. That value will be the highest determined for either end of the runway. When a five thousand feet arc is encompassed by tangents connecting two adjacent ten thousand feet arcs, the five thousand feet arc shall be disregarded on the construction of the perimeter of the horizontal surface.)

No structure shall exceed one hundred fifty feet above the established airport elevation in the horizontal area, as depicted on the Fairfield municipal airport height regulation areas map.

(B) Conical Area. The land lying under a surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty to one for a horizontal distance of four thousand feet. No structure shall penetrate the conical surface in the conical area, as depicted on the Fairfield municipal airport height regulation areas map.

(C) Approach Area. The land lying under a surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.

(NOTE: An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.)

(i) The inner edge of the approach surface is:

(a) Visual Utility Runway. Two hundred fifty feet wide for Runway 8 : 26;

(b) Visual Other than Utility Runway and Nonprecision Instrument Runway. Five hundred feet wide for Runway 17 : 35.

(ii) The outer edge of the approach area is:

(a) Visual Utility Runway. One thousand two hundred fifty feet for Runway 8 : 26;

(b) Visual Other than Utility Runway. One thousand five hundred feet for Runway 17 : 35;

(c) Nonprecision Instrument Other than Utility Runway. Three thousand five hundred feet for Runway 35.

(iii) The approach area extends for a horizontal distance of:

(a) All Visual and Nonprecision Instrument Utility Runways. Five thousand feet at a slope of twenty to one for Runways 17, 8 and 26;

(b) Nonprecision Instrument Other than Utility Runways. Ten thousand feet at a slope of thirty-four to one for Runway 35.

No structure shall exceed the approach surface to any runway, as depicted on the Fairfield municipal airport height regulation areas map.

(D) Transitional Area. The land lying under those surfaces extending outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of seven to one from the sides of the primary surface and from the sides of the approach surfaces.

No structure shall exceed the transitional surface, as depicted on the Fairfield municipal airport height regulation areas map.

(E) No structure shall be erected in Jefferson County, Iowa that raises the published minimum descent altitude for an instrument approach to any runway, nor shall any structure be erected that causes the minimum obstruction clearance altitude or minimum enroute altitude to be increased on any federal airway in Jefferson County, Iowa. (Ord. 679 § 3, 1984).

20.78.040 Use restrictions.

Notwithstanding any other provisions of Section 20.78.030, no use may be made of land or water within the city of Fairfield, Iowa or Jefferson County, Iowa in such a manner as to interfere with the operation of any airborne aircraft. The following special requirements shall apply to each permitted use:

(1) All lights or illumination used in conjunction with street, parking, signs or use of land and structures shall be arranged and operated in such a manner that it is not misleading or dangerous to aircraft operating from the Fairfield municipal airport or in the vicinity thereof.

(2) No operations from any use shall produce smoke, glare or other visual hazards within three statute miles of any usable runway of the Fairfield municipal airport.

(3) No operations from any use in the city of Fairfield, Iowa or Jefferson County, Iowa shall produce electronic interference with navigation signals or radio communication between the airport and aircraft. (Ord. 679 § 4, 1984).

20.78.050 Lighting.

(a) Notwithstanding the provisions of Section 20.78.040, the owner of any structure over two hundred feet above ground level must install on the structure lighting in accordance with Federal Aviation Administration (FAA), Advisory Circular 70-7460-1D and amendments. Additionally, any structure, constructed after the effective date of the ordinance codified in this chapter and exceeding nine hundred forty-nine feet above ground level, must install on that structure high intensity white obstruction lights in accordance with Chapter Six of FAA Advisory Circular 7460-1D and amendments.

(b) Any permit or variance granted may be so conditioned as to require the owner of the structure or growth in question to permit the city at its own expense to install, operate and maintain thereto such markers or lights as may be necessary to indicate to pilots the presence of an airspace hazard. (Ord. 679 § 5, 1984).

20.78.060 Variances.

Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use his property in violation of any section of this chapter, may apply to the board of adjustment for variance from such regulations. No application for variance to the requirements of this chapter may be considered by the board of adjustment unless a copy of the application has been submitted to the Fairfield municipal airport manager and the Aeronautics Director of the Iowa Department of Transportation for his opinion as to the aeronautical effects of such a variance. If the Fairfield municipal airport manager and the Aeronautics Director does not respond to the board of adjustment within fifteen days from the receipt of the copy of the application, the board may make its decision to grant or deny the variance. (Ord. 679 § 6, 1984).

20.78.070 Board of adjustment.

(a) There is created a board of adjustment to have and exercise the following powers: (1) To hear and decide appeals from any order, requirement, decision, or determination made by the airport administration officer in the enforcement of this chapter; (2) To hear and decide special exemptions to the terms of this chapter upon which such board of adjustment under such regulations may be required to pass; and (3) To hear and decide specific variances.

(b) The board of adjustment shall consist of five members who shall be the three members of the Jefferson County board of supervisors and two members of the Fairfield airport committee to be appointed by the city council of the city of Fairfield. Such members each shall serve until his successor is duly appointed and qualified. Such members shall annually elect a chairman and secretary from its own number who shall serve in this capacity until the next election or his replacement on the board.

(c) The board of adjustment shall adopt rules for its governance and in harmony with the provisions of this chapter. Meetings of the board shall be held at the call of the chairman and at such other times as the board of adjustment may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board of adjustment shall be open to the public. The board of adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations, and other official actions, all of which shall immediately be filed in the office of the city clerk and on due cause shown.

(d) The board of adjustment shall have the powers established in Iowa Statutes, Section 414.12.

(e) The concurring vote of a majority of the members of the board of adjustment shall be sufficient to reverse any order, requirement, decision or determination of any administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect variations of this chapter. (Ord. 679 § 7, 1984).

20.78.080 Judicial review.

Any person aggrieved, or any taxpayer affected, by any decision of the board of adjustment, may appeal to the Court of Record as provided in Iowa Statutes, Section 414.15. (Ord. 679 § 8, 1984).

20.78.090 Administrative agency.

It shall be the duty of the airport administration officer, who shall be the city clerk of the city of Fairfield, Iowa, to administer the regulations prescribed herein. Applications for permits and variances shall be made to the airport administrative officer upon a form furnished by him. Applications required by this chapter to be submitted to the airport administrative officer shall be promptly considered and granted or denied. Application for action by the board of adjustment shall be forthwith transmitted by the airport administrative officer. (Ord. 679 § 9, 1984).

20.78.100 Violation--Penalty.

Each violation of this chapter or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor, and be punishable by a fine of not more than one hundred dollars or imprisonment for not more than thirty days or both; and each day a violation continues to exist shall constitute a separate offense. (Ord. 679 § 10, 1984).

20.78.110 Conflicting regulations.

Where there exists a conflict between any of the regulations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict be with respect to height of structures, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail. (Ord. 679 § 11, 1984).

Chapter 20.80 DISTRICT CHANGES--AMENDMENTS

20.80.010 Amendments.

In accordance with the provisions of the Code of Iowa, as amended, the city council of the city of Fairfield, Iowa, may, from time to time, amend or change by ordinance the number, shape or area of the districts established on the official zoning map or the regulations set forth in the official zoning ordinance; but no such amendments or change will become effective unless the ordinance proposing such amendment for change shall have first been submitted to the planning and zoning commission of the city of Fairfield, Iowa, for approval, disapproval or suggestions, and after the commission shall have been allowed a reasonable time, not less than thirty days and no more than sixty days for consideration and report to the city council of the city of Fairfield, Iowa. (Ord. 645 § 25(A), 1982).

20.80.020 Hearing and notification.

Before submitting its recommendation and report to the city council, of the city of Fairfield, Iowa, the planning and zoning commission of the city of Fairfield, Iowa, may hold a hearing on the proposed amendment, supplement or change. In any event, the city council, city of Fairfield, Iowa, shall hold a public hearing on the proposed amendment, supplement or change not less than fifteen days nor more than thirty days after serving notice of time and place of such hearing by publication in a newspaper published in the community and after mailing notices to all property owners directly involved, including those owning property contiguous to or across the street or alley from the area proposed to be altered. However, the failure to mail notices of the hearing to any proposed amendment, supplement or change, which, in any way, can be construed to affect the entire city, to all property owners within the community will not constitute a violation of this chapter. (Ord. 645 § 25(B), 1982).