

## NEPHI MUNICIPAL AIRPORT

### 12-1-27 AIRPORT PROTECTION

#### 12-1-2701 PURPOSE

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This section has been enacted to provide for safe operation of the existing Nephi Municipal Airport and those persons and aircraft that use this airport.

#### 12-1-2702 AIRPORT DEFINITIONS

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1. Airport. The Nephi Municipal Airport
2. Airport Approach, Transitional, Horizontal, and Conical Zones. These zones apply to the area under the approach, transitional, horizontal, and conical surfaces and are defined in this chapter.
3. Airport Elevation. The elevation in feet above mean sea level of the highest point of the landing areas of the airport.
4. Airport Hazard. Any structure or natural growth or use of land which obstructs or restricts the airspace required for the safe flight of aircraft in landing, taking off, or maneuvering at or in the vicinity of the airport, or is otherwise hazardous to such landing, taking off, or maneuvering of aircraft.
5. Airport Runway. A defined area on an airport prepared for landing and take-off of aircraft along its length. For the purpose of this ordinance, the runway length shall be 7200 feet.
6. Airport Primary Surface. A surface longitudinally centered on a runway. When the runway has a specifically prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point in the primary surface is the same as the elevation of the nearest point on the runway centerline.

7. Airport Utility Runway. A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA-approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.
8. Airport Non-Precision 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, non-precision instrument approach has been approved or planned, and for which no precision approach facilities are planned or indicated on an FAA-planned document or military service's military airport planning document.
9. Airport Precision Instrument Runway. Precision instrument runway means a runway having an existing instrument approach procedure utilizing an 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 by an FAA-approved airport layout plan; or a military service's approved military airport layout plan; any other FAA planning document, or military service military airport planning document.

## 12-1-2703 HEIGHT LIMITING ZONES

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In order to carry out the provisions of this ordinance, there are hereby created and established certain height limiting zones, which include all the land lying within the utility and non-precision instrument approach zones, transition zones, horizontal zones, and conical zones. Such zones are shown on the Municipal Airport Zoning Map, which is attached to this ordinance and made a part hereof to the same extent as if said map and the information thereon were fully described and set forth herein. The various height limiting zones are hereby established and defined as follows:

1. Runway Non-Precision Instrument Approach Zone. An approach zone is established at the end of Runway 16 based on a 6300 foot runway, for landing and take-offs. The Non-Precision Approach Zone shall have a width of 1000 feet at a distance of 200 feet beyond the end of the runway, widening hereafter uniformly to a width of 3500 feet at a distance of 10,200 feet beyond the end of the runway, its centerline being the continuation of the centerline of the runway. The Approach Zone shall rise 1 foot in height for each 34 feet in horizontal distance beginning at a point 200 feet from and

at the centerline elevation of the runway and extending to a distance of 10,200 feet from the end of the runway.

2. Runway Precision Instrument Approach Zone. An approach zone is established at the end of Runway 34 for landing and take-offs based on a 7200 foot runway. The Precision Approach Zone shall have a width of 1000 feet at a distance of 200 feet beyond the end of the runway, widening hereafter uniformly to a width of 16,000 feet at a distance of 50,200 feet beyond the end of the runway, its centerline being the continuation of the centerline of the runway. The Approach Zone shall rise 1 foot in height for each 50 feet horizontal distance for the first 10,000 feet, beginning at a point 200 feet from and at the centerline elevation of the runway, then shall rise 1 foot in height for each 40 feet horizontal distance for an additional 40,000 feet, extending to a total distance of 50,200 feet from the end of the runway.
3. Transition Zone. Transition zones are hereby established adjacent to each runway and approach zone as indicated on the airport zoning map. Transition zones symmetrically located on either side of runways have variable widths as shown on the airport zoning map. Transition zones extend outward from a line on either side of the centerline of the runway, for the length of such runway plus 200 feet on the end, and are parallel to and level with such runway centerlines. Part The transition zone along such runway slopes upward and outward 7 feet horizontally for each 1 foot vertically to the point where they intersect the surface of the horizontal zone. Further, transition zones are established adjacent to approach zones for the entire length of the approach zone up to the point of intersection with the horizontal zone. These transition zones have variable widths, as shown on the airport zoning map. Such transitions flare symmetrically with either side of the runway approach zone from the base of such zone and slope upward and outward at the rate of 7 feet horizontally for each 1 foot vertically to the points where they intersect the surfaces of the horizontal and conical zones.
4. Horizontal Zone. A horizontal zone is hereby established as the area within arcs of radius from points at the end of the runway at the centerline extension and having a radius of 10,000 feet at 150 feet above the airport elevation. The horizontal zone does not include the utility and non-precision instrument approach zone and the transition zone.
5. Conical Zone. A conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward for a distance of 4,000 feet. The conical zone does not include the utility and non-precision instrument approach zone and transition zone. The conical

zone shall rise 20 feet in height for each 1 foot in horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 350 feet above the airport elevation.

## 12-1-2704 HEIGHT LIMITATIONS

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

1. Runway Non-Precision Approach Zone. 1 foot in height for each 34 feet horizontal distance beginning at a point 200 feet from the end of the runway and at the centerline elevation, extending a distance of 10,000 feet.
2. Runway Precision Instrument Approach Zone. 1 foot in height for each 50 feet horizontal distance beginning at a point 200 feet from the end of the runway and at the centerline elevation, extending a distance of 10,000 feet, then 1 foot in height for each 40 feet horizontal distance, extending for an additional 40,000 feet.
3. Transition Zone. Slope 7 feet outward for each 1 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 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping 7 feet outward for each 1 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.
4. Horizontal Zone. 150 feet above the airport elevation.
5. Conical Zone. 20 feet in height for each 1 foot of horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 350 feet above the airport elevation.
6. Accepted Height Limitation. Nothing in this ordinance shall be construed as prohibiting the growth, construction, or maintenance of any tree or structure to a height consistent with the terms of this chapter.

7. **Most Restrictive Limitation Prevails.** Where a zone is covered by more than one height limitation, the more restrictive limitations shall prevail.

## 12-1-2705 USE REGULATIONS.

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1. Notwithstanding any other provisions of this ordinance, no use shall be made of land within any height limiting zone established by this ordinance in such a manner as to do any of the following:
  - a. Create electrical interference with radio communication between the airport and aircraft;
  - b. Make it difficult for pilots to distinguish between airport lights and other lights;
  - c. Result in glare in the eyes of pilots using the airport;
  - d. Impair visibility in the vicinity of the airport; or
  - e. Otherwise endanger the landing, taking off, or maneuvering of aircraft.
2. Notwithstanding any other provisions of this ordinance, no places of public assembly, including, but without limitation, apartment, barracks, churches, hospital, hotels, mobile home parks, multiple-family dwellings, recreational vehicle parks, schools and theaters, shall be erected or otherwise located within any of the areas established as a runway protection zone on the airport layout plan.

## 12-1-2706 NONCONFORMING USES

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1. Regulations not Retroactive. The regulations prescribed by this ordinance shall not be construed to require the removal, lowering, or other changes or alterations of any structure or tree not conforming to the regulations as of the effective date of this ordinance or otherwise interfere with the continuation of any nonconforming use. Nothing herein contained 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 ordinance and is diligently prosecuted.
2. Marking and Lighting. Notwithstanding the provision of A above, the owner of any nonconforming structure or tree, is hereby required to permit the installation, operation and maintenance thereon of such markers or lights as shall be deemed necessary by the airport manager to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport hazards.

## 12-1-2707 PERMITS

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1. Future Uses. Except as specifically provided in paragraph 1, 2, 3, and 4 hereunder, no material change shall be made in the use of the land and no structures or trees shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit thereof shall have been applied for and granted by the planning commission. 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.
2. In the territory lying within the limits of the horizontal zone and the conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when because of terrain, land contour, or topography features, such tree or structure would extend above the height limits prescribed for such zone.
3. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of 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 zones.
4. In the territories within the limits of the transition zone beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 75 feet of vertical height limit prescribed for such transition area except when such tree or structure would extend above the height limits prescribed for such zones.
5. Nothing contained in any of the foregoing exceptions will 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 ordinance as set forth in 12-1-2704.
6. 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 ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applicants for such a permit shall be granted.

7. Nonconforming Uses Abandoned or Destroyed. Whenever the Building Inspector determines that a nonconforming structure or tree has been abandoned or more than 50% torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the application or otherwise deviate from the ordinance.
8. Special Permit. Any person desiring to erect or increase the height of any structure or permit the growth of any tree or use property not in accordance with the regulations prescribed in this ordinance, may apply to the Legislative Body for a Special Permit from such regulations. Such Special Permit shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in practical difficulty, unnecessary hardship, or a taking, 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 ordinance. Upon acceptance by the Legislative Body of any application for a Special Permit, Juab County will provide written notice to Nephi City, as the Airport Sponsor, of said application prior to any hearing or action on the application.
9. Hazard Marking and Lighting. Any regular or special permit granted may, if such action is deemed advisable to effectuate the purpose of this ordinance and be reasonable in the circumstances, as a condition, require the owner of the structure or tree in question at his own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of any airport hazard.

#### 12-1-2708 CONFLICTING REGULATIONS

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Where there exists a conflict between any of the regulations or limitations prescribed in this ordinance or any other regulations applicable to the same zone, whether the conflict be with respect to the height of structures or trees, the use of the land, or any other matter, the more stringent limitation or requirement shall govern and prevail.