

integrity. The failure to properly maintain any designated historic landmark or property located within a district, whether intentionally or not, such that it falls into disrepair and is no longer habitable shall constitute a demolition by neglect of such property or structure and shall be a violation of this ordinance. The City of Wilson may take appropriate actions to prevent and/or cure a demolition by neglect violation according to the provisions outlined in Chapter 16 of this ordinance.

2.8.3 AIRPORT OVERLAY (A-O)

A. Purpose: The Airport Overlay district is established for the purpose of regulating height and land uses which may be hazardous to the safe operation of aircraft. As an overlay district, the Airport Overlay District regulations further restrict development in any underlying district. The City Council of the City of Wilson finds and declares that:

1. Wilson Industrial Air Center is an essential public facility.
2. An airport hazard endangers lives and property of users of the airport, the property and occupants of land in its vicinity, and also if of the obstructive type, in effect reduces the size and area available for landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein.
3. The creation or establishment of an airport hazard is a threat to public health, safety, and welfare.
4. For the protection of the public health, safety, order, convenience, prosperity, and general welfare, and for the promotion of the most appropriate use of land, it is necessary to prevent the creation or establishment of airport hazards.
5. The prevention of these airport hazards should be accomplished, to the extent legally possible, by the exercise of the police power of the city.
6. The prevention or creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards is a public purpose for which political subdivisions may raise and expend public funds and may use their police power to achieve.

B. Real Estate Disclosure: Any land subdivision, subject to the requirements of Chapter 6 of the Wilson UDO, lying in a Runway Protection Zone, Sideline Protection Zone, Approach Zone, Transitional Zone, or the Horizontal Zones shall be required to place a note on the Final Plat that states, ***“This property is within an airport protection zone and may experience noise, vibration, odor, and other annoyances or inconveniences associated with being in close proximity to an airport”.***

C. General Provisions: The following limitations shall apply to all uses within the Airport Overlay Districts:

1. No use or activity shall take place within this district in such a manner as to create electrical interference with navigational signals or radio communication between airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, impair visibility, or otherwise create a hazard which

may in any way endanger the landing, take-off, or maneuvering of aircraft using the airport.

2. No glare-producing materials shall be used on the exterior of any building or structure located within the district.
3. The requirements of this section shall not be construed to require a property owner to remove, lower, or make other changes or alterations of any structure that legally existed prior to the effective date of this ordinance. However, such structure shall be considered nonconforming if such structure is in conflict with these regulations.
4. Pulsating, flashing, oscillating, or other types of attention-getting devices are prohibited. Lighting devices such as floodlights and spotlights shall be so arranged or shielded as not to cast illumination in an upward direction above an imaginary line extended from a light source parallel to the ground.

D. Airport Protection Zones Established: There are hereby created and established certain protection zones within the Airport Overlay District which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Wilson Industrial Air Center. The Airport Overlay Map is hereby adopted, and the various zones are hereby established and displayed on this map. The zones are defined as follows:

1. **Primary Surface:** This is a surface immediately adjacent to and centered on each of the runways and along the extended future runway centerline for runway 3/21. For runway 3/21 the width of the primary surface is 500 feet, for all other runways, the width of the primary surface is 250 feet. The primary surface extends 200 feet beyond the end of each runway. For Runway 3/21, the primary surface extends on the north end of the runway an additional 1000' in order to reserve an area for future runway extension.
2. **Runway Protection Zone (RPZ):** These trapezoidal surfaces are established at the end of each runway primary surface. The purpose of the RPZ is to provide a clear area, not encumbered by buildings or concentrations of people, to enhance the safety of operating aircraft and persons and property on the ground. The RPZ is centered on the runway centerline and extends 1700 feet from the edge of the primary surface for Runway 3/21 and 1000 feet for runways 15/33 and 9/27. The inner width of the RPZ for runway 3/21 is 500 feet and the outer width is 700 feet. For the remaining utility runways (15/33 and 9/27), the inner width is 250 feet and the outer width is 450 feet.
3. **Sideline Safety Zone (SSZ):** This rectangular surface is centered on the runway with a total width of 2000 feet for runway 3/21 and 1000 feet for runways 15/33 and 9/27. The Sideline Safety Zones extend to the terminus of each Runway Protection Zone.
4. **Utility Runway Visual Approach Zone (runways 15/33 & 9/27):** The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. This approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
5. **Runway Larger than Utility with a Visibility Minimum of ¾ Mile or Greater Non-Precision Instrument Approach Zone (runway 3/21):** The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to

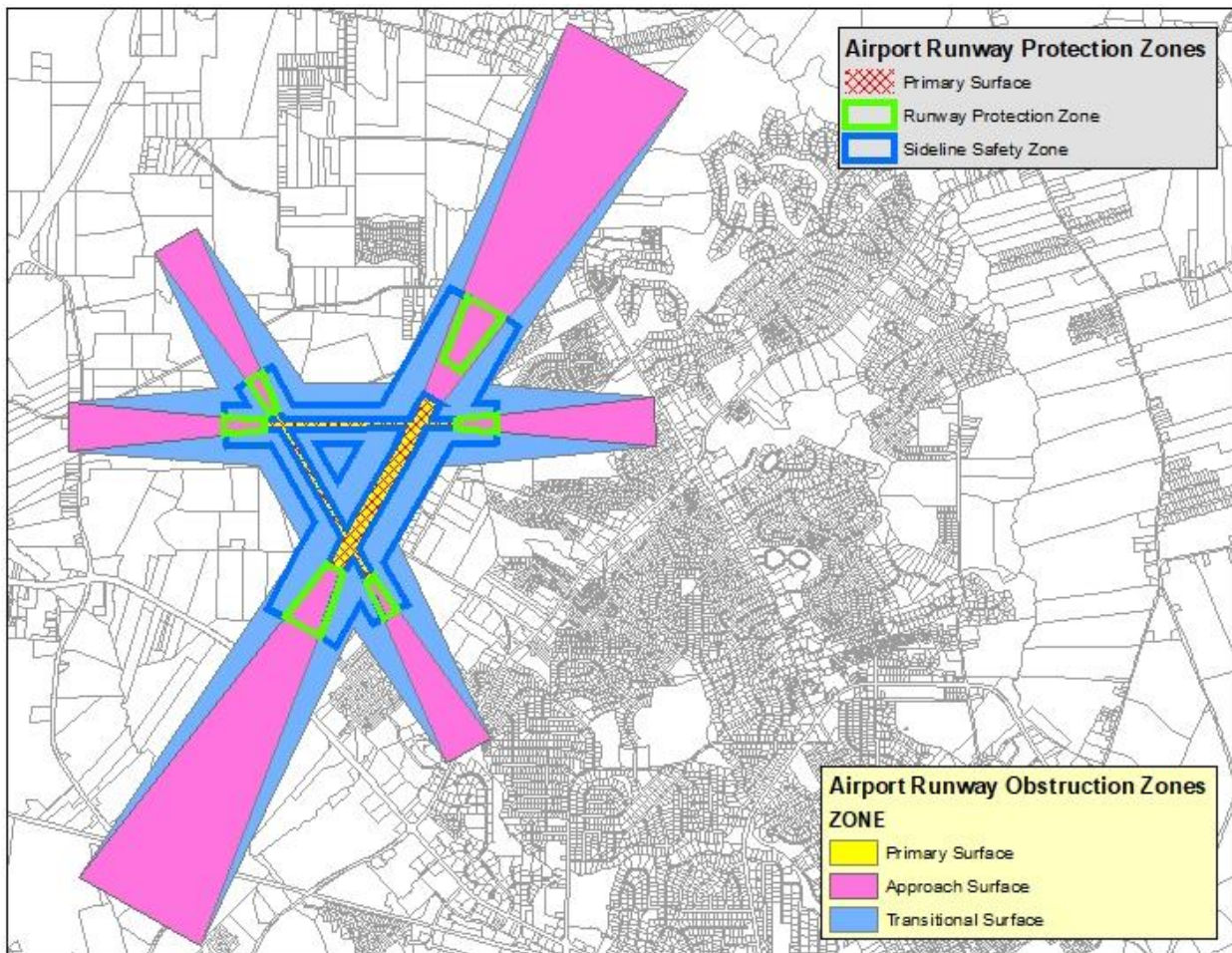
a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

6. **Transitional Zones:** The transitional zone is an area that runs from the edge of the Primary Surfaces and Approach Surfaces up to the height prescribed for the Horizontal Zone.
 7. **Horizontal Zone:** The horizontal zone is established by swinging arcs 5,000 feet radii for all runways designated utility or visual (runways 15/33 & 9/27) and 10,000 feet for runway 3/21 from the centerline of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
 8. **Conical Zone:** The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.
- E. **Height Limitations:** Except as otherwise provided in this ordinance, no structure shall be erected, altered, or maintained and no tree shall be allowed to grow in any zone created by this ordinance to a height in excess of the applicable height herein established for such zone. A property located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The height limitations for each of the zones in the Airport Overlay District are as follows:
1. **Utility Runway Visual Approach Zone (runways 15/33 & 9/27):** Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
 2. **Runway Larger than Utility with a Visibility Minimum Greater Than 3/4 Mile Non-Precision Instrument Approach Zone (3/21):** Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
 3. **Transitional Zones:** Slopes 7 feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 310.7 feet above mean sea level, which is 150 feet above the airport elevation.
 4. **Horizontal Zone:** Established at 310.7 feet above mean sea level, which is 150 feet above the airport elevation. .
 5. **Conical Zone:** Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
- F. **Special Requirements:** Any use that generates a hazard, as listed in the table below, is subject to the following requirements:

Hazards Generated	Applicable Requirements and/or Standards
Dirt, dust, fly ash, and particulate matter	Environmental Protection Agency (EPA) emission levels. Federal Aviation and Administration (FAA) visual hazards.
Glare and heat	Activities shall be within an enclosure and shall be imperceptible beyond the property without instruments.
Noise	EPA decibel levels. Occupational Health and Safety Administration standards.
Odor	EPA standards.
Radio and electronic	Federal Communications Commission (FCC) license or authority for operation.

emissions	FCC and FAA requirements apply to use.
Toxic gases	EPA emission levels.
Radiation	Federal Radiation Council standards.

- G. Prohibited Uses:** The following uses are prohibited in the Airport Overlay Approach or Transitional Zones (and if noted, prohibited anywhere within the airport protection zones).
1. Any Educational/Institutional Use listed in 2.7.3.F (except that existing establishments may renovate and/or expand so long as the expansion area doesn't occur in or extend into a Runway Protection Zone or Sideline Safety Zone)
 2. Above ground storage of fuel or other flammable/explosive materials
 3. Circus or Carnival
 4. Civic Meeting Facility
 5. Conference or Meeting Facility
 6. Correctional Facility
 7. Cultural or Community Facility
 8. Funeral Homes/Crematoria
 9. Hospital
 10. Industry (Light or Heavy) that regularly produces smoke, steam, dust, or other emissions, or has other characteristics such as lighting or glare that would be hazardous to air navigation on approach or departure to the Wilson Industrial Air Center.
 11. Landfills (not permitted in any airport protection zone due to bird strike hazards)
 12. Materials Recovery and Waste Transfer Facilities
 13. Racetrack
 14. Recreation Facilities (Public or Private) – except that outdoor recreational facilities are permitted.
 15. Religious Institutions (except that existing establishments may renovate and/or expand so long as the expansion area doesn't occur in or extend into a Runway Protection Zone or Sideline Safety Zone)
 16. Shooting Range, Outdoor
 17. Sports Arena/Stadium
 18. Theater, Drive-In
 19. Theater, Indoor Movie or Live Performance
 20. Theater, Outdoor
 21. Wireless Communication Facility, except that co-locations on existing structures are permitted so long as all height restrictions outlined in 2.8.2 are met.



H. Additional Restrictions for the Runway Protection Zones, Sideline Safety Zones, or Inner Safety Zones.

1. The Runway Protection Zone, Sideline Safety Zone, and Inner Safety Zone are established as a part of the Airport Overlay District to protect the areas near runways and are identified on the City of Wilson Zoning Map.
 - a. Any underlying residential density allowance within these zones may be transferred to another property within the City of Wilson zoning jurisdiction upon issuance of a conditional use permit. Transferring density within the subject property or a property adjacent to the subject property is exempt from the conditional use permit requirement.
2. The Runway Protection Zone (RPZ) shall be kept clear of all structures for the safety of those on the ground and operating aircraft.
3. In addition to the use restrictions given in 2.8.3.G above, the following use prohibitions are established in the Sideline Protection Zone:

Residential Dwellings including Multi-Family