

CHAPTER 1: AIRPORT ZONING

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13-1- 1: TITLE.  
This Ordinance shall be known and may be cited as "The Orange City Municipal Airport Height Zoning Ordinance."

13-1- 2: DEFINITIONS.  
As used in this Ordinance, unless the context otherwise requires:

AIRPORT: The Orange City Municipal Airport.

AIRPORT ELEVATION: The highest point of an airport's usable landing area measured in feet above mean sea level, which elevation is established to be one thousand four hundred fourteen (1,414) feet.

AIRPORT HAZARD: Any structure or object of natural growth located on or in the vicinity of a public airport, or any use or land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport as is otherwise hazardous to such landing or takeoff of aircraft.

AIRPORT PRIMARY SURFACE: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) 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.

AIRSPACE HEIGHT: For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

CONTROL ZONE: Airspace extending upward from the surface of the earth which may include one or more airports and is normally a circular area of five (5) statute miles in radius, with extensions where necessary to include instrument approach and departure paths.

**INSTRUMENT RUNWAY:** 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.

**MINIMUM DESCENT ALTITUDE:** 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.

**MINIMUM ENROUTE ALTITUDE:** The altitude in effect between radio fixes which assures acceptable navigational signal coverage and meets obstruction clearance requirements between those fixes.

**MINIMUM OBSTRUCTION CLEARANCE ALTITUDE:** The specified altitude in effect between radio fixes or 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 (22) miles of a VOR.

**RUNWAY:** A defined area on an airport prepared for landing, and takeoff of aircraft along its length.

**VISUAL RUNWAY:** 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.

### 13-1-3: ZONES AND AIRSPACE HEIGHT LIMITATIONS

In order to carry out the provisions of this Section, there are hereby created and established certain zones according to FAA requirements. A structure located in more than one (1) zone of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

#### (a) Airport Height Zones

(1) Horizontal Zones: The land lying under a horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which is constructed by:

[a] Swinging arcs of five thousand (5,000) feet radii from the center of each end of the primary surface of Runways 16 and 34 and connecting the adjacent arcs by lines tangent to those arcs.

No structure shall exceed one hundred fifty (150) feet above the established airport elevation in the horizontal zone according to FAA requirements.

(2) Conical Zone: The land lying under a surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) to one (1) for a horizontal distance of four thousand (4,000) feet. No structure shall penetrate the conical surface to the conical zone according to FAA requirements.

(3) Approach Zone: 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.

[a] The inner edge of the Approach Surface is:

[1] Five hundred (500) feet wide for Runways 16 and 34.

[b] The outer edge of the approach zone is:

[1] Two thousand (2,000) feet for Runways 16 and 34.

[c] The Approach Zone extends for a horizontal distance of:

[1] Five thousand (5,000) feet at a slope of twenty (20) to one (1) for Runways 16 and 34.

No structure shall exceed the approach surface to any runway according to FAA requirements.

(4) Transitional Zone: 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 (7) to one (1) from the sides or the primary surface and from the sides of the Approach Surfaces.

No structure shall exceed the Transitional Surface according to FAA requirements.

(5) No structure shall be erected in Sioux County that raises the published Minimum Descent Altitude or Decision Height 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 Sioux County.

#### 13-1-4: USE RESTRICTIONS.

Notwithstanding any other provisions of Section 13-1-3, no use may be made of land or water within Orange City or Sioux County in such a manner as to interfere with the operation of any airborne aircraft. The following special requirements shall apply to each permitted use:

(a) 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 Orange City Municipal Airport or in the vicinity thereof.

(b) No operations from any use shall produce smoke, glare, or other visual hazards within three (3) statute miles of any usable runway of the Orange City Municipal Airport.

(c) No operations from any use in Orange City (or Sioux County) shall produce electronic interference with navigation signals or radio communication between the airport and aircraft.

### 13-1- 5: LIGHTING.

(a) NOTWITHSTANDING the provisions of Section 13-1-4, the owner of any structure over two hundred (200) feet above ground level must install on the structure lighting in accordance with Federal Aviation Administration (FAA), advisory Circular 70-7460-ID and amendments. Additionally, any structure, constructed after the effective date of this Ordinance and exceeding nine hundred forty-nine (949) feet above ground level, must install on that structure high intensity white obstruction lights in accordance with Chapter 6 of FAA Advisory Circular 7460-ID 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 of Orange 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.

### 13-1-6: 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 Ordinance, may apply to the Board of Adjustment for variance from such regulations. No application for variance to the requirements of this Ordinance may be considered by the Board of Adjustment unless a copy of the application has been submitted to the Orange City Municipal Airport Fixed Base Operator for his opinion as to the aeronautical effects of such a variance. If the Orange City Municipal Airport Fixed Based Operator does not respond to the Board of Adjustment within fifteen (15) days from receipt of the copy of the application, the Board may make its decision to grant or deny the variance.

### 13-1-7: BOARD OF ADJUSTMENT.

The Board of Adjustment provided for in Title 2, Chapter 1, Article 4 of the City Code, inclusive, shall have and exercise the following powers:

(a) To hear and decide appeals from any order, requirements, decision, or determination made by the Orange City Planning and Zoning Commission in the enforcement of this Ordinance;

(b) To hear and decide special exemptions to the terms of this Ordinance upon which such Board of Adjustment under such regulations may be required to pass; and

(c) To hear and decide specific variances.

### 13-1-8: 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.

### 13-1-9: ADMINISTRATIVE AGENCY.

It shall be the duty of the Orange City Planning and Zoning Commission to

administer the regulations prescribed herein. Applications for permits and variances shall be made to the Orange City Code Enforcement Officer upon a form furnished by him. Applications required by this Ordinance to be submitted to the Administrative Agency shall be promptly considered and granted or denied. Application for action by the Board of Adjustment shall be forthwith transmitted by the Orange City Planning and Zoning Commission.

13-1-10: PENALTIES:

Each violation of this Ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor, and be punishable by a fine of not more than Two Hundred Dollars (\$200.00). Each day that a violation is permitted to exist constitutes a separate offense.

13-1-11: CONFLICTING REGULATIONS.

Where there exists a conflict between any of the regulations or limitations prescribed in this Ordinance 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.