

#### **4-7-10 Airport Protection District**

Airport Protection District. There is created an Airport Protection District (APD) which boundaries are defined and fully set forth in the WYDOT Aeronautics Airport Layout Plan dated July 15, 2024, as may from time to time be amended, which is incorporated in the ordinance codified in this section. The approved Airport Layout Plan sets the field elevation of 5,589 MSL elevation shall be maintained and made available for public inspection by City Administration. The Airport Layout Plan shall set forth the location of the airport and runway, primary surface, horizontal surface, transitional surface, approach surface, conical surface and the geographic area of the City located within the horizontal and conical surfaces of the airport.

A. Description of Airport Zones. There are created and established certain airport zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to the City. Such zones are shown on the airport overlay map. The airport zones are established and defined as follows:

1. Approach Zones. Runway larger than utility with a visibility minimum greater than three-fourths 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.
2. Transitional zones. The transitional zones are the areas beneath the transitional surfaces.
3. Horizontal zone. The horizontal zone is established by swinging arcs of ten thousand (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 zone does not include the approach and transitional zones.

B. Height Limitations. No structure shall be erected, altered or maintained, and no tree shall be allowed to grow in the following zones to a height in excess of the applicable height limit herein established for such zone. Such height limitations are established for each of the zones in question as follows:

1. Approach Zones. Runway larger than utility with a visibility minimum greater than three-fourths mile nonprecision instrument approach zone. Slopes thirty-four feet outwards for each foot upward (34:1) 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.
2. Transitional zones. Extends up to one hundred fifty (150) feet above field elevation with slopes seven feet outward for each foot upward (7:1) beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to an elevation of 5,739 feet above MSL.
3. Horizontal zone. Established at one hundred fifty (150) feet above the airport elevation or at a height of 5,739 feet above MSL.
4. Conical zone. Extends up to 350' above field elevation, slopes twenty feet outward for each foot upward beginning at the periphery of the horizontal zone at one hundred fifty feet above the airport elevation and extending to a height of three hundred fifty (350) feet above the airport to an elevation of 5,939 feet above MSL.

C. Use Restrictions. No use shall be made of land or water within the Airport Protection District which may 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 other lights, which may result in visual glare for pilots using the airport; impair visibility in the vicinity of the airport; create bird strike hazards; or endanger or interfere with the landing, take-off, or maneuvering of aircraft intending to use the airport.

D. Nonconforming Uses. The owner of any existing nonconforming structure or tree may remove the nonconformance. If the nonconformance is not removed the owner shall permit the installation, operation and maintenance of markers and lights as deemed necessary by applying to the Board of Adjustments for a Nonconforming use permit on approved application provided by City Administration. The application and approval shall indicate to aircraft operators in the vicinity of the airport, the presence of an obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the owner.

E. Future Uses. Any existing and future use of land within the Airport Protection District shall comply with the schedule of permitted land uses in accordance with the Airport Layout Plan and current FAA regulations as from time to time may be amended. A change in land use or height exception shall be reviewed pursuant to applicable City codes, and FAA designated height limitations for the Airport Protection District.

F. Maintenance. For occupied or unoccupied properties, reasonable care shall be exercised by the property owner, tenant(s), contracted landscape service, or property management service, to maintain all landscaped areas in the same or similar condition that existed at the time landscaped areas were constructed. Reasonable care means promoting a healthy weed-free environment for optimal plant growth. Dead or dying plant materials shall be replaced. Irrigation systems shall be kept in good operating condition in order to maintain healthy landscaping and to conserve water. Landscaped areas that are not maintained shall constitute a nuisance as defined in Lander Municipal Code.

G. Nonconforming properties, temporary allowance. There are properties in the Airport Protection District that do not meet the requirements of this ordinance as may be amended from time to time. These properties may temporarily be allowed to continue in this condition with a Nonconforming Use permit approved by the Board of Adjustments. The requirements of this section shall not apply when a change in ownership, a change in tenancy, or a change in use occurs to the property. These requirements shall not apply when interior or exterior remodeling of the building occurs. These requirements shall only apply when a building addition is constructed that exceeds 50% of the size of the existing building; when site reconstruction occurs to more than 50% of the existing property; and when abutting property is developed for expansion of the use.