

AN ORDINANCE

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF GRIFFIN, GEORGIA, AMENDING THE CODE OF GRIFFIN, GEORGIA, AT CHAPTER 18, AVIATION, BY DELETING PRESENT ARTICLE V, GRIFFIN-SPALDING COUNTY AIRPORT, SECTIONS 18-151 THROUGH 18-155, IN THEIR ENTIRETY AND ENACTING A NEW ARTICLE V, SAFE, EFFICIENT USE AND PRESERVATION OF NAVIGABLE AIRSPACE, IMPOSING REGULATIONS GOVERNING THE DEVELOPMENT AND USE OF REAL PROPERTY IN, ADJACENT TO, AND AROUND EXISTING AIRPORTS WITHIN THE CITY AND AIRPORTS UNDER DEVELOPMENT; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO RESTATE AND REAFFIRM THE CODE OF GRIFFIN, GEORGIA, AS MODIFIED HEREBY; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GRIFFIN, GEORGIA, AND IT IS ESTABLISHED AS FOLLOWS:

Section 1. The Code of Griffin, Georgia is hereby amended at Chapter 18, AVIATION, at Article V, GRIFFIN-SPALDING COUNTY AIRPORT, Secs. 18-151 – 18-155, by deleting the present Article in its entirety and adopting in lieu thereof the following regulations as Article V. SAFE, EFFICIENT USE AND PRESERVATION OF NAVIGABLE AIRSPACE:

“ARTICLE V. SAFE, EFFICIENT USE AND PRESERVATION OF NAVIGABLE AIRSPACE.

Sec. 18-151. Intent.

This article is intended to govern the development of property located adjacent to and in near proximity to the Griffin-Spalding County Airport and any future airports developed within the City of Griffin. It also governs development of property located within and under flight paths to such airports. The purpose of this article is to develop standards and criteria for development of property within airport zones, as defined herein, in a compatible manner with current regulations of the Federal Aviation Administration to protect the safety of persons and property located at or near airports, in, under or near airport flight paths and using the airport facilities within the city.

Sec. 18-152. Definitions.

- A. *Airport:* The Griffin-Spalding County Airport and any other airport now existing or that may be developed in the future which is subject to the regulations of this article.

- B. *Airport elevation*: The highest point of an airport's usable landing area as measured in feet from sea level.
- C. *Approach surface*: A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface area at the same slope as the approach zone height limitation slope as set forth in 14 CFR part 77 at present and as amended.
- D. *Approach, transitional, horizontal and conical zones*: These zones are set forth in FAR part 77 at present and as amended.
- E. *Board*: The board refers to the Griffin-Spalding County Airport Authority.
- F. *Conical Surface*: 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 (5,000) feet.
- G. *Hazard to air navigation*: An obstruction determined to have substantial adverse effect on the safe and efficient utilization of the navigable airspace.
- H. *Height*: For the purpose of determining the height limits in all zones set forth in this article, the datum shall be At Ground Level (AGL) elevation unless otherwise specified.
- I. *Heliport primary surface*: The area of the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.
- J. *Horizontal surface*: A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which plane coincides with the perimeter of the horizontal zone.
- K. *Larger than utility runway*: A runway that is constructed for and intended to be used by propeller driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight and jet powered aircraft.
- L. *Nonprecision instrument runway*: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.
- M. *Obstruction*: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height as set forth in 14 CFR, part 77.

- N. *Person*: An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; including a trustee, a receiver, an assignee, or similar representative of any of them.
- O. *Precision instrument runway*: A runway having an existing instrument approach procedure utilizing all Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- P. *Primary surface*: A surface longitudinally centered on a runway. When a 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 is set forth in part 77. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- Q. *Runway*: A defined area of an airport prepared for landing and take-off of aircraft along its length.
- R. *Structure*: An object, including a mobile object, constructed or installed by man, including and without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
- S. *Transitional surfaces*: These surfaces extend outward at ninety (90) degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each one (1) foot vertically from the sides of the primary approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet measured horizontally from the edge of the approach surface and at ninety (90) degrees angles to extended runway centerline.
- T. *Tree*: Any object of natural growth.
- U. *Utility runway*: A runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight, or less.
- V. *Visual runway*: A runway intended solely for the operation of aircraft using visual approach procedures.

Sec. 18-153. Airport Zones.

In order to carry out this article, there are hereby created and established certain zones which shall include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to the Griffin-Spalding County Airport, and any future airport developed in the City. An area located in more than one (1) 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. *Utility runway visual approach zone:* The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of one thousand fifty (1,250) feet at a horizontal distance of five thousand (5,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- B. *Utility runway nonprecision instrument approach zone:* The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of two thousand (2,000) feet at a horizontal distance five thousand (5,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- C. *Runway larger than utility visual approach zone:* The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of one thousand five hundred (1,500) feet at a horizontal distance of five thousand (5,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- D. *Runway larger than utility with a visibility minimum greater than 3 / 4 mile nonprecision instrument approach zone:* The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten thousand (10,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- E. *Runway larger than utility with a visibility minimum as low as 3 / 4 mile nonprecision instrument approach zone:* The inner edge of this approach zone coincides with the width of the primary surface and is one thousand (1,000) feet wide. The approach zone expands outward uniformly to a width of four thousand (4,000) feet at a horizontal distance of ten thousand (10,000) feet

from the primary surface. Its centerline is the continuation of the centerline of the runway.

- F. *Precision instrument runway approach zone:* The inner edge of this approach zone coincides with the width of the primary surface and is one thousand (1,000) feet wide. The approach zone expands outward uniformly to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty thousand (50,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- G. *Heliport approach zone:* The inner edge of this approach zone coincides with the width of the primary surface and is fifty (50) feet wide. The approach zone expands outward uniformly to a width of five hundred (500) feet at a horizontal distance of four thousand (4,000) feet from the primary surface.
- H. *Transitional zones:* The transitional zones are the areas beneath the transitional surfaces.
- I. *Heliport transitional zones:* These zones extend outward from the sides of the primary surface and the heliport approach zones a horizontal distance of two hundred fifty (250) feet from the primary surface centerline and the heliport approach zone centerline.
- J. *Horizontal zone:* The horizontal zone is established by swinging arcs of fifty thousand (5,000) 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 zone does not include the approach and transitional zones.
- K. *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 four thousand (4,000) feet.

Sec. 18-154. Airport zone height limitations.

Except as otherwise provided in this article, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this article to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. *Utility runway visual approach zone:* Slopes twenty (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 five hundred (5,000) feet along the extended runway centerline.

- B. *Utility runway nonprecision instrument approach zone:* Slopes twenty (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 five thousand (5,000) feet along the extended runway centerline.
- C. *Runway larger than utility visual approach zone:* Slopes twenty (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 five thousand (5,000) feet along the extended runway centerline.
- D. *Runway larger than utility with a visibility minimum greater than 3 / 4 mile nonprecision instrument approach zone:* Slopes thirty-four (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 ten thousand (10,000) feet along the extended runway centerline.
- E. *Runway larger than utility with a visibility minimum as low as 3 / 4 mile nonprecision instrument approach zone:* Slopes thirty-four (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 ten thousand (10,000) feet along the extended runway centerline.
- F. *Precision instrument runway approach zone:* Slopes fifty (50) 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 ten thousand (10,000) feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each foot vertically to an additional horizontal distance of forty thousand (40,000) feet along the extended runway centerline.
- G. *Heliport approach zone:* Slopes eight (8) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a distance of four thousand (4,000) feet along the heliport approach zone centerline.
- H. *Transitional zones:* Slopes seven (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 one hundred fifty (150) feet above the airport elevation which is nine hundred fifty-eight (958) feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits

sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of five thousand (5,000) feet measured at ninety (90) degree angles to the extended runway centerline.

- I. *Heliport transitional zones:* Slopes two (2) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the heliport approach zones and extending a distance of two hundred fifty (250) feet measured horizontally from and at ninety (90) degree angles to the primary surface centerline and heliport approach zones centerline.
- J. *Horizontal zone:* Established at one hundred fifty (150) feet above the airport elevation or at a height of feet above mean sea level.
- K. *Conical zone:* Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at one hundred fifty (150) feet above the airport elevation and extending to a height of three hundred fifty (350) feet above the airport elevation.
- L. *Excepted height limitations:* Nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to thirty-five (35) feet above the surface of the land.

Sec. 18-155. Use restrictions.

Notwithstanding any other provisions of this article, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

Sec. 18-156. Permits.

- A. *Future uses:* All applications for permits under this section shall be made in the City of Griffin Development Services Department on forms expressly provided for that purpose. Except as specifically provided hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created that exceeds the maximum height limitation unless an FAA form 7460-2 shall have been applied for and a “Notice of no presumed hazard” received from the FAA, prior to the issuance of any local permit. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the

regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this article shall be granted.

- B. *Existing uses:* Any existing use, structure, or tree that exceeds the maximum height limitation in any zone created by this article, without the owner having received from the FAA a “Notice of no presumed hazard”, shall be deemed and is hereby declared a nonconforming use. No permit shall be granted that would permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this article.
- C. *Marking and lighting:* The owner of any existing nonconforming use, structure, or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the airport director to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the identified obstruction’s owner.
- D. *Nonconforming uses abandoned or destroyed:* Whenever the airport director determines that a nonconforming tree or structure has been abandoned, or more than fifty (50%) per cent destroyed, torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such use, structure or tree to be replaced or materially repaired at a height which exceeds the applicable height limit or otherwise deviates from applicable zoning regulations.
- E. *Obstruction marking and lighting:* Any permit granted may, if such action is deemed advisable to effectuate the purpose of this article and be reasonable in the circumstances, be so conditioned as to require the owner of the use, structure, or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Griffin-Spalding County Airport Authority, this condition may be modified to require the owner to permit the Authority, at its own expense, to install, operate, and maintain the necessary markings and lights.

Sec. 18-157. Enforcement.

It shall be the duty of the airport director to administer and enforce the regulations prescribed herein. Any violation of these regulations, for which a sanction is not specified or imposed under general law, shall constitute a violation of the Code of Griffin and be subject to enforcement in accordance with Sec. 1-12 of said Code.

Sec. 18-158. Conflict with other development regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this article and any other development regulations applicable to the same property,

whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.”

Section 2. All ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

Section 3. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.

Section 4. Except as modified herein, The Code of Griffin, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter.

Section 5. This ordinance shall become effective immediately upon adoption on second and final reading.

Public Hearing & First Reading: June 9, 2015

Second Reading: June 23, 2015