

## CHAPTER 5

### AIRPORT REGULATIONS

#### **SECTION 1: ADMINISTRATION AND ENFORCEMENT**

It shall be the duty of the Planning and Zoning Board or designee to administer and enforce the regulations prescribed in this Chapter within the territorial limits over which the City has zoning authority. In the event of any violation of the regulations contained herein, the person responsible for a violation shall be given notice in writing by the Planning and Zoning Board or its designee. The notice shall indicate the nature of the violation and the necessary action to correct or abate the violation. The City Manager shall order discontinuance of use of land or building herein; removal of trees to conform with height limitations set forth herein; removal of buildings, additions, alterations or structures; discontinuance of work being done; or shall take any or all other action necessary to correct violations and obtain compliance with all provisions of this Chapter.

a) Authority of City to Make Improvements Upon the Municipal Airport.

There shall be no expansion of the Municipal Airport of the City of Umatilla or acquisition of real property either by gift or purchase for the purpose of expanding the Municipal airport of the City of Umatilla, without prior approval of the electorate of the City of Umatilla at a general election or special election called for that purpose.

b) Improvements and Maintenance. All other improvements and maintenance of the airport facilities not within the territorial limits of the City must comply with F.D.O.T.

#### **SECTION 2: IN GENERAL**

There is hereby created and established a municipal airport for the City, and vicinity, upon land purchased by the City, adjacent to the corporate limits of the city and purchased upon the condition that same shall be occupied and maintained as a municipal airport for the landing and taking off of aircraft thereon, as may be prescribed and permitted under and by virtue of the rules and regulations of the civil aeronautics authority and other government authorities of the state, federal government and city, the lands being described as follows, to wit:

a) Parcel No. 1. Commencing at the quarter section corner on the south line of Section 18, Township 18 South, Range 27 East, run thence north 3 degrees 15 minutes east 724.8 feet for the point of beginning; continue thence north 3 degrees 15 minutes east 1,505 feet, thence run north 43 degrees 40 minutes west 534 feet, thence run south 3 degrees 15 minutes west 1,502.7 feet, thence run south 43

degrees 40 minutes east 536.6 feet to the point of beginning; containing 13.464 acres; also

- b) Parcel No. 2. Commencing at the quarter section corner on the South line of Section 18, Township 18 South of Range 27 East, run thence North 3 degrees 15 minutes, East 2,259 feet for the Point of Beginning; continue thence North 3 degrees 15 minutes West 688.9 feet, thence run South 43 degrees 40 minutes east, 534 feet to the point of beginning; containing 7.583 acres.

The City is hereby authorized to regulate and police said airport grounds, roads, runways, etc., to keep order, protect and prevent any damage thereto.

**SECTION 3:                   REGISTRATION OF AIRCRAFT**

Every aircraft used and operated at and upon the municipal airport shall be registered in the name of the owners thereof in a registration book to be kept by the city Clerk, describing the type of such aircraft, and such other information concerning the same as the City Clerk may from time to time prescribe or require.

**SECTION 4:                   FEES**

The City is hereby authorized to assess user fees for the Umatilla Municipal Airport. Fees may be charged for landing aircraft on the airport property, as well as for entry of aircraft onto airport property from adjoining property. Additionally, fees shall be charged for use of the airport tie down facilities. The amount of the fees shall be determined by the City Council.

**SECTION 5:                   FRANCHISES**

The City hereby invokes its right to grant franchises, or licenses to operate airport-related businesses. The franchises shall be granted on a first come, first served basis, and shall be limited to adjoining property owners, or person with legal interest on adjoining properties, or persons with a current lease on airport properties. The franchises shall be governed by a standard franchise agreement to be entered into between the City and the individual franchise. The City reserves the right to refuse to grant any franchise and to revoke any previously granted franchise.

**SECTION 6:**            **AIRPORT ZONES AND AIRSPACE HEIGHT LIMITATIONS**

a)     In General.

In order to carry out the provisions of this Chapter, there are hereby created, and established certain zones which include all of the land lying beneath the approach, transitional, horizontal and conical surfaces as they apply to the airport. An area located in more than one (1) of the described 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:

- 1)     Primary Zone. An area longitudinally centered on a runway with the width so specified for each runway for the most precise approach existing or planned for either end of the runway. No structure or obstruction will be permitted within the primary zone that is not part of the landing and take-off facilities, and is of a greater height than the nearest point on the runway center line. The width of the primary zone is as follows: Runways 11 and 19, two hundred and fifty (250) feet for visual utility runways having only visual approaches. The width of the primary zone of a runway will be that width prescribed in this Section for the most precise approach existing or planned for either end of that runway.
  
- 2)     Horizontal Zone. The area around each civil airport with an outer boundary the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary zone of each airport's runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is: Runways 1 and 19, five thousand (5,000) feet for visual runways having only visual approaches.
  
- 3)     Conical Zone. The area extending outward from the periphery of the horizontal zone for a distance of four thousand (4,000) feet. Height limitation for structures in the conical zone are one hundred fifty (150) feet above airport height at the inner boundary with permitted height increasing one foot vertically for every twenty (20) feet of horizontal distance measured outward from the inner boundary to a height of three hundred fifty (350) feet above airport height at the outer boundary.
  
- 4)     Approach Zone. An area longitudinally centered on the extended runway center line and extending outward from each end of the primary surface. An approach zone is designated for each runway based upon the type of approach available or planned for that runway end.

- A) The inner edge of the approach zone is the same width as the primary zone and it expands uniformly to a width of: Runways 1 and 19, one thousand two hundred (1,200) feet for that end of a runway other than a utility runway with only visual approaches.
  - B) The approach surface extends for a horizontal distance of: Runways 1 and 19, five thousand (5,000) feet for all utility and visual runways.
  - C) The outer width of an approach zone to an end of a runway will be that width prescribed in this Subsection for the most precise approach existing or planned for that runway end.
  - D) Permitted height limitation within the approach zone is the same as the runway end height at the inner edge and increases with horizontal distance outward from the inner edge as follows: Runways 1 and 19, permitted height increases one foot vertically for every twenty (20) feet of horizontal distance for all utility and visual runways.
- 5) Transitional Zone. The area extending outward from the sides of the primary zones and approach zones connecting them to the horizontal zone. Height limitations within the transitional zone are the same as the primary zone or approach zone at the boundary line where it adjoins and increases at a rate of one (1) foot vertically for every seven (7) feet horizontally, with the horizontal distance measured at right angles to the runway center line and extended center line, until the height matches the height of the horizontal zone or conical zone or for a horizontal distance of five thousand (5,000) feet from the side of the part of the precision approach zone that extends beyond the conical zone.
- 6) Other Areas. In addition to the height limitations imposed in paragraphs (1) through (5) above, no structure or obstruction will be permitted within the City that would cause a minimum obstruction clearance altitude, a minimum descent altitude or a decision height to be raised.

**SECTION 7: LAND USE RESTRICTIONS**

- a) Use Restrictions. Notwithstanding any other provision of this Chapter, no use may be made of land or water within any zones established by this Chapter in such a manner as to interfere with the operation of an airborne aircraft. The following special requirements shall apply to each permitted use:

- 1) All lights or illumination used in conjunction with streets, 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 a public airport or in the vicinity thereof.
  - 2) No operations of any type shall produce smoke, glare or other visual hazards within three (3) statute miles of any usable runway of a public airport.
  - 3) No operations of any type shall produce electronic interference with navigation signals or radio communications between the airport and aircraft.
  - 4) Use of land within the accident potential hazard area shall prohibit high density residential use, schools, hospitals, storage of explosive material, assemblage of large groups of people or any other use that could produce a major catastrophe as a result of an aircraft crash.
- b) Lighting. Notwithstanding the preceding provisions of this section, the owner of any structure over two hundred (200) feet above ground level shall install lighting in accordance with Federal Aviation Administration Advisory Circular 70-7460-1D and amendments thereto on such structure. Additionally, high intensity white obstruction lights shall be installed on a high structure which exceeds seven hundred forty-nine (749) feet above mean sea level. The high intensity white obstruction lights must be in accordance with Federal Aviation Administration Advisory Circular 70-7460-1D and amendments.
- c) Airport Overlay District.

No person shall sell, lease or offer to sell or lease any land within the airport overlay district (safety and noise zone) unless the prospective buyer or lessee has been given the following notice in writing:

**“Aircraft Safety and Noise Warning.** This land lies beneath or in the vicinity of the aircraft approach and departure routes for Umatilla Municipal Airport. This area is subject to noise that may be objectionable and is in close proximity to aircraft that may cause safety concerns.”

The noise zone is described as an area contiguous to the airport measuring one-half the length of the longest runway on either side of and at the end of each runway centerline; the safety zone and noise zone are shown on the Airport Overlay District Map (Appendix A).

Use of land within the Airport Overlay District area shall prohibit densities greater than one (1) unit per two (2) acres, landfills, hospitals, churches, theaters,

stadiums, hotels and motels, campgrounds, storage of explosive material, assemblage of large groups of people, and any educational facility with the exception of aviation school facilities.

**SECTION8:**                      **VARIANCES**

Any person desiring to erect or increase the height of any structure, or use his property not in accordance with the regulations prescribed in this Chapter, may apply to the Planning and Zoning Board for a variance from the regulations as outlined in Chapter 3, Administration. No application for a variance shall be considered by the Planning and Zoning Board unless a copy of the application has been provided to the appropriate City Official and the County Zoning Authority.

**SECTION9:**                      **APPEALS**

Any person aggrieved, or any taxpayer affected, by any decision of the Planning and Zoning Board made in the administration of this Chapter, may appeal the decision as outlined in Chapter 3, Administration.

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