ORDINANCE NO. _____

1   AN ORDINANCE amending Title 27 of the Lincoln Municipal Code by repealing

2   Section 27.59.050 relating to the Airport Zoning Map; amending Sections 27.05.020, 27.59.020,

3   27.59.030, 27.59.040, 27.59.060, and 27.59.080 to clarify definitions to include revised

4   elevations and vertical datum and to adopt a revised Airport Zoning Map; and repealing

5   Sections 27.05.020, 27.59.020, 27.59.030, 27.59.040, 27.59.060, and 27.59.080 of the Lincoln

6   Municipal Code as hitherto existing.

7   BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8   Section 1. That Section 27.05.020 of the Lincoln Municipal Code be amended

9   to read as follows:

10   **27.05.020   Boundaries of Districts; Maps.**

11   The boundaries of the districts are shown upon maps which are made a part hereof by

12   reference, which maps are designated as the "Lincoln Zoning District Maps." Other maps

13   referenced in this title, including but not limited to, the "Lincoln Capitol Environs District Map,"

14   "Flood Hazard Boundary Map," "Lincoln Airport Zoning Map dated_____, 2002," "Lincoln

15   Building Line District Map," and "Airport Environs Noise District Map dated June 1, 2000" are

16   also made a part hereof by reference for the purpose of designating the boundaries of districts.

17   That part of the maps designating the different districts and their boundaries and that part of the

18   legend designating the symbol title shall have the same force and effect as if they were all fully

19   set forth herein. Other notations and references thereon are for information only.

20   Section 2. That Section 27.59.020 of the Lincoln Municipal Code be amended

21   to read as follows:

1 **27.59.020   Location and Boundaries.**

2 The vicinity of the airport, located in Sections 4, 5, 6, 7, 8, 9, 17 and 18, Township 10

3 North, and Sections 31 and 32, Township 11 North, Range 6 East of the Sixth Principal

4 Meridian, Lancaster County, Nebraska, specifically being the area lying within the outer limits

5 of a series of points forming a line which is a horizontal distance of three miles from the airport

6 boundary or the corporate limits of the city, whichever is the lesser distance from the airport

7 boundary line, ~~as shown on the attached airport zoning map,~~ is hereby declared an airport

8 hazard area and is hereby zoned as follows:

9 The hazard area consists of approach zones, turning zones, and transition zones <u>as</u>

10 <u>defined in Section 27.59.030</u>.

11 (a)   The outer boundary of the hazard area is composed of a series of connected

12 tangents and simple curves which also constitute the outer boundaries of the approach and

13 turning zones.

14 (b)   The inner boundary of the hazard area is a boundary line consisting of a series

15 of intersecting tangents, 500 feet from and parallel to the centerlines of the runways and

16 connecting the inner boundaries of adjacent approach zones at the ends of the runways. <u>The</u>

17 <u>boundaries of the airport hazard area, approach zones, turning zones and transition zones are</u>

18 <u>delineated and shown on the Lincoln Airport Zoning Map.</u>

19 Section 3. That Section 27.59.030 of the Lincoln Municipal Code be amended

20 to read as follows:

21 **27.59.030   Zone Descriptions.**

22 (a)   An approach zone is located at each end of each existing or proposed runway

23 for the landing or taking off of airplanes. Such approach zones begin 200 feet beyond the ends

24 of the respective runways, and at such beginning are 1,000 feet in width, 500 feet on each side

25 of the respective centerline, and extend and expand uniformly centered along the extended

26 centerline of the respective runways to the outer boundary of the approach and turning zones

27 at a rate of 30 feet of width for each 100 feet of horizontal length for each runway.

1   The inner area of each approach zone is that portion of the approach zone beginning

2   200 feet beyond the end of the respective or proposed runway and extending to the intersection

3   of the controlling glide angle with a plane 150 feet above the highest elevations of the ends of

4   the respective runways, at a rate of one foot vertically for each 50 feet horizontally.

5   The outer area of each approach zone is the area between the inner area of the

6   approach zone and the outer limit of the approach and turning zones.

7   (b)   The transition zones are the areas bounded by the inner boundary of the hazard

8   area, the sides of contiguous inner areas of approach zones and the outer limits of the transition

9   zones; said outer limits of the transition zones being the intersections, at elevations of 150 feet

10   above the highest elevation at the ends or edges of the closest runway, or proposed runway,

11   of a series of contiguous planes originating from bases established by the inner boundary of the

12   hazard area and the edges of adjacent inner areas of approach zones; the planes rising from

13   their respective bases at the rate of one foot vertically to seven feet horizontally to the lines of

14   intersection previously referred to.

15   (c)   The turning zones comprise all portions of the zoned area not contained in the

16   approach zones and transition zones. The outer limits of the turning zones are a series of points

17   forming a line which is a horizontal distance of three statute miles from the airport boundary line

18   or the corporate limits of the city, whichever is the lesser distance from the airport, as shown on

19   the attached airport zoning map.

20   Section 4. That Section 27.59.040 of the Lincoln Municipal Code be amended

21   to read as follows:

22   **27.59.040   Height Restrictions.**

23   No building or structure, smokestack, chimney, tower, or other structure or appurtenance

24   thereto of any kind or character shall hereafter be erected, constructed, repaired, or established

25   except as otherwise provided in Section 27.59.090:

26   (a)   In the inner areas of approach zones to a height above the planes forming the

27   inner area of the approach zones;

1   (b)   In the outer ~~area of~~ approach zones and in turning zones to a height in excess

2   of 150 feet above the elevation at the closest ~~point on the nearest~~ runway end, as shown on the

3   Lincoln Airport Zoning Map, or to a height in excess of seventy-five feet above the elevation of

4   the natural ground at the location of the structure; except a maximum height of 275 feet shall

5   be permitted in the following described area:

6   Beginning at a point 142 feet west of the west line of Tenth Street
7   and 150 feet south of the south line of "R" Street; thence south to
8   the centerline of "Q" Street; thence east along the centerline of "Q"
9   Street to its intersection with the centerline of the north-south alley
10   between 9th and 10th and "P" and "Q" Streets; thence south along
11   said line to the centerline of the east-west alley between 9th and
12   10th and "P" and "Q" Streets; thence west along said line to a
13   point 100 feet west of the west line of 9th Street; thence south to
14   the centerline of "P" Street; thence west along the centerline of "P"
15   Street to its intersection with the centerline of the north-south alley
16   between 8th and 9th and "O" and "P" Streets; thence south along
17   said line to the centerline of "O" Street; thence west along the
18   centerline of "O" Street to a point 150 feet west of the west line of
19   9th Street; thence south to the centerline of the east-west alley
20   between 8th and 9th and "N" and "O" Streets; thence east along
21   said line to the centerline of the north-south alley between 9th and
22   10th and "N" and "O" Streets; thence south along said line to the
23   centerline of "K" Street; thence east along the centerline of "K"
24   Street to its intersection with the centerline of the north-south alley
25   between 10th and 11th and "J" and "K" Streets; thence south
26   along said line to a point 150 feet south of the south line of "K"
27   Street; thence east to the centerline of 11th Street; thence north
28   along the centerline of 11th Street to the centerline of "K" Street;
29   thence east along the centerline of "K" Street to the centerline of
30   12th Street; thence north along the centerline of 12th Street to the
31   centerline of "L" Street; thence east along the centerline of "L"
32   Street to the centerline of 13th Street; thence north along the
33   centerline of 13th Street to the centerline of "M" Street; thence
34   east along the centerline of "M" Street to the centerline of 14th
35   Street; thence north along the centerline of 14th Street to the
36   centerline of "N" Street; thence east along the centerline of "N"
37   Street to the centerline of 15th Street; thence north along the
38   centerline of 15th Street to the centerline of "O" Street; thence
39   east along the centerline of "O" Street to a point 150 feet east of
40   the east line of 15th Street; thence north to the centerline of the
41   east-west alley between 15th and 16th and "Q" and "R" Streets;
42   thence west along said line to a point 150 feet west of the west

line of 15th Street; thence north to a point 95 feet south of the south line of "R" Street; thence west to the centerline of 14th Street; thence south along the centerline of the east-west alley between 13th and 14th and "Q" and "R" Streets; thence west along the said line to the point of beginning, and more specifically set forth upon a map which is attached hereto and made a part of this title, which map is designated as the airport zoning map.

(c)   In the transition zones to a height above the planes forming the transition slopes;

(d)   Within the inner boundary of the hazard area and in the existing or proposed runways to a height above the existing or proposed finished grade of said runways. All grades of said runways are hereby established by and referenced to the plans of said airport on file in the office of the City Clerk, which plans are made a part of this chapter by reference.

Section 5. That Section 27.59.050 of the Lincoln Municipal Code be and the same is hereby repealed.

27.59.050   Airport Zoning Map.

~~The boundaries, approach zones, transition zones, and turning zones and all areas thereof are as indicated on the location sketch and airport zoning map which accompanies and is hereby made a part of this ordinance, a copy of which shall at all times be on file in the office of the City Clerk.~~

Section 6. That Section 27.59.060 of the Lincoln Municipal Code be amended to read as follows:

27.59.060   Permit Required; Procedure.

(a)   It is hereafter unlawful to erect, construct, reconstruct, repair, or establish any building, tower, smokestack, chimney, or other structure or appurtenances thereto of any kind or character within the boundary of the ~~zoned~~ hazard area of said airport without first obtaining a height permit from the building official.

(b)   In the outer ~~area of~~ approach zones and within the turning zones, no height permit shall be required generally for construction which is no higher than seventy-five feet above the elevation of the natural ground at the point of construction, except in specifically "shaded" areas indicated on the airport zoning map. Structures or buildings proposed to be constructed within

1   or in close proximity to such "shaded" areas on said map shall require certification as to

2   elevation if in the opinion of the building official such structure or building may exceed the

3   allowable height of that particular "shaded" portion of the map, provided that no certification as

4   to elevation or a height permit shall be required for proposed accessory structures or accessory

5   buildings to dwelling units when said proposed accessory structures or accessory buildings or

6   any atatchment thereto do not exceed the elevation of said dwelling unit.

7   (c)   Application for a height permit as required under the provisions of this chapter

8   shall be made upon a form which is available in the office of the building official. The application

9   shall indicate the location, ground elevation with reference to the elevation at the closest point

10 on a runway, and the height of the proposed structure. Said elevation shall be certified to by

11 a land surveyor, registered by the State of Nebraska, which certificate must accompany said

12 application.

13 (d)   The building official shall require a registered professional surveyor to verify the

14 actual height and location of any structure or building requiring a height permit. The certification

15 shall be submitted to the building official at the point of final construction of the structure or

16 building, but prior to operation or occupying the structure or building. Such information shall be

17 recorded and maintained by the building official.

18 Section 7. That Section 27.59.080 of the Lincoln Municipal Code be amended

19 to read as follows:

20 **27.59.080   Nonconforming Height.**

21 Within the ~~zoned~~ hazard area as hereinbefore defined, the lawful height of a building,

22 structure, or premises existing at the time of the effective date of this chapter may be continued

23 although such height does not conform to the provisions hereof. Within the ~~zoned~~ hazard area

24 no nonconforming building, structure, smokestack, chimney, or appurtenance thereof of any

25 kind or character shall hereafter be replaced, substantially reconstructed, repaired, or altered

26 to a height which constitutes a greater hazard to air navigation than existed before the effective

27 date of this chapter, nor above the heights permitted by this chapter if such structures are torn

1 down, destroyed, burned, deteriorated, or decayed to an extent of sixty percent or more, or

2 abandoned for a period of twelve months or more.

3 Section 8. That Sections 27.05.020, 27.59.020, 27.59.030, 27.59.040, 27.59.060,

4 and 27.59.080 of the Lincoln Municipal Code as hitherto existing be and the same are hereby

5 repealed.

6 Section 9. That this ordinance shall take effect and be in force from and after its

7 passage and publication according to law.

Introduced by:

| Approved this ___ day of _____, 2002: |
| _____ ____ |
| **Mayor** |

_____ _____

Approved as to Form & Legality:

_____
City Attorney

02-17
Change of Zone 3254

Staff Review Completed:

_____
Administrative Assistant