

Appendix D

AIRPORT OVERLAY ZONE

Airport Master Plan
Georgetown Municipal Airport

The City of Georgetown has in place height and hazard zoning to protect aircraft operations on and around the Airport. The Airport Zoning is contained in the City of Georgetown, Code of Ordinances, Title 12, Chapter 12, Section 36. The Airport Zoning Ordinance should be updated if and when there is a change to the physical dimensions of the runway so that the parameters of the zoning apply to the existing conditions at the Airport.

The Airport Zoning Ordinance is also available at the following internet address and is reproduced on the following pages:

https://library.municode.com/TX/georgetown/codes/code_of_ordinances?nodeId=COOR_TIT12STSIPU_PL_CH12.36GEAIZO_S12.36.010SHTI

CHAPTER 12.36. - GEORGETOWN AIRPORT ZONING

Sec. 12.36.010. - Short title.

This chapter shall be known and may be cited as the "Georgetown Airport Zoning Ordinance."

(Prior code § 4-70)

Sec. 12.36.020. - Definitions.

As used in this ordinance, unless the context otherwise requires:

"Airport" means Georgetown Municipal Airport.

"Airport elevation" means the established elevation of the highest point on the usable landing area.

"Airport hazard" means any structure, tree or use of land which obstructs the airspace required for or is otherwise hazardous to the flight of aircraft in landing or taking-off at the airport.

"Airport reference point" means the point established as the approximate geographic center of the airport landing area and so designated.

"Height:" For the purpose of determining the height limits in all zones set forth in this ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

"Joint Airport Zoning Board" means a board consisting of five members, two members appointed by the Georgetown City Council and two members appointed by Williamson County Commissioners' Court, the four so appointed shall elect a fifth member, the chairman.

"Landing area" means the surface area of the airport used for the landing, take-off or taxiing of aircraft.

"Nonconforming use" means any structure, tree or use of land which is lawfully in existence at the time the regulation prescribed in the ordinance or an amendment thereto becomes effective and does not then meet the requirements of said regulation.

"Person" means an individual, firm, partnership, corporation, company, association, joint stock association or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian or other representative.

"Runway" means the paved surface of an airport landing strip.

"Structure" means an object constructed or installed by man, including, but not limited to, buildings, towers, smokestacks and overhead transmission lines.

"Tree" means any object of natural growth.

(Prior code § 4-71)

Sec. 12.36.030. - Zones.

In order to carry out the provisions of this chapter, there are created and established certain zones which include all of the land lying beneath the approach surfaces, transition surfaces, horizontal surface and conical surface. Such areas are shown on the Georgetown Municipal Airport Zoning Map consisting of one sheet, prepared by the Texas Aeronautics Commission and dated December 1, 1975, which is attached to the ordinance codified in this chapter and is kept on file in the Board office. The various zones are hereby established and defined as follows:

- A. Approach Zone. Approach zone is established beneath the approach surface at each end of all runways on Georgetown Municipal Airport for nonprecision instrument landings and take-offs. The approach zone shall have a width of 500 feet at a distance of 200 feet beyond each end of the runway, widening thereafter uniformly to a width of 3,500 feet at a horizontal distance of 10,200 feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway.
- B. Transition Zones. Transition zones are established beneath the transition surface adjacent to each runway and approach surface as indicated on the zoning map. Transition surfaces, symmetrically located on either side of runways, have variable widths as shown on the zoning map. Transition surfaces extend outward from a line 250 feet on either side of the centerline of the runway, for the length of such runway plus 200 feet on each end. The line is parallel to and level with the runway centerlines. The transition surfaces along such runways slope upward and outward one foot vertically for each seven feet horizontally to the point where they intersect the horizontal surface. Further, transition surfaces are established adjacent to approach surfaces for the entire length of the approach surfaces. These transition surfaces have variable widths, as shown on the zoning map. Such transition surfaces flare symmetrically with either side of the runway approach surfaces from the base of such surfaces and slope upward and outward at the rate of one foot vertically for each seven feet horizontally to the points where they intersect the horizontal and conical surfaces.
- C. Horizontal Zones. The area beneath a horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed 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 lines tangent to those arcs.
- D. Conical Zone. The area beneath the conical surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet.

(Prior code § 4-72)

Sec. 12.36.040. - Height limitations.

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

- A. Approach Zones. One foot in height for each 34 feet in horizontal distance beginning at a point 200 feet from and at the elevation of the end of the runway and extending to a point 10,200 feet from the end of the runway.
- B. Transition Zones. One foot in height for each seven feet in horizontal distance beginning at any point 250 feet normal to and at the elevation of the centerline of runways extending 200 feet beyond each end thereof, extending to a height of 150 feet above the airport elevation or a height of 937 feet above mean sea level. In addition to the foregoing, there are established height limits of one foot vertical height for each seven feet horizontal distance measured from the edges of all approach zones for the entire length of the approach zones and extending upward and outward to the points where they intersect the horizontal or conical surfaces.
- C. Horizontal Zone. That area beneath the horizontal surface which is located 150 feet above the airport elevation, or a height of 937 feet above mean sea level.
- D. Conical Zone. That area beneath the conical surface which is one foot in height for each 20 feet of horizontal distance beginning at the periphery of the horizontal surface extending to a height of 350 feet above the airport elevation.

- E. Excepted Height Limitations. Nothing in this chapter shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 20 feet above the surface of the land.
- F. Where an area is covered by more than one height limitation, the more restrictive limitations shall prevail.

(Prior code § 4-73)

Sec. 12.36.050. - Use restrictions.

Notwithstanding any other provisions of this chapter, no use may be made of land within any zone established by this chapter in such a manner as to create electrical interference with radio communication between the airport and aircraft, make it difficult for flyers to distinguish between airport lights and others, result in glare in the eyes of flyers using the airport, impair visibility in the vicinity of the airport or otherwise endanger the landing, taking-off or maneuvering of aircraft.

(Prior code § 4-74)

Sec. 12.36.060. - Nonconforming uses.

- A. Regulations Not Retroactive. The regulations prescribed by this chapter shall not be construed to require the removal, lowering or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this chapter, or otherwise interfere with the continuance of any nonconforming use. Nothing contained in this chapter shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this chapter, and is diligently prosecuted.
- B. Marking and Lighting. Notwithstanding subsection (A) of this section, the owner of any nonconforming structure or tree is required to permit the installation, operation and maintenance thereon of such markers and lights as are deemed necessary by the Joint Airport Zoning Board to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights shall be installed, operated and maintained at the expense of the City of Georgetown.

(Prior code § 4-75)

Sec. 12.36.070. - Permits.

- A. Future Uses. Except as specifically provided in subsections (1), (2) and (3) of this section, no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone created by this chapter unless a permit therefor has been applied for and granted. 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 prescribed in this chapter. If such determination is in the affirmative, the permit shall be granted.
 - 1. In the areas within the limits of the horizontal zone and the conical zone, no permit is required for any tree or structure less than 75 feet in vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zone.
 - 2. In the areas within the limits of the approach zones but at a horizontal distance of not less than 5,200 feet from each end of the runways, no permit is required for any tree or structure less than 75 feet in vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zone.

3. In the areas within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit is required for any tree or structure less than 75 feet in vertical height above the ground, except when such tree or structure, because of terrain, land contour or topographic features would extend above the height limit prescribed for such transition zones.
- B. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height limits established by this chapter except as set forth in subsection (E) of Section 12.36.040.

(Prior code § 4-76 (a))

Sec. 12.36.080. - Existing uses.

No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this chapter or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

(Prior code § 4-76 (b))

Sec. 12.36.090. - Nonconforming uses abandoned or destroyed.

Whenever the Joint Airport Zoning Board determines that a nonconforming structure or tree has been abandoned or more than 80 percent torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(Prior code § 4-76 (c))

Sec. 12.36.100. - Variances.

Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property, not in accordance with the regulations prescribed in this chapter, may apply to the Board of Adjustment for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but will do substantial justice and be in accordance with the spirit of this chapter.

(Prior code § 4-76 (d))

Sec. 12.36.110. - Hazard marking and lighting.

Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and is reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the City of Georgetown at its own expense to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

(Prior code § 4-76 (e))

Sec. 12.36.120. - Enforcement.

It is the duty of the Joint Airport Zoning Board to administer and enforce the regulations prescribed in this chapter. Applications for permits and variances shall be made to the Joint Airport Zoning Board through the office of the City Manager upon a form furnished by him. Applications, required by this chapter to be submitted to the Joint Airport Zoning Board, shall be promptly considered and granted or denied. Applications for action by the Board of Adjustment shall be forthwith transmitted by the chairman of the Joint Airport Zoning Board.

(Prior code § 4-77)

Sec. 12.36.130. - Board of Adjustment—Created.

There is created a Board of Adjustment to have and exercise the following powers:

- A. To hear and decide appeals from any order, requirement, decision or determination made by the Joint Airport Zoning Board in the enforcement of this chapter;
- B. To hear and decide special exceptions to the terms of this chapter upon which such Board of Adjustment under such regulations may be required to pass;
- C. To hear and decide specific variances.

(Prior code § 4-78 (a))

Sec. 12.36.140. - Board of Adjustment—Membership.

The Board of Adjustment shall consist of five members appointed by the Georgetown-Williamson County Joint Airport Zoning Board as prescribed in the provisions of V.C.T.A. Local Government Code Section 241.032 et seq., and each shall serve for a term of two years and removable for cause by the appointing authority upon written charges, after a public hearing.

(Ord. 900183 § 2: prior code § 4-78 (b))

Sec. 12.36.150. - Board of Adjustment—Rules, meetings.

The Board of Adjustment shall adopt rules for its governance and procedure in harmony with the provisions of this ordinance. Meetings of the Board of Adjustment shall be held at the call of the chairman and at such times as the Board of Adjustment may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the Board of Adjustment shall be public. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the City Manager and shall be a public record.

(Prior code § 4-78 (c))

Sec. 12.36.160. - Board of Adjustment—Findings.

The Board of Adjustment shall make written findings of fact and conclusions of law giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming or modifying any order, requirement, decision or determination which comes before it under the provisions of this chapter.

(Prior code § 4-78 (d))

Sec. 12.36.170. - Board of Adjustment—Majority vote.

The concurring vote of a majority of the members of the Board of Adjustment shall be sufficient to reverse any order, requirement, decision or determination of the Joint Airport Zoning Board or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variation in this chapter.

(Prior code § 4-78 (e))

Sec. 12.36.180. - Appeals—Generally.

Any person aggrieved, or any taxpayer affected, by any decision of the Joint Airport Zoning Board made in its administration of this chapter, if of the opinion that a decision of the Joint Airport Zoning Board is an improper application of these regulations, may appeal to the Board of Adjustment.

(Prior code § 4-79 (a))

Sec. 12.36.190. - Appeals—Notice.

All appeals under this chapter must be taken within a reasonable time as provided by the rules of the board of adjustment, by filing with the joint airport zoning board a notice of appeal specifying the grounds thereof. The joint airport zoning board shall forthwith transmit to the board of adjustment all the papers constituting the record upon which the action appealed from was taken.

(Prior code § 4-79 (b))

Sec. 12.36.200. - Appeals—Stay of proceedings.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the joint airport zoning board certifies to the board of adjustment, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the board of adjustment on notice to the agency from which the appeal is taken and on due cause shown.

(Prior code § 4-79 (c))

Sec. 12.36.210. - Appeals—Time.

The board of adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

(Prior code § 4-79 (d))

Sec. 12.36.220. - Appeals—Determination.

The Board of Adjustment may in conformity with the provisions of this chapter, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination, as may be appropriate under the circumstances.

(Prior code § 4-79 (e))

Sec. 12.36.230. - Judicial review.

Any person aggrieved, or any taxpayer affected, by any decision of the board of adjustment, may appeal to the court of record as provided in accordance with V.T.C.A. Local Government Code Section 241.041 et seq.

(Ord. 900183 § 3: prior code § 4-80)

Sec. 12.36.240. - Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, 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.

(Prior code § 4-82)

Sec. 12.36.250. - Violation—Penalty.

Each violation of this chapter or of any regulation order or ruling promulgated under this chapter shall constitute a misdemeanor and be punishable by a fine of not more than \$250.00 and each day a violation continues to exist shall constitute a separate offense.

(Prior code § 4-81)