

50.8 Airport Height Overlay.¹

The purpose of the overlay designation is to promote the safe conduct of aircraft in the vicinity of an airport, to prevent creation of conditions hazardous to aircraft operation, to prevent loss of life and property, and to encourage development which is compatible with airport use characteristics.

50.8.5 Permitted Uses.

Notwithstanding any other provisions of this Ordinance, no use may be established within the regulated area so as to interfere with navigation, radio communication, or otherwise create a hazard to aircraft operations.

50.8.6 Special Uses Allowed.

None.

50.8.6a Prohibited Uses.

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50.8.7 Regulated Area.

The area included in the Airport Height Overlay shall be shown on the Wayne County Zoning Map.

50.8.8 Maximum Height Limits.

Except as otherwise provided, no structure shall be constructed or maintained so as to exceed identified maximum imaginary surface heights less ten feet. The imaginary surfaces shall be computed using information from Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace," promulgated by the Federal Aviation Administration and Department of Defense Uniform Facility Criteria 3-260-01 "Airfield and Heliport Planning and Design."

50.8.5[50.8.9] Sub-Areas.

The Airport Height Overlay shall be divided into the following sub-areas. The sub-areas shall be designated on the Wayne County Zoning Map.

- (1) Primary Surface (PS). This surface defines the limits of the obstruction clearance requirements in the immediate vicinity of the land area. The primary surface comprises runways, runway shoulders, and lateral safety zones. The length of the primary surface is the same as the runway length for the appropriate airport. The width of the primary surface is 2,000 feet or 1,000 feet on each side of the runway centerline.
- (2) Clear Zone (CZ). This surface defines the limits of the obstruction clearance requirements in the vicinity contiguous to the end of the primary surface. The length and width of the Clear Zone are 3,000 feet by 3,000 feet.
- (3) Approach Area (AA). This surface is symmetrical about the runway centerline extended, begins as an inclined plane (glide angle) 200 feet beyond each end of the primary surface at the centerline elevation of the runway end, and extends for 50,000 feet. The slope of the approach -departure clearance surface is 50 horizontally outward for each one foot vertically upward along runway centerline extended (glide angle) until it reaches an elevation of 500 feet from the start of the glide angle. The width of this surface at 200 feet beyond the

end of the runway is 2,000 feet; it flares uniformly, and the width at 50,000 feet is 16,000 feet.

- (4) Transitional Area (TA). Slopes 7 feet horizontally outward for each one foot vertically 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 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping 7 feet horizontally outward for each foot vertically upward beginning at the sides of and the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the approach area projects beyond the conical area there are established height limits sloping 7 feet horizontally outward for each foot vertically upward beginning at the sides of the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.
- (5) Inner Horizontal Area (IH). The horizontal area is established by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal area does not include the approach and transitional areas. The height shall be 150 feet above the primary surface of the adjoining runway.
- (6) Conical Area (CA). Slopes twenty feet horizontally outward for each one foot vertically upward beginning at the periphery of the Inner Horizontal area.
- (7) Outer Horizontal Area (OH). This surface is a plane located 500 feet above the established airfield elevation. It extends for a distance of 30,000 feet from the outer periphery of the conical surface for Seymour Johnson AFB. It also extends to a line 50,000 feet from the north end of the Goldsboro Wayne Airport. Said line shall be 16,000 feet in length centered on the centerline of the runway extended.

50.12 Airport Overlay District²

50.12.1 Purpose.

The purpose of the Wayne County Airport Overlay District is to provide for compatible land development in areas subject to frequent aircraft flyover and/or aircraft noise. The district is designed to mitigate the effects of aircraft flights that could increase risks to public health, safety, and quality of life.

50.12.2 Establishment.

The Wayne County Airport Overlay District, known heretofore as the "Airport District," is hereby established as a district that overlaps and overlays existing zoning districts. The district is further divided into seven sub-districts corresponding to the 65 dnl, 70 dnl, 75 dnl, 80 dnl noise contours APZ I, and APZ II plus the area within one half mile of the 65 dnl contour. The Airport District shall apply in those areas designated on the Official Zoning Map of Wayne County.

The provisions of the Airport Overlay District shall not be subject to waivers or variances by the Wayne County Planning Board or the Wayne County Board of Adjustment.

50.12.3 Applicability.

Nothing herein shall require any change in any lawfully constructed building, structure or use in existence at the time of adoption or amendment of this ordinance for its current lawful use.

The provisions of this section shall apply to any application for a building permit, certificate of occupancy, zoning change, special use permits, development permits, vested rights certificates, preliminary and final subdivision/site plan approvals and mobile home parks plan approvals sought after the effective date of this ordinance.

None of the provisions of the Airport Overlay District shall be construed to prohibit the continuance, expansion or reestablishment under current law of any existing use. The noise level reduction design standards apply only to new structures and/or new uses of land and not to structure additions.

Mobile homes moved on to existing mobile home spaces are exempt from the requirements of the Airport Overlay District.

50.12.4 Permitted Uses.

The Airport District is placed on top of several general use districts, which contain a list of permitted uses. Uses permitted whether by right or as a special use shall be permitted in the Airport District according to the standards and restrictions indicated in the following table. The numbers following the word "Yes" in the table below indicates the required level of noise reduction in decibels from outside to inside the structure. The Standard Land Use Coding Manual (SLUCM), U.S. Department of Transportation, was used in grouping various land uses. For additional information on permitted uses refer to Guidelines for Considering Noise in Land Use Planning and Control published in June 1980 by the Federal Interagency Committee on Urban Noise. Noise level reduction must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas, or where the normal noise level is low. Maximum population density requirements as described in section 50.12.12 apply to the following uses.

50.12.4a Prohibited Uses

Wind Energy Facilities