

Sec 2.1.4 Establishment of Overlay Zoning Districts

Amend the table to change Symbol from ANO to AVO. Amend District Name from Airport Noise Overlay to Airport Vicinity Overlay.

Symbol	District Name
AVO	Airport Vicinity Overlay
CCO	Commercial Corridor Overlay
HPO	Historic Preservation Overlay

Sec. 5.2 / Airport Vicinity Overlay (AVO) District

5.2.1 / Purpose

The Airport Vicinity Overlay (AVO) District provides standards for the avoidance of obstructions that may destroy or impair the airport's utility, create flight hazards, or jeopardize the public investment therein; comply with FAA standards for noise awareness and mitigation; protect airport viability in support of commercial service, general aviation, and public safety/fire management; and promote the public health, safety, and general welfare. The concepts and impact zones created herein are based upon the adopted 2011 airport Land Use Plan.

5.2.2 / Applicability

AVO District standards apply to all properties in the City of Prescott located within the Airport Influence Area (AIA), as depicted on the official Zoning Map of the City of Prescott. An Avigation Easement shall be required within the AIA for all properties at the earliest of any development or construction application (See Section 5.2.8).

Where more than one Airport Impact Zone or Noise Contour affects a parcel, the more restrictive Airport Impact Zone or Noise Contour requirement or limits shall apply. All uses are also subject to compliance with Land Development Code (LDC) Table 2.3 / Use Table.

5.2.3 / Airport Impact Zones

Airport Impact Zones are adopted by airports as a standard to limit the damages caused by an aviation accident, to protect the viability of the airport, and to limit the impact of noise on sensitive uses.

In accordance with Federal Aviation Administration guidelines, the following Airport Impact Zones are established and incorporated into the Land Development Code of the City of Prescott. See Table 5.2.3a for Airport Impact Zone Dimensions, Table 5.2.3b for

Airport Impact Zone Land Use Compatibility, and Appendix 2 for a map depicting these Airport Impact Zones.

Impact Zone 1 – Runway Protection Zone

The Runway Protection Zones (RPZ) is trapezoidal in shape and centered about the extended runway centerline. It extends from 200 feet beyond the end of the area usable for takeoff and landing. The narrower end of each RPZ is the closest to the runway end. The most critical segment of flight occurs within the RPZ. In this zone aircraft are the most vulnerable and the risk of accident is very high.

Impact Zone 2 – Inner Safety Zone

The Inner Safety Zone is rectangular in shape and centered about the extended runway centerline extending from the wider edge of the RPZ. The Inner Safety Zone together with the RPZ encompasses 30% to 50% of all near-airport accident sites.

Impact Zone 3 – Inner Turning Zone

The Inner Turning is conical in shape which is encompassed by a 30-degree angle to either side of the extended runway centerline, and a radius of 4,500 - 5,000 feet. Its vertex is situated on the runway centerline 200 feet off the runway end. It encompasses location where especially general aviation aircraft are turning from their final approach legs of the standard traffic pattern and are descending from pattern altitudes, as well as the area where departing aircraft normally complete their transition from takeoff power and flap setting to a climb mode and have begun turning to their enroute heading.

Impact Zone 4 – Outer Safety Zone

The Outer Safety Zone is rectangular in shape and centered about the extended runway centerline. It extends from the outer edge of the Inner Safety Zone. At airports with high-activity levels, like Prescott Regional Airport, it encompasses the areas used by approaching aircraft at an altitude typically less than traffic patterns, also it is applicable to airports with straight-in instrument approach procedures.

Impact Zone 5 – Sideline Safety Zone

The Sideline Safety Zone is rectangular in shape and centered on the runway centerline. It is defined by a 1,000-foot centerline offset on each side of the runway that connects the Inner Turning Zone on each end of the runway. While this zone is typically within airport boundaries, and it is not overflow, it is designed to mitigate the damages that could be caused by an aircraft losing directional control on takeoff.

Impact Zone 6 – Traffic Pattern Zone

The Traffic Patter Zone is defined by an area 5,000 feet wide, centered on the runway centerline, extending from the Sideline Safety Zone to the edges of the Outer Safety Zone. It also encompasses all other portions of regular traffic patterns and pattern entry routes. While the risk of an accident within this zone is lower, potential consequences can be severe.

Table 5.2.3a - Airport Impact Zones Dimensions

Airport Impact Zones	Runway 12-30	Runway 3R-21L	Runway 3L-21R
Zone 1	250 ft x 1,700 ft x 505 ft	500 ft x 2,500 ft x 875 ft	500 ft x 2,500 ft x 875 ft
Zone 2	2,800 ft x 1,000 ft	2,500 ft x 1,000 ft	2,500 ft x 1,000 ft
Zone 3	60° Sector, x 4,500 ft Radius	60° Sector, x 5,000 ft Radius	60° Sector, x 5,000 ft Radius
Zone 4	3,000 ft x 1,000 ft	5,000 ft x 1,000 ft	5,000 ft x 1,000 ft
Zone 5	1,000 ft wide	1,000 ft wide	1,000 ft wide
Zone 6	5,000 ft wide	5,000 ft wide	5,000 ft wide

Uses are allowed within the AVO in accordance with Table 5.2.3b

Table 5.2.3b - Airport Impact Zones Land Use Compatibility Table

LAND USE	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
AGRICULTURE/RANCHING &						
Agricultural production	P	P	P	P	P	P
Agricultural Service	P	P	P	P	P	P
Livestock auctions	N	P	P	P	P	P
Commercial Stables	N	P	P	P	P	P
Farmers Markets	N	P	P	P	P	P
Nurseries, wholesale	N	P	P	P	P	P
COMMERCIAL &						
Aircraft Fuel, Aircraft Sales and Aircraft Repairs, Flying Schools	N	N	P	P	P	P
Vehicles and Parts Sales, Building Materials,	N	P	P	P	P	P
Shopping Centers	N	N	N	N	P	P
Banks	N	N	P	P	P	P
Gasoline Service Stations – no above ground tanks	N	N	P	P	P	P
Restaurants, Food/Beverage, General Retail Stores, Tasting Rooms	N	N	P	P	P	P
Convention Centers	N	N	N	N	N	P*
Fuel Dealers, Fuel Storage – no above ground tanks	N	P	P	P	P	P
Mini-Storage	N	P	P	P	P	P
Warehouse, Wholesale and Distributing	N	P	P	P	P	P
Petroleum and Chemical Products – Bulk Storage – no above ground tanks	N	P	P	P	P	P

COMMERCIAL/EMPLOYMENT &						
Office Buildings, Public Buildings, Research Laboratories	N	N	P	P	P	P
Appliance and Equipment Repair, Car Wash	N	P	P	P	P	P
Personal Services, Health Clinics	N	N	N	N	N	P
Recycling	N	P	P	P	P	P
Vehicle Storage and Parking	N	P	P	P	P	P
Taxi Stands, Bus Stations/Terminals	N	P	P	P	P	P
Truck Terminals	N	P	P	P	P	P
COMMERCIAL/RECREATIONAL &						
Arcades, Bowling Alleys, Skating Rinks, Dance and Pool Halls, Card Rooms, Gyms, Health Spas, Indoor Theaters and Auditoriums	N	N	P	P	P	P
Outdoor Theaters, Amusement Parks, Carnivals, Fairs	N	N	P	P	P	P
Golf Courses, Tennis Courts	N	P	P	P	P	P
Swimming Pools, Water Slides	N	N	P	P	P	P
Hotels and Motels	N	N	N	N	N	P*
RV Parks	N	N	N	N	N	P*
GOVERNMENTAL/INSTITUTIONAL (PUBLIC & QUASI-PUBLIC) &						
Hospitals, Correctional Facilities	N	N	N	N	N	P**
Large Gathering Venues, Libraries, Day Care Centers, Social Clubs/Lodges, Places of Worship, Schools	N	N	N	N	N	P*
Athletic Fields	N	P	P	P	P	P
Cemeteries – People or Pets	N	P	P	P	P	P
Public Utility Facilities (except Electric Plants)	N	P	P	P	P	P
Electric Power Plants and overhead transmission lines	N	N	N	N	N	N
INDUSTRIAL &						
Indoor Processes	N	N	P	P	P	P
Outdoor Fabrication Yards	N	N	P	P	P	P
RECREATIONAL OPEN SPACE &						
Parks, Playgrounds, Picnic Areas	N	P	P	P	P	P
RESIDENTIAL # &						
Single Family Residential	N	N	N	P*	P*	P*
Multi-Family Residential, Mobile Home Parks	N	N	N	P*	P*	P*
Group Homes, Convalescent Facilities, Nursing Homes	N	N	N	P*	P*	P*
Secondary Residence (1,200 square feet or less)	N	N	N	P*	P*	P*
Caretaker Unit (1,200 square feet or less) – Applies to Industrial/Commercial Use Only	N	P	P	P	P	P
RESOURCE EXTRACTION &						
Mining – Sand, Gravel, Fill Dirt	N	N	N	N	P	P
P – Permitted N – Not Permitted (See 5.2.9 and 5.2.10 for uses and subdivisions established prior to this code) # All residential development occurring within the Airport Impact Zones shall be clustered as far away from the airport as practicable.						

&Avigation easements ensuring the right of flight and noise generation over every parcel and property within the Airport Impact Zone will be granted at no cost to the City by the property owners. All development must comply with Sections 5.2.4 – 5.2.9 below.

* Noise Sensitive Uses and Residential Uses (at Low-Medium Density as defined in the adopted General Plan) are only permitted within Airport Impact Zone 6, outside the 55 DNL Contour line (*future 60DNL*).

** Noise Sensitive Uses are only permitted within Airport Impact Zone 6, outside the 60 DNL Contour line.

5.2.4 / Noise Exposure Maps (Noise Contours)

Noise Exposure Maps are a graphical representation of average noise exposure levels associated with aircraft operations in areas adjacent to an airport. Using the Federal Aviation Administration Aviation Environmental Design Tool (AEDT) and Day/Night Average Sound Level (DNL) methodology, noise contours were generated for Prescott Regional Airport. The contour size and shape are influenced by several factors, such as airport layout, runway utilization, aircraft operations frequency, flight tracks, aircraft characteristics, meteorological conditions, and terrain data.

5.2.5 / General Obstruction and Airspace Requirements

14 CFR Part 77 Safe, Efficient Use and Preservation of the Navigable Airspace (FAR Part 77) establishes: 1) requirements to provide notice to the Federal Aviation Administration (FAA) of certain proposed construction, or the alteration of existing structures; 2) standards use to determine obstructions to air navigation, and navigational and communication facilities; 3) the process for aeronautical studies of obstructions to air navigation or navigational facilities to determine the effect on the safe and efficient use of navigable airspace, air navigation facilities or equipment; and 4) the process to petition the FAA for discretionary review of determinations, revisions, and extensions of determinations.

No building, structure, tree, or other object, extending into the Navigable Airspace which may be deemed a hazard to the Navigable Airspace is permitted. The property owner must remove from said airspace, or at the sole option of the Grantee, as an alternative, to require the Grantors to mark and light as obstructions to air navigation, any such building, structure, tree or other objects penetrating the Navigable Airspace.

Prior to issuance of any building permit for structures above existing grade within 20,000 feet of the runway ends of Prescott Regional Airport, applicants must complete an FAA height obstruction evaluation through the FAA Notice Criteria Tool (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) also known as a FAA Form 7460-1 evaluation. The FAA response (a.k.a. determination) must be provided to the City in a form approved by the City. See Appendix 4 for the approximate area requiring this FAA height-based analysis of obstructions.

A determination of “No Hazard” without any additional conditions is required prior to issuance of a building permit. A permit will not be issued if 1) a Determination of Hazard, is issued; or 2) if a Determination of No Hazard is rendered, but with conditions

imposed that affect airport, aircraft, and/or air carrier operations. Specific requirements relating to this section are as follows:

- A. The owner of new development (and natural growth and construction equipment associated with new development) to be constructed within the Airport Vicinity Overlay district shall complete forms required by the city to comply with this chapter and submit the completed forms with final plans. The owner shall comply with the requirements of the forms.
- B. The owner of new development (and natural growth and construction equipment associated with new development), to be located within the twenty-thousand-foot radius of the Prescott Regional Airport, that penetrates the 100:1 slope from the nearest point of the runway shall submit to the FAA the appropriate forms for FAA review. See FAA Form 7460-1. Before final plan approval, the owner shall submit the FAA response to FAA Form 7460-1.
- C. The owner of new development (and natural growth and construction equipment associated with new development), and more than two hundred (200) feet high, shall submit to the FAA the appropriate forms for FAA review. See FAA Form 7460-1. Before final plan approval, the owner shall submit the FAA response to FAA Form 7460-1.
- D. The owner of construction equipment to be located within the twenty-thousand-foot radius of the Prescott Regional Airport, that penetrates the 100:1 slope from the nearest point of the runway shall submit to the FAA the appropriate forms for FAA review. See FAA Form 7460-1. If the construction equipment is in violation of Federal Aviation Regulation (FAR) Part 77, the owner shall immediately remove the construction equipment as directed by the City.
- E. All applications for natural growth and new development shall be processed in accordance with the Land Development Code and all other applicable codes of the City of Prescott, including Section 5.2.5 - C.
- F. Natural growth, construction equipment, solar arrays, use of lights/lasers, inflatables, drones or airspace uses, and new development in the Airport Influence Area shall not:
 - 1. Create electrical interference with communications between the airport, air traffic control, and aircraft.
 - 2. Make it difficult for pilots to distinguish between airport lights and other lights.
 - 3. Create glare affecting pilots and/or air traffic control.
 - 4. Impair visibility near the airport.
 - 5. Create potential wildlife strike hazards.
 - 6. Endanger or interfere with aircraft landing, takeoff, and maneuvering.

5.2.6 / Existing Structures and Natural Growth

- A. If natural growth is in violation of the protected airspace areas in this code, the owner shall immediately remove the natural growth as directed by the City.

- B. No use or natural growth or structure established prior to the effective date of this code is permitted to become a greater hazard to air navigation than it was on the effective date.
- C. The City may require the owner of a structure constructed prior to the effective date of this code to install marking and lighting on the structure if it is deemed necessary for airport safety. Marking and/or lighting shall be installed, operated, and maintained at the owner's expense.
- D. Nothing in this article requires any change in the construction or change in the intended use of any structure if the construction occurred prior to the effective date of this code.

5.2.7/ Critical Airspace Surfaces

To ensure the continued viability of air operations at Prescott Regional Airport, any evaluation of building or development permits shall consider the following “Critical Airspace Surfaces”: Airport Impact Zones, Noise Contours, FAR Part 77 Airspace Surfaces (defined previously), and Airline One-Engine Inoperative (OEI) departure surface. Together these “Critical Airspace Surfaces” require special protections.

Airline OEI departure procedures are required for airlines operating under Federal Aviation Regulation (FAR) Parts 121 and 135. FAR Parts 25 and 23 (Airworthiness Standards for Transport or Commuter Aircraft) establish these federally required OEI takeoff flight path requirements. The resulting OEI splay (flight path) considers obstacles beyond those evaluated in FAR Part 77 obstacle determination(s) for OEI procedures differ from FAR Part 77 surfaces; also, obstacles cannot be mitigated in the same manner (i.e., red obstruction light) as may be permitted under FAR Part 77.

Negative impacts on Critical Airspace Surfaces shall be grounds to deny or require modification of building permits or development permits, to eliminate or mitigate such impacts. Note that vegetative plantings and subsequent natural growth may adversely impact Critical Airspace Surfaces and may be grounds to deny or require modification of building permits or development permits.

5.2.8 / Avigation Easements and Fair Disclosures

A. Noise and Avigation Easement, Airport Influence Area

Prior to issuance of any building or development permit for property within the Airport Influence Area (see Appendix 1 Map and Legal Description below), the owner of said property shall provide the City of Prescott with an Avigation Easement over the subject property and release the City of Prescott from all liability for any and all claims for damages including, but not limited to, dust, noise, vibration, fumes, fuel and lubricant particles.

The avigation easement and release form shall be available from the City of Prescott. This requirement will apply to all properties at the earliest of any development or construction submittal. Such submittals include, but are not limited to, preliminary plat applications, site plan approval applications, rezoning applications, or building or infrastructure permit applications.

Areas within the Airport Influence Area may lie outside of the corporate limits of Prescott. An Avigation Easement shall be required for properties in areas outside of the corporate limits of Prescott prior to the provision of municipal services from the City of Prescott.

The Airport influence Area is described to include the following parcels:

Parcel 1 All of Sections 1, 2 & 3, Township 14 North, Range 02 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

Parcel 2 All of Sections 5 & 6, Township 14 North, Range 01 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

Parcel 3 All of Sections 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 & 36, Township 15 North, Range 02 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

Parcel 4 All of Sections 8, 9, 16, 17, 18, 19, 20, 29, 30, 31 & 32, Township 15 North, Range 01 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

B. Fair Notice Disclosure

Each owner of a property located within the AVO boundaries shall make fair disclosure to each purchaser or renter within the Airport Influence Area using the documents in Appendix 5: Fair Notice Disclosure and Airport Area Map. Proposed developments with Covenants, Conditions and Restrictions (CC&Rs) shall include the disclosure in the CC&Rs to be recorded with the subdivision.

5.2.9 / Existing Noise Sensitive Uses

Uses established prior to the effective date of this Section may continue to operate within the provisions of their underlying zoning. Principal uses, along with their customary accessory uses, may continue, may expand to the extent allowed by the underlying zoning, and shall not be deemed nonconforming solely by the establishment of the Airport Vicinity Overlay district.

5.2.10 / Prior Approval of Final Plats

Subdivision Final Plats approved by Council prior to the effective date of this Section may continue to develop as depicted on the approved plat, subject to compliance with

the provisions of the underlying zoning. Development occurring within and in conformance with such plats shall not be deemed nonconforming solely by the establishment of the Airport Vicinity Overlay district.

5.2.11 / Penalties

This code is subject to enforcement and penalties per City Code Chapter 1-3 General Penalty: Misdemeanors, Civil Violations, Continuing Violations.

Attachments:

1. Airport Vicinity Overlay Boundary Map
2. Fair Notice Disclosure example
3. Avigation Easement example