

DR 82-13 - Airport Hazard Zoning Ordinance.

Plans
Committee
1/18/82

Airport Authority Approved 3/2/83

MARC Informal 3/24/83

MARC approved as recommended 4/7/83

BCC approve 5/3/83

ACTION

COMMITTEE	DATE
_____	_____
M.A.P.C.	_____
B.C.C./ B.C.C. <i>Appointed MAPC</i>	_____
<i>as Airport Zoning Commission</i>	<i>5/27/79</i>
<i>Advance Plans Committee</i>	<i>Review</i> <i>12/8/82</i>
<i>Airport Authority</i>	<i>Approved</i> <i>3/2/83</i>
<i>MAPC</i>	<i>Informal</i> <i>3/24/83</i>
<i>MAPC</i>	<i>approved as recommended</i> <i>4/7/83</i>
<i>BCC</i>	<i>approve</i> <i>5/3/83</i>

CHAPTER 28.08
AIRPORT HAZARD ZONING

SECTIONS	
28.08.010	Title
28.08.020	Purpose
28.08.030	Definitions
28.08.040	Applicability
28.08.050	Airport Zones and Height Limitations
28.08.060	Mid-Continent Airport
28.08.070	Colonel James Jabara
28.08.080	McConnell Air Force Base
28.08.090	Beech
28.08.100	Cessna
28.08.110	Wichita Police Department Heliport
28.08.120	Spacing Adjacent Airports
28.08.130	Use Restrictions
28.08.140	Nonconforming Uses
28.08.150	Permits
28.08.160	Enforcement
28.08.170	Promulgation of Rules, Regulations, Etc.
28.08.180	Appeals
28.08.190	Institution of Action in Courts
28.08.200	Wichita Airport Hazard Zoning Maps
28.08.210	Penalties
28.08.220	Conflicting Regulations
28.08.230	Amendments
28.08.240	Severability
28.08.250	Effective Date of Chapter

Final
Adopted
Signed
May 10, 1983

AN ORDINANCE TO CREATE, ADMINISTER AND ENFORCE AIRPORT ZONING REGULATIONS, LIMITING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF WICHITA MID-CONTINENT AIRPORT, MCCONNELL AIR FORCE BASE, BEECH AIRPORT, CESSNA AIRPORT, COLONEL JAMES JABARA AIRPORT, AND THE WICHITA POLICE DEPARTMENT HELIPORT, PRESCRIBING CERTAIN POWERS, DUTIES AND REMEDIES, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND PROVIDING FOR THE REPEAL OF THE ORIGINAL SECTIONS: 28.08.010, 28.08.020, 28.08.030, 28.08.040, 28.08.050, 28.08.060, 28.08.070, 28.08.080, 28.08.090, 28.08.100, 28.08.110, 28.08.120, 28.08.130, 28.08.140, 28.08.150, 28.08.160, 28.08.170, 28.08.180, 28.08.190, 28.08.200, 28.08.210, 28.08.220, 28.08.230, 20.08.240, AND 28.08.250 OF THE CODE OF THE CITY OF WICHITA, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 28.08.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.010 TITLE - Chapter 28.08 of the Code of the City of Wichita shall be known and may be cited as the Wichita Airport Hazard Zoning Code."

SECTION 28.08.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.020 PURPOSE - It is hereby found that airport hazards endanger the lives and property of users of Wichita Mid-Continent Airport, Colonel James Jabara Airport, McConnell Air Force Base, Beech Airport, Cessna Airport, and the Wichita Police Department Heliport, and occupants of land in the vicinity of said airports; that an airport hazard may affect existing and future instrument approach minimums of the airports, and that an airport hazard may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of said airports and the public interests therein.

Accordingly, it is declared:

- (1) That the creation or establishment of an airport hazard is a public nuisance and an injury to the region serviced by the airports.
- (2) That it is, therefore, necessary in the interest of the public health, safety, and general welfare, that the creation or establishment of airport hazards be prevented, and
- (3) That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power of the City of Wichita without compensation.
- (4) That in order to prevent the creation or establishment of airport hazards as authorized by K.S.A. 3-703 et seq., the City of Wichita may extend the coverage of this Code to airports owned, operated, or controlled by the City; any military airport within 50,000 feet of the official boundaries

of the City; privately owned airports within the City; or privately owned airports within five miles of the official City boundaries if in the opinion of the Board said airport utilizes its facilities to provide a service to the public."

SECTION 28.08.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.030 DEFINITIONS - As used in this Code, unless the context otherwise requires, the following terms shall have the meaning ascribed:

1. AIRPORT - any area of land or water designed and set aside for the landing and taking-off of aircraft. The term airport includes heliports set aside for the landing and taking-off of rotary wing aircraft.
2. AIRPORT ELEVATION - means the established airport elevation in feet above mean sea level, of the highest point on the landing area which is used or intended to be used for takeoff and landing operations.
3. AIRPORT HAZARD - any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Sections 28.08.050 through 28.08.110 of this Code located on or in the vicinity of the airports covered by this Code, or any use of land near such airports, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airports or is otherwise hazardous to such landing or takeoff of aircraft.
4. AIRPORT REFERENCE POINT - a point at the approximate center of the airport landing area, and shown on the Wichita Airport Hazard Zoning Map.
5. APPROACH SURFACE - a surface longitudinally centered on the extended runway centerline; extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Sections 28.08.050 through 28.08.110 of this Code. In Plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
6. APPROACH, CONICAL, HORIZONTAL, AND TRANSITIONAL ZONES - these zones are as defined and set forth in Sections 28.08.050 through 28.08.110 of this Code.
7. BOARD - the governing Body of the City of Wichita, Kansas.
8. CIVILIAN AIRPORTS - Any airport, public or private, that is not owned or operated by the Government of the United States and used for military purposes.
9. CONICAL SURFACE
 - 9.1 Civilian Airports - an inclined surface extending upward and outward from the outer periphery of the horizontal surface at a slope of one foot upward for each twenty (20) feet outward for a horizontal distance of 4,000 feet.
 - 9.2 Military Airports - an inclined surface extending upward and outward from the outer periphery of the inner horizontal surface at a slope of one (1) foot upward for each twenty (20) feet outward for a horizontal distance of 7,000 feet.

10. FAA - Federal Aviation Administration.
11. HEIGHT - for the purpose of determining the height limits in all zones set forth in this Code and shown on the Wichita Airport Hazard Zoning Map, the datum shall be mean sea level elevation unless otherwise specified.
12. HELIPORT - means an area on land, water, or upon a structure set aside and used for the landing and takeoff of rotary wing aircraft and in addition facilities may be provided for the fueling, refueling, repair and storage of rotary wing aircraft.
13. HORIZONTAL SURFACE
 - 13.1 Civilian Airports - a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
 - 13.2 Military Airports
 - a. Inner Horizontal Surface - for military airports, a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the inner horizontal zone.
 - b. Outer Horizontal Surface - for military airports, a horizontal plane 500 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the outer horizontal zone.
14. LARGER THAN UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight, and jet powered aircraft.
15. MANAGER - at Wichita Mid-Continent and Colonel James Jabara Airports, the manager is the Director of Aviation of the Wichita Airport Authority; at McConnell Air Force Base, the manager is the Base Commander; at the Police Heliport, the manager is the Airsection Commander; at Cessna and Beech Airports the manager is the person designated as such by each company.
16. MILITARY AIRPORT - an airport that is owned or operated by the Government of the United States and used for military purposes.
17. NONCONFORMING USE - any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this Code.
18. NONPRECISION INSTRUMENT RUNWAY - a runway having an existing or planned instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment for which a straight-in, nonprecision instrument approach procedure has been approved or planned.
19. PLANNING COMMISSION - is the Wichita-Sedgwick County Metropolitan Area Planning Commission.
20. PERSON - an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, receiver, assignee, or similar representative of any of them.
21. PRECISION INSTRUMENT RUNWAY - a runway having an existing or planned instrument approach procedure utilizing an Instrument Landing

System (ILS), or a Precision Approach Radar (PAR).

22. PRIMARY SURFACE

22.1 Civilian Airports - a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Sections 28.08.050 through 28.08.110 of this Code. The elevation of any point on the primary surface is the same as the nearest point on the runway centerline.

22.2 Military Airports - a surface longitudinally centered on each runway with the same length as the runway. The width of the primary surface for runways is 2,000 feet. The elevation of any point on the primary surface is the same as the nearest point on the runway centerline.

22.3 Heliports - is an area that coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

23. RUNWAY - a defined area on an airport prepared for landing and takeoff of aircraft along its length.

24. STRUCTURE - an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, smoke stacks, poles, pole lines, light poles, signs, earth formations, and overhead transmission lines.

25. TRANSITIONAL SURFACES

25.1 Civilian Airports - the transitional surfaces extended outward at 90 degree angles to runway centerlines and runway centerlines extended, at a slope of one (1) foot upward for each seven (7) feet outward from the sides of the primary and approach surfaces. The transitional surfaces connect the horizontal, conical, primary and approach surfaces. Transitional surfaces for those portions of the approach surfaces, which project beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

25.2 Military Airports - the transitional surface extends outward at 90 degree angles to runway centerlines and runway centerlines extended at a slope of one (1) foot upward for each seven (7) feet outward. The transitional surfaces connect the primary surfaces, and approach surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces.

25.3 Heliports - the transitional surfaces extend outwards and upward from the lateral boundaries of the heliport primary

surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet measured horizontally from the centerline of the primary and approach surfaces.

26. TREE - any object of natural growth.
27. UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
28. VISUAL RUNWAY - a runway intended solely for the operation of aircraft using visual approach procedures."

SECTION 28.08.040 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.040 APPLICABILITY. The provisions of this Code shall apply to the airports listed in Sections 28.08.060 through 28.08.110, and their environs. Said environs shall include all land and water areas within the boundaries of such zones as created and defined by Sections 28.08.050 through 28.08.110 of this Code. The provisions of this Code may also be applied to areas that would be affected by planned runways indicated on any FAA or U. S. Military approved airport layout plan or planning document."

The provisions of this Code do not, however, apply to the property of the United States Air Force located within the boundaries of McConnell Air Force Base, Kansas, as described in the September 14, 1978 Memorandum Opinion prepared by the Real Estate Division, United States Army Corps of Engineers, nor to federal activities on or off-base, but associated with the base. The sovereignty of the United States government is hereby recognized as absolute regarding the use of land or water located within said boundaries or associated with the base, and the definitions, requirements and restrictions set forth in Sections 28.08.030, 28.08.120, 28.08.130, 28.08.140, 28.08.150 or elsewhere in this Code shall not apply to any use of such land or water or such activities by the United States Air Force.

SECTION 28.08.050 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.050 AIRPORT ZONES AND HEIGHT LIMITS - GENERALLY. There are hereby created and defined certain zones which include all the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to each runway at each particular airport. The boundaries of such zones and the heights applicable thereto are as described for each applicable airport in Sections 28.08.060 through 28.08.110 of this Code, and as shown on the Wichita Airport Hazard Mapping Map consisting of two (2) sheets, prepared by the Wichita-Sedgewick County Metropolitan Area Planning Department (MAPD), dated March, 1983, which are incorporated to this Code and made a part hereof, and may be amended and supplemented as hereinafter provided.

Except as otherwise provided in Section 28.08.150 of this chapter, no structure or tree shall be erected, altered, allowed to grow or allowed to exist in any zone created by this Code to a height in excess of the applicable height limit herein established for such zones. Where two or more zones

overlap the more restrictive limitation or requirements shall govern and prevail."

SECTION 28.08.060 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.060 WICHITA MID-CONTINENT AIRPORT

- A. AIRPORT ELEVATION. The established airport elevation is 1,332 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Wichita Mid-Continent Airport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. UTILITY RUNWAY VISUAL APPROACH ZONE (Runways 1R and 19L) - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

2. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE (Runways 14 and 32) - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the runway centerline.

3. PRECISION INSTRUMENT RUNWAY APPROACH ZONE (Runways 1L, 19R, 1C, and 19C) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as the primary surface and

extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerline.

4. TRANSITIONAL ZONES - the Transitional zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where precision instrument runway approach zones project beyond the conical zones, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

5. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred fifty (150) feet above the established airport elevation.

6. CONICAL ZONE - The Conical Zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.070 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.070 COLONEL JAMES JABARA AIRPORT

- A. AIRPORT ELEVATION. The established airport elevation is 1,420 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Colonel James Jabara Airport are shown on Sheet One (1) of the

Wichita Airport Hazard Zoning Map, and are hereby created and defined as follow:

1. UTILITY RUNWAY VISUAL APPROACH ZONE (Runways 13 and 31) - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

2. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM AS LOW AS 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE (Runway 36) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone extends outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the end of the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

3. PRECISION INSTRUMENT RUNWAY APPROACH ZONE (Runway 18) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the end of the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerlines.

4. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and the same elevation as, the primary surface and the approach surface, and extending to a height of

one hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where precision instrument runway approach zones project beyond the conical zone, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

5. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius shall be the longest determined for either end.

The applicable height limitation is established at one hundred fifty (150) feet above the established airport elevation.

6. CONICAL ZONE - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.080 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.080 MCCONNELL AIR FORCE BASE

- A. AIRPORT ELEVATION. The established airport elevation is 1,371 feet above mean sea level.

2. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

- I. MILITARY RUNWAY APPROACH ZONE (Runways 19L, 1R, 19R and 1L) - the inner edge of this approach zone coincides with the width of the primary surface and is 2,000 feet wide for both ends of the primary surface of each runway. The

approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from both ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward beginning at the end of, and at the same elevation as, the primary surface, extending along the extended runway centerline until it reaches a height of 500 feet above the established airport elevation. It then continues horizontally at this elevation to a point 50,000 feet from the point of beginning.

2. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitations slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surfaces and extending to where they intersect the conical surface, or outer horizontal surface for military airports.

3. INNER HORIZONTAL ZONE - for military airports - the inner horizontal zone is established by describing arcs with radii 7,500 feet 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 inner horizontal zone does not include the approach and transitional zones.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

4. OUTER HORIZONTAL ZONE - for military airports - the outer horizontal zone is established by constructing a line 30,000 feet from the periphery of the conical surface, but does not include approach zones or transitional zones.

The applicable height limitation is established at five hundred (500) feet above the established airport elevation.

5. CONICAL ZONE - The conical zone is established as the area that commences at the periphery of the inner horizontal zones and extends outward for a horizontal distance of 7,000 feet to a height of 500 feet where it intersects the outer horizontal zone.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the inner horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and

extending to a height of five hundred (500) feet above the airport elevation."

SECTION 28.08.090 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.090 BEECH AIRPORT.

- A. AIRPORT ELEVATION. The established airport elevation is 1,378 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Beech Airport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

- 1. RUNWAY LARGER THAN UTILITY, VISIBILITY MINIMUM GREATER THAN 3/4 MILES, NONPRECISION INSTRUMENT APPROACH ZONE (Runways NE, SW, NW and SE) - the inner edge of this approach zone coincides with the width of the primary surface and is 300 feet wide. The approach zone expands outward uniformly to a width of 2,300 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

- 2. PRECISION INSTRUMENT RUNWAY APPROACH ZONE (Runways 18, 36, 17, and 35) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerline.

- 3. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surface.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as, the primary surface and the approach surface, and extending to a height of one

hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where precision instrument runway approach zones project beyond the conical zone, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

4. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

5. CONICAL ZONE - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.100 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.100 CESSNA AIRPORT

- A. AIRPORT ELEVATION. The established airport elevation is 1,378 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Cessna Airport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE (Runways 17L and 35R) - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500

feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

2. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as, the primary surface, and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface.

3. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

4. CONICAL ZONE - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.110 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.110 WICHITA POLICE DEPARTMENT HELIPORT

- A. HELIPORT ELEVATION. The established airport elevation is 1,290 feet above mean sea level.
- B. HELIPORT ZONES AND HEIGHT LIMITS. The various zones and height

limits for the Wichita Police Department Heliport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. POLICE HELIPORT RUNWAY H1 APPROACH ZONE - The inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.

The applicable height limitations slopes one (1) foot upward for each eight (8) feet outward, beginning at the edge of, and at the same elevation as, the primary surface and extending to a horizontal distance of 4,000 feet from the primary surface.

2. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each two (2) feet outward, beginning at the edge of and at the same elevation as the primary surface and the heliport approach zone and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface and heliport approach zone centerline."

SECTION 28.08.120 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.120 SPACING ADJACENT AIRPORTS

1. No other airport hereafter shall be established, or existing airport be improved with Approach Guidance Equipment so as to enhance Instrument Flight Rule (IFR) capabilities, any portion of whose proposed or existing boundary will be under an airport zone established by this Code or within a radius of eight (8) miles from an airport reference point of an airport established on the date of this Code, unless a permit shall have been applied for and granted in accordance with the provisions of this Code.
2. Exceptions to the spacing requirements hereinafter provided in this section may be granted by the Board upon receipt of proper application, but only after a public hearing duly held in accordance with provisions of this Code, and where, owing to special conditions, the Board duly finds that a literal enforcement of these provisions would result in unnecessary hardship and such exception would not be contrary to the public interest. Prior to granting any such exception, the Board shall for the purpose of study, comment, and recommendation, refer the matter to the Federal Aviation Administration, the Base Commander of McConnell Air Force Base, and to any local planning body having either planning or land use control jurisdiction within the area affected.

3. If any of the aforementioned bodies to whom the matter shall have been referred does not, within sixty (60) days, transmit a report to the Board, then it shall be deemed to have approved the proposal: provided, however, that upon request of any such body the Board shall grant a reasonable extension of such time.
4. In granting such exception the Board shall impose special conditions which will ensure that public interest, existing public and private investment in airports, and air safety is maintained."

SECTION 28.08.130 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.130 USE RESTRICTIONS

1. Notwithstanding any other provision of this Code, no use may be made of land or water within any zone established by this Code in such manner as to make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of the pilots using the airports, create smoke, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way, endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.
2. A shield that reduces the amount of light visible from above and directs the light downward shall be required for all outdoor lights, except those incidental to residential uses, installed after the date of this ordinance, within the limits of the horizontal, inner-horizontal, transitional or approach zones.
3. Nothing in this Code shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height of twenty-five (25) feet above the surface of the land."

SECTION 28.08.140 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.140 NONCONFORMING USES

1. REGULATIONS NOT RETROACTIVE - the regulations prescribed by this Code, 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 Code or to otherwise interfere with the continuance of a nonconforming use. Nothing contained herein 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 Code, and diligently prosecuted.
2. MARKING AND LIGHTING - notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the operating and maintenance

thereon of such markers and lights in accordance with standards as set forth in the FAA Circular Obstruction Marking and Lighting (No. AC70/7460-1F) to indicate to the operators of aircraft in the vicinity of the airports the presence of airport hazards. The maintenance, operation and installation of such markers and lights on such nonconforming structures and trees, shall be the responsibility of the owner or owners of the affected airport."

SECTION 28.08.150 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.150 PERMITS

1. FUTURE USES - except as specifically provided in paragraphs 1.1, 1.2, 1.3, and 1.4 hereunder, no material change shall be made in the use of land, no structure, tower, or pole shall be erected or otherwise established in any zone hereby created by Sections 28.08.050, through 28.08.110 unless a permit, therefore, shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with particularity to permit determination of whether the resulting use or structure would conform to the regulations within this Code. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Code shall be granted unless a variance has been approved in accordance with paragraph 4 of this section.
 - 1.1 In the area lying within the boundaries of Area A shown on Sheet Two (2) of the Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than twenty-five (25) feet of vertical height above the ground.
 - 1.2 In the area lying within the boundaries of Area B shown on Sheet Two (2) of the Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such structure would extend above the height limits prescribed for approach, conical, transitional, or horizontal zones.
 - 1.3 In the area lying within the boundaries of Area C shown on Sheet Two (2) of the Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than one hundred-fifty (150) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such structure

would extend above the height limits prescribed for approach, conical, transitional or horizontal zones.

- 1.4 In the area lying within the boundaries of Area D shown on Sheet Two (2) of the Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than three hundred (300) feet of vertical height above the ground, except when, because of terrain, land contours, or topographic features, such structures would extend above the height limits prescribed for approach, conical, transitional, or horizontal zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure or growth of any trees in excess of any of the height limits established by this Code except as set forth in Section 28.08.130, paragraph 3.

2. EXISTING USES - no permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Code 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.
3. NONCONFORMING USES ABANDONED OR DESTROYED - whenever the Superintendent of Central Inspection determines that a nonconforming structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.
4. VARIANCES
 - 4.1 Any person desiring to erect or increase the height of any structure, or permit the growth of any trees, or use his property not in accordance with the regulations prescribed in this Code, may apply to the Board for a variance from such regulations. The Board may refer the application to the Wichita-Sedgwick County Metropolitan Area Planning Commission for study and recommendations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances may be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and be in accordance with the spirit of this Code.
 - 4.2 Additionally, no application for variance to the require-

ments of this Code shall be furnished by the Board unless a copy of the application has been furnished to the Manager of the affected airport(s) for comment as to the aeronautical effects of the variance. If the manager does not respond to the Board within fifteen (15) days after receipt, the Board may act on its own to grant or deny said application.

5. HAZARD MARKING AND LIGHTING - any permit or variance granted, may, if such action is deemed advisable to effectuate the purpose of this Code and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain at the owner's expense, such marking and lighting, the standards as found in FAA Circular AC-70/7460-1F shall be used. If deemed proper by the Board, this condition may be modified to require the owner to permit the installation, operation, and maintenance of the necessary markings and lights in accordance with the standards in FAA Circular AC-70/7460-1F, at the expense of the owner(s) of the affected airport.
6. FEES - a fee shall be collected for each permit application in accordance with the provisions of Section 18.08.010 of this Code."

SECTION 28.08.160 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.160 ENFORCEMENT - The Superintendent of Central Inspection is hereby delegated the responsibility to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Superintendent. Applications required by this Code to be submitted to the Superintendent of Central Inspection shall be promptly considered and granted or denied by the Superintendent. If it is determined by the Superintendent of Central Inspection that the proposed use does not conform with the provision of this Code, the application shall be denied."

SECTION 28.08.170 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.170 PROMULGATION OF RULES, REGULATIONS, ETC. - The Superintendent of Central Inspection shall promulgate, and from time to time amend rules, regulations, and standards for the administration and enforcement of this Code, which standards shall not be effective until they have first been approved by the Board, and a copy thereof filed with the City Clerk of the City of Wichita, Kansas."

SECTION 28.08.180 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.180 APPEALS -

1. Any person aggrieved, or affected by a decision of the Superintendent of Central Inspection made in administration of this Code, may appeal to the Board.
2. All appeals hereunder must be made within thirty (30) days by filing with the Superintendent of Central Inspection a

notice of appeal specifying the grounds thereof. The Superintendent of Central Inspection shall forthwith transmit to the Board all papers constituting the record on which the action appealed was taken.

3. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Superintendent of Central Inspection certifies to the Board after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the opinion of the Superintendent of Central Inspection, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board and on due cause shown.
4. The Board shall fix a reasonable time for the hearing of appeals, giving public notice by publication once in the official city paper a minimum of fifteen (15) days prior to the hearing, 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.
5. The Board may 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.
6. The concurring vote of a majority of the members of the Board shall be sufficient to revise any order, requirement, decision, determination of the Superintendent of Central Inspection or to decide in favor of the applicant on any matter upon which it is required to pass under this Code, or to effect any variation in this Code."

SECTION 28.08.190 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.190 INSTITUTION OF ACTIONS IN COURTS -

1. The Superintendent of Central Inspection may cause to be instituted in any court of competent jurisdiction an action to prevent, restrain, correct or abate any violation of this code, or of any order or ruling made in connection therewith as provided by law.
2. Any person aggrieved by any decision of the Board may appeal to any court of competent jurisdiction as provided by law."

SECTION 28.08.200 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.200 WICHITA AIRPORT HAZARD ZONING MAPS -

1. OFFICIAL TITLE - each such airport zoning map, properly identified by the name of the airport(s) shown, and an appropriate description of what the map purports to show,

shall be signed by the City Clerk of the City of Wichita, and marked with the effective date of this Code.

2. RATIFICATION - the particular airport zoning classifications as shown by the legends on such airport hazard zoning maps, are hereby ratified, confirmed and approved and all and within any of the zones shown on any of the airport hazard zoning maps shall be and is hereby zoned the particular airport zone shown by the legend on the applicable airport zoning map.
3. MAINTENANCE
 - 3.1 The Airport hazard zoning maps shall be kept and maintained by the City of Wichita, and shall be available for inspection and examination by members of the public at all reasonable times, as any other public record, in the office of the Superintendent of Central Inspection.
 - 3.2 An exact copy of each airport hazard zoning map shall be located in the office of the City Clerk, who shall likewise maintain such maps and make them available for inspection and examination by members of the public at all reasonable hours.
4. CHANGE IN AIRPORT HAZARD ZONING MAPS - any change in an airport zoning classification accomplished in the manner provided by law, after public hearing and a resolution of the Board, shall be noted on the particular airport hazard zoning map affected by such change on file in the Office of the Superintendent of Central Inspection and in the office of the City Clerk, so that all such airport zoning maps shall at all times reflect the current airport zoning classification of land within such zones."

SECTION 28.08.210 - of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.210 PENALTIES - Notwithstanding any provision herein regarding the enforcement of the provisions hereof by civil or other extraordinary provisions of law, each violation of this Code or any regulation, order or ruling promulgated hereunder, shall constitute a misdemeanor and be punishable by a fine of not more than \$500; and each day a violation continues to exist shall constitute a separate offense."

SECTION 28.08.220 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.220 CONFLICTING REGULATIONS - in the event of any conflict between the requirements of this Code and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern and prevail."

SECTION 28.08.230 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.030 AMENDMENTS - amendment or repeal of all or part of this Code shall be done in accordance with the procedure prescribed by law for the adoption,

amendment and repeal of airport zoning regulations (KSA 3-705)."

SECTION 28.08.240 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.240 SEVERABILITY - if any of the provisions of this Code or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Code which can be given effect without the invalid provision or application, and to this end, the provisions of this Code are declared to be severable."

SECTION 28.08.250 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.250 EFFECTIVE DATE OF CHAPTER - this chapter shall be in full force and effect from and after its adoption, and publication in the official paper."

The original sections of 28.08.010, 28.08.020, 28.08.030, 28.08.040, 28.08.050, 28.08.060, 28.08.070, 28.08.080, 28.08.090, 28.08.100, 28.08.110, 28.08.120, 28.08.130, 28.08.140, 28.08.150, 28.08.160, 28.08.170, 28.08.180, 28.08.190, 28.08.200, 28.08.210, 28.08.220, 28.08.230, 28.08.240, and 28.08.250 of the Code of the City of Wichita, Kansas, are hereby repealed.

ADOPTED at Wichita, Kansas this 10th day of May, 1983.

Margalee Wright
Margalee Wright, Mayor

ATTEST:

Donald C. Gfick
Donald C. Gfick, City Clerk

APPROVED AS TO FORM:

John Dekker
John Dekker, Director of Law

CITY CLERK'S AGENDA
May 10, 1983

1. Report of the Board of Bids and Contracts, received May 6, 1983.

ACTION: Receive and file the report, approve the contracts as recommended by the Board of Bids and Contracts, and authorize the Mayor to sign.

2. APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES:

<u>RENEWAL</u>	<u>1983</u>	(Consumption on premises)
Joan Tinney	Royal Lounge	523 S. Main
Richard M. Price	The Dorm	1520 W. 29th N.
George L. Goodwin Jr.	Pawnee Power Plant	1912 E. Pawnee
*Gerald T. Aaron	Pizza Hut	333 E. 47th S.
*Leroy J. Shockley	Red's Cafe	579 W. Douglas
* **Barbette J. Ford	Barbette's Club	817 N. West

(Consumption off premises)

Jay A. Johnson	Johnson's Gen. Store #2	6310 E. Harry
William A. Bell	QuikTrip Store #344	2143 W. 21st N.

*General Retailer--beer sales derive less than 50% of gross receipts.

**Located within 150 feet of residential district.

Applications have been approved by the Police Department and their files reflect no record to disqualify the applicants.

ACTION: Approve the applications and instruct the License Collector to issue the proper licenses.

3. PLANS AND SPECIFICATIONS:

Constructing Lateral 3, Main 20, Sanitary Sewer No. 22 (south of Pawnee in Leonine Street) (CC approved 4/05/83) 468 76 245 80130 000 000 001

Constructing Storm Water Sewer No. 238 (north of Harry at Rosalie) (CC approved 1/05/82) 468 76 245 81177 000 000 001

Constructing a left turn lane on 21st Street North and a concrete median curb from the east line of Byron to 500 feet east of the east line of Byron (CC approved 7/22/80) 472 76 245 80973 000 000 001

ACTION: Approve and file and instruct the City Clerk to advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., May 20, 1983.

4. PRELIMINARY ESTIMATES:

Improving Gleneagles Drive from the north line of Prestwick to the south line of Second; Gleneagles Court from the east line of Gleneagles Drive to and including cul-de-sac; Prestwick from the west line of Gleneagles 2nd Addition to the west line of Gleneagles Drive; Woodchuck from the west line of Gleneagles Drive to the south line of Second; Muirfield from the east line of Gleneagles Drive to the north line of Prestwick, in the amount of \$189,263.07

Constructing 8-inch water mains and appurtenances in Lots 10, 11 & 12 of Block 4, Farmington Square 2nd Addition, in the amount of \$40,400.00

(20 cont.)

ACTION: Approve the addition of \$27,855 to the 1983 SER/NEDA OJT contract and the use of funds in the amount of \$534 for close out activities and authorize the Mayor and City Manager to sign.

21. THREE-PARTY CONSULTANT ENGINEERING AGREEMENT FOR IMPROVEMENTS IN WOODSPRING ADDITION:

The Department of Engineering reports that a three-party agreement has been submitted to the City by Tallgrass Company for Mid-Kansas Engineering Consultants to provide consultant engineering services for sanitary sewer, storm sewer, and municipal water distribution system improvements for Woodspring Addition. Payment for the consultant engineering services is to be on a lump sum basis, and totals \$17,530. The developer is responsible for payment of the fees until the necessary guarantees and requirements are met.

The Department of Law has approved the agreement as to form and it is recommended that it be approved.

ACTION: Approve the agreement and authorize the Mayor to sign.

22. RESOLUTION:

A resolution directing and providing for a public hearing on the advisability of improvements consisting of paving of Smith Street from the north line of 11th Street North to the north line of 12th Street North in the City of Wichita, Kansas, all as provided by K.S.A. 12-6a04(1). Said hearing shall be held on the 24th day of May, 1983, in the City Commission Room of City Hall at 10:00 a.m.

ACTION: Adopt the resolution.

23. ORDINANCE:

An Ordinance to create, administer and enforce airport zoning regulations, limiting the height of structures and objects of natural growth and otherwise regulating the use of property in the vicinity of Wichita Mid-Continent Airport, McConnell Air Force Base, Beech Airport, Cessna Airport, Colonel James Jabara Airport, and the Wichita Police Department Heliport, prescribing certain powers, duties and remedies, providing penalties for violations thereof, and providing for the repeal of the original sections: 28.08.010, 28.08.020, 28.08.030, 28.08.040, 28.08.050, 28.08.060, 28.08.070, 28.08.080, 28.08.090, 28.08.100, 28.08.110, 28.08.120, 28.08.130, 28.08.140, 28.08.150, 28.08.160, 28.08.170, 28.08.180, 28.08.190, 28.08.200, 28.08.210, 28.08.220, 28.08.230, 28.08.240 and 28.08.250 of the Code of the City of Wichita, Kansas.

ACTION: Place the ordinance upon its passage and adopt.

24. ORDINANCE:

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto (A83-1)

ACTION: Place the ordinance upon its passage and adopt.

WICHITA-SEDGWICK COUNTY

DATE 5/4/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Donald C. Gisick, City Clerk
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT ADOPTION OF AIRPORT HAZARD ZONING ORDINANCE AMENDMENT

Attached is an original and three copies of an amendment to the Airport Hazard Zoning Ordinance (Chapter 28.08 of the City Code). The City Commission reviewed this amendment at their May 3, 1983 meeting and approved placing the ordinance on first reading.

Please take appropriate actions for having this ordinance placed on its second reading and adoption by the City Commission (May 10, 1983). Please also provide us with a fully executed copy of the ordinance when it becomes available.

Do not hesitate to contact me if you have any questions (4391).



Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment
cc: Robert A. Lakin, Director of Planning

WICHITA-SEDGWICK COUNTY

DATE 5/4/83

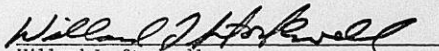
METROPOLITAN AREA PLANNING DEPARTMENT

TO John Dekker, Director of Law
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT ADOPTION OF AIRPORT HAZARD ZONING ORDINANCE AMENDMENT

Attached is an original and five copies of an amendment to the Airport Zoning Ordinance (Chapter 28.08 of the City Code). The City Commission reviewed this amendment at their May 3, 1983 meeting and approved placing the ordinance on first reading.

Bernard Borst of your department has worked with us on this amendment. We would appreciate having this ordinance signed as soon as possible and returned to our department. We will then forward the ordinance to the City Clerk for the second reading and adoption at the City Commission's May 10, 1983 meeting.

Please contact me if you have any questions (4391).



Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment
cc: Robert A. Lakin, Director of Planning

BOARD OF CITY COMMISSIONERS
CITY OF WICHITA
KANSAS

Thygeson
Hart
Jocaw
Shaw
Vinson
Schwartz
City Hall
455 North Main

City Commission Meeting
May 3, 1983

ORDER OF BUSINESS

Meeting convenes at 9 a.m.

Invocation - Coordinated by Inter-Faith Ministries

Pledge of Allegiance

Approve the minutes of the previous meeting

RULES OF THE COMMISSION

Any public member desiring to address the Commission shall be recognized by the Chair, shall advance to the microphone, shall state his/her name and address in an audible tone for the record and shall limit his/her remarks to the question under discussion. Presentations will be limited to not more than five minutes unless extended by a vote of the majority of the Commission. A warning bell will initially be sounded at four minutes signifying that the presenter has one additional minute to conclude his/her presentation.

PUBLIC AGENDA

No items have been submitted for this Section.

CITY MANAGER'S AGENDA

Section I - Items 1 - 2

Items in this Section are matters deferred from the City Manager's Agenda at previous meetings.

Section II - Items 3 - 7

Items in this Section concern petitions and other matters on which individuals or spokespersons of concerned groups are expected to appear.

Section III - Items 8 - 9

Items in this Section are those on which it is anticipated that members of the public will not be present to be heard. These items will be heard at the discretion of the City Commission.

CITY CLERK'S AGENDA

The City Clerk's Agenda is the consensus agenda and is adopted by the City Commission accordingly.

CITY COMMISSION AGENDA

PLANNING AGENDA

The Planning Agenda includes planning cases referred to the City Commission by the Metropolitan Area Planning Commission (MAPC) and may include other matters concerning the Planning Department. Items on this agenda will be heard by the City Commission following all other matters of business, except that the City Manager may designate a time certain for hearing on items that are of public interest.

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of state law. Adopted City Commission policy is that additional hearing on zoning applications will not be conducted by the City Commission unless a statement alleging (1) unfair hearing before the MAPC or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Commission will determine from the written statement whether or not to return the matter to MAPC for rehearing.

In the event protest petitions signed by 20% or more of the owners of property within 200 feet of the property to be rezoned have been filed with the MAPC, a four-fifths vote of the City Commission will be required to approve requested zoning.

ITEM #2 Continued

Terms to expire April 12, 1987.

The Committee makes recommendations to the governing body concerning the programs and expenditures for promotion of convention and tourism. The Committee meets the third Monday of each month at 2 p.m.

ACTION: The Mayor will make the appointments and move that they be approved.

3. NOTICE OF VACANCIES -- WICHITA ATHLETIC COMMISSION.

Three vacancies, terms to expire April 12, 1987, due to the expiration of the terms of Don P. Chandler (Casado), James Holderman (Brown), and Jim Robinson (Knight).

ACTION: Appointments will be in order at the May 17, 1983 meeting.

4. PROCLAMATIONS.

Jean Hogan, Unit Supervisor, Placement Services, State Department of Social and Rehabilitation Services, requests that May 15-21, 1983, be proclaimed "FOSTER FAMILY APPRECIATION WEEK"

Esther M. Lawrence, Wichita Musical Club, requests that May 1-8, 1983, be proclaimed "NATIONAL MUSIC WEEK"

Margaret J. McDonald, Preservation Planner, Historic Landmark Preservation Committee, requests that May 8-14, 1983, be proclaimed "PRESERVATION WEEK"

Dr. Dharma De Silva, Chairman, World Trade Club, request that the week of May 16, 1983, be proclaimed "WORLD TRADE WEEK"

ACTION: Approve presentation of the proclamations.

PLANNING AGENDA

1. DR 82-13 - AMENDMENT OF CHAPTER 28.08 -- AIRPORT ZONING ORDINANCE.

Presented for consideration is a proposed amendment to the existing Airport Zoning Ordinance.

The present Airport Zoning Ordinance, Chapter 28.08, was adopted by the City Commission on October 25, 1955. Since its adoption in 1955, the Airport Zoning Ordinance has never been amended even though significant improvements have since been made, or are being planned at the airports covered by the Ordinance.

Recognizing the changes that have been occurring to the area's airport system, the Metropolitan Area Planning Department (MAPD) initiated, through its airport planning functions, actions to revise the Airport Zoning Ordinance. On May 22, 1979, the City Commission appointed the Metropolitan Area Planning Commission (MAPC) as the Airport Zoning Commission for purposes of revising this Ordinance.

The MAPD has reviewed the proposed amendment with both the operators of the airports included in the Ordinance and other area airport operators. The amendment has also been discussed with appropriate City and County staff (Central Inspection, County

ITEM #1 Continued

Zoning Officer, Law Department, etc.), the Wichita Airport Authority and the Advance Plans Committee of the MAPC. At this time, it appears that the proposed amendment is acceptable to these parties.

As indicated in Section 28.08.020 of the proposed Airport Hazard Zoning Ordinance (AHZO), a primary purpose of this Ordinance is to protect airports in which there is a public investment or interest from the encroachment of hazards which could potentially impair the operations of such airports and create a danger to the occupants of land in the vicinity of these airports.

The proposed Ordinance will:

1. Include the following additional airports:
 - Colonel James Jabara (planned improvements)
 - Cessna/Pawnee
 - Wichita Police Department Heliport.
2. Take into consideration actual or planned improvements at the airports presently covered by the Ordinance including: runway extensions, new runways and improved runways (higher classification - e.g., precision instrument approach).
3. Improve Ordinance format - airport hazard zones are developed in a uniform manner for each airport.
4. Improve mapping of airport hazard zones - all airport hazard zones have been prepared on a single map base in order to simplify determination of height restrictions in areas where airport zones overlap.
5. Simplify permit requirements - the permit process no longer requires all developments in an airport hazard zone to apply for a permit. A two map process allows for easy determination of whether or not a proposed development is potentially a hazard in terms of heights. If it is potentially a hazard, a more detailed evaluation is necessary and a permit is required. It is anticipated that more than 90% of all development will not require a permit under the new process.

Following a public hearing on April 7, 1983, the MAPC recommended that the Ordinance be approved with a provision that federal property (i.e., McConnell Air Force Base) be exempted from local land use regulation. The proposed Ordinance includes that provision.

ACTION: Place the Ordinance on first reading.

2. S/D 81-29 - PLAT OF PATTON ADDITION LOCATED ON THE NORTH SIDE OF ZIMMERLY BETWEEN PALISADE AND THE ARKANSAS RIVER.

A four-lot, residential plat containing .6 acres.

The Planning Commission recommends approval subject to recording within 30 days.

ACTION: Approve the petition for sanitary sewer service and instruct the Director of Law to prepare the necessary resolution; instruct the City Clerk to file the sidewalk certificate and the certificate of petitions with the Register of Deeds, the recording costs of which shall be billed to the applicant; approve the plat as approved by the MAPC and authorize the Mayor to sign.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

April 28, 1983

Colonel R. A. Sardercock
Commander
381 SMW/CC
McConnell Air Force Base
Wichita, Ks. 67211

Attn: Major William Sasz

Dear Sir:

Enclosed is the draft of the Airport Hazard Zoning Ordinance which will be presented to the Wichita Board of City Commissioners on May 3rd, 1983.

As you will notice Section 28.08.040 now reflects your concerns regarding local control on Federal lands.

We hope that with that change, the Ordinance now will serve the best interests of the citizens of Wichita and will allow McConnell AFB to continue to operate the Base safely and efficiently.

You are, of course, welcome at the City Commission meeting on May 3rd and/or to make comments at that time.

Sincerely,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:FSS:rh
Enclosure

cc: Col. Bobby Russell, McConnell Air Force Base, Wichita, Ks. 67211

THE WICHITA AIRPORT AUTHORITY
MID-CONTINENT AIRPORT WICHITA, KANSAS

*Don L.
Silv*

DATE: April 27, 1983

TO: E. H. Denton, City Manager
FROM: H. Jay Setter, Director of Aviation
SUBJECT: Airport Hazard Zoning Ordinance

On March 21, 1983, The Wichita Airport Authority considered the referenced ordinance. The Authority reviewed the ordinance and found it acceptable, and recommended adoption.

Based on the findings of the Airport Authority, the staff recommends that the ordinance be adopted. The ordinance will be effective in protecting the investment the public has in Wichita Mid-Continent and Col. James Jabara Airports.



H. Jay Setter
Director of Aviation

HSJ:cg

cc: Robert Lakin, Director of Planning
John Dekker, Director of Law

RECEIVED

APR 28 1983

METROPOLITAN PLANNING

ROUTE

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

April 27, 1983

Mr. Richard Upton
Wichita Chamber of Commerce
350 West Douglas
Wichita, Ks. 67202

Dear Mr. Upton:

The Airport Hazard Zoning Ordinance enclosed will be heard by the Board of City Commissioners, Tuesday, May 3rd.

The Ordinance is a revision of the 1955 Ordinance and applies to protection of the included airports: Mid-Continent, McConnell A.F.B., Beech, Cessna Pawnee and Colonel James Jabara Airports.

The Wichita Airport Authority endorsed the new ordinance on March 21, 1983.

Beech Corporation and Cessna have been involved in the preparation of the new Ordinance and believe that it will allow them to operate safely and efficiently because of the protection it affords them.

McConnell A.F.B. has also been a part of the preparation of the Ordinance and also feel that its passage will help in their operation.

We are forwarding the Ordinance for your information and that of the Aviation Division.

Please give me a call if I can answer any questions about this matter.

Sincerely,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:FSS:rh
Enclosure

WICHITA-SEDGWICK COUNTY

DATE 4/27/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Jay Setter, Director, Wichita Airport Authority
FROM Robert A. Lakin, Director, Metropolitan Area Planning Department
SUBJECT AIRPORT HAZARD ZONING ORDINANCE

The enclosed Airport Hazard Zoning Ordinance which will be on the Board of City Commissioners Agenda on May 3rd differs from the draft presented to your Board only in Section 28.08.040.

This change was made to accommodate McConnell A.F.B. regarding the Federal supremacy rule.

I hope that you can be present to speak for Mid Continent and Jabara or that someone on your staff would be present.

If you have any questions, give me a call.



Robert A. Lakin
Director of Planning

RAL:FSS:rh
Enclosure

WICHITA-SEDGWICK COUNTY

DATE 4/25/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 82-13 AMENDMENT OF CHAPTER 28.08 - AIRPORT ZONING ORDINANCE

Attached hereto is a copy of the existing Airport Zoning Ordinance and a copy of a proposed amendment. This proposed amendment is a major revision of the existing ordinance. The public hearing on this amendment was held before the Metropolitan Area Planning Commission (MAPC) on April 7, 1983. The MAPC recommended that this amendment be forwarded to the City Commission for adoption contingent upon the inclusion of statements or wording pertaining to the fact that Federal property (i.e., McConnell AFB) is exempt from local land use regulation. A change in section 28.08.040 of the ordinance was subsequently made. The attached amendment reflects this change. Please place this amendment on the City Commission's Planning Agenda for first reading on May 3, 1983.

BACKGROUND

The present Airport Zoning Ordinance, Chapter 28.08, was adopted by the Wichita City Commission on October 25, 1955. Since its adoption in 1955, the Airport Zoning Ordinance has never been amended even though significant improvements have since been made, or are being planned at the airports covered by the Ordinance.

Recognizing the changes that have been occurring to the area's airport system, the MAPD initiated, through its airport planning functions, actions to revise the Airport Zoning Ordinance. On May 22, 1979, the Wichita City Commission appointed the MAPC as the Airport Zoning Commission for purposes of revising this Ordinance.

The MAPD has reviewed the proposed amendment with both the operators of the airports included in the Ordinance and other area airport operators. The amendment has also been discussed with appropriate City and County staff (Central Inspection, County Zoning Officer, Law Department, etc.), the Wichita Airport Authority and the Advance Plans Committee of the MAPC. At this time, it appears that the proposed amendment is acceptable to these parties.

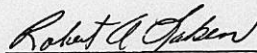
As indicated in section 28.08.020 of the proposed Airport Hazard Zoning Ordinance (AHZO), a primary purpose of this Ordinance is to protect airports in which there is a public investment or interest, from the encroachment of hazards which could potentially impair the operations of such airports and create a danger to the occupants of land in the vicinity of these airports.

SUMMARY OF SIGNIFICANT CHANGES BETWEEN EXISTING ORDINANCE AND PROPOSED AMENDMENT

1. Inclusion of additional airports
 - Colonel James Jabara (planned improvements)
 - Cessna/Pawnee
 - Wichita Police Department Heliport
2. Takes into consideration actual or planned improvements at the Airports presently covered by the ordinance, including: runway extensions, new runways, and improved runways (higher classification - e.g., precision instrument approach).
3. Improved Ordinance format - airport hazard zones are developed in a uniform manner for each airport.
4. Improved mapping of airport hazard zones - all airport hazard zones have been prepared on a single map base in order to simplify determination of height restrictions in areas where airport zones overlap.
5. Simplification of permit requirements - The permit process no longer requires all developments in an airport hazard zone to apply for a permit. A two map process allows for easy determination of whether or not a proposed development is potentially a hazard in terms of heights. If it is potentially a hazard, a more detailed evaluation is necessary and a permit is required. We expect that more than 90% of all development will not require a permit under the new process.

RECOMMENDED ACTION

Concur in the recommendation of the Planning Commission and place the ordinance on first reading.



Robert A. Lakin
Director of Planning

RAL:DL:rh
Attachments

4/22 - 4/25

PROPOSED ADDITIONAL LANGUAGE FOR WICHITA AIRPORT HAZARD ZONING ORDINANCE

The provisions of this Code do not, however, apply to the property of the United States Air Force located within the boundaries of McConnell Air Force Base, Kansas, as described in the September 14, 1978 Memorandum Opinion prepared by the Real Estate Division, United States Army Corps of Engineers, nor to federal activities on or off-base, but associated with the base ~~or otherwise~~. The sovereignty of the United States government is hereby recognized as absolute regarding the use of land or water located within said boundaries or associated with the base, and the definitions, requirements and restrictions set forth in Sections 28.08.030, 28.08.120, 28.08.130, 28.08.140, 28.08.150 or elsewhere in this Code shall not apply to any use of such land or water or such activities by the United States Air Force.

Place the above as the second paragraph of Sec 28.08.040 APPLICABILITY - on the AHZO map cards and run a complete new copy of the ordinance - Scan the new map copy against this copy to make sure they are otherwise the same.

THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT

DATE April 21, 1983

TO Robert Lakin, Director of Planning

FROM Bernard V. Borst, First Assistant City Attorney

SUBJECT Airport Hazard Zoning
Ordinance (AHZO)

In reply to your memorandum of April 12, 1983, pertaining to the concerns of the United States Air Force regarding the language in the Airport Hazard Zoning ordinance, I would recommend the following changes:

28.08.120 - Spacing Adjacent Airports.

"No airport other than those specifically named in Section 28.08.020 shall be created or established, and no existing airport other than those specifically named in 28.08.020 shall be improved with . . ."

28.08.130 - Use Restrictions.

Add to the existing use restrictions the following paragraph as paragraph No. 4:

"4. So long as the United States of America claims McConnell Air Force Base to be within its sovereign domain, the City of Wichita will take no action to enforce the use restrictions herein contained within the geographical boundaries thereof."

28.08.150 - Permits.

The language that you have selected for paragraph No. 7 is acceptable.


Bernard V. Borst
First Assistant City Attorney

BVB:kj

WICHITA-SEDGWICK COUNTY

DATE 4/12/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Bernard Borst, First Assistant City Attorney, City Law Department
FROM Robert A. Lakin, Director of Planning
SUBJECT AIRPORT HAZARD ZONING ORDINANCE (AHZO)

As you are aware, just prior to the Public Hearing on the AHZO, the United States Air Force indicated a concern that language in the ordinance did not specifically indicate that Federally owned property such as McConnell AFB is immune from local regulation. While this may be commonly understood, the Air Force has requested that we make certain references to this in several sections of the AHZO.

While they have requested that three sections (.120, 130, and .150) be augmented to reflect this concern, we feel that only section .120 and .150 should be modified. For your convenience, I've attached a copy of the present AHZO. The changes we recommend are as follows:

Section 28.08.120 Spacing Adjacent Airports

"No other airport hereafter shall be established, or existing airport not cited in Section 28.08.020 be improved with ...".

The addition of the above underlined words is intended to specifically indicate that the airports protected by this ordinance (including McConnell) are exempt from the permit requirements of this section. We felt that this was originally implied by the statement "No other airport..." The additional wording makes this intention more explicit for both McConnell and the other airports.

Section 28.08.150 Permits

To accommodate the Air Force's concern in this section, we recommend the addition of a paragraph 7. worded in the following manner;

7. Nothing herein contained shall be considered to infringe upon the rights of the Federal Government or require the Federal Government to obtain permits as specified by this Section for operation of the McConnell Air Force Base.

Please advise us of your opinion on this matter and the appropriateness of the above changes. The Air Force may provide us with their recommendations but I'd rather not wait for something that may be long in coming. Further, this ordinance is a local concern and should be written in a manner acceptable to us.

Robert A. Lakin
Director of Planning

RAL:DL:rh
Attachment (1)

Fred's Comments

As to .120 - it sounds fine
as suggested

As to .130 - I agree in
principle that exempting McConnell
would seem to give them 'Carte
~~Blanche~~ Blanc' - but the fact
remains that they can of course
do what they like and we're
not giving them any new rights

As to .150

I prefer para #

2 & 3 I like #3.

Send

WICHITA-SEDGWICK COUNTY

DATE

4/11/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Fred Schwartz, Principal Planner, Advance Plans Division
Bill Stockwell, Chief Planner, Advance Plans Division

FROM Don Losew, Junior Planner, Advance Plans Division

SUBJECT AHZO AND WORDING FOR MCCONNELL AFB

The Air Force has requested that the AHZO include wording that explicitly exempts them from certain requirements of the ordinance; this regardless of the fact that such exemptions of federal properties is commonly understood. They have requested that such wording be incorporated in three sections of the ordinance (Sections .120, .130, and .150).

Section .120 involves the establishment of improvement of airports. We intended the wording of this section to indicate that airports not covered (no other airport) by the AHZO would need to obtain permits if they improved their airports to the level indicated by Section .120. The exemption of the covered airports is, however, left to interpretation. Without, however, appearing to favor only McConnell wording could be added in the following manner...or existing airport--not cited in section 28.08.020--be improved with... . The problem in making any change to this section is that the private airports may misinterpret our actions.

Section .130 on use restrictions was also requested to include wording that exempts the Federal Government from its requirements. I would recommend that we do not provide such wording in this section. To do so would appear that the City would allow or condone such hazards in some cases. This could set a dangerous precedent. While the Federal Government may have the rights to do what it wants on Federal property, we should not give the appearances that we condone it.

Section .150 on permits could be handled by adding another paragraph (paragraph 7) indicating that no permit is required from federally owned properties, such as McConnell AFB. I've indicated several possibilities below--please indicate if any appear sufficient.

Paragraph 7. addition

MSJ
- Nothing herein contained shall be considered to infringe upon the rights of the Federal Government for operation of the McConnell Air Force Base.

- Nothing herein contained shall be construed so as to deprive McConnell AFB of the right to be protected by the rule of Federal sovereignty.

or require it to obtain permits as specified by this section

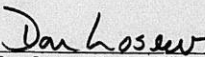
Fred Schwartz, Principal Planner
Bill Stockwell, Chief Planner
AHZO AND WORDING FOR MCCONNELL AFB

-2-

April 11, 1983

- Where applicable, Federal rights and privileges exempt Federal installations from the requirements of this section.
- The requirements of this Section do not apply to those areas (Federal installations) in which Federal authority allows for such exemption.
- Where Federal regulations allow, the requirements of this section will not be applicable to federal installations such as McConnell AFB.

After deciding on these changes, we should send them to Borst for his opinion.



Don Losew, Junior Planner
Advance Plans Division

DL:rh

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA

APRIL 7, 1983

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission will be held on Thursday, April 7, 1983, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, beginning at 1:30 p.m.

1. Invocation

2. Consideration of Subdivision Committee Recommendations from their meeting of March 31, 1983. (Copies of their recommendations furnished to the Planning Commission).

NOTE: ITEMS 2/1 THRU 2/11 MAY BE TAKEN IN ONE MOTION UNLESS THERE ARE QUESTIONS OR COMMENTS.

- 2/1. D-1114 - Lee A. Hursey, et. al., dedicate street right-of-way for Sabin Street. Generally located between Young and Tracy, in an area north of Newell.
- /2. D-1115 - Lee A. Hursey, et. al, grant additional utility easement. Generally located on the east side of Young in an area north of Newell.
- /3. V-1178 - Colby B. Sandlian requests the vacation of Linder Street. Generally located south of Central Avenue, in an area west of Boyd Avenue.
- /4. V-1179 - Southwestern Bell requests the vacation of a portion of a platted building setback. Generally located on the north side of 47th Street South, in an area east of Broadway.
- /5. DR 83-5 - Gene Miles requests a street name change from Gilda Avenue. Generally located north of 8th Street in an area west of I-235.
- /6. S/D 83-8 - Final plat of Lakeview Mobile Home Park 3rd Addition located in an area east of Interstate 135, on the south side of MacArthur Road.
- Engineer: Reiss and Goodness Engineers
Acreage: 6.76 Number of Lots: 1
- /7. S/D 83-16 - Final plat of Brand Addition, located on the north side of Maple Street, in an area west of Tyler.
- Engineer: Baughman Company, P.A.
Acreage: 0.63 Number of Lots: 1
- /8. S/D 83 -17 - Final plat of Powell's 8th Addition, located at the southeast corner of Arkansas and 27th Street North.
- Engineer: Baughman Company, P.A.
Acreage: 0.52 Number of Lots: 1
- /9. S/D 83- 19 - Final plat of Timber Valley Estates 3rd Addition, located on the south side of Harry, in an area west of 143rd Street East.
- Engineer: Baughman Company, P.A.
Acreage: 16.8 Number of Lots: 67
- /10. S/D 83-18 - Final plat of Hecox 3rd Addition, located at the northwest corner of Harry and Sabin.

Engineer: Baughman Company, P.A.
Acreage: 1.4 Number of Lots: 2

/11. S/D 83-7 - Final plat of Woodspring Addition, located west of
Webb Road, 1/2 mile north of 21st Street North.

Engineer: Mid-Kansas Engineering Consultants
Acreage: 17.8 Number of Lots: 22

ZONING:

DEFERRED BY PLANNING COMMISSION:

3. Case No. Z-2493

Request: "A" to "BB"

Location: South side of Central, in an area west of Hillcrest.

NEW CASES:

4a. Case No. Z-2485

Request: "AA" to "R-6" and "AA" & "LC" to "LC"

Location: Southeast corner of Woodlawn and 37th Street North.

b. Case No. DP-128

Request: Brush Creek Commercial & Residential C.U.P.

Location: Southeast corner of Woodlawn and 37th Street North.

5. Case No. Z-2499

Request: "AA" to "E"

Location: Northwest corner of Harry and Sabin.

6. Case No. Z-2500

Request: "AA" to "A"

Location: Northeast corner of Leonine and University.

7. Case No. Z-2501

Request: "AA" to "LC"

Location: South side of Central, in an area between Boyd and the
Flood Control Ditch.

8. Submission and request for approval of the Unified Work Program (UWP)
Fiscal Year 1984 (Memo and attachments enclosed to the MAPC.)

9. Case No. DR 82-13 Public Hearing for Consideration of the Airport

Hazard Zoning Ordinance. (Memo and attachments enclosed to the MAPC.)

NOTE: THIS ITEM WILL NOT BE CONSIDERED BEFORE 3:00 P.M.

10. Other Matters.

Robert A. Lakin
Secretary

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

INFORMAL

MARCH 24, 1983

11:30 A. M.

1. Review of request of MARC to "borrow" from Wichita FAU Fund Pool. Stockwell/Schwartz.

2. Review of draft Airport Hazard Ordinance Revision. Stockwell/Losew.

3. Review of Draft Unified Work Program & Proposed Grant Application for Fiscal 84. Stockwell/Schwartz.

Robert A. Lakin
Secretary

Lunch will be provided.

RECEIVED

MAR 17 1983

METROPOLITAN PLANNING

ROUTE

~~_____~~
Fred
Don

A G E N D A

THE WICHITA AIRPORT AUTHORITY

Regular Meeting

Monday, March 21, 1983
2:00 p.m.

1. Minutes of the regular meeting of The Wichita Airport Authority held on Monday, March 7, 1983, to be approved.

2. PUBLIC AGENDA

The Public Agenda contains requests of members of the public who desire to present matters to the Airport Authority. Presentations to the Airport Authority are limited to a period of five (5) minutes for each presentation unless extended by a vote of a majority of the Airport Authority. Hearing on the Public Agenda will commence shortly after 2:00 p.m.

No items have been submitted for this Section of the agenda.

3. Presentation of an updated proposal for construction of Fixed Base Operator facilities at the Colonel James Jabara Airport to be utilized by Midwest Corporate Aviation.

Representatives of Midwest Corporate Aviation and BE&C Engineers, Project Consultant, will be present at the meeting to present updated plans, review the scope of the project, and respond to questions.

PROPOSED ACTION: Take such action as The Wichita Airport Authority deems appropriate.

4. Discussion of a proposed amendment to the City of Wichita Airport Hazard Zoning Ordinance (AHZO).

A final draft of the proposed amendment to the AHZ Ordinance dated March, 1983, has been furnished by the Wichita-Sedgwick County Metropolitan Area Planning Department (MAPD), together with a comparison of the 1955 Airport Zoning Ordinance and the proposed Amendment for review and discussion.

Representatives of the Planning Department will be present at the meeting to review the proposed amendment to the Airport Zoning Ordinance and respond to questions.

PROPOSED ACTION: If satisfactory, approve, receive and file the proposed Amendment to the City of Wichita Airport Hazard Zoning Ordinance.

Passed
U. van im...
John

Planning

~~15~~
~~10/5~~
2 DL

Wichita Mid-Continent Airport
March 21, 1983 - 2:06 p.m.

C
O
N
T
Y

MINUTES OF THE REGULAR MEETING OF THE WICHITA AIRPORT AUTHORITY

The Wichita Airport Authority met in regular session with President Robert G. Wilson in the Chair. Airport Authority Members Milton Glickman, H. Edward Flentje and Willard Walpole present. Jamie B. Coulter absent.

H. Jay Setter, Director of Aviation; Bernard V. Borst, First Assistant City Attorney; Bailis F. Bell, Airport Manager; Monroe L. Funk, Director of Airport Engineering and Planning; and Judge N. Mohring, Airport Clerk, present.

The minutes of the regular meeting of The Wichita Airport Authority held on Monday, March 7, 1983, were approved.

PUBLIC AGENDA

No items were submitted by the public for discussion at this time.

The Wichita Airport Authority considered an updated proposal for construction of Fixed Base Operator (FBO) facilities and a Life-Watch facility on the Colonel James Jabara Airport, which are to be leased by Midwest Corporate Aviation.

The following persons were present at the meeting to review the updated plans and scope of work to be performed in the above project, and responded to questions.

Paul Thomas, Senior Vice President) Midwest Corporate
Dale W. Roach, Treasurer) Aviation

Ronald E. Ott, President - J. O. Davidson & Associates
Investment Broker

Martin C. Libhart, Design Manager - BE&C Engineers

Discussion.

No formal action was taken nor was any required.

The Wichita Airport Authority discussed a proposed amendment to the City of Wichita Airport Hazard Zoning Ordinance (AHZO). A final draft of the proposed amendment to the AHZ Ordinance dated March, 1983, was furnished by the Wichita-Sedgwick County Metropolitan Area Planning Department (MAPD), together with a comparison of the 1955 (existing) AHZ Ordinance and the proposed Amendment.

pdtd proposl
-constrn FBO
acltes-Life
atch factle
-Jabara Airpt
-use Midwest
orp Aviatn

eprs Midwest
orp Aviatn--
O Davidson
-BE&C Engrs
rsnt at mtg

o forml
ctn reqd

ropsd Amndmt
-City of W
rpt Hazard
ning Ordnce
AHZO)

Add to our files

MINUTES
THE WICHITA AIRPORT AUTHORITY
March 21, 1983

The following persons representing the Wichita-Sedgwick County Metropolitan Area Planning Department were present at the meeting to review the proposed amendment and responded to questions.

Arthur D. Chambers, Senior Planner, Current Plans Division

Don Loesew, Junior Planner, Advance Plans Division

Discussion.

Flentje moved that the proposed amendment to the City of Wichita Airport Hazard Zoning Ordinance be approved, received and filed. Motion carried, 4 to 0.

A proposed Amendment No. 3 to the Grant Agreement for Federal Aviation Administration Project No. 6-20-0088-08, covering various improvement work on Wichita Mid-Continent Airport was presented, which Grant Agreement was approved by The Wichita Airport Authority on September 6, 1977. The Amendment revises the grant description to delete the installation of Runway Temperature Sensors on Runway 1R-19L. No changes were made in the funding level of the Grant.

The Federal Aviation Administration requires that the Amendment to the Grant Agreement be approved by Resolution, and such a Resolution was presented, entitled:

RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN AMENDMENT TO A GRANT OFFER FROM THE UNITED STATES RELATING TO THE DEVELOPMENT OF THE WICHITA MID-CONTINENT AIRPORT, WICHITA, KANSAS.

Flentje moved that Amendment No. 3 to the Grant Agreement for FAA Project 6-20-0088-08 be approved; that the Resolution accepting same be adopted, and further, that the Director of Aviation be authorized to execute the various documents on behalf of The Wichita Airport Authority. Motion carried, 4 to 0.

reprs MAPD
rsnt at mtg
evw prospd
mndmt to
HZ Ordnce

otion--apprv/
ecv/file cy
mndmt to AHZ
rdnce--carried

mndmt #3--
AA Project
08--deletes
R-19L Runwy
emptr Sensors
-M-CA

FAA reqrs Amndmt
to Grant be apprvd
by Resol

Resol prsntd

Motion--apprv
Amndmt #3--FAA
Project -08--
adopt Resol
acceptng same
--carried

March 15, 83

the Daily Record
521 East Muldock
Wichita, Kansas 67214
316-263-5277

AFFADAVIT OF PUBLICATION

(97133 Published in the Daily Record March 15, 1983)11
OFFICIAL NOTICE
TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:
NOTICE IS HEREBY GIVEN, that on Thursday, April 7, 1983, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at 1:30 p.m., will consider the following changes in Title 26, of the Code of the City of Wichita, Kansas (This item will not be heard before 3:00 p.m.):
Amendment of Chapter 26.06 of the Zoning Ordinance pertaining to Airport Zoning in the Wichita Metropolitan Area.
The proposed amendment will there be discussed and considered by the Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes of the Zoning Ordinance will be considered by the Commission as by law provided.
Copies of the proposed amendment and airport hazard zoning maps are available for the review at the Wichita-Sedgwick County Metropolitan Area Planning Department during normal working hours (8:00 a.m. to 5:00 p.m., Monday through Friday, 10th Floor, City Hall).
WITNESS MY HAND AND SEAL THIS 15th day of March, 1983.
ROBERT A. LAKIN, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission
(Seal)

STATE OF KANSAS,
COUNTY OF SEDGWICK, SS:
CONNIE STOWELL

, of lawful age
being first duly sworn, deposes and says that she is Business Manager of THE DAILY RECORD, a newspaper printed and published in the State of Kansas, and of general circulation on a daily basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is published at least fifty (50) times a year, and has been so published continuously and uninterruptedly in said County and State for a period of more than five (5) years prior to the first publication of the notice attached, and has been admitted at the post office in Wichita in said County and State as second class matter.

That a notice, a true copy of which is hereto attached, was published in the regular and entire issue of said newspaper for 1 consecutive tm as follows:

- MAR 15 1983
- 1st _____
- 2nd _____
- 3rd _____
- 4th _____
- 5th _____
- 6th _____

Connie Stowell
Business Manager

Subscribed and sworn to before me this 16th day of MAR 19 1983

Twila M Black
Notary Public

My commission expires April 2, 1984

PUBLICATION FEES
\$ 8.25
33

TWILA M. BLACK
STATE NOTARY PUBLIC
SEDGWICK COUNTY, KS
MY APPT. EXPIRES 4-2-84

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 15, 1983

Mr. Jim Wilson
1027 W. River Blvd.
Wichita, Ks. 67203

Dear Jim:

Because of your interest in how this ordinance would affect operations at the private airports, I'm writing this note in addition to the information packet. As you recall, Tom Sanders of Riverside Airport and Earl Long of Westport were primarily concerned with wording in Section 28.08.120 involving the review of improvements at existing airports not covered by the AHZO. We've basically agreed that it is not our intention to require any and all improvements at these airports to be reviewed and approved in terms of the requirements specified in the AHZO.

Major airport improvements, such as those that would allow or enhance instrument type operations, are considered significant enough to require a public concern and consequently review and approval. The wording in Section 28.08.120 was therefore changed to reflect such a situation. I've attached a copy of this section for your attention. Mr. Sanders and Mr. Long have reviewed this with us and have indicated that they feel the wording is now appropriate for their purposes and we still feel it's appropriate for ours.

Sincerely,

Bill Stockwell
Chief Planner
Advance Plans Division

BS:DL:rh

METROPOLITAN AREA PLANNING DEPARTMENT

TO Metropolitan Area Planning Commission
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 82-13 AMENDMENT OF CHAPTER 28.08 - Airport Zoning Ordinance

Attached hereto is a draft copy of a proposed amendment of the 1955 Airport Zoning Ordinance. This proposed amendment is a major revision of the existing ordinance. This amendment has been advertised for public hearing during your regularly scheduled meeting of April 7, 1983. This Public Hearing will begin no earlier than 3:00 p.m.

BACKGROUND

The present Airport Zoning Ordinance, Chapter 28.08, was adopted by the Wichita City Commission on October 25, 1955. Since its adoption in 1955, the Airport Zoning Ordinance has never been amended even though significant improvements have since been made, or are being planned at the airports covered by the Ordinance.

Recognizing the changes that have been occurring to the area's airport system, the MAPD initiated, through its airport planning functions, actions to revise the Airport Zoning Ordinance. On May 22, 1979, the Wichita City Commission appointed the MAPC as the Airport Zoning Commission for purposes of revising this Ordinance.

The MAPD has reviewed the proposed amendment with both the operators of the airports included in the Ordinance and other area airport operators. The amendment has also been discussed with appropriate City and County staff (Central Inspection, County Zoning Officer, Law Department, etc.) and the Advance Plans Committee. At this time, it appears that the proposed amendment is acceptable to these parties.

As indicated in section 28.08.020 of the proposed Airport Hazard Zoning Ordinance (AHZO), a primary purpose of this Ordinance is to protect airports in which there is a public investment or interest, from the encroachment of hazards which could potentially impair the operations of such airports and create a danger to the occupants of land in the vicinity of these airports.

Summary of Significant Changes

1. Inclusion of additional airports
 - Colonel James Jabara (planned improvements)
 - Cessna/Pawnee
 - Wichita Police Department Heliport

March 14, 1983

2. Takes into consideration actual or planned improvements at the Airports presently covered by the ordinance, including; runway extensions, new runways, and improved runways (higher classification - e.g., precision instrument approach).
3. Improved ordinance format - airport hazard zones are developed in a uniform manner for each airport.
4. Improved mapping of airport hazard zones - all airport hazard zones have been prepared on a single base map in order to simplify determination of height restrictions in areas where airport zones overlap.
5. Simplification of permit requirements - no longer requires all development in a airport hazard zone to apply for a permit. A second map allows for easy determination of whether or not a proposed development is potentially a hazard in terms of heights and therefore, if a more detailed evaluation is necessary and consequently a permit required.

RECOMMENDATION

It is recommended that the Metropolitan Area Planning Commission approve the proposed amendment and forward it to the Board of City Commissioners for adoption.


Robert A. Lakin
Director of Planning

RAL:DL:rh
Attachment

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 14, 1983

Mr. Lloyd Gilworth
Airports Division
Federal Aviation Administration
601 E. 12th Street
Kansas City, MO 64106

Dear Mr. Gilworth:

Enclosed is a copy of the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO). This ordinance will basically replace the one originally adopted in 1955. The Public Hearing before the Wichita-Sedgwick County Metropolitan Area Planning Commission has been set for their regularly scheduled meeting at 3:00 p.m., April 7, 1983 at the City Commission Meeting Room, First Floor, City Hall, 455 North Main Street, Wichita, Kansas. The Wichita Airport Authority will also be given a chance to review the ordinance at its March 21, 1983 meeting. The City Commission's adoption is expected in the month of May.

As you know, we have discussed various aspects of this ordinance with FAA. One of our most recent concerns being section 28.08.120 which involves a review procedure for the establishment or enlargement of airports. Through discussions with the FAA, area airport operators, City staff, etc. we believe that an acceptable and reasonable procedure has been established. For existing airports, a substantial form of improvement would be involved before the review procedure would be required. At such a point an obvious public concern would also be involved.

Please let me know if you have any questions or concerns regarding this ordinance.

Very truly yours,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Enclosure

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 11, 1983

Mr. J. E. Beckett
Plant Engineer
Beech Aircraft Corporation
9709 East Central
Wichita, Ks. 67206

Dear Mr. Beckett:

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,

A handwritten signature in black ink, appearing to read 'Willard L. Stockwell'. The signature is written in a cursive style.

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

P. S. For your information, this item will also be presented to the Wichita Airport Authority at its regularly scheduled March 21, 1983 meeting. Also as you may recall, there had been some discussion with the private airport operators concerning language in Sec. 28.08.120 involving the improvement of existing airports. I have attached a copy of the language changes we made in this section. After reviewing it with several of the private operators we appear to have resolved any differences or concerns.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 11, 1983

Colonel Matt Roberts
Attn: Lt. Col. Bobby R. Russell
Headquarters 381st Strategic Missile Wing
McConnell Air Force Base
Wichita, Ks. 67211

Dear Colonel Roberts:

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 11, 1983

Mr. Dan Goble
Cessna-Pawnee
5800 East Pawnee
Wichita, Ks. 67218

Dear Mr. Goble:

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 11, 1983

Airport Manager
Cook Airfield
7015 S. 143rd St. E.
Derby, Ks. 67037

Dear Sir:

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 11, 1983

Airport Manager
Hamilton Field Airport
Derby, Ks. 67037

Dear Sir:

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
435 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4511

March 11, 1983

Mr. Earl Long
Westport/Westport Auxiliary Airport
2558 S. Kessler
Wichita, Ks. 67213

Dear Mr. Long:

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Willard L. Stockwell', is written over the typed name.

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 11, 1983

Mr. Tom Sanders
Riverside Airport
Sanders Inc.
3816 E. Skinner
Wichita, Ks. 67218

Dear Mr. Sanders:

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

WICHITA-SEDGWICK COUNTY

DATE 3/11/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Bob Feldner, Director, Central Inspection
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT PROPOSED AIRPORT HAZARD ZONING ORDINANCE

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,



Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

P.S. For your information, this item will also be presented to the Wichita Airport Authority at its regularly scheduled March 21, 1983 meeting. Also as you may recall, there had been some discussion with the private airport operators concerning language in Sec. 28.08.120 involving the improvement of existing airports. I have attached a copy of the language changes we made in this section. After reviewing it with several of the private operators we appear to have resolved any differences or concerns.

WICHITA-SEDGWICK COUNTY

DATE 3/11/83

METROPOLITAN AREA PLANNING DEPARTMENT

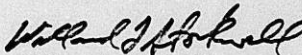
TO Bernard Borst, First Assistant City Attorney, City Law Department
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT PROPOSED AIRPORT HAZARD ZONING ORDINANCE

Enclosed is the final draft of the proposed Airport Hazard Zoning Ordinance (AHZO) amending the existing Airport Zoning Ordinance, Chapter 28.08 of the City Code. The Public Hearing for this amendment has been scheduled before the Metropolitan Area Planning Commission at its regularly scheduled April 7, 1983 meeting at City Hall, 455 N. Main, Wichita, Kansas. The MAPC's normal starting time is 1:30 p.m. and the Public Hearing is anticipated to begin at approximately 3:00 p.m.

As you are aware, we have discussed this proposed amendment with both the operators of the airports covered by the ordinance and other interested airport operators. This final draft has incorporated a number of changes suggested during these discussions. We feel that this proposed amendment is an important update and improvement of the existing ordinance and will serve fairly all interested parties.

If you have questions before the Public Hearing, please do not hesitate to contact me (268-4391).

Very truly yours,



Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

FROM WJ DATE 3-11-85

- | ADMINISTRATION | ADVANCE PLANS | CURRENT PLANS | GRAPHICS |
|------------------------------------|--|------------------------------------|-----------------------------------|
| <input type="checkbox"/> Lakin | <input type="checkbox"/> Stockwell | <input type="checkbox"/> Galbraith | <input type="checkbox"/> Pierce |
| <input type="checkbox"/> Walter | <input checked="" type="checkbox"/> <i>Shirkey</i> | <input type="checkbox"/> Lytle | <input type="checkbox"/> Stafford |
| <input type="checkbox"/> Doramus | <input type="checkbox"/> Leivo | <input type="checkbox"/> Young | <input type="checkbox"/> Commer |
| <input type="checkbox"/> Eubanks | <input type="checkbox"/> Bechtel | <input type="checkbox"/> Chambers | <input type="checkbox"/> Crook |
| <input type="checkbox"/> Hanson | <input type="checkbox"/> Curfman | <input type="checkbox"/> Fleck | <input type="checkbox"/> Gartland |
| <input type="checkbox"/> Henderson | <input type="checkbox"/> Dudark | <input type="checkbox"/> Nagley | <input type="checkbox"/> Singhal |
| <input type="checkbox"/> Holdeman | <input type="checkbox"/> Flynn | <input type="checkbox"/> Olivarez | <input type="checkbox"/> Whitney |
| <input type="checkbox"/> Lakin, E. | <input type="checkbox"/> Haas | <input type="checkbox"/> Shirkey | <input type="checkbox"/> — |
| <input type="checkbox"/> Nelson | <input type="checkbox"/> Hart | | |
| <input type="checkbox"/> Scott | <input checked="" type="checkbox"/> Losew | | |
| | <input type="checkbox"/> Shen | | |
| | <input type="checkbox"/> Spain | | |
| | <input type="checkbox"/> Vinson | | |
| | <input type="checkbox"/> — | | |

- | | |
|--|--------------------------------------|
| <input type="checkbox"/> Note & Return | <input type="checkbox"/> Signature |
| <input type="checkbox"/> Handle | <input type="checkbox"/> Library |
| <input type="checkbox"/> All Staff | <input type="checkbox"/> Information |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Files |

REMARKS _____

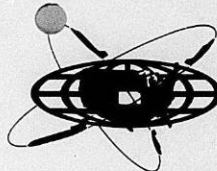
The Wichita Airport Authority

Robert G. Wilson, *President*

Milton Glickman
H. Edward Flentje
Jamie B. Coulter
Willard Walpole

H. Jay Setter, A.A.E.
Director of Aviation

March 10, 1983



Wichita Mid-Continent Airport
Colonel James Jabara Airport

Bailis F. Bell, *Airport Manager*
Monroe L. Funk, P.E., *Director of Airport Engineering and Planning*
Dwight W. Greenlee, *Director of Airport Administration*
Clyde N. M...

RECEIVED

MAR 10 1983

METROPOLITAN PLANNING

ROUTE Wichita

Mr. Robert G. Wilson
Mr. Milton Glickman
Mr. H. Edward Flentje
Mr. Jamie B. Coulter
Mr. Willard Walpole

Re: City of Wichita Airport
Hazard Zoning Ordinance

Dear Authority Members:

At the next regular meeting of the Airport Authority on March 21, 1983, staff members of the Wichita Metropolitan Area Planning Department will be present to briefly review the amended Airport Hazard Zoning Ordinance.

For your information I have enclosed copies of a letter from Mr. Willard Stockwell, Chief Planner, Advance Plans Division, along with the final draft of the Airport Hazard Zoning Ordinance.

While it is not legally necessary for the Airport Authority to approve this Airport Hazard Zoning Ordinance, it does involve both airports, and it is desirable that the members of the Airport Authority be generally aware of its content and purpose.

If you have any additional questions, please do not hesitate to call.

Respectfully yours,

Original Signed By
H. Jay Setter

H. Jay Setter
Director of Aviation

HJS:cg
Enclosures

cc: Bailis F. Bell, *Airport Manager*
Monroe L. Funk, *Director of Airport Engineering & Planning*
Willard Stockwell, *Chief Planner*
John Dekker, *Director of Law*

Administration Building, 2173 Air Cargo Road, Wichita, Kansas 67209 / 316/942-8101

A member of Airport Operators Council International (AOCI)

FROM W5 DATE 3-9-83

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input type="checkbox"/> Lakin	<input type="checkbox"/> Stockwell	<input checked="" type="checkbox"/> Stockwell	<input type="checkbox"/> Pierce
<input type="checkbox"/> Watter	<input type="checkbox"/> Funk	<input type="checkbox"/> Lytle	<input type="checkbox"/> Stafford
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Commer
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input checked="" type="checkbox"/> Stockwell	<input type="checkbox"/> Crook
<input type="checkbox"/> Hanson	<input type="checkbox"/> Curfman	<input type="checkbox"/> Fleck	<input type="checkbox"/> Garland
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Nagley	<input type="checkbox"/> Singhal
<input type="checkbox"/> Holdeman	<input type="checkbox"/> Flynn	<input type="checkbox"/> Olivarez	<input type="checkbox"/> Whitney
<input type="checkbox"/> Lakin, E.	<input type="checkbox"/> Haas	<input type="checkbox"/> Shirkey	<input type="checkbox"/> —
<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart		
<input type="checkbox"/> Scott	<input type="checkbox"/> Losew		
	<input type="checkbox"/> Shen		
	<input type="checkbox"/> Spain		
	<input type="checkbox"/> Vinson		
	<input type="checkbox"/> —		

<input type="checkbox"/> Note & Return	<input type="checkbox"/> Signature
<input type="checkbox"/> Handle	<input type="checkbox"/> Library
<input type="checkbox"/> All Staff	<input checked="" type="checkbox"/> Information
<input type="checkbox"/> Comment	<input type="checkbox"/> Files

REMARKS Advertisement should be given to edit on the 11th - no later than the 15th.

WICHITA-SEDGWICK COUNTY

DATE 3/9/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Willard L. Stockwell, Chief Planner, Advance Plans Division

FROM Don Losew, Junior Planner, Advance Plans Division

SUBJECT AHZO ADOPTION

airport Hazard Ordinance

Below is indicated a set of actions and dates for adoption of the AHZO. Please review this list and let me know if I've missed anything.

1. Publish notice of Public Hearing by March 18th* *17th is latest date to publish*
2. Review AHZO with Airport Authority *2PM* March 21st *RAL + Don to handle*
3. Informal Review with MAPC March 24th
4. Public Hearing before MAPC April 7th
5. City Commission Adoption *1st reading* May 3rd

*To assure a full twenty (20) days of notice in the newspaper, we should publish notice of the hearing at least several days before March 18th.

March 17th is latest date

Don Losew

Don Losew
Junior Planner
Advance Plans Division

JH

DL:rh

FROM WES DATE 3-10-83

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input type="checkbox"/> Lakin	<input checked="" type="checkbox"/> Stockwell	<input checked="" type="checkbox"/> Lytle	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input type="checkbox"/> Funk	<input type="checkbox"/> Lytle	<input type="checkbox"/> Stafford
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Commer
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input checked="" type="checkbox"/> Chambers	<input type="checkbox"/> Crook
<input type="checkbox"/> Hanson	<input type="checkbox"/> Curfman	<input type="checkbox"/> Fleck	<input type="checkbox"/> Garland
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Nagley	<input type="checkbox"/> Singhal
<input type="checkbox"/> Holdeman	<input type="checkbox"/> Flynn	<input type="checkbox"/> Olivarez	<input type="checkbox"/> Whitney
<input type="checkbox"/> Lakin, E.	<input type="checkbox"/> Haas	<input type="checkbox"/> Shirkey	<input type="checkbox"/> —
<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart		
<input type="checkbox"/> Scott	<input type="checkbox"/> Losew		
	<input type="checkbox"/> Shen		
	<input type="checkbox"/> Spain		
	<input type="checkbox"/> Vinson		
	<input type="checkbox"/> —		

Art will go

<input type="checkbox"/> Note & Comment	<input type="checkbox"/> Signature
<input type="checkbox"/> Haggis	<input type="checkbox"/> Library
<input type="checkbox"/> All Staff	<input type="checkbox"/> Information
<input type="checkbox"/> Comment	<input type="checkbox"/> Files

REMARKS Can you get an Art
accompanying form to try
meeting at Biggs with Monday

WICHITA-SEDGWICK COUNTY

DATE 3/9/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT AHZO ADOPTION

Below is indicated a set of actions and dates for adoption of the AHZO. Please review this list and let me know if I've missed anything.

1. Publish notice of Public Hearing by March 18th*
2. Review AHZO with Airport Authority *JPM* March 21st **RAL + Don*
3. Informal Review with MAPC March 24th
4. Public Hearing before MAPC April 7th
5. City Commission ~~Adoption~~ *Adoption / Est. Parking* May 3rd

*To assure a full twenty (20) days of notice in the newspaper, we should publish notice of the hearing at least several days before March 18th.

Don Losew
Don Losew
Junior Planner
Advance Plans Division

DL:rh

*Shane long standing dental
@ 145 - can meet
Fredrick w.s.*

*Trans Coord Comm meets at
1:30 same day. I need to
be at that meeting.*

FROM Don DATE 3/1

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input checked="" type="checkbox"/> Lakin	<input checked="" type="checkbox"/> McDonald	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input type="checkbox"/> Schwartz	<input type="checkbox"/> Lytle	<input type="checkbox"/> Commer
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Crook
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Chambers	<input type="checkbox"/> Garland
<input type="checkbox"/> Hanson	<input type="checkbox"/> Curfman	<input type="checkbox"/> Fleck	<input type="checkbox"/> Singhal
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Nagley	<input type="checkbox"/> Whitney
<input type="checkbox"/> Lakin, E.	<input type="checkbox"/> Flynn	<input type="checkbox"/> Olivarez	<input type="checkbox"/> —
<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart	<input type="checkbox"/> Shirkey	
<input type="checkbox"/> Scott	<input type="checkbox"/> Losew	<input type="checkbox"/> McDonald	
<input type="checkbox"/> —	<input type="checkbox"/> Shen		
	<input type="checkbox"/> Spain		
	<input type="checkbox"/> Vinson		
	<input type="checkbox"/> —		

<input type="checkbox"/> Note & Return	<input type="checkbox"/> Signature
<input type="checkbox"/> Handle	<input type="checkbox"/> Library
<input type="checkbox"/> All Staff	<input type="checkbox"/> Information
<input checked="" type="checkbox"/> Comment	<input type="checkbox"/> Files

REMARKS Some comments and suggestions from me

WICHITA-SEDGWICK COUNTY

DATE 3/1/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Willard L. Stockwell, Chief Planner, Advance Plans Division

FROM Don Losew, Junior Planner, Advance Plans Division

SUBJECT ADOPTION OF AIRPORT HAZARD ZONING ORDINANCE (AHZO)

I have talked to Jack Galbraith and we have tentatively scheduled the AHZO's public hearing before the MAPC at its regularly scheduled April 7, 1983 meeting. It is still too early to know of the other items that may be scheduled for that date, but there are no major actions presently under consideration and planned for MAPC action on April 7th. We could probably hold an informal discussion during lunch on the same date or if this item is considered somewhat extensive in content, the MAPC might like more time for consideration and an informal at its last March meeting (March 24th) could be desirable.

3PM specific time? I estimate 20/30 minute presentation. Could go for 7:30 PM same day?

Notice of the Public Hearing must be published in the local newspaper a full 20 days before the date of the hearing. The notice would therefore need to be first published no later than March 18th. To assure compliance we should and could publish this notice earlier.

I want to see notice. Should law renew?

The Airport Authority should be meeting on March 7th and 21st (1st and 3rd Mondays of the month). We could ask them to pick which date would be the most appropriate. Any changes that they may request should be taken to the MAPC for its consideration during the Public Hearing. Depending on when we do meet with the Airport Authority, copies of the AHZO may already have been placed out for public review and consequently any additional changes should not be made without MAPC action at the Public Hearing.

I talked to Setler 3/1. We're on his agenda for 21st 2 PM. Don + RAL to attend?

WLS do. Brief them

If possible any informal discussions with the County Commissioners and Personnel (Worley) should also be completed before issuance of the public notice. If any changes are necessary, they should be made before the AHZO is distributed or carried to the MAPC as a proposed amendment.

Should have become advisory

Offer briefings invite Watson to sit in. Should post packets? Re what?

From the date of the MAPC's action (April 7th) at least 26 days should be allowed for placing the action on the City Commission's agenda. This would place the AHZO on the City Commission's regularly scheduled May 3, 1983 meeting.

OK Sharon will confirm.

In brief, any discussion with the County should be arranged as soon as possible. The MAPC's public hearing can tentatively be planned for April 7th with public notice published on, but preferably before, March 18th. The Airport Authority meeting could be on March 7th or 21st. The City Commission's review should be planned for May 3, 1983.

Don Losew
 Don Losew, Junior Planner
 Advance Plans Division

DL:rh

PROPOSED AMENDMENT

FINAL DRAFT

MARCH, 1983

Don
sta

CHAPTER 28.08
AIRPORT HAZARD ZONING

SECTIONS

28.08.010	Title
28.08.020	Purpose
28.08.030	Definitions
28.08.040	Applicability
28.08.050	Airport Zones and Height Limitations
28.08.060	Mid-Continent Airport
28.08.070	Colonel James Jabara
28.08.080	McConnell Air Force Base
28.08.090	Beech
28.08.100	Cessna
28.08.110	Wichita Police Department Heliport
28.08.120	Spacing Adjacent Airports
28.08.130	Use Restrictions
28.08.140	Nonconforming Uses
28.08.150	Permits
28.08.160	Enforcement
28.08.170	Promulgation of Rules, Regulations, Etc.
28.08.180	Appeals
28.08.190	Institution of Action in Courts
28.08.200	Wichita Airport Hazard Zoning Maps
28.08.210	Penalties
28.08.220	Conflicting Regulations
28.08.230	Amendments
28.08.240	Severability
28.08.250	Effective Date of Chapter

AN ORDINANCE TO CREATE, ADMINISTER AND ENFORCE AIRPORT ZONING REGULATIONS, LIMITING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF WICHITA MID-CONTINENT AIRPORT, MCCONNELL AIR FORCE BASE, BEECH AIRPORT, CESSNA AIRPORT, COLONEL JAMES JABARA AIRPORT, AND THE WICHITA POLICE DEPARTMENT HELIPORT, PRESCRIBING CERTAIN POWERS, DUTIES AND REMEDIES, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND PROVIDING FOR THE REPEAL OF THE ORIGINAL SECTIONS: 28.08.010, 28.08.020, 28.08.030, 28.08.040, 28.08.050, 28.08.060, 28.08.070, 28.08.080, 28.08.090, 28.08.100, 28.08.110, 28.08.120, 28.08.130, 28.08.140, 28.08.150, 28.08.160, 28.08.170, 28.08.180, 28.08.190, 28.08.200, 28.08.210, 28.08.220, 28.08.230, 20.08.240, AND 28.08.250 OF THE CODE OF THE CITY OF WICHITA, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 28.08.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"~~28.08.010~~ TITLE - Chapter 28.08 of the Code of the City of Wichita shall be known and may be cited as the Wichita Airport Hazard Zoning Code."

SECTION 28.08.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.020 PURPOSE - It is hereby found that airport hazards endanger the lives and property of users of Wichita Mid-Continent Airport, Colonel James Jabara Airport, McConnell Air Force Base, Beech Airport, Cessna Airport, and the Wichita Police Department Heliport, and occupants of land in the vicinity of said airports; that an airport hazard may affect existing and future instrument approach minimums of the airports, and that an airport hazard may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of said airports and the public interests therein.

Accordingly, it is declared:

- (1) That the creation or establishment of an airport hazard is a public nuisance and an injury to the region serviced by the airports.
- (2) That it is, therefore, necessary in the interest of the public health, safety, and general welfare, that the creation or establishment of airport hazards be prevented, and
- (3) That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power of the City of Wichita without compensation.
- (4) That in order to prevent the creation or establishment of airport hazards as authorized by K.S.A. 3-703 et seq., the City of Wichita may extend the coverage of this Code to airports owned, operated, or controlled by the City; any military airport within 50,000 feet of the official boundaries

of the City; privately owned airports within the City; or privately owned airports within five miles of the official City boundaries if in the opinion of the Board said airport utilizes its facilities to provide a service to the public."

SECTION 28.08.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.030 DEFINITIONS - As used in this Code, unless the context otherwise requires, the following terms shall have the meaning ascribed:

1. AIRPORT - any area of land or water designed and set aside for the landing and taking-off of aircraft. The term airport includes heliports set aside for the landing and taking-off of rotary wing aircraft.
2. AIRPORT ELEVATION - means the established airport elevation in feet above mean sea level, of the highest point on the landing area which is used or intended to be used for takeoff and landing operations.
3. AIRPORT HAZARD - any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Sections 28.08.050 through 28.08.110 of this Code located on or in the vicinity of the airports covered by this Code, or any use of land near such airports, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airports or is otherwise hazardous to such landing or takeoff of aircraft.
4. AIRPORT REFERENCE POINT - a point at the approximate center of the airport landing area, and shown on the Wichita Airport Hazard Zoning Map.
5. APPROACH SURFACE - a surface longitudinally centered on the extended runway centerline; extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Sections 28.08.050 through 28.08.110 of this Code. In Plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
6. APPROACH, CONICAL, HORIZONTAL, AND TRANSITIONAL ZONES - these zones are as defined and set forth in Sections 28.08.050 through 28.08.110 of this Code.
7. BOARD - the governing Body of the City of Wichita, Kansas.
8. CIVILIAN AIRPORTS - Any airport, public or private, that is not owned or operated by the Government of the United States and used for military purposes.
9. CONICAL SURFACE
 - 9.1 Civilian Airports - an inclined surface extending upward and outward from the outer periphery of the horizontal surface at a slope of one foot upward for each twenty (20) feet outward for a horizontal distance of 4,000 feet.
 - 9.2 Military Airports - an inclined surface extending upward and outward from the outer periphery of the inner horizontal surface at a slope of one (1) foot upward for each twenty (20) feet outward for a horizontal distance of 7,000 feet.

10. FAA - Federal Aviation Administration.
11. HEIGHT - for the purpose of determining the height limits in all zones set forth in this Code and shown on the Wichita Airport Hazard Zoning Map, the datum shall be mean sea level elevation unless otherwise specified.
12. HELIPORT - means an area on land, water, or upon a structure set aside and used for the landing and takeoff of rotary wing aircraft and in addition facilities may be provided for the fueling, refueling, repair and storage of rotary wing aircraft.
13. HORIZONTAL SURFACE
 - 13.1 Civilian Airports - a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
 - 13.2 Military Airports
 - a. Inner Horizontal Surface - for military airports, a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the inner horizontal zone.
 - b. Outer Horizontal Surface - for military airports, a horizontal plane 500 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the outer horizontal zone.
14. LARGER THAN UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight, and jet powered aircraft.
15. MANAGER - at Wichita Mid-Continent and Colonel James Jabara Airports, the manager is the Director of Aviation of the Wichita Airport Authority; at McConnell Air Force Base, the manager is the Base Commander; at the Police Heliport, the manager is the Airsection Commander; at Cessna and Beech Airports the manager is the person designated as such by each company.
16. MILITARY AIRPORT - an airport that is owned or operated by the Government of the United States and used for military purposes.
17. NONCONFORMING USE - any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this Code.
18. NONPRECISION INSTRUMENT RUNWAY - a runway having an existing or planned instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment for which a straight-in, nonprecision instrument approach procedure has been approved or planned.
19. PLANNING COMMISSION - is the Wichita-Sedgwick County Metropolitan Area Planning Commission.
20. PERSON - an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, receiver, assignee, or similar representative of any of them.
21. PRECISION INSTRUMENT RUNWAY - a runway having an existing or planned instrument approach procedure utilizing an Instrument Landing

System (ILS), or a Precision Approach Radar (PAR).

22. PRIMARY SURFACE

22.1 Civilian Airports - a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Sections 28.08.050 through 28.08.110 of this Code. The elevation of any point on the primary surface is the same as the nearest point on the runway centerline.

22.2 Military Airports - a surface longitudinally centered on each runway with the same length as the runway. The width of the primary surface for runways is 2,000 feet. The elevation of any point on the primary surface is the same as the nearest point on the runway centerline.

22.3 Heliports - is an area that coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

23. RUNWAY - a defined area on an airport prepared for landing and takeoff of aircraft along its length.

24. STRUCTURE - an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, smoke stacks, poles, pole lines, light poles, signs, earth formations, and overhead transmission lines.

25. TRANSITIONAL SURFACES

25.1 Civilian Airports - the transitional surfaces extended outward at 90 degree angles to runway centerlines and runway centerlines extended, at a slope of one (1) foot upward for each seven (7) feet outward from the sides of the primary and approach surfaces. The transitional surfaces connect the horizontal, conical, primary and approach surfaces. Transitional surfaces for those portions of the approach surfaces, which project beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

25.2 Military Airports - the transitional surface extends outward at 90 degree angles to runway centerlines and runway centerlines extended at a slope of one (1) foot upward for each seven (7) feet outward. The transitional surfaces connect the primary surfaces, and approach surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces.

25.3 Heliports - the transitional surfaces extend outwards and upward from the lateral boundaries of the heliport primary

surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet measured horizontally from the centerline of the primary and approach surfaces.

26. TREE - any object of natural growth.
27. UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
28. VISUAL RUNWAY - a runway intended solely for the operation of aircraft using visual approach procedures."

SECTION 28.08.040 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.040 APPLICABILITY. The provisions of this Code shall apply to the airports listed in Sections 28.08.060 through 28.08.110, and their environs. Said environs shall include all land and water areas within the boundaries of such zones as created and defined by Sections 28.08.050 through 28.08.110 of this Code. The provisions of this Code may also be applied to areas that would be affected by planned runways indicated on any FAA or U. S. Military approved airport layout plan or planning document."

SECTION 28.08.050 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.050 AIRPORT ZONES AND HEIGHT LIMITS - GENERALLY. There are hereby created and defined certain zones which include all the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to each runway at each particular airport. The boundaries of such zones and the heights applicable thereto are as described for each applicable airport in Sections 28.08.060 through 28.08.110 of this Code, and as shown on the Wichita Airport Hazard Zoning Map consisting of two (2) sheets, prepared by the Wichita-Sedgwick County Metropolitan Area Planning Department (MAPD), dated _____, 1983; which are incorporated to this Code and made a part hereof, and may be amended and supplemented as hereinafter provided.

Except as otherwise provided in Section 28.08.150 of this chapter, no structure or tree shall be erected, altered, allowed to grow or allowed to exist in any zone created by this Code to a height in excess of the applicable height limit herein established for such zones. Where two or more zones overlap the more restrictive limitation or requirements shall govern and prevail."

SECTION 28.08.060 of the Code of the City of Wichita, Kansas, shall read as follows:

- "28.08.060 WICHITA MID-CONTINENT AIRPORT
- A. AIRPORT ELEVATION. The established airport elevation is 1,332 feet above mean sea level.
 - B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Wichita Mid-Continent Airport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. UTILITY RUNWAY VISUAL APPROACH ZONE (Runways 1R and 19L) - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

2. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE (Runways 14 and 32) - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the runway centerline.

3. PRECISION INSTRUMENT RUNWAY APPROACH ZONE (Runways 1L, 19R, 1C, and 19C) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerline.

4. TRANSITIONAL ZONES - the Transitional zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition

to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where precision instrument runway approach zones project beyond the conical zones, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

5. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred fifty (150) feet above the established airport elevation.

6. CONICAL ZONE - The Conical Zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.070 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.070 COLONEL JAMES JABARA AIRPORT

- A. AIRPORT ELEVATION. The established airport elevation is 1,420 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Colonel James Jabara Airport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. UTILITY RUNWAY VISUAL APPROACH ZONE (Runways 13 and 31) - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extend-

ing to a horizontal distance of 5,000 feet along the extended runway centerline.

2. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM AS LOW AS 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE (Runway 36) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone extends outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the end of the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

3. PRECISION INSTRUMENT RUNWAY APPROACH ZONE (Runway 18) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the end of the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerlines.

4. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where precision instrument runway approach zones project beyond the conical zone, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

5. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius shall be the longest determined for either end.

The applicable height limitation is established at one hundred fifty (150) feet above the established airport elevation.

6. CONICAL ZONE - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.080 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.080 MCCONNELL AIR FORCE BASE

- A. AIRPORT ELEVATION. The established airport elevation is 1,371 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:
 1. MILITARY RUNWAY APPROACH ZONE (Runways 19L, 1R, 19R and 1L) - the inner edge of this approach zone coincides with the width of the primary surface and is 2,000 feet wide for both ends of the primary surface of each runway. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from both ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward beginning at the end of, and at the same elevation as, the primary surface, extending along the extended runway centerline until it reaches a height of 500 Feet above the established airport elevation. It then continues horizontally at this elevation to a point 50,000 feet from the point of beginning.
 2. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitations slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surfaces and extending to where they intersect the conical surface, or outer horizontal surface for military airports.

3. INNER HORIZONTAL ZONE - for military airports - the inner horizontal zone is established by describing arcs with radii 7,500 feet 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 inner horizontal zone does not include the approach and transitional zones.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

4. OUTER HORIZONTAL ZONE - for military airports - the outer horizontal zone is established by constructing a line 30,000 feet from the periphery of the conical surface, but does not include approach zones or transitional zones.

The applicable height limitation is established at five hundred (500) feet above the established airport elevation.

5. CONICAL ZONE - The conical zone is established as the area that commences at the periphery of the inner horizontal zones and extends outward for a horizontal distance of 7,000 feet to a height of 500 feet where it intersects the outer horizontal zone.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the inner horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of five hundred (500) feet above the airport elevation."

SECTION 28.08.090 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.090 BEECH AIRPORT.

- A. AIRPORT ELEVATION. The established airport elevation is 1,378 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Beech Airport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. RUNWAY LARGER THAN UTILITY, VISIBILITY MINIMUM GREATER THAN 3/4 MILES, NONPRECISION INSTRUMENT APPROACH ZONE (Runways NE, SW, NW and SE) - the inner edge of this approach zone coincides with the width of the primary surface and is 300 feet wide. The approach zone expands outward uniformly to a width of 2,300 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

2. PRECISION INSTRUMENT RUNWAY APPROACH ZONE (Runways 18, 36, 17, and 35) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerline

3. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surface.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where precision instrument runway approach zones project beyond the conical zone, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

4. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated

utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

5. CONICAL ZONE - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.100 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.100 CESSNA AIRPORT

- A. AIRPORT ELEVATION. The established airport elevation is 1,378 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Cessna Airport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE (Runways 17L and 35R) - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

2. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as, the primary surface, and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In

addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface.

3. **HORIZONTAL ZONES** - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

4. **CONICAL ZONE** - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.110 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.110 WICHITA POLICE DEPARTMENT HELIPORT

- A. **HELIPORT ELEVATION.** The established airport elevation is 1,290 feet above mean sea level.
- B. **HELIPORT ZONES AND HEIGHT LIMITS.** The various zones and height limits for the Wichita Police Department Heliport are shown on Sheet One (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. **POLICE HELIPORT RUNWAY H1 APPROACH ZONE** - The inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.

The applicable height limitations slopes one (1) foot upward for each eight (8) feet outward, beginning at the edge of, and at the same elevation as, the primary surface and extending to a horizontal distance of 4,000 feet from the primary surface.

2. **TRANSITIONAL ZONES** - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitation slope one (1) foot upward for each two (2) feet outward, beginning at the edge of and at the same elevation as the primary surface and the heliport approach zone and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface and heliport approach zone centerline."

SECTION 28.08.120 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.120 SPACING ADJACENT AIRPORTS

1. No other airport hereafter shall be established, or existing airport be improved with Approach Guidance Equipment so as to enhance Instrument Flight Rule (IFR) capabilities, any portion of whose proposed or existing boundary will be under an airport zone established by this Code or within a radius of eight (8) miles from an airport reference point of an airport established on the date of this Code, unless a permit shall have been applied for and granted in accordance with the provisions of this Code.
2. Exceptions to the spacing requirements hereinafter provided in this section may be granted by the Board upon receipt of proper application, but only after a public hearing duly held in accordance with provisions of this Code, and where, owing to special conditions, the Board duly finds that a literal enforcement of these provisions would result in unnecessary hardship and such exception would not be contrary to the public interest. Prior to granting any such exception, the Board shall for the purpose of study, comment, and recommendation, refer the matter to the Federal Aviation Administration, the Base Commander of McConnell Air Force Base, and to any local planning body having either planning or land use control jurisdiction within the area affected.
3. If any of the aforementioned bodies to whom the matter shall have been referred does not, within sixty (60) days, transmit a report to the Board, then it shall be deemed to have approved the proposal: provided, however, that upon request of any such body the Board shall grant a reasonable extension of such time.
4. In granting such exception the Board shall impose special conditions which will ensure that public interest, existing public and private investment in airports, and air safety is maintained."

SECTION 28.08.130 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.130 USE RESTRICTIONS

1. Notwithstanding any other provision of this Code, no use may be made of land or water within any zone established by this Code in such manner as to make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of the pilots using the airports, create smoke, impair visibility in the vicinity of the airport, create bird strike

hazards or otherwise in any way, endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

2. A shield that reduces the amount of light visible from above and directs the light downward shall be required for all outdoor lights, except those incidental to residential uses, installed after the date of this ordinance, within the limits of the horizontal, inner-horizontal, transitional or approach zones.
3. Nothing in this Code shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height of twenty-five (25) feet above the surface of the land."

SECTION 28.08.140 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.140 NONCONFORMING USES

1. REGULATIONS NOT RETROACTIVE - the regulations prescribed by this Code, 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 Code or to otherwise interfere with the continuance of a nonconforming use. Nothing contained herein 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 Code, and diligently prosecuted.
2. MARKING AND LIGHTING - notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the operating and maintenance thereon of such markers and lights in accordance with standards as set forth in the FAA Circular Obstruction Marking and Lighting (No. AC70/7460-1F) to indicate to the operators of aircraft in the vicinity of the airports the presence of airport hazards. The maintenance, operation and installation of such markers and lights on such nonconforming structures and trees, shall be the responsibility of the owner or owners of the affected airport."

SECTION 28.08.150 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.150 PERMITS

1. FUTURE USES - except as specifically provided in paragraphs 1.1, 1.2, 1.3, and 1.4 hereunder, no material change shall be made in the use of land, no structure, tower, or pole shall be erected or otherwise established in any zone hereby created by Sections 28.08.050, through 28.08.110 unless a permit, therefore, shall have been applied for and granted. Each application for a permit shall indicate the purpose for

which the permit is desired, with particularity to permit determination of whether the resulting use or structure would conform to the regulations within this Code. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Code shall be granted unless a variance has been approved in accordance with paragraph 4 of this section.

- 1.1 In the area lying within the boundaries of Area A shown on Sheet Two (2) of the Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than twenty-five (25) feet of vertical height above the ground.
- 1.2 In the area lying within the boundaries of Area B shown on Sheet Two (2) of the Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such structure would extend above the height limits prescribed for approach, conical, transitional, or horizontal zones.
- 1.3 In the area lying within the boundaries of Area C shown on Sheet Two (2) of the Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than one hundred-fifty (150) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such structure would extend above the height limits prescribed for approach, conical, transitional or horizontal zones.
- 1.4 In the area lying within the boundaries of Area D shown on Sheet Two (2) of the Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than three hundred (300) feet of vertical height above the ground, except when, because of terrain, land contours, or topographic features, such structures would extend above the height limits prescribed for approach, conical, transitional, or horizontal zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure or growth of any trees in excess of any of the height limits established by this Code except as set forth in Section 28.08.130, paragraph 3.

2. EXISTING USES - no permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this

Code 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.

3. NONCONFORMING USES ABANDONED OR DESTROYED - whenever the Superintendent of Central Inspection determines that a nonconforming structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.
4. VARIANCES
 - 4.1 Any person desiring to erect or increase the height of any structure, or permit the growth of any trees, or use his property not in accordance with the regulations prescribed in this Code, may apply to the Board for a variance from such regulations. The Board may refer the application to the Wichita-Sedgwick County Metropolitan Area Planning Commission for study and recommendations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances may be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and be in accordance with the spirit of this Code.
 - 4.2 Additionally, no application for variance to the requirements of this Code shall be furnished by the Board unless a copy of the application has been furnished to the Manager of the affected airport(s) for comment as to the aeronautical effects of the variance. If the manager does not respond to the Board within fifteen (15) days after receipt, the Board may act on its own to grant or deny said application.
5. HAZARD MARKING AND LIGHTING - any permit or variance granted, may, if such action is deemed advisable to effectuate the purpose of this Code and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain at the owner's expense, such marking and lighting, the standards as found in FAA Circular AC-70/7460-1F shall be used. If deemed proper by the Board, this condition may be modified to require the owner to permit the installation, operation, and maintenance of the necessary markings and lights in accordance with the standards in FAA Circular AC-70/7460-1F, at the expense of the owner(s) of the affected airport.
6. FEES - a fee shall be collected for each permit application in accordance with the provisions of Section 18.08.010 of this Code."

SECTION 28.08.160 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.160 ENFORCEMENT - The Superintendent of Central Inspection is hereby delegated the responsibility to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Superintendent. Applications required by this Code to be submitted to the Superintendent of Central Inspection shall be promptly considered and granted or denied by the Superintendent. If it is determined by the Superintendent of Central Inspection that the proposed use does not conform with the provision of this Code, the application shall be denied."

SECTION 28.08.170 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.170 PROMULGATION OF RULES, REGULATIONS, ETC. - The Superintendent of Central Inspection shall promulgate, and from time to time amend rules, regulations, and standards for the administration and enforcement of this Code, which standards shall not be effective until they have first been approved by the Board, and a copy thereof filed with the City Clerk of the City of Wichita, Kansas."

SECTION 28.08.180 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.180 APPEALS -

1. Any person aggrieved, or affected by a decision of the Superintendent of Central Inspection made in administration of this Code, may appeal to the Board.
2. All appeals hereunder must be made within thirty (30) days by filing with the Superintendent of Central Inspection a notice of appeal specifying the grounds thereof. The Superintendent of Central Inspection shall forthwith transmit to the Board all papers constituting the record on which the action appealed was taken.
3. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Superintendent of Central Inspection certifies to the Board after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the opinion of the Superintendent of Central Inspection, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board and on due cause shown.
4. The Board shall fix a reasonable time for the hearing of appeals, giving public notice by publication once in the official city paper a minimum of fifteen (15) days prior to the hearing, 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.
5. The Board may 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.

6. The concurring vote of a majority of the members of the Board shall be sufficient to revise any order, requirement, decision, determination of the Superintendent of Central Inspection or to decide in favor of the applicant on any matter upon which it is required to pass under this Code, or to effect any variation in this Code."

SECTION 28.08.190 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.190 INSTITUTION OF ACTIONS IN COURTS -

1. The Superintendent of Central Inspection may cause to be instituted in any court of competent jurisdiction an action to prevent, restrain, correct or abate any violation of this code, or of any order or ruling made in connection therewith as provided by law.
2. Any person aggrieved by any decision of the Board may appeal to any court of competent jurisdiction as provided by law."

SECTION 28.08.200 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.200 WICHITA AIRPORT HAZARD ZONING MAPS -

1. OFFICIAL TITLE - each such airport zoning map, properly identified by the name of the airport(s) shown, and an appropriate description of what the map purports to show, shall be signed by the City Clerk of the City of Wichita, and marked with the effective date of this Code.
2. RATIFICATION - the particular airport zoning classifications as shown by the legends on such airport hazard zoning maps, are hereby ratified, confirmed and approved and all and within any of the zones shown on any of the airport hazard zoning maps shall be and is hereby zoned the particular airport zone shown by the legend on the applicable airport zoning map.
3. MAINTENANCE
 - 3.1 The Airport hazard zoning maps shall be kept and maintained by the City of Wichita, and shall be available for inspection and examination by members of the public at all reasonable times, as any other public record, in the office of the Superintendent of Central Inspection.
 - 3.2 An exact copy of each airport hazard zoning map shall be located in the office of the City Clerk, who shall likewise maintain such maps and make them available for inspection and examination by members of the public at all reasonable hours.
4. CHANGE IN AIRPORT HAZARD ZONING MAPS - any change in an airport zoning classification accomplished in the manner provided by law, after public hearing and a resolution of the Board, shall be noted on the particular airport hazard zoning map affected by such

change on file in the Office of the Superintendent of Central Inspection and in the office of the City Clerk, so that all such airport zoning maps shall at all times reflect the current airport zoning classification of land within such zones."

SECTION 28.08.210 - of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.210 PENALTIES - Notwithstanding any provision herein regarding the enforcement of the provisions hereof by civil or other extraordinary provisions of law, each violation of this Code or any regulation, order or ruling promulgated hereunder, shall constitute a misdemeanor and be punishable by a fine of not more than \$500; and each day a violation continues to exist shall constitute a separate offense."

SECTION 28.08.220 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.220 CONFLICTING REGULATIONS - in the event of any conflict between the requirements of this Code and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern and prevail."

SECTION 28.08.230 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.030 AMENDMENTS - amendment or repeal of all or part of this Code shall be done in accordance with the procedure prescribed by law for the adoption, amendment and repeal of airport zoning regulations (KSA 3-705)."

SECTION 28.08.240 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.240 SEVERABILITY - if any of the provisions of this Code or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Code which can be given effect without the invalid provision or application, and to this end, the provisions of this Code are declared to be severable."

SECTION 28.08.250 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.250 EFFECTIVE DATE OF CHAPTER - this chapter shall be in full force and effect from and after its adoption, and publication in the official paper."

The original sections of 28.08.010, 28.08.020, 28.08.030, 28.08.040, 28.08.050, 28.08.060, 28.08.070, 28.08.080, 28.08.090, 28.08.100, 28.08.110, 28.08.120, 28.08.130, 28.08.140, 28.08.150, 28.08.160, 28.08.170, 28.08.180, 28.08.190, 28.08.200, 28.08.210, 28.08.220, 28.08.230, 28.08.240, and 28.08.250 of the Code of the City of Wichita, Kansas, are hereby repealed.

ADOPTED at Wichita, Kansas this _____ day of _____, 1983.

Albert Kirk, Mayor

ATTEST:

Donald C. Gisick, City Clerk

APPROVED AS TO FORM:

John Dekker, Director of Law

ATTENDENCE RECORD

Date: Feb. 23, '83
Time: 1:30 p.m.
Place: MAAD Conf. Room 1046
Meeting Arranged By: _____
Purpose: AH-20

Name	Organization	Address
<u>Don Loseur</u> Phone: _____	<u>MAAD</u>	
<u>Lawrence A. Lusk</u> Phone: _____	<u>lawdept.</u>	
<u>Frank J. Langford</u> Phone: _____	<u>WAS/PRM</u>	
<u>[Signature]</u> Phone: _____		
<u>Dale A. Bell</u> Phone: _____	<u>WAA</u>	
<u>[Signature]</u> Phone: _____		
<u>F.S.S.</u> Phone: _____		
Phone: _____		
Phone: _____		
Phone: _____		
Phone: _____		

AH@ Meeting 2/23/83

Tom Sanders, Riverside

Earl Long, Westport

Basilis Bull, Mid Cent.

Bernard Berst, Law Dept.

WHS, FS, JH, MAPD

No objections to the revised wording for
Sec. 28.08.120 - second version

Suggested Changes

(second version)

"28.08.120 SPACING ADJACENT AIRPORTS

*Tom Sanders does + hrs include systems
such as Ground Approach Indicator Light
Tom doesn't think so since it may limit
only enhancement of IFR*

1. No other airport hereafter shall be established, or existing airport be improved with Approach Guidance Equipment so as to enhance Instrument Flight Rule (IFR) capabilities, any portion of whose proposed or existing boundary will be under an airport zone established by this Code or within a radius of eight (8) miles from an airport reference point of an airport established on the date of this Code, unless a permit shall have been applied for and granted in accordance with the provisions of this Code.

Note: new wording underlined

FROM Do Losew DATE 2/16

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input checked="" type="checkbox"/> Lakin	<input checked="" type="checkbox"/> Stockwell	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input checked="" type="checkbox"/> Schwartz	<input type="checkbox"/> Lytle	<input type="checkbox"/> Commer
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Crook
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Chambers	<input type="checkbox"/> Garland
<input type="checkbox"/> Hanson	<input type="checkbox"/> Curfman	<input type="checkbox"/> Fleck	<input type="checkbox"/> Singhal
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Nagley	<input type="checkbox"/> Whitney
<input type="checkbox"/> Lakin, E.	<input type="checkbox"/> Flynn	<input type="checkbox"/> Olivarez	<input type="checkbox"/> —
<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart	<input type="checkbox"/> Shirkey	
<input type="checkbox"/> Scott	<input checked="" type="checkbox"/> Losew	<input type="checkbox"/> McDonald	
<input type="checkbox"/> —	<input type="checkbox"/> Shen		
	<input type="checkbox"/> Spain		
	<input type="checkbox"/> Vinson		
	<input type="checkbox"/> —		

<input type="checkbox"/> Note & Return	<input type="checkbox"/> Signature
<input type="checkbox"/> Handle	<input type="checkbox"/> Library
<input type="checkbox"/> All Staff	<input type="checkbox"/> Information
<input checked="" type="checkbox"/> Comment	<input type="checkbox"/> Files

REMARKS _____

WICHITA-SEDGWICK COUNTY

DATE 2/16/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Robert A. Lakin, Director of Planning
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT STATUS OF AIRPORT HAZARD ZONING ORDINANCE (AHZO)

Completion of the mapping and finding acceptable wording for Section 28.08.120 (see attached) are the only apparent activities remaining in the completion of the AHZO before final review and adoption is sought. Graphics work on the zone map is nearly complete. Peggy Whitney has only 4 quadrangles to complete and only one contains a substantial amount of hazard zones. Peggy will however be on vacation the next several days and it appears that this map is most likely to be completed by the end of this month. Work on the permit exception map has not yet begun, but it is a relatively simple map to draw and should require less than a week of graphics time.

The wording of Section 28.08.120 has been discussed between us and the Airport Authority. The attached, basically reflects their recommendation. It appears to us to be quite acceptable. We contacted Bernard Borst on Tuesday (February 15) for his comments. He has indicated that the wording is adequate but he is still uncertain of our ability to defend a regulation or control like this which could constitute a "taking of property" type issue.

We suggest at this time that we try to arrange in the next 10 days for a meeting with Sanders, Long, Borst, the Airport Authority (Funk or Bell) and us to further discuss Section 28.08.120 and this new wording. Please let us know if you have any concerns or suggestions.] PK,

Don Losew

Don Losew
Junior Planner
Advance Plans Division

DL:rh
Attachment

Riverside Tom Sanders 689-1441
or 683-9509 7510

Westport Earl Long 943-5510

WICHITA-SEDGWICK COUNTY

DATE 1/31/83 *Don*

METROPOLITAN AREA PLANNING DEPARTMENT

TO Bernard Borst, First Assistance City Attorney 4681
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT AIRPORT HAZARD ZONING ORDINANCE (AHZO)

In a previous memorandum (1/6/83) we requested that you review a proposed change in Section 28.08.120 of the revised AHZO. Since then, you have talked with Planning Department staff about this change but we have not yet reached a decision on how to best handle this. We have attached another possible form of wording for this section. This wording has been suggested to us by staff of the Wichita Airport Authority. It appears to us that this new phrasing is more specific and adequately addresses the situations where local review of airport development is justifiable both in terms of safety (hazards) and other land use concerns.

As you know, we hope to have this ordinance adopted as soon as practical. Please let us know as soon as you can of your opinions. I will contact you shortly to see if you have any questions or need additional information.

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment
cc: Monroe Funk, Wichita Airport Authority

Suggested Changes

(second version)

"28.08.120 SPACING ADJACENT AIRPORTS

1. No other airport hereafter shall be established, or existing airport be improved with Approach Guidance Equipment so as to enhance Instrument Flight Rule (IFR) capabilities, any portion of whose proposed or existing boundary will be under an airport zone established by this Code or within a radius of eight (8) miles from an airport reference point of an airport established on the date of this Code, unless a permit shall have been applied for and granted in accordance with the provisions of this Code.

Note: new wording underlined

WICHITA-SEDGWICK COUNTY

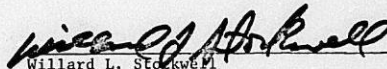
DATE 1/31/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO Bernard Borst, First Assistance City Attorney
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT AIRPORT HAZARD ZONING ORDINANCE (AHZO)

In a previous memorandum (1/6/83) we requested that you review a proposed change in Section 28.08.120 of the revised AHZO. Since then, you have talked with Planning Department staff about this change but we have not yet reached a decision on how to best handle this. We have attached another possible form of wording for this section. This wording has been suggested to us by staff of the Wichita Airport Authority. It appears to us that this new phrasing is more specific and adequately addresses the situations where local review of airport development is justifiable both in terms of safety (hazards) and other land use concerns.

As you know, we hope to have this ordinance adopted as soon as practical. Please let us know as soon as you can of your opinions. I will contact you shortly to see if you have any questions or need additional information.


Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment
cc: Monroe Funk, Wichita Airport Authority

Suggested Changes

(second version)

"28.08.120 SPACING ADJACENT AIRPORTS

1. No other airport hereafter shall be established, or existing airport be improved with Approach Guidance Equipment so as to enhance Instrument Flight Rule (IFR) capabilities, any portion of whose proposed or existing boundary will be under an airport zone established by this Code or within a radius of eight (8) miles from an airport reference point of an airport established on the date of this Code, unless a permit shall have been applied for and granted in accordance with the provisions of this Code.

Note: new wording underlined

THE WICHITA AIRPORT AUTHORITY
MID-CONTINENT AIRPORT WICHITA, KANSAS

DATE: January 26, 1983

TO: Willard L. Stockwell, Chief Planner, MAPD

FROM: Monroe L. Funk, P.E., Director of Airport Engineering
and Planning

SUBJECT: Airport Hazard Zoning Ordinance

RECEIVED

JAN 31 1983

METROPOLITAN PLANNING
ROUTE

We have reviewed the suggested changes in Section 28.08.100
of the above referenced ordinance. Our suggested changes in the
wording of the ordinance are noted on the attached.

Monroe L. Funk
Monroe L. Funk, P.E.
Director of Airport Engineering
and Planning

MLF:tk

Attachment

Suggested Changes

"28.08.120 SPACING ADJACENT AIRPORTS

1. No other ^{new} airport ^{shall} ~~hereafter~~ ^{existing} ~~be~~ established, ^{with approach guidance equipment} or ~~enlarged~~ ~~hereafter~~ improved so as to ~~enhance~~ ^{enhance} ~~or improve~~ ~~instrument flight rules~~ ^{instrument flight rules (IFR) capabilities} ~~any~~ ^{any} portion of whose proposed or existing boundary will be under an airport zone established by this Code or within a radius of eight (8) miles from an airport reference point of an airport established on the date of this Code, unless a permit shall have been applied for and granted in accordance with the provisions of this Code.

Note: words underlined have been added, with dashed words being deleted in this revised paragraph

FROM D. Rosen DATE 1/12

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input type="checkbox"/> Lakin	<input checked="" type="checkbox"/> Schwartz	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input checked="" type="checkbox"/> Schwartz	<input type="checkbox"/> Lytle	<input type="checkbox"/> Commer
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Crook
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Chambers	<input type="checkbox"/> Garland
<input type="checkbox"/> Hanson	<input type="checkbox"/> Curfman	<input type="checkbox"/> Fleck	<input type="checkbox"/> Singhal
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Nagley	<input type="checkbox"/> Whitney
<input type="checkbox"/> Lakin, E.	<input type="checkbox"/> Flynn	<input type="checkbox"/> Olivarez	<input type="checkbox"/> —
<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart	<input type="checkbox"/> Shirkey	
<input type="checkbox"/> Scott	<input checked="" type="checkbox"/> Losew	<input type="checkbox"/> McDonald	
<input type="checkbox"/> —	<input type="checkbox"/> Shen		
	<input type="checkbox"/> Spain		
	<input type="checkbox"/> Vinson		
	<input type="checkbox"/> —		

<input type="radio"/> Note & Return	<input type="radio"/> Signature
<input type="radio"/> Handle	<input type="radio"/> Library
<input type="radio"/> All Staff	<input checked="" type="radio"/> Information
<input type="radio"/> Comment	<input type="radio"/> Files

REMARKS _____

WICHITA-SEDGWICK COUNTY

DATE 1/12/83

METROPOLITAN AREA PLANNING DEPARTMENT

TO AHZO Files
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT CHANGE IN AIRPORT ZONING ORDINANCE TITLE

Somewhere in the process of revising the 1955 Airport Zoning Ordinance, the title has been changed to the Airport Hazard Zoning Ordinance. While perhaps subtle, the inclusion of the word Hazard may and has led to some misinterpretations. As originally established, the 1955 Airport Zoning Ordinance was the specific portion of the City's Code addressing airports. While hazards are the primary concern of the ordinance, this is also the ordinance that provides control over the establishment of airports. The general Zoning Ordinance, Chapter 28.04, does not specifically address the establishment or location of airports. As typical of zoning ordinances it can be interpreted that airports are only allowed in those zones where it is not indicated as a prohibited use, e.g., industrial and commercial use districts.

The point is that Section 28.08.120 on the Spacing of Adjacent Airports should not just be viewed as being concerned with hazards, but was intended to establish the City's procedures for reviewing and approving the establishment (and now improvement) of airports within the Wichita Metropolitan area. Apparently, as originally prepared, Chapter 28.08 is an adjunct to the City's zoning process; one which recognized the unique land use characteristics of airports.

None of this should affect the content of the present AHZO draft; we should, though, think of this ordinance in its broader context as an airport zoning ordinance and not just a hazard ordinance.

Don Losew
Don Losew
Junior Planner
Advance Plans Division

DL:rh

WICHITA-SEDGWICK COUNTY

DATE 1/6/83

METROPOLITAN AREA PLANNING DEPARTMENT

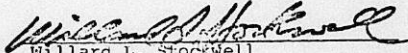
TO Bernard Borst, First Assistant City Attorney
Monroe Funk, Director/Airport Engineering and Planning

FROM Willard L. Stockwell, Chief Planner, Advance Plans Division

SUBJECT AIRPORT HAZARD ZONING ORDINANCE

Attached is a suggested change to Section 28.08.120 of the revised Airport Hazard Zoning Ordinance. This section of the ordinance deals with the establishment of new airports or the improvements at existing airports. As proposed in the existing draft, any enlargement of an existing airport would require the issuance of a permit and local review and approval. It was felt that this may be too vague of a requirement and did not truly assess the situations where an enlargement would be significant enough to require such review. Indicated on the attached section of the ordinance is revised wording which is intended to more effectively address situations involving the improvement or expansion of existing airports. Improvements that would require the issuance of a permit and local review are now identified as those improvements that would allow operations utilizing instrument flight rules (IFR). Such improvements would in most cases represent significant changes in the nature of an airport's operations.

Please review this change and provide us with any comments you may have.


Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment
cc: Robert A. Lakin, Director of Planning

Suggested Changes

"28.08.120 SPACING ADJACENT AIRPORTS

1. No other airport hereafter shall be established, or ~~enlarged-hereafter~~ improved so as to allow operations utilizing instrument flight rules (IFR), any portion of whose proposed or existing boundary will be under an airport zone established by this Code or within a radius of eight (8) miles from an airport reference point of an airport established on the date of this Code, unless a permit shall have been applied for and granted in accordance with the provisions of this Code.

Note: words underlined have been added, with dashed words being deleted in this revised paragraph

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 269-4561

December 21, 1982

Lt. Col. Bobby R. Russell
Chief of Operations and Training
McConnell AFB
Wichita, Ks. 67211

Dear Mr. Russell:

As you requested, I've enclosed a copy of the 1955 Airport Hazard Zoning Ordinance and the Table of Contents from the City's Code. As can be noted, the Airport Hazard Zoning Ordinance is a part of Chapter 28 of the City Code. The other part of Chapter 28 is the City's general zoning ordinance. The general zoning ordinance deals with residential, commercial, industrial, etc. type zoning. If you have any other questions, please do not hesitate to contact me.

Very truly yours,

Donald R. Losew
Junior Planner
Advance Plans Division

DRL:rh
Enclosure

Dec. 20, 1962

AH20

Earl Long - Wop. p. 0. 0

Tom Sanders - Riverside

- both concerned with the permitting procedure for the enlargement of airports
- Jim Shaker - lawyer for Sanders, feels some idea of enlargement is reasonable, but need to define things in some way, - to remove the overly broad classification possible under this

- Sanders indicated that McMaster's lawyer - for the ultra-light airport level of an old near Butler Co. also objects to the - enlargement phrasing in the ord.

Sanders - p. 14 para 24.08.120 ~~para~~ 4. concerned with wording does it refer to private airports in general or ultra only, the airports in the ord.

Riverside presently = 300 paved, 500 ft. has prepared to paving max. plan = 4200 ft. with the same improved nav. aids but not to an Instrument App. level, - presently have 75 planes based, with 60 hangars

Wilkey (MAD) - feels that the small private airports are a public interest & investment and should be considered for protection

ATTENDANCE RECORD

Date: Dec 12, 1982
 Time: 1:30 p.m.
 Place: MAD Center Room
 Meeting Arranged By: MAD
 Purpose: Airport Hazard Training Ord.

Name	Organization	Address
<u>Bernard O'Beak</u> Phone: <u>268-4631</u>	<u>City -</u>	
<u>Earl Long</u> Phone: <u>743 5510</u>	<u>unreport</u>	
<u>Jim Schaefer</u> Phone:	<u>Attorney</u>	<u>800 Broadway Plaza Bldg.</u>
<u>Tom Sanders</u> Phone:	<u>Division Airport</u>	<u>3816 E. Skansen</u> <u>684-1441 in Hillside</u> <u>or 683-9509 25510.7</u>
<u>JIM BECKETT</u> Phone:	<u>BEECH AIRCRAFT</u>	<u>9709 E. CENTRAL</u>
<u>Joe Wilson</u> Phone:	<u>MAD -</u>	<u>1027 W River Blvd -</u>
<u>Art Chambers</u> Phone:	<u>MAD</u>	
<u>K. O. LA VERGNE</u> Phone: <u>681-6335</u>	<u>Chief Airfield Mgt</u> <u>IAB</u>	<u>McConnell</u>
<u>Bobby R. Russell</u> Phone: <u>681-6707</u>	<u>Chief ops & TRNG</u>	<u>McConnell</u>
<u>Bill Arnold</u> Phone:	<u>MAD</u>	
<u>Fred S. Schwartz</u> Phone:	<u>MAD</u>	

Name*	Organization	Address
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		

WICHITA-SEDGWICK COUNTY

DATE 12/10/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Bernard Borst, Senior Assistant, Law Department
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT REVIEW OF THE AIRPORT HAZARD ZONING ORDINANCE (AHZO)

Please insert the attached pages in place of pages 11 and 17 of the latest draft of the AHZO that we provided you several days ago. These new pages contain several corrections (page 11 adds Beech's proposed runway into the ordinance, page 17 inserts the word not into the sentence in paragraph 4.1 on variances indicating that "...relief granted will not be contrary...").

After you have reviewed the latest draft of the AHZO, if you find it acceptable, we would appreciate receiving a formal letterin indicating this.

Don Losew
Junior Planner
Advance Plans Division

DL:rh
Attachments (2)

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

December 9, 1982

Airport Manager
Triangle Copter Service
4421 W. Harry
Wichita, Ks. 67209

(Letter also sent to addresses on reverse
side)

Dear Airport Manager:

Enclosed are new pages 11 and 17 for the draft Airport Hazard Zoning Ordinance. Please remove the old pages 11 and 17 from the Ordinance and replace them with the new pages.

Thank you.

Sincerely,

Don Losew
Junior Planner
Advance Plans Division

DL:rh
Enclosures: 2

Airport Manager
Westport/Westport Auxiliary Airport
2558 S. Kessler
Wichita, Ks. 67213

Airport Manager
Hamilton Field Airport
Derby, Ks. 67037

Airport Manager
Cook Airfield
7015 S. 143rd St. E.
Derby, Ks. 67037

Airport Manager
Attn: Bailis F. Bell
Wichita Airport Authority
Administration Building
Wichita Mid-Continent Airport
Wichita, Ks. 67209

Airport Manager
Attn: Colonel Matt Roberts
Headquarters 381st Strategic Missile Wing
McConnell Air Force Base
Wichita, Ks. 67211

Airport Manager
Attn: T. E. Becker
Beech Aircraft Corporation
9709 East Central
Wichita, Ks. 67206

Airport Manager
Attn: Dan Goble
Cessna-Pawnee
5800 East Pawnee
Wichita, Ks. 67218

The envelope to Airport Manager, Riverside Airport, 3520 N. Hoover, Wichita, Ks. 67205 was returned "not deliverable". The correct address is: Airport Manager, Riverside Airport, Sanders Inc., 3816 East Skinner, Wichita, Ks. 67218. New pages 11 and 17 were added to this draft Airport Hazard Zoning Ordinance before it was sent to the 3816 East Skinner address.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

December 3, 1982

Airport Manager
Triangle Copter Service
4421 W. Harry
Wichita, Ks. 67209

(Same Letter also sent to addresses on reverse side)

Dear Airport Manager:

Over the past several months, the Wichita-Sedgwick County Metropolitan Area Planning Department (MAPD), has been in the process of updating and revising the 1955 Airport Hazard Zoning Ordinance (AHZO). The revision of this ordinance is now nearing completion and formal adoption is being planned for early 1983.

In addition to the airports included in the 1955 ordinance, the revised ordinance will also include the Colonel James Jabara Airport, the Cessna-Pawnee Airport, and the Wichita Police Department Heliport. We have further revised the ordinance to take into account any existing or planned changes to the airports covered by the 1955 ordinance. While some terminology and format changes are being made, the protection in terms of both height and non-height related aspects of the revised ordinances are substantially similar to the protections established by the 1955 ordinance.

To simplify administration of the ordinance two improvements in terms of mapping Airport Hazard Zones has been incorporated in this ordinance. First, rather than prepare a separate map for each airport covered by the AHZO, one map including all the involved airports is being prepared. This map will take into account any areas where overlapping hazard zones occur, thereby allowing easier determination of height restrictions. Secondly, the requirements for obtaining a permit for any development within a hazard zone is being improved by development of a second map. This map indicates four height and area classifications (25, 75, 150, and 300 ft. or less) in which developments of the appropriate height will not require a permit (some uses may still require a permit if potential non-height hazards are involved).

We have attached a copy of the proposed Ordinance for your review. To further explain and discuss this ordinance with the area's Airport Operators, a meeting will be held December 20, 1982, at 1:30 p.m. in the Planning Department's conference room on the 10th Floor of City Hall. If you cannot attend this meeting but have questions concerning the ordinance please don't hesitate to contact myself or Don Losew of my staff (268-4391).

Obsolete

Airport Manager
Riverside Airport
3520 N. Hoover
Wichita, Ks. 67205

12-9-82 - New address

Airport Manager
Riverside Airport
Sanders Inc.
3816 East Skinner
Wichita, Ks. 67218

Airport Manager
Westport/Westport Auxiliary Airport
2558 S. Kessler
Wichita, Ks. 67213

Airport Manager
Hamilton Field Airport
Derby, Ks. 67037

Airport Manager
Cook Airfield
7015 S. 143rd St. E.
Derby, Ks. 67037

Airport Manager
Attn: Bailis F. Bell
Wichita Airport Authority
Administration Building
Wichita Mid-Continent Airport
Wichita, Ks. 67209

Airport Manager
Attn: Colonel Matt Roberts
Headquarters 381st Strategic Missile Wing
McConnell Air Force Base
Wichita, Ks. 67221

Airport Manager
Attn: T. E. Becket
Beech Aircraft Corporation
9709 East Central
Wichita, Ks. 67206

Airport Manager
Attn: Dan Goble
Cessna-Pawnee
5800 East Pawnee
Wichita, Ks. 67218

WICHITA - SEDGWICK COUNTY

Airport Manager

-2-

December 3, 1982

Very truly yours,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment (1)

Airport Manager
Triangle Copter Service
4421 W. Harry
Wichita, Ks. 67209

Airport Manager
Riverside Airport
3520 N. Hoover
Wichita, Ks. 67205

Airport Manager
Westport/Westport Auxiliary Airport
2558 S. Kessler
Wichita, Ks. 67213

Airport Manager
Hamilton Field Airport
Derby, Ks. 67037

Not in phone book, but may still be in
operation - in Derby area

Airport Manager
Cook Airfield
7015 S. 143rs St. E.
Derby, Ks. 67037

Airport Manager
Wichita Airport Authority
Administration Building
Wichita Mid-Continent Airport
Wichita, Ks. 67209

Attn: Bailis F. Bell

Airport Manager
Headquarters 381st Strategic Missile Wing
McConnell Air Force Base
Wichita, Ks. 67221

Attn: Colonel Matt Roberts

Airport Manager
Beech Aircraft Corporation
9709 East Central
Wichita, Ks. 67206

Attn: T. E. Becket

Airport Manager
Cessna-Pawnee
5800 East Pawnee
Wichita, Ks. 67218

Attn: Dan Goble

**YOU BREATHE
OVER 10,000 QUARTS
OF AIR
EVERY 24 HOURS.
CLEAR KANSAS AIR.
BUT NOT
CLEAN KANSAS AIR.**

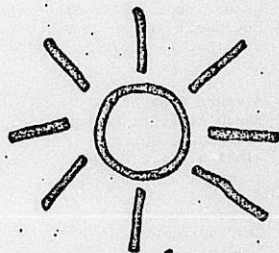
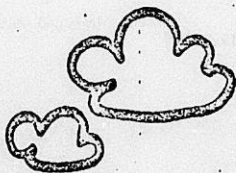
DO SOMETHING ABOUT IT.

Have your vehicle exhaust system inspected, free, by our mobile van unit. If your vehicle doesn't pass the test, you're under no obligation to have it repaired. Usually it's a minor adjustment that costs very little.

Besides helping Keep Our Air Plain and unpolluted, you'll get other benefits: 1) well-maintained vehicles run better and last longer, and 2) these adjustments can save you fuel.

LOOK FOR OUR MOBILE VAN AT THESE LOCATIONS:

Tuesdays - Towne West
Wednesdays - Towne East
Thursdays - Twin Lakes



Keep our air plain. ‡

A voluntary vehicle inspection and maintenance program by the American Lung Association and the Metropolitan Area Planning Department.

A#80

Meet with Adv. Plans
Subcommittee - Weds,
Dec. 8, MARC Conf.

Room - Attended by

Maxine Hansen

Jim Wilton

John Terry Moore

George Parsons (brief prior
to meeting - had a conflicting
appointment)

Discussed Ord. - no specific
comments or problem
with the ord. were indicated
by the Commissioners.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561


December 3, 1982

TO: Advance Plans Committee
FROM: Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT: MEETING - December 8, 1982

We would like to discuss the revised Airport Hazard
Zoning Ordinance on the above date at 11:00 a.m., 10th Floor
Conference Room, City Building.

The meeting should run about 45 minutes.

Your attendance would be appreciated.


Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:FSS:rh

Members of Advance Plans Committee:
Maxine Hansen
James Wilson
George Parsons
John Terry Moore

Beech Aircraft Corporation
Wichita, Kansas 67201
U. S. A.

December 1, 1982

~~MS~~
~~John~~
2 Full

Robert A. Lakin, Director
Metropolitan Area Planning Dept.
City Hall
455 N. Main
Wichita, KS 67202

Dear Bob:

This note is just a reminder of our invitation to join us for a press conference publically announcing our expansion plans at 11 a.m. Monday, December 6, 1982 at the Olive Arm Beech Gallery of the Beech Activity Center, 9709 E. Central. The conference will be followed by a luncheon.

We would be delighted if you could join our management for this very important announcement regarding the future of Beech Aircraft Corporation in the Wichita community.

Sincerely,

Jim

James M. Gregory
Manager of Legislative Affairs

JMG/ms

RECEIVED

DEC 2 1982

METROPOLITAN PLANNING

ROUTE _____

A Raytheon Company

FROM D. Losew DATE 11/25/

ADMINISTRATION

- Lakin
- Walter
- Doramus
- Eubanks
- Hanson
- Henderson
- Holdeman
- Lakin, E.
- Nelson
- Scott

ADVANCE PLANS

- Stockwell
- Funk
- Leivo
- Bechtel
- Curfman
- Dudark
- Flynn
- Haas
- Hart
- Losew
- Shen
- Spain
- Vinson
-

CURRENT PLANS

- Galbraith
- Lytle
- Young
- Chambers
- Fleck
- Nagley
- Olivarez
- Shirkey

GRAPHICS

- Pierce
- Stafford
- Commer
- Crook
- Garland
- Singhal
- Whitney
-

- | | |
|---|--------------------------------------|
| <input checked="" type="checkbox"/> Note & Return | <input type="checkbox"/> Signature |
| <input type="checkbox"/> Handle | <input type="checkbox"/> Library |
| <input type="checkbox"/> All Staff | <input type="checkbox"/> Information |
| <input checked="" type="checkbox"/> Comment | <input type="checkbox"/> Files |

REMARKS

Have met talked to Wootley

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 24, 1982

TO Robert A. Lakin, Director of Planning
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT AHZO Meeting

As noted in the November 18, 1982 memo, several concerns were raised during the November 17 meeting on the AHZO. These concerns were generally resolved during the meeting.

For example: B. Borst raised the issue of the "imprecise" definition of hazard and the possible associated legal problems. The general consensus during the meeting was that while it theoretically would be desirable to precisely define the term hazard, it was a practical impossibility to do so, and include all of the possible definitions presently and in the future. The same result was concluded in regard to non-conforming uses and their inclusion i.e., it would be nice to find out if there were, in fact, no nonconforming uses and in that way drop the provision, but it would be impractical to accomplish.

Major Bell's concerns with lighting-related hazards were addressed by noting that Central Inspection would, as part of its normal development review procedures, determine if a hazard, height or non-height related, were involved in an area covered by the AHZO. Further, it was pointed out that if an existing hazard is observed, the AHZO allows Central Inspection to take corrective action.

Feldner's question on helistops and their approach paths brought out the point that helistops are covered by another ordinance and were not intended to be included in the AHZO. The AHZO zones and helistop flight paths have no intended relationships nor would they conflict with one another. In certain situations a helistop's operation could indirectly benefit from the height or hazard restrictions in the AHZO.

In terms of involving the County Commission, we will approach each Commissioner on an individual basis (if you agree). We will discuss what the AHZO entails and answer any questions they have. However, we do not expect to request County Commission review and approval of the AHZO.

Eventhough Borst's written comments on the AHZO were made on an earlier draft, many of his comments are still relevant to the present draft. Appropriate corrections will be made to the latest draft. Again, none of the changes or corrections are significant.

Page 2
November 24, 1982
AHZO Meeting/Lakin

At this time, completion of the official AHZO maps would appear to be the only major work remaining in preparing the ordinance for formal review and adoption.


Willard L. Stockwell, Chief Planner

WLS:DRL:vn

11/22/82 - with B. Borst's connections - ~~changes~~ - Note, Borst also wanted us to consider using terminology in which hazard is associated with a public nuisance
→ (28.07.020 C1) classifies airport hazard as a public nuisance

DRAFT COPY

CHAPTER 28.08 AIRPORT HAZARD ZONING

Dec 31, 1982
indicating A's as suggested by B Borst

SECTIONS	
28.08.010	Title
28.08.020	Purpose
28.08.030	Definitions
28.08.040	Applicability
28.08.050	Airport Zones and Height Limitations
28.08.060	Mid-Continent Airport
28.08.070	Colonel James Jabara
28.08.080	McConnell Air Force Base
28.08.090	Beech
28.08.100	Cessna
28.08.110	Wichita Police Department Heliport
28.08.120	Spacing Adjacent Airports
28.08.130	Use Restrictions
28.08.140	Nonconforming Uses
28.08.150	Permits
28.08.160	Enforcement
28.08.170	Promulgation of Rules, Regulations, Etc.
28.08.180	Appeals
28.08.190	Institution of Action in Courts
28.08.200	Wichita HEAD Airport Zoning Maps
28.08.210	Penalties
28.08.220	Conflicting Regulations
28.08.230	Amendments
28.08.240	Severability
28.08.250	Effective Date of Chapter

DRAFT COPY

AN ORDINANCE TO CREATE, ADMINISTER AND ENFORCE AIRPORT ZONING REGULATIONS, LIMITING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF WICHITA MID-CONTINENT AIRPORT, MCCONNELL AIR FORCE BASE, BEECH AIRPORT, CESSNA AIRPORT, COLONEL JAMES JABARA AIRPORT, AND THE WICHITA POLICE DEPARTMENT HELIPORT, PRESCRIBING CERTAIN POWERS, DUTIES AND REMEDIES, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND PROVIDING FOR THE REPEAL OF THE ORIGINAL SECTIONS: 28.08.010, 28.08.020, 28.08.030, 28.08.040, 28.08.050, 28.08.060, 28.08.070, 28.08.080, 28.08.090, 28.08.100, 28.08.110, 28.08.120, 28.08.130, 28.08.140, 28.08.150, 28.08.160, 28.08.170, 28.08.180, 28.08.190, 28.08.200, 28.08.210, 28.08.220, 28.08.230, 20.08.240, AND 28.08.250 OF THE CODE OF THE CITY OF WICHITA, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 28.08.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.010 TITLE - Chapter 28.08 of the Code of the City of Wichita shall be known and may be cited as the Wichita Airport Hazard Zoning Code."

SECTION 28.08.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.020 PURPOSE - It is hereby found that airport hazards endanger the lives and property of users of ^{Wichita} Mid-Continent Airport, Colonel James Jabara Airport, McConnell Air Force Base, Beech Airport, Cessna Airport, and the Wichita Police Department Heliport, and occupants of land in the vicinity of said airports; that an airport hazard may affect existing and future instrument approach minimums of the airports, and that an airport hazard may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of said airports and the public interests therein.

Accordingly, it is declared:

- (1) That the creation or establishment of an airport hazard is a public nuisance and an injury to the region serviced by the airports.
- (2) That it is, therefore, necessary in the interest of the public health, safety, and general welfare, that the creation or establishment of airport hazards be prevented, and
- (3) That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power of the City of Wichita without compensation.
- (4) That in order to prevent the creation or establishment of airport hazards as authorized by K.S.A. 3-703 et seq., the City of Wichita may extend the coverage of this Code to airports owned, operated, or controlled by the City; any military airport within 50,000 feet of the official boundaries

DRAFT COPY

of the City; privately owned airports within the City; or privately owned airports within five miles of the official City boundaries if in the opinion of the Board said airport utilizes its facilities to provide a service to the public."

SECTION 28.08.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.030 DEFINITIONS - As used in this Code, unless the context otherwise requires, the following terms shall have the meaning ascribed:

1. AIRPORT - any area of land or water designed and set aside for the landing and taking-off of aircraft. The term airport includes heliports set aside for the landing and taking-off of rotary wing aircraft.
2. AIRPORT ELEVATION - means the established airport elevation in feet above mean sea level, of the highest point on the landing area which is used or intended to be used for takeoff and landing operations.
3. AIRPORT HAZARD - any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Sections 28.08.050 through 28.08.110 of this Code located on or in the vicinity of the airports covered by this Code, or any use of land near such airports, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airports or is otherwise hazardous to such landing or takeoff of aircraft.
4. AIRPORT REFERENCE POINT - a point at the approximate center of the airport landing area, and shown on the ^{Wichita} Airport Hazard Zoning Map.
5. APPROACH SURFACE - a surface longitudinally centered on the extended runway centerline; extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Sections 28.08.050 through 28.08.110 of this Code. In Plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
6. APPROACH, CONICAL, HORIZONTAL, AND TRANSITIONAL ZONES - these zones are as defined and set forth in Sections 28.08.050 through 28.08.110 of this Code.
7. BOARD - the governing Body of the City of Wichita, Kansas.
8. CIVILIAN AIRPORTS - Any airport, public or private, that is not owned or operated by the Government of the United States and used for military purposes.
9. CONICAL SURFACE
 - 9.1 Civilian Airports - an inclined surface extending upward and outward from the outer periphery of the horizontal surface at a slope of one foot upward for each twenty (20) feet outward for a horizontal distance of 4,000 feet.
 - 9.2 Military Airports - an inclined surface extending upward and outward from the outer periphery of the inner horizontal surface at a slope of one (1) foot upward for each twenty (20) feet outward for a horizontal distance of 7,000 feet.

Wichita Airport Hazard Zoning Map

10. FAA - Federal Aviation Administration.
11. HEIGHT - for the purpose of determining the height limits in all zones set forth in this Code and shown on the ~~zoning map~~, the datum shall be mean sea level elevation unless otherwise specified.
12. HELIPORT - means an area on land, water, or upon a structure set aside and used for the landing and takeoff of rotary wing aircraft and in addition facilities may be provided for the fueling, refueling, repair and storage of rotary wing aircraft.
13. HORIZONTAL SURFACE
 - 13.1 Civilian Airports - a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
 - 13.2 Military Airports
 - a. Inner Horizontal Surface - for military airports, a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the inner horizontal zone.
 - b. Outer Horizontal Surface - for military airports, a horizontal plane 500 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the outer horizontal zone.
14. LARGER THAN UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight, and jet powered aircraft.
15. MANAGER - at Wichita Mid-Continent and Colonel James Jabara Airports, the manager is the Director of Aviation, ^{of the Wichita Airport Authority;} at McConnell Air Force Base, the manager is the Base Commander; at the Police Heliport, the manager is the Airsection Commander; at Cessna and Beech Airports the manager is the person designated as such by each company.
16. MILITARY AIRPORT - an airport that is owned or operated by the Government of the United States and used for military purposes.
17. NONCONFORMING USE - any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this Code.
18. NONPRECISION INSTRUMENT RUNWAY - a runway having an existing or planned instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment for which a straight-in, nonprecision instrument approach procedure has been approved or planned.
19. PLANNING COMMISSION - is the Wichita-Sedgwick County Metropolitan Area Planning Commission.
20. PERSON - an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, receiver, assignee, or similar representative of any of them.
21. PRECISION INSTRUMENT RUNWAY - a runway having an existing or planned instrument approach procedure utilizing an Instrument Landing

surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet measured horizontally from the centerline of the primary and approach surfaces.

26. TREE - any object of natural growth.
27. UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
28. VISUAL RUNWAY - a runway intended solely for the operation of aircraft using visual approach procedures."

SECTION 28.08.040 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.040 APPLICABILITY. The provisions of this Code shall apply to the airports listed in Sections 28.08.060 through 28.08.110, and their environs. Said environs shall include all land and water areas within the boundaries of such zones as created and defined by Sections 28.08.000 through 28.08.110 of this Code. The provisions of this Code may also be applied to areas that would be affected by planned runways indicated on any FAA or U. S. Military approved airport layout plan or planning document."

SECTION 28.08.050 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.050 AIRPORT ZONES AND HEIGHT LIMITS - GENERALLY. There are hereby created and defined certain zones which include all the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to each runway at each particular airport. The boundaries of such zones and the heights applicable thereto are as described for each applicable airport in Sections 28.08.060 through 28.08.110 of this Code, and as shown on the Wichita Airport Hazard Zoning Map consisting of ^{two} sheets, prepared by the ^(MADP) dated _____, 1982; which are ^{incorporated} to this Code and made a part hereof, and may be amended and supplemented as hereinafter provided.

Except as otherwise provided in Section 28.08.150 of this chapter, no structure or tree shall be erected, altered, allowed to grow or allowed to exist in any zone created by this Code to a height in excess of the applicable height limit herein established for such zones. Where two or more zones overlap the more restrictive limitation or requirements shall govern and prevail."

SECTION 28.08.060 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.060 WICHITA MID-CONTINENT AIRPORT

- A. AIRPORT ELEVATION. The established airport elevation is 1,332 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Wichita Mid-Continent Airport are shown on Sheet (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

Wichita-Sedgewick County Metropolitan Area Planning Department

1. UTILITY RUNWAY VISUAL APPROACH ZONE ^(Runways 1R and 19L)
(~~Centerline Extension~~)

~~and 19L~~) - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

2. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE (Runways 14 and 32) - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the runway centerline.

3. PRECISION INSTRUMENT RUNWAY APPROACH ZONE (Runways 1L, 19R, 1E, and 19C) - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

*
1C, 19C
1C, 19C

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerline.

4. TRANSITIONAL ZONES - the Transitional zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition

to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where precision instrument runway approach zones project beyond the conical zones, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

5. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred fifty (150) feet above the established airport elevation.

6. CONICAL ZONE - The Conical Zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.070 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.070 COLONEL JAMES JABARA AIRPORT

- A. AIRPORT ELEVATION. The established airport elevation is 1,420 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Colonel James Jabara Airport are shown on Sheet and (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. UTILITY RUNWAY VISUAL APPROACH ZONE (Runways 13 and 31) - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the end of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extend-

5. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius shall be the longest determined for either end.

The applicable height limitation is established at one hundred fifty (150) feet above the established airport elevation.

6. CONICAL ZONE - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.080 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.080 MCCONNELL AIR FORCE BASE

- A. AIRPORT ELEVATION. The established airport elevation is 1,371 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits are shown on Sheets ONE (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. MILITARY RUNWAY APPROACH ZONE (Runways ^{19L, 1R, 19R} ~~18L, 26R, 18R~~ and ~~36L~~) - the inner edge of this approach zone coincides with the width of the primary surface and is 2,000 feet wide for both ends of the primary surface of each runway. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from both ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each fifty (50) feet outward beginning at the end of, and at the same elevation as, the primary surface, extending along the extended runway centerline until it reaches a height of 500 feet above the established airport elevation. It then continues horizontally at this elevation to a point 50,000 feet from the point of beginning.

2. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitations slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surfaces and extending to where they intersect the conical surface, or outer horizontal surface for military airports.

3. INNER HORIZONTAL ZONE - for military airports - the inner horizontal zone is established by describing arcs with radii 7,500 feet 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 inner horizontal zone does not include the approach and transitional zones.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

4. OUTER HORIZONTAL ZONE - for military airports - the outer horizontal zone is established by constructing a line 30,000 feet from the periphery of the conical surface, but does not include approach zones or transitional zones.

The applicable height limitation is established at five hundred (500) feet above the established airport elevation.

5. CONICAL ZONE - The conical zone is established as the area that commences at the periphery of the inner horizontal zones and extends outward for a horizontal distance of 7,000 feet to a height of 500 feet where it intersects the outer horizontal zone.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the inner horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of five hundred (500) feet above the airport elevation."

SECTION 28.08.090 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.090 BEECH AIRPORT.

- A. AIRPORT ELEVATION. The established airport elevation is 1,378 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Beech Airport are shown on Sheet **ONE (1)** of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

5. CONICAL ZONE - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.100 of the Code of the City of Wichita, Kansas shall read as follows:

"28.08.100 CESSNA AIRPORT

- A. AIRPORT ELEVATION. The established airport elevation is 1,378 feet above mean sea level.
- B. AIRPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for Cessna Airport are shown on Sheet ~~one~~ (1) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE (Runways 17L and 35R) - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

The applicable height limitation slopes one (1) foot upward for each forty (40) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

2. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

The applicable height limitation slopes one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as, the primary surface, and the approach surface, and extending to a height of one hundred-fifty (150) feet above the airport elevation. In

addition to the foregoing, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface.

3. HORIZONTAL ZONES - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.

The applicable height limitation is established at one hundred-fifty (150) feet above the established airport elevation.

4. CONICAL ZONE - The conical zone is established as that area that commences at the periphery of the horizontal zone and extends outward for a horizontal distance of 4,000 feet.

The applicable height limitation slopes one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the airport elevation."

SECTION 28.08.110 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.110 WICHITA POLICE DEPARTMENT HELIPORT

- A. HELIPORT ELEVATION. The established airport elevation is 1,290 feet above mean sea level.
- B. HELIPORT ZONES AND HEIGHT LIMITS. The various zones and height limits for the Wichita Police Department Heliport are shown on Sheet ~~one~~ (4) of the Wichita Airport Hazard Zoning Map, and are hereby created and defined as follows:

1. POLICE HELIPORT RUNWAY H1 ~~ENCLOSURE PAD~~ APPROACH ZONE - The inner edge of this approach zone coincides with the width ~~(6,000 feet)~~ of the primary surface. The approach zone expands outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.

The applicable height limitations slopes one (1) foot upward for each eight (8) feet outward, beginning at the edge of, and at the same elevation as, the primary surface and extending to a horizontal distance of 4,000 feet from the primary surface.

2. TRANSITIONAL ZONES - The Transitional Zones are the areas beneath the transitional surfaces.

which the permit is desired, with particularity to permit determination of whether the resulting use or structure would conform to the regulations within this Code. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Code shall be granted unless a variance has been approved in accordance with paragraph 4 of this section.

- 1.1 In the area lying within the boundaries of Area A shown on Sheet ~~Two~~ (2) of the ~~attached~~ Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than twenty-five (25) feet of vertical height above the ground.
- 1.2 In the area lying within the boundaries of Area B shown on Sheet ~~Two~~ (2) of the ~~attached~~ Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such structure would extend above the height limits prescribed for approach, conical, transitional, or horizontal zones.
- 1.3 In the area lying within the boundaries of Area C shown on Sheet ~~Two~~ (2) of the ~~attached~~ Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than one hundred-fifty (150) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such structure would extend above the height limits prescribed for approach, conical, transitional or horizontal zones.
- 1.4 In the area lying within the boundaries of Area D shown on Sheet ~~Two~~ (2) of the ~~attached~~ Wichita Airport Hazard Zoning Map, no permit shall be required under this section for any structure less than three hundred (300) feet of vertical height above the ground, except when, because of terrain, land contours, or topographic features, such structures would extend above the height limits prescribed for approach, conical, transitional, or horizontal zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure or growth of any trees in excess of any of the height limits established by this Code except as set forth in Section 28.08.130, paragraph 3.

2. EXISTING USES - no permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this

1826
p. 16

Code 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.

3. NONCONFORMING USES ABANDONED OR DESTROYED - whenever the Superintendent of Central Inspection determines that a nonconforming structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.
4. VARIANCES
 - 4.1 Any person desiring to erect or increase the height of any structure, or permit the growth of any trees, or use his property not in accordance with the regulations prescribed in this Code, may apply to the Board for a variance from such regulations. The Board may refer the application to the ~~Planning Commission~~ ^{City Planning Commission} for study and recommendations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances may be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and be in accordance with the spirit of this Code.
 - 4.2 Additionally, no application for variance to the requirements of this Code shall be furnished by the Board unless a copy of the application has been furnished to the Manager of the affected airport(s) for comment as to the aeronautical effects of the variance. If the manager does not respond to the Board within fifteen (15) days after receipt, the Board may act on its own to grant or deny said application.
5. HAZARD MARKING AND LIGHTING - any permit or variance granted, may, if such action is deemed advisable to effectuate the purpose of this Code and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain at the owner's expense, such marking and lighting, the standards as found in FAA Circular AC-70/7460-1F shall be used. If deemed proper by the Board, this condition may be modified to require the owner to permit the installation, operation, and maintenance of the necessary markings and lights in accordance with the standards in FAA Circular AC-70/7460-1F, at the expense of the owner(s) of the affected airport.
6. FEES - a fee shall be collected for each permit application in accordance with the provisions of Section 18.08.010 of this Code."

9770

SECTION 28.08.160 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.160 ENFORCEMENT - The Superintendent of Central Inspection is hereby delegated the responsibility to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Superintendent. Applications required by this Code to be submitted to the Superintendent of Central Inspection shall be promptly considered and granted or denied by the Superintendent. If it is determined by the Superintendent of Central Inspection that the proposed use does not conform with the provision of this Code, the application shall be denied."

SECTION 28.08.170 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.170 PROMULGATION OF RULES, REGULATIONS, ETC. - The Superintendent of Central Inspection shall promulgate, and from time to time amend rules, regulations, and standards for the administration and enforcement of this Code, which standards shall not be effective until they have first been approved by the Board, and a copy thereof filed with the City Clerk of the City of Wichita, Kansas."

SECTION 28.08.180 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.180 APPEALS -

1. Any person aggrieved, or affected by a decision of the Superintendent of Central Inspection made in administration of this Code, may appeal to the Board.
2. All appeals hereunder must be made within thirty (30) days by filing with the Superintendent of Central Inspection a notice of appeal specifying the grounds thereof. The Superintendent of Central Inspection shall forthwith transmit to the Board all papers constituting the record on which the action appealed was taken.
3. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Superintendent of Central Inspection certifies to the Board after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the opinion of the Superintendent of Central Inspection, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board and on due cause shown.
4. The Board shall fix a reasonable time for the hearing of appeals, giving public notice ^{by publication once in the official city paper} ~~in a paper of general circulation~~ a minimum of fifteen (15) days prior to the hearing, 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.
5. The Board may 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.

6. The concurring vote of a majority of the members of the Board shall be sufficient to revise any order, requirement, decision, determination of the Superintendent of Central Inspection or to decide in favor of the applicant on any matter upon which it is required to pass under this Code, or to effect any variation in this Code."

SECTION 28.08.190 of the Code of the City of Wichita, Kansas, shall read as follows:

"28.08.190 INSTITUTION OF ACTIONS IN COURTS -

1. The Superintendent of Central Inspection may cause to be instituted in any court of competent jurisdiction an action to prevent, restrain, correct or abate any violation of this code, or of any order or ruling made in connection therewith as provided by law.
2. Any person aggrieved by any decision of the Board may appeal to any court of competent jurisdiction as provided by law."

SECTION 28.08.200 of the Code of the City of Wichita, Kansas, shall read as follows:

WICHITA HAZARD
"28.08.200 AIRPORT HAZARD ZONING MAPS -

1. OFFICIAL TITLE - each such airport zoning map, properly identified by the name of the airport(s) shown, and an appropriate description of what the map purports to show, shall be signed by the City Clerk of the City of Wichita, and marked with the effective date of this Code.
2. RATIFICATION - the particular airport zoning classifications as shown by the legends on such airport hazard zoning maps, are hereby ratified, confirmed and approved and all and within any of the zones shown on any of the airport hazard zoning maps shall be and is hereby zoned the particular airport zone shown by the legend on the applicable airport zoning map.
3. MAINTENANCE
 - 3.1 The Airport hazard zoning maps shall be kept and maintained by the City of Wichita, and shall be available for inspection and examination by members of the public at all reasonable times, as any other public record, in the office of the Superintendent of Central Inspection.
 - 3.2 An exact copy of each airport hazard zoning map shall be located in the office of the City Clerk, who shall likewise maintain such maps and make them available for inspection and examination by members of the public at all reasonable hours.
4. CHANGE IN AIRPORT HAZARD ZONING MAPS - any change in an airport zoning classification accomplished in the manner provided by law, after public hearing and a resolution of the Board, shall be noted on the particular airport hazard zoning map affected by such

FROM Per DATE _____

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input type="checkbox"/> Lakin	<input checked="" type="checkbox"/> Stockwell	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input type="checkbox"/> Schwartz	<input type="checkbox"/> Lytle	<input type="checkbox"/> Commer
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Crook
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Chambers	<input type="checkbox"/> Garland
<input type="checkbox"/> Hanson	<input type="checkbox"/> Curfman	<input type="checkbox"/> Fleck	<input type="checkbox"/> Singhal
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Nagley	<input type="checkbox"/> Whitney
<input type="checkbox"/> Lakin, E.	<input type="checkbox"/> Flynn	<input type="checkbox"/> Olivarez	<input type="checkbox"/> —
<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart	<input type="checkbox"/> Shirkey	
<input type="checkbox"/> Scott	<input type="checkbox"/> Losew	<input type="checkbox"/> McDonald	
<input type="checkbox"/> —	<input type="checkbox"/> Shen		
	<input type="checkbox"/> Spain		
	<input type="checkbox"/> Vinson		
	<input type="checkbox"/> —		

<input type="radio"/> Note & Return	<input type="radio"/> Signature
<input type="radio"/> Handle	<input type="radio"/> Library
<input type="radio"/> All Staff	<input type="radio"/> Information
<input type="radio"/> Comment	<input type="radio"/> Files

REMARKS

*How to prepare to respond
to the stem?*

T9-105

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 18, 1982

TO Robert A. Lakin, Director of Planning
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT AHZO Meeting, Wednesday, November 17, 1982

Overall after the Wednesday meeting on the Airport Hazard Zoning Ordinance, it would appear that no significant problems remain in terms of proposing the present draft for formal adoption. Following are several points or concerns that were raised; however, none should inhibit the adoption of the ordinance.

Major Jim Bell, McConnell AFB, was concerned with how hazards, other than those involving heights in the ordinance (lights, glare, smoke, etc.) would be monitored and enforced.

Bernard Borst, Law Department, raised the issue of allowing nonconforming uses. He feels it is, perhaps, better to simply remove those sections of the ordinance that reference the continuation of a nonconforming use. He also felt that a more specific description of the non-height type hazards should be considered i.e., what constitutes glare or lighting-related hazard. Borst also provided us with a copy of the ordinance he reviewed with his comments indicated on the ordinance. However, the copy he reviewed was a March, 1982, draft and not the most recent draft that we provided the Law Department several months ago.

Bob Feldner, Central Inspection, questioned if there were any possible conflicts between the airport hazard zones and the approach zones assigned to the helistop facilities.

Monroe Funk, Airport Authority, felt that the County Commission should be in some way involved in the review of the ordinance.

W.L. Stockwell
Willard L. Stockwell, Chief Planner

WLS:DRL:vn

Colonel Bell - McAnnell

- how do we deal with the identification of the other hazards - ex lights near the airport

B. Berg - ^{non-interfering} concerned with how we should identify other hazards - ex specific description of lightning that would be considered a hazard

B. Felder - any problems with helistop approach paths and AITZO zones.

Minutes Add in County Comm. to Review Steps & possibly as part of the adoption process

● ATTENDANCE RECORD ●

Date: Nov. 17, 1982
 Time: 1:30
 Place: MAD Conf. Rm
 Meeting Arranged By: _____
 Purpose: AH70

Name	Organization	Address
<u>Jan Gobb</u>	<u>Cessna Pawnee Div.</u>	<u>5800 E. Pawnee</u>
Phone:		
<u>RALPH BICE</u>	<u>FLT CPWS</u> <u>BEECH PRODUCTIONS</u>	
Phone:		
<u>J. E. BECKETT</u>	<u>BEECH - PLT. ENGR.</u>	
Phone:		
<u>BERNARD BORST</u>	<u>CITY</u>	
Phone:		
<u>BOB FELDNER</u>	<u>CID</u>	
Phone:		
<u>JIM JORGENSEN</u>	<u>CID</u>	
Phone:		
<u>Jim Gregory</u>	<u>Beech Aircraft</u>	
Phone:		
<u>Monroe Funk</u>	<u>Wichita Airport</u> <u>Authority</u>	
Phone:		
<u>FRED S. SCHWARTZ</u>	<u>MAD</u>	
Phone:		
<u>MAJ C.A. BELL</u>	<u>Chief Airfield Mot</u> <u>McCannel AFB, KS</u>	
Phone: <u>681-6355</u>		
<u>Wool B.R. Russell</u>	<u>381 Combat Support Gp</u> <u>McCannel AFB KS</u>	
Phone: <u>681-6707</u>		

Name	Organization	Address
Bill Stockwell		
Phone:	MAPD	
Don Losew		
Phone:	MAPD	
Art Chambers		
Phone:	MAPD	
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		
Phone:		

Beech Aircraft Corporation

Wichita, Kansas 67201

U. S. A.

RECEIVED

NOV 9 1982

METROPOLITAN PLANNING

ROUTE

November 4, 1982

Mr. Don Losew
Metropolitan Area Planning Dept.
City Hall 10th Floor
455 N. Main
Wichita, Kansas 67202

Dear Don:

As a result of our discussions on Wednesday, November 3, 1982, I am forwarding a photograph of the proposed 7,000' Beech runway which would be east of the present runway, cross Central, and extend into the Beech North air field. When this project is constructed the Beech North runway would be removed and no longer remain in service. As we agreed the new runway would protect Beech North during the interim period.

From our engineering studies the new runway would have elevations of 1365.0' at the south end, 1391.0' at the 3500' mid-point, and 1396.0' at the north end. I would assume with the construction of this runway our airport elevation would be 1391.0'. In the future there is adequate land space to extend this runway another 1,000' making it an 8,000' runway.

We feel our get-together was very beneficial and we will cooperate and attend any future meetings on the Airport Zoning subject.

Yours truly,

BEECH AIRCRAFT CORPORATION

Jim

J. E. Beckett
Manager - Plant Engineering

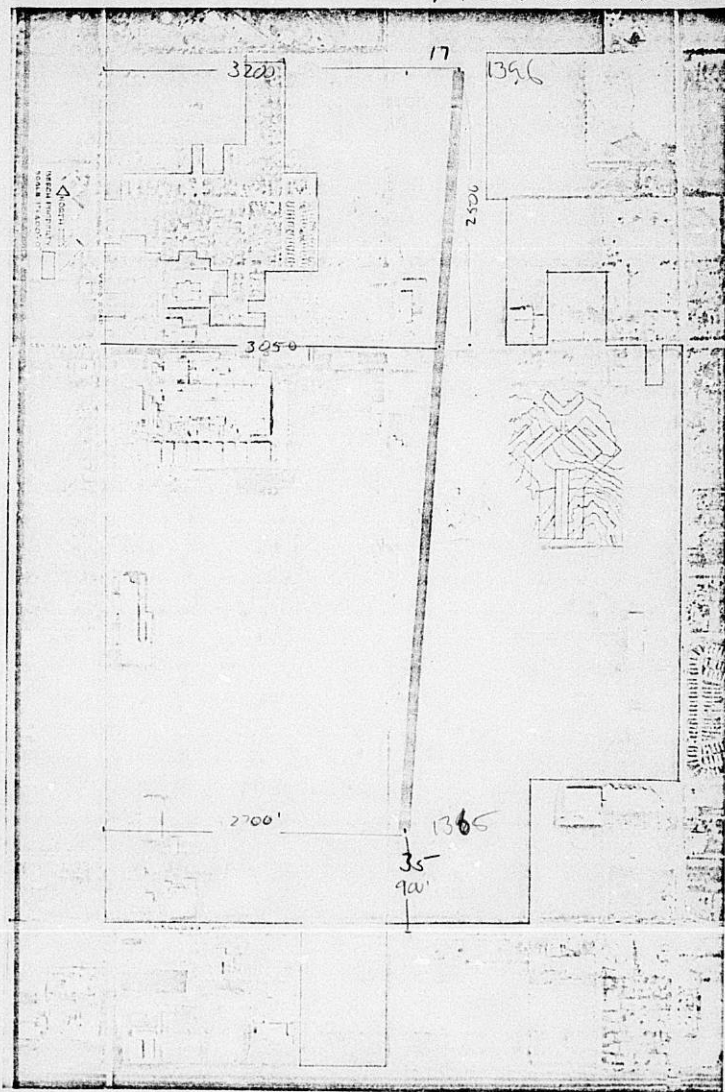
JEB/ds1

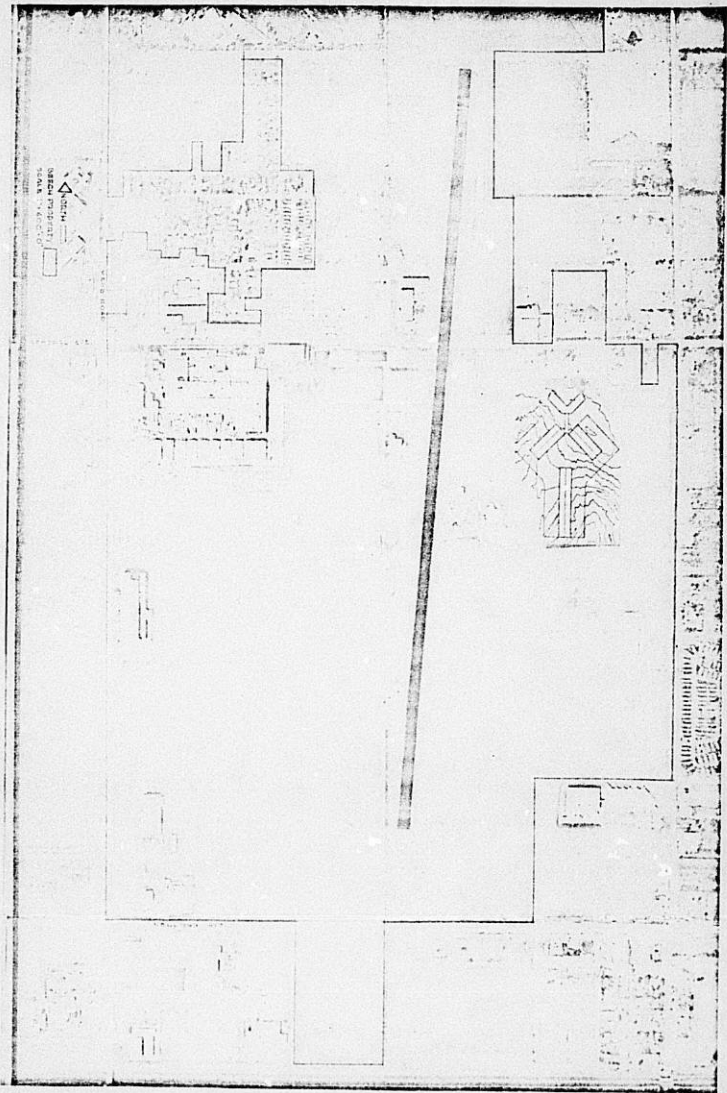
Enc: one

cc: Jim Gregory
Ralph Bills

A Raytheon Company

Center new runway = 17-35 same as
Capstands - e parallel to Capstands which = 17-35





Dan Goble
Cessna Pawnee Division
5800 East Pawnee
Wichita, KS 67218

Colonel Matt Roberts
Commander, Headquarters 381st
Strategic Missile Wing
McConnell Air Force Base
Wichita, KS 67221

Robert B. Feldner, Superintendent of Central Inspection
November 3, 1982

Attached is a copy of the latest version of the proposed revision to the Airport Hazard Zoning Ordinance (AHZO). This version, with its accompanying maps, is intended to replace the Hazard Ordinance originally adopted in 1955. Generally, this revised AHZO maintains the same levels of protection afforded by the original ordinance but additionally expands these protections to reflect existing or planned improvements to the airports involved in the 1955 ordinance. Two additional airports, Colonel James Jabara and Cessna, are also being included in this ordinance.

Please review this material or forward it to the proper party or individual for their review. We hope to arrange a meeting during November, of all the involved parties. Following that meeting the AHZO will be prepared for public review and comment with formal adoption of the AHZO by the Board of City Commissioners anticipated somewhere around the first of the year.

We will contact you to arrange this meeting. If you have any questions before then, please don't hesitate to contact myself or Don Losew of our staff (268-4391).

WLS:DL:rh
Attachment

mailed 1/4

C. (u) 11/4

J. E. Becket, Manager
Plant Engineering
Beech Aircraft Corporation
9709 East Central
Wichita, KS 67206

Bernard V. Borst, Senior Assistant, Law Department
Bailis Bell, Airport Manager, Wichita Airport Authority

November 3, 1982

Previously, our department provided you with a copy of the proposed revision of the 1955 Airport Hazard Zoning Ordinance (AHZO). During November, we plan to hold a meeting with the parties most directly involved in the AHZO. Following this meeting we plan to allow for public review and comment, with formal adoption of the AHZO anticipated some time around the first of the year.

If you have not already reviewed the proposed AHZO revision, please do so in order that we may incorporate any appropriate changes before taking it to the public. We will use this meeting to consider any such changes.

We will contact you to confirm a time and place for the meeting. If you have any questions prior to then, please don't hesitate to contact myself or Don Losew of our staff (268-4391).

WLS:DL:rh

WICHITA-SEDGWICK COUNTY

DATE 9/7/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Bernard V. Borst, Senior Assistant to the City Attorney, Law Department
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT LEGAL REVIEW OF REVISED AIRPORT HAZARD ZONING ORDINANCE

Attached is what we expect to substantially be the final version of the revised Airport Hazard Zoning Ordinance (AHZO). Several other drafts of this revision have been forwarded to the Law Department for review. While some changes in runway designations or the dimensions used for certain zones at specific airports may still be made to the AHZO, the format of this draft is expected to be of the form formally proposed for adoption.

In terms of the airports and associated zones, for those airports in the 1955 ordinance, the present revision at a minimum provides the same protections as originally provided. Where existing or planned improvements are known, such as for Mid-Continent Airport, these factors have been taken into consideration. In many cases these factors largely influence development of the official zoning maps. Two additional airports, Colonel James Jabara and the public use runway at Cessna, have been added into the AHZO.

The Police Department heliport, on South McLean has also been included in the AHZO. A definition for heliports has been included in the AHZO. This definition is intended to allow for a distinction between heliport type facilities and helistops. Helistops as presently in use at area medical facilities are already controlled through chapter 9.24 of the City's Code of Ordinances. It is not our intention at this time to make available the protections provided through the AHZO to heliport type operations.

Please review this latest draft and provide us your comments.

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

cc: Robert A. Lakin, Director of Planning
Jay Setter, Director of Aviation, Airport Authority

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

August 30, 1982

Mr. Bellis F. Bell
Airport Manager
Wichita Airport Authority
Administration Building
Wichita Mid-Continent Airport
Wichita, Ks. 67209

Dear Mr. Bell:

Subject: Airport Hazard Zoning Ordinance
Mid Continent Airport
Colonel James Jabara Airport

Attached is a copy of our latest draft of the Airport Hazard Zoning Ordinance (AHZO). The official maps are still being developed and will not be available for at least four weeks. While this revised draft uses somewhat different terminology than was employed in the 1955 ordinance, these ordinances, and associated airport protections in terms of zones, are substantially similar. Where significant improvements have been made or are planned such as at Colonel James Jabara and Mid-Continent Airports, we have employed these plans in the development of the AHZO.

In particular, for Mid-Continent we have employed ultimate runway lengths of 10,000 feet for runway 1R-19L (is this the proper identification or should 1C-19C be used, with 1R-19L used for the planned General Aviation runway), 10,300 feet for runway 1L-19R and 7,300 feet for runway 14-32. We have also included the planned General Aviation runway of 4,200 feet, located east of 1R-19L. We are also considering the two parallel, major runways to ultimately be precision runways on all four ends. These considerations largely have their effects on the mapping of the AHZO zones. We feel that it would be best to incorporate such planned improvements at this time rather than chance having incompatible future development occur. We do not believe that any existing development in the area of Mid-Continent would be found to be nonconforming due to zones being based on the airport's ultimate runway plans. Please advise us if you know of any potential conflicts.

For Colonel James Jabara, we are again using the ultimate airport runway plans. The main north-south runway for instance will be indicated for mapping purposes as ultimately being 5,000 feet in length. In reviewing the planned heliport for Jabara, protection afforded by other airport zones will be sufficient to assure continued heliport operations so therefore no specific zones were considered necessary for the heliport.

WICHITA - SEDGWICK COUNTY

Mr. Bailis F. Bell
AIRPORT HAZARD ZONING ORDINANCE

-2-

August 30, 1982

After you have had a chance to review this material we would appreciate any comments or suggestions that you may have. At this time, we anticipate that we'll have an informal, informational meeting with the airport operators covered by the AHZO and any other interested parties prior to taking this to the MAPC for their action. If no major problems develop, adoption of the ordinance may be provided for in the next several months. Please contact me or Don Losew if you have any questions at this time.

Very truly yours,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachment

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

August 20, 1982

Mr. J. E. Becket
Manager, Plant Engineering
Beech Aircraft Corporation
9709 E. Central
Wichita, Ks. 67201

Dear Mr. Becket:

Attached is a copy of our latest draft of the Airport Hazard Zoning Ordinance (AHZO). The official map(s) are still being developed and will not be available for at least four weeks. While this revised draft uses somewhat different terminology than was employed in the 1955 ordinance, the ordinances, and associated airport protections in terms of zones, is substantially the same as used in 1955 for most cases. Where significant improvements are planned such as at Colonel James Jabara and Mid-Continent Airports, we have employed these plans in the development of the AHZO.

For Beech in particular, we have employed the same airport elevation (1,378 ft.) as was used in the 1955 ordinance. For your N.S. runway we are considering both ends as either existing or planned precision runways. For the crosswind runways we are considering them to be planned as eventually being of a greater than utility, nonprecision, etc. class runway. These designations allow us to employ relatively consistent zone dimensions from one airport to another as included in the AHZO. We have, though, decided to use a primary surface width of 300 feet for the crosswind runways as opposed to 500 feet as would typically be employed for runways designated greater than utility, nonprecision. The primary surface is used in the new ordinance instead of the landing zone and clear zone designations as employed by the 1955 ordinance.

The approach zones for the crosswind runways begin at the end of the primary surface, having the same width as the primary surface and beginning at the same elevation as the primary surface at this location (which is basically the same elevation at the end of the runway). Under the new ordinance, the approach zone for these runways will extend 10,000 feet horizontally. Typically the width at the outer end of the approach zone would be 3,500 feet under the new AHZO, but we will maintain the original 1955 designation of a 2,300 foot width for the crosswind runways. As we've discussed over the phone, for the official maps, we will need to know the elevations at the ends of each runway.

WICHITA—SEDGWICK COUNTY

Mr. J. E. Becket

-2-

August 20, 1982

If Beech is contemplating some significant changes in their airport runways, in the near future, these changes should be considered for inclusion at this time. We are still in a position to alter this draft and the official maps at this time, but it is our hope to bring this new ordinance and its associated zoning maps to a public hearing and adoption within the next few months. Requesting revisions shortly after such an adoption would obviously result in certain problems in addition to requiring a potentially time consuming revision of the official AHZO maps.

After you have had a chance to review this material our staff would like to meet with you to discuss any final concerns that Beech may have with the AHZO. Please call and let me know when it would be convenient to have a meeting on this matter (268-4391).

Very truly yours,

Donald Losew
Junior Planner
Advance Plans Division

DL:rh
Attachments (1)

WICHITA-SEDGWICK COUNTY

DATE 8/16/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Fred Schwartz, Principal Planner, Advance Plans Division
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT AHZO ADOPTION/PUBLIC HEARING

While an apparently complete and fairly acceptable draft of the AHZO has now been prepared, the maps that are intended to be part of the official documentation are somewhat behind in their development. Gary was on vacation the first week in August and graphics has lost one of their employees. It does not appear to me that official type maps, available for public viewing two weeks before the public hearing (tentatively scheduled for September 23rd), could be prepared and made ready at this time. I would say that we are at least 4 to 6 weeks away from having such maps. As of today, graphics has only been able to spend one working day on the maps.

It is my recommendation that we now consider approaching the MAPC for a public hearing at the first or second MAPC meeting in October. I have not checked with Jack on how busy the MAPC might be at that time. I believe we are still informally scheduled to discuss the AHZO with the MAPC during the August 26th informal luncheon. We could still use that time to inform the MAPC of our progress on the AHZO and then follow up that meeting with a meeting for airport operators and other interested parties.

Please advise.

Don Losew
Junior Planner
Advance Plans Division

DL:rh

WICHITA-SEDGWICK COUNTY

DATE 8/9/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Fred Schwartz, Principal Planner, Advance Plans Division
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT AIRPORT HAZARD ZONING ORDINANCE

Attached is the latest draft of the AHZO. In previous memos to you, I've indicated various changes, corrections, deletions, etc. that were made in this version. No comments have been made by you or others indicating any disagreements with what has been done. I have also indicated a tentative time table for taking this through informal review by the MAPC to the public hearing and formal adoption stages. An informational meeting for all airport operators and other interested parties has been suggested. At this point though, I have received no firm indication that the present draft is the one we will propose for adoption nor how to actually proceed with this informational meeting.

Ronda has prepared map cards of the ordinance, allowing changes to be made fairly easily. Nonetheless, if changes are proposed in terms of where approach zone heights should begin, or if Beech is still unsatisfied with what we've done to accommodate them or even request that we take into consideration their future plans, etc. some substantial changes can be imposed on the present draft. Also, graphic work is ready to be started on this, and we cannot afford to bring them changes in mapping half way through their work. Legal review of the draft and other support type actions may also still be needed.

If we are to adhere to the September 23, 1982 public hearing and adoption target date, some definitive decisions and directions need to be given at this point. Please advise me as to how we should proceed. I may need to be personally involved, quite actively, with graphics for the next week or so in preparing the Zoning Maps.

Don Losew
Junior Planner
Advance Plans Division

DL:rh
Attachment

FROM Don DATE 7/23

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	GRAPHICS
<input type="checkbox"/> Lakin	<input type="checkbox"/> [unclear]	<input type="checkbox"/> Galbraith	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input type="checkbox"/> [unclear]	<input type="checkbox"/> Lytle	<input type="checkbox"/> Commer
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Crook
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Chambers	<input type="checkbox"/> Garland
<input type="checkbox"/> Hanson	<input type="checkbox"/> Curfman	<input type="checkbox"/> Fleck	<input type="checkbox"/> Singhal
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Nagley	<input type="checkbox"/> Whitney
<input type="checkbox"/> Lakin, E.	<input type="checkbox"/> Flynn	<input type="checkbox"/> Olivarez	<input type="checkbox"/> —
<input type="checkbox"/> Nelson	<input type="checkbox"/> Hart	<input type="checkbox"/> Shirkey	
<input type="checkbox"/> Scott	<input type="checkbox"/> Losew	<input type="checkbox"/> McDonald	
<input type="checkbox"/> —	<input type="checkbox"/> Shen		
	<input type="checkbox"/> Spain		
	<input type="checkbox"/> Vinson		
	<input type="checkbox"/> —		

<input type="radio"/> Note & Return	<input type="radio"/> Signature
<input type="radio"/> Handle	<input type="radio"/> Library
<input type="radio"/> All Staff	<input type="radio"/> Information
<input checked="" type="radio"/> Comment	<input type="radio"/> Files

REMARKS _____

T9-105

METROPOLITAN AREA PLANNING DEPARTMENT

TO Fred Schwartz, Principal Planner, Advance Plans Division

FROM Don Losew, Junior Planner, Advance Plans Division

SUBJECT AHZO DRAFT

In preparing the final AHZO draft a number of changes, additions, deletions, etc. were made by me. Most are minor, but some should be considered and approved by you and others. I have listed the more significant items below, please review them and provide me your comments. If appropriate, please forward a copy of this to other individuals who may wish to comment.

- YES*
- According to
FAA and Airport
Officials*
1. Heliports - wording has been adjusted to include heliports in general. The definition section of the AHZO has for example been changed to include heliport as part of the definition of an airport and specific reference is made to Heliport Primary Surfaces, Transition Zones, etc. A specific section on the Police Heliport is also provided. The Jabara facility is not being included since review of the situation indicates that associated airport zones will provide sufficient protection to the heliport operations.
 2. Airport Elevation - the definition in the 1955 ordinance has been inserted. This is perhaps more consistent with previous elevations used in the '55 ordinance - particularly Beech's. It is also substantially the equivalent of the definitions in the model ordinance.
 3. Mid Continent Airport Runway 19L-1R - At present, the existing runway on the east side of Mid Continent, nearest Hoover Road (19L-1R), is 7,300 feet long with a Precision classification for the south end (1R) and Nonprecision for the north end (19L). In reality, this runway was favored for a number of reasons to be extended to 10,000 feet over the one that actually was (near Tyler). Most City Engineer maps also depict this runway at 10,000 feet in length. The long range airport plans also support its eventual extension and apparently also the upgrading of both ends to Precision status. In discussions with Monroe Funk (who has subsequently discussed this with Bailis Bell) it is the desire to provide the maximum protection (Precision - 10,000 feet runway) at this time. I have consequently inserted in the latest draft such a classification for Runway 19L-1R and will have the map prepared accordingly. *YES*
 4. Nonprecision and Precision Runways - changed definitions to include existing or planned while dropping the wording for Precision that indicated a planned runway as being shown on an FAA approved layout.

July 23, 1982

This is being done to accommodate the Beech situation which is discussed in more detail in a following section.

5. Primary Surface - the definition has been changed so that the Primary Surface elevation is determined by the nearest point to the centerline instead of being the same as the airport elevation. Approach Zones will therefore begin at an elevation the same as at the end of the primary surface (or approximately the end of the runway). This is what was done in the '55 ordinance, what Central Inspection desires and appears to be the most acceptable practice and is the recommended procedure in FAA guidelines. OK.
6. Clear Zone - the rewrite has dropped this zone from use in the AHZO. It is no longer used for civilian airports, having basically been replaced by the Primary Surface. While still considered for military airports, its elimination is apparently minor. The Clear Zone is supposed to extend 1,000 feet beyond the end of the runways with the Approach Zone (Surface) actually beginning 200 feet beyond the runways. The Clear Zone therefore involves actually 200'. Art Chambers dropped it entirely, resulting in the Approach Zones beginning at the end of the runways. The horizontal length of the Approach Zone is therefore effectively reduced by 200 feet out of a total length of 50,000 feet. Wording through the AHZO was checked and reference to a Clear Zone deleted.
7. Slopes - with the exception of Precision, Military, and Heliport Approach Zones, all Approach Zones are based on a 40:1 slope. This is much more restrictive than the slopes suggested by the model ordinance. OK.
8. McConnell Airport - the crosswind (NW-SE) runway is excluded from the present draft. It was in the '55 ordinance, but was dropped in the present rewrite because "it is used very little and no one seems to have objected during previous reviews of the draft." OK.
9. Beech Airport - runway classifications have been changed to accommodate their desire to retain protection levels equivalent to those originally provided by the '55 ordinance. The crosswind runways have been changed from a Larger Than Utility Visual Approach to a Larger Than Utility, Visibility Minimum Greater Than 3/4 Mile, NonPrecision Instrument Approach. This, using Model Ordinance standards, allows an approach zone of 10,000 feet in length and widths similar to those under the '55 ordinance. The dimensions for the former runway classification would not afford such protection. We are however allowed to set our own standards for

July 23, 1982

these runway classes and Beech is presently the only airport with runways classified as Larger Than Utility Visual Approach. Such a runway classification, though, is relatively of a lower level. The protection that would be involved by changing the standards to accommodate Beech's needs would seem excessive for such runways. If future runways of this class were involved, some fairly unreasonable situations could develop. We are trying to accommodate Beech, however, by allowing that these runways are planned for a higher status.

We have taken a similar approach by designating Runway 36 as Precision.

Also, I have inserted an Airport Elevation of 1,378, or the same as was used in the '55 ordinance.

10. Cessna Airport - only one runway was to be protected; two however, were in the AHZO draft. I have checked on this and it appears that 17L-35R is the runway open to the public and should be included in the AHZO. I have therefore deleted inference to runway 17R-35L from the draft.
11. Police Heliport - I have added a new section 28.08.110 for the Police Heliport. This is apparently a circular pad and I have attempted to use appropriate wording for such a situation. The text of the ordinance does not specifically indicate a particular approach zone (no centerline per se for a circular pad), this will however be indicated by or on the AHZO map.
12. The remaining text of the AHZO appears to be correct with only changes being made to the numbering sequence to accommodate the addition of the Police Heliport.

Items 2, 3, 4, 5, and 9 in particular should be reviewed for their acceptability. They involve what was apparently the more controversial issues in the AHZO draft.

*Not Public!
Only if
they have
business with
Cessna*

Don Losew
Don Losew
Junior Planner
Advance Plans Division

DL:rh
Attachment

WICHITA-SEDGWICK COUNTY

DATE 7/16/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Fred Schwartz, Principal Planner, Advance Plans Division
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT AHZO Adoption/Public Hearing/Map

The last or hopefully nearly last draft of the AHZO update is now being typed by Ronda. I have talked to Art and Gary in terms of at least a tentative schedule for moving this through the adoption process and preparing the required maps. As you know I'll be on vacation the last week in July. Gary will also be on vacation that week plus the following week. While I'll be doing some preliminary work on mapping the next week, it appears that graphics will need to wait until Gary returns. In other words mapping will begin around August 9th.

At this time, Art recommends that we schedule an informal session with the MAPC on August 26. This would be used to acquaint the commission with what is being done. Graphics may or may not have something done by this date. We should then formally request, on the MAPC agenda, that they authorize proceeding with a public hearing. The Airport Authority and others should be involved throughout this process.

The public hearing itself could subsequently be scheduled for the MAPC's September 23rd meeting. We would need to advertise the hearing no later than September 1st or 2nd to meet the full 20 day requirement. This is all tentative at this time and has not been reviewed with Jack. Please advise me as to your feelings on this. If no major objections arise to the draft, I think we can meet these dates.

Don Losew, Junior Planner
Advance Plans Division

DL:rh

WICHITA-SEDGWICK COUNTY

DATE 7/6/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Robert A. Lakin, Director of Planning
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT AHZO

As pointed out in Don Losew's memo of 6/23/82 there are still a number of issues to be resolved, changes to be made, and technical (mapping, wording, etc.) matters to be taken care of before the AHZO is formally ready for review and adoption. If we wish to push on this, we should try to resolve any issues by the end of July with preparation of the official AHZO map and document completed by the end of August. The public hearing could be scheduled for mid-September. This implies that by mid-August we are comfortable with our progress and are sure of completing the work by the end of August. We would therefore be approaching the MAPD towards the middle or end of August, to request a public hearing. If problems still exist, we would delay approaching the MAPC, but hopefully, this should not occur or at the most would place a tentative hearing date toward the end of September (see attached).

At this time both the draft AHZO and map have been prepared with the less restrictive (on building) designations for the Beech airport. It is our understanding that a return to the more restrictive situation has been agreed to. We will consequently change the AHZO to reflect this. The issue of airport elevations is also largely restricted to the Beech situation. Elevations for Mid-Continent and McConnell will be the same in the AHZO revision as were used in 1955. Cessna and Jabara airports are additions to the AHZO. The information being used for Jabara is based on their "ultimate" plan, which involves a runway of 5,000 feet with an airport elevation of 1,420 feet (present elevation is 1,429 feet). The elevation for Cessna is apparently the appropriate one, not having been contested by any party.

The inclusion of heliports, particularly the police and planned Jabara facilities should be included. The police facility is on the AHZO map, but not the document. Jabara plans a fairly distinct facility, which may involve an additional approach besides those used by airplanes. Don is checking with the local FAA office to see if this may or could be the case. The protection of helistops is apparently another situation, involving both social issues and other existing city ordinances. The attached memo discusses this situation more fully. Certain helistops such as at the hospitals serve a sufficient public need and their protection may be justifiable; other facilities would require critical evaluation to justify such protection. In practice, helistops located on the tops of buildings such as at Wesley may never need such protection but it may be prudent to still provide it in certain cases. We will need to decide on how to proceed with this item on the AHZO.

Robert A. Lakin
AHZO

-2-

July 6, 1982

For the map, we will need to include the proper information for Beech, determine if a separate heliport approach is to be included for Jabara, and provide for the possible inclusion of helistops. Essentially, the new map would be a reproduction of the one done for Art Chambers when he worked on the AHZO, with the above corrections or additions. We'll talk with Gary on this matter.

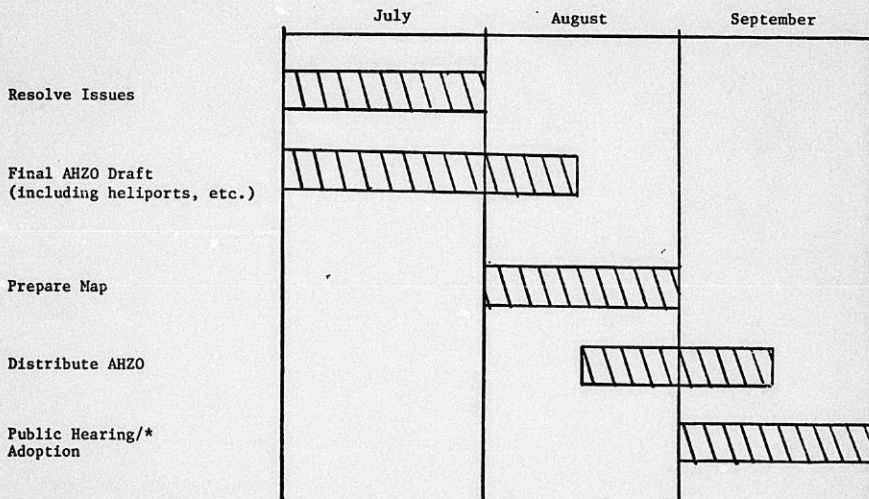
When we think we have a fairly firm draft of the AHZO, we'll contact the Wichita Airport Authority for their recommendations on how we should approach a public hearing. Through Monroe Funk, we have both (planning and airport authority) at least informally, been keeping track of the situation. Monroe and Don, for example, are involved together with the Jabara heliport plans.

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:DL:rh
Attachments (2)

7/6/82

AHZO
Adoption Schedule



*Public Hearing - held before the MAPC at mid to late September.

WICHITA-SEDGWICK COUNTY

DATE 7/1/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Fred Schwartz, Principal Planner, Advance Plans Division
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT HELIPORTS, HELISTOPS, AND THE AHZO

As I have started to review materials relating to the AHZO, the inclusion of heliports and/or helistops in this ordinance presents some issues that need clarification, at least to me. These issues may have been discussed in the past by those who have worked on the AHZO but I cannot personally say so. At this time we have what is basically two heliport type operations; the police facility on McLean and the operation at Jabara. Jabara's future plans includes development of a full-fledged heliport type facility. The facilities at the hospitals (Wesley, St. Francis, St. Joseph) are helistops or simply facilities that provide a landing spot with minimal other support facilities.

At this time, Chapter 9.24 of the City's Code regulates helicopters and helistops. The creation of a helistop requires obtaining a license and a permit. Once established, however, no specific protection of the facility from surrounding future development is provided. On the contrary, according to section 9.24.140--Revocation of license-- if alteration of the area around the helistop makes the helistop unsafe for operation, the helistop's license should be revoked. This seems justifiable if the assumption is that a helistop represents a minor investment, does not serve an important public need, could be easily relocated, or so forth.

Heliports on the other hand may imply a major investment, worthy of being protected. The model zoning ordinance for example provides for heliports but not for helistops. At this time, the police heliport, as a free standing type operation (not at an airport), should definitely be included in the AHZO. The Jabara facility could function within the airport's already established flight approaches, zones, etc., but plans call for it to be located at the southwest corner of the airport and it could have an approach of its own to the west or southwest. Such an approach would appear practical in that helicopter operations and access to and from the City would be well provided for by such an approach. Such an approach would extend various zones and restrictions outward in this direction, altering somewhat the pattern of zones provided by the airport runways alone.

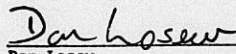
As it now stands, the AHZO draft does not provide for the protection of heliports or helistops. These facilities could be assumed as part of the definition of an airport as indicated in the AHZO's definition section, but it would seem more appropriate to distinctly state this

Fred Schwartz, Principal Planner
HELIPORTS, HELISTOPS, AND THE AHZO

-2-

July 1, 1982

if it is intended to include such facilities. If helistops are to be included in the AHZO then apparently changes will also be necessitated in Chapter 9.24. In sum, the issue is not clear as to if and how heliports and helistops should or could be treated in an AHZO in general and in the specific case of Jabara, with its yet undeveloped heliport facility. As I understand it, we can contact Joe Zonker of the local FAA offices to see if Jabara's facility would or could be given a particular approach for its heliport.


Don Losew
Junior Planner
Advance Plans Division

DL:rh

WICHITA-SEDGWICK COUNTY

DATE 7/1/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Fred Schwartz, Principal Planner, Advance Plans Division
FROM Don Losew, Junior Planner, Advance Plans Division
SUBJECT HELIPORTS, HELISTOPS, AND THE AHZO

As I have started to review materials relating to the AHZO, the inclusion of heliports and/or helistops in this ordinance presents some issues that need clarification, at least to me. These issues may have been discussed in the past by those who have worked on the AHZO but I cannot personally say so. At this time we have what is basically two heliport type operations; the police facility on McLean and the operation at Jabara. Jabara's future plans includes development of a full-fledged heliport type facility. The facilities at the hospitals (Wesley, St. Francis, St. Joseph) are helistops or simply facilities that provide a landing spot with minimal other support facilities.

At this time, Chapter 9.24 of the City's Code regulates helicopters and helistops. The creation of a helistop requires obtaining a license and a permit. Once established, however, no specific protection of the facility from surrounding future development is provided. On the contrary, according to section 9.24.14C--Revocation of license--if alteration of the area around the helistop makes the helistop unsafe for operation, the helistop's license should be revoked. This seems justifiable if the assumption is that a helistop represents a minor investment, does not serve an important public need, could be easily relocated, or so forth.

Heliports on the other hand may imply a major investment, worthy of being protected. The model zoning ordinance for example provides for heliports but not for helistops. At this time, the police heliport, as a free standing type operation (not at an airport), should definitely be included in the AHZO. The Jabara facility could function within the airport's already established flight approaches, zones, etc., but plans call for it to be located at the southwest corner of the airport and it could have an approach of its own to the west or southwest. Such an approach would appear practical in that helicopter operations and access to and from the City would be well provided for by such an approach. Such an approach would extend various zones and restrictions outward in this direction, altering somewhat the pattern of zones provided by the airport runways alone.

As it now stands, the AHZO draft does not provide for the protection of heliports or helistops. These facilities could be assumed as part of the definition of an airport as indicated in the AHZO's definition section, but it would seem more appropriate to distinctly state this

Fred Schwartz, Principal Planner
HELIPORTS, HELISTOPS, AND THE AHZO

-2-

July 1, 1982

if it is intended to include such facilities. If helistops are to be included in the AHZO then apparently changes will also be necessitated in Chapter 9.24. In sum, the issue is not clear as to if and how heliports and helistops should or could be treated in an AHZO in general and in the specific case of Jabara, with its yet undeveloped heliport facility. As I understand it, we can contact Joe Zonker of the local FAA offices to see if Jabara's facility would or could be given a particular approach for its heliport.

Don Losew

Don Losew
Junior Planner
Advance Plans Division

DL:rh

FROM Fred S DATE _____

- | ADMINISTRATION | ADVANCE PLANS | CURRENT PLANS | GRAPHICS |
|--|---|------------------------------------|----------------------------------|
| <input checked="" type="checkbox"/> Lakin | <input checked="" type="checkbox"/> Goodwell | <input type="checkbox"/> Galbraith | <input type="checkbox"/> Pierce |
| <input checked="" type="checkbox"/> Walter | <input checked="" type="checkbox"/> Schwartz | <input type="checkbox"/> Lytle | <input type="checkbox"/> Commer |
| <input type="checkbox"/> Doramus | <input type="checkbox"/> Leivo | <input type="checkbox"/> Young | <input type="checkbox"/> Crook |
| <input type="checkbox"/> Eubanks | <input type="checkbox"/> Bechtel | <input type="checkbox"/> Chambers | <input type="checkbox"/> Garland |
| <input type="checkbox"/> Hanson | <input type="checkbox"/> Curfman | <input type="checkbox"/> Fleck | <input type="checkbox"/> Singhal |
| <input type="checkbox"/> Henderson | <input type="checkbox"/> Dudark | <input type="checkbox"/> Nagley | <input type="checkbox"/> Whitney |
| <input type="checkbox"/> Lakin, E. | <input type="checkbox"/> Flynn | <input type="checkbox"/> Olivarez | <input type="checkbox"/> — |
| <input type="checkbox"/> Nelson | <input type="checkbox"/> Hart | <input type="checkbox"/> Shirkey | |
| <input type="checkbox"/> Scott | <input type="checkbox"/> Losew | <input type="checkbox"/> McDonald | |
| <input type="checkbox"/> — | <input type="checkbox"/> Shen | | |
| | <input type="checkbox"/> Spain | | |
| | <input type="checkbox"/> Vinson | | |
| | <input type="checkbox"/> — | | |
- | | |
|--|--------------------------------------|
| <input type="checkbox"/> Note & Return | <input type="checkbox"/> Signature |
| <input type="checkbox"/> Handle | <input type="checkbox"/> Library |
| <input type="checkbox"/> All Staff | <input type="checkbox"/> Information |
| <input type="checkbox"/> Comment | <input type="checkbox"/> Files |

*give me a list
of impractical
thoughts*

REMARKS *Arks like Don's hit all the points - what about sending to R.A.L. and making sure*

METROPOLITAN AREA PLANNING DEPARTMENT

TO Fred Schwartz, Principal Planner, Advance Plans Division

FROM Don Losew, Junior Planner, Advance Plans Division

SUBJECT AIRPORT HAZARD ZONING ORDINANCE (AHZO) STATUS/ADOPTION

The latest draft of the AHZO was apparently completed by Bruce Curfman during March of this year (1982). Prior to this draft, a number of issues were still to be resolved before the AHZO could be prepared for formal adoption. The following reviews these issues and indicates what apparently remains to be done so that the AHZO can be adopted.

Issues

1. Public body responsible for adoption of AHZO.

On May 22, 1979 the Wichita City Commission appointed the MAPC as the Airport Zoning Commission. This appointment should still be in effect and consequently, the MAPC is responsible for seeing that the AHZO is adopted (the MAPC was also responsible for adopting the 1955 ordinance).

2. Beech concerns with the AHZO.

A letter (May 5, 1982) in Bruce's file, from James M. Gregory, Manager of Legislative Affairs for Beech, indicates "Your (Robert Lakin) willingness to reach a consensus on the various points at issue is very much appreciated by Beech Aircraft Corporation." I am not sure at this time what these points were and if they have actually been incorporated into the AHZO draft. I am reviewing this matter and will determine if Beech's concerns have been addressed by the most recent AHZO draft.

3 pts
1. elevation of
2. of various
reference pts
2. ?
3. ?

3. Use of Elevations in the AHZO.

The determination of what elevation to use for a particular airport included in the AHZO, still remains unresolved. The model ordinance considers airport elevation to be "the highest point of an airport's usable landing area measured in feet from sea level." This apparently may differ from what is presently being used by some of our local airports and Central Inspection. Discussions have been held with Central Inspection and others to resolve this matter, but it does not appear that an adequate consensus has been acquired on this critical issue. In general, it appears that Central Inspection, Beech, and possibly others prefer a more restrictive (to building) designation, as was apparently used in the 1955 ordinance.

I think this is correct and will work
I think this is correct as to Beech's. See if Bruce of Wichita (w/1979)

June 23, 1982

4. The inclusion of Heliports into the AHZO. *WJ*

It is unclear from Bruce's files as to whether or not heliports are actually in the most recent drafts of the AHZO. The March, '82 draft referred to at the beginning of this memo does not specifically include heliports. Notes in the files, and earlier working drafts did include, at least, the Police Heliport facility. Wesley's facility is also a potential heliport to be considered for inclusion into the AHZO. St. Francis Hospital has apparently developed or is developing a heliport facility. St. Joseph Hospital is also at this time planning a heliport facility. The Jabara heliport is indicated as not being required for coverage in the AHZO since it is part of the regular Jabara patterns. Again, I will need to check out this situation further. Ideally, it would appear that heliports should be included in the AHZO. The model ordinance does make provision for such facilities.

Adoption

1. Final Draft

The draft of the AHZO appears to be substantially completed. A final determination on what elevations to use, assuring that the issues involving Beech are indeed included in the draft, and the addition of heliports will however need to be resolved. The first two items appear at this time to be near resolution. The issue of heliports seems to be largely one of deciding if and how we wish to include them in the AHZO. I cannot say at this time if there would be any major problems created by including heliports. Logically, it would seem reasonable to include them at this stage.

2. Mapping

One large map, similar to the one presently in Bruce's office, would be sufficient at this time. Individual maps for each airport/heliport should also be considered. These maps, as with the zoning ordinance maps, would be officially adopted as part of the AHZO. Some display materials may also be desirable. We have in our offices, drawings of the various zones, surfaces, etc. used in the development of AHZO's. According to Gary Pierce and a memo in the files, the large map should require approximately a month of graphic time. From this map, individual airport maps could be drawn with approximately two weeks of additional graphic time. If this were designated a priority item, Gary would start work immediately. Otherwise, the map(s) would be worked on, as time is available, with a three to four month time frame for completion likely.

*Need a
single map
so that
when airport
zones are laid
out one can be -
Termine key &
instructions
for any geographic
pt.*

June 23, 1982

3. Typing

Preparing the final draft for typing, comparing it to the old ordinance, proof reading, and other general tasks in readying the ordinance for formal display would be somewhat time consuming with one to two weeks likely needed.

4. Public Hearing

The public hearing would be before the MAPC (Airport Zoning Commission). During the next several months Jack Galbraith indicates that the only major issue, likely involving a public hearing is the New Zoning District proposal. Summer can be a difficult time to assure a quorum, but Jack feels we would be in good shape if we wanted to have a public hearing during the next several months. Beyond that time period, Jack cannot reasonably predict what issues may come up for the MAPC's consideration. From the time we are ready to actually go to a public hearing, four to six weeks should be allotted, before the actual date, to prepare for the hearing. The notice of the hearing must be published in the paper a full 20 days before the public hearing date. The MAPC would also need to be approached with the request to hold a public hearing at least two weeks before the required publishing date of the hearing. Allowing some preparation on our part, a minimum of six weeks, before the public hearing date, should be considered a reasonable time to allow for arranging such a hearing. While the Wichita Airport Authority would be included in the process at the point where Mid Continent and Jābara Airports are provided copies of the AHZO, I would assume they may desire or should be offered a more active role. Involving them in decisions on the distribution of the AHZO and in carrying out the Public Hearing may be appropriate and beneficial.

consult w/ Jack Bell.

5. Distribution of the AHZO prior to the Public Hearing.

The airports and/or heliports, specifically covered by the AHZO, should receive copies of the ordinance prior to the public hearings. Airports and heliports not covered by the AHZO would not likely need to be included in a prior distribution of the AHZO. These facilities were informed back in 1978 or 1979 of the new ordinance, but have not been actively involved. A chance to review and comment on the ordinance should also be provided to such organizations as the Board of Realtors and the Home Builders Association. Their interests in the potential impacts of an AHZO on development should be recognized. The Chamber of Commerce and its Aviation Committee could also be included. The FAA would obviously also need to receive a copy before the public hearing.

*Yes
good*

Fred Schwartz
AIRPORT HAZARD ZONING ORDINANCE (AHZO) STATUS/ADOPTION

-4-

June 23, 1982

It would be my recommendation that we allot three to possibly four months for actually taking what there is in terms of a draft, putting it into a finished form, and taking it through the public hearing process. The issues on airport elevation should be resolvable with some moderate effort. The growing number of local heliports makes these facilities important enough to be given serious consideration at this time for their formal inclusion in an AHZO. Such a formal inclusion into the AHZO will require some additional effort with a predictable expansion in the content or size of the AHZO. It should not though be a major problem. This could be accomplished over a period of four to six weeks. The administrative tasks of preparing the final draft, typing, mapping, etc. would involve a minimum of two months time (not in terms of manhours, but the approximate period from when it is decided to proceed with the AHZO to the final typing for distribution of the Ordinance). The time needed to arrange the public hearing would, as indicated above, take from four to six weeks. These tasks would in many cases be overlapping in terms of when they are to be done, and consequently a three to four month period should be sufficient for completing the AHZO and having it adopted.

I cannot say if this is an overly conservative estimate of what is still involved in completing the AHZO or if it is perhaps actually quite ambitious. I am not yet familiar enough with the subject to know of the difficulties that have occurred. Please advise me of any other considerations that should be made for completing the AHZO.

Don Losew

Don Losew
Junior Planner
Advance Plans Division

DL:rh

③

WLS

Beech Aircraft Corporation
Wichita, Kansas 67201
U.S.A.

May 5, 1982

*See attached
notes from PAH*

Mr. Robert A. Lakin
Director
Metropolitan Area Planning Dept.
City Hall - 10th Floor
455 N. Main
Wichita, KS 67202

Dear Bob:

Thank you for the time you and your staff were able to spend with us last Friday, April 30, reviewing the latest draft of the Wichita Airport Hazard Zoning Ordinance. Your willingness to reach a consensus on the various points at issue is very much appreciated by Beech Aircraft Corporation.

Regards,

Jim

James M. Gregory
Manager of Legislative Affairs

JMG/ms

cc: E.C. Burns
Gene Denton

RECEIVED

MAY 6 1982

METROPOLITAN PLANNING
ROUTE _____

A Raytheon Company

~~4-30~~ Airport

4-30 Airport

① Reference to airport surface elevation - 9'4"
- Preference to remain 1378. (black line.)

- ? as to whether to use end of Runway -

Jim B. ~~is~~ and to 87 to 78 to airport elevation,
Willing to buy end of Runway etc 14' len
to ~~the~~ Maxwell.

② Both end of Runway - 1.50 to both ends.
OK. -

Beech Aircraft Corporation**INTER-OFFICE COMMUNICATION**

FROM J. E. Beckett **DATE** April 22, 1982
TO Jim Gregory **CC:** Glenn Ehling Austin Rising
Wayne Wallace Ralph Bills
SUBJECT Airport Zoning Code
(Updates Memo of March 30, 1982 to
Reflect Draft of Code on March 4, 1982)

Compliance with the governing Airport Zoning Code by areas adjacent to airports is essential to safe airport operation. Among other important functions, this code defines airspace configuration for take-offs, landings and airport flying operations in general. The code maintains that airspace by restricting allowable upper elevations of structures and other obstructions to aircraft, provides restriction and control over many hazards (such as production of smoke and glare, radio interference and lighting patterns which could be confusing or disorienting to pilots), and provides restriction on spacing of airports to help ease concentration and congestion of air traffic.

Beech has taken a position, and will continue to support that position, of strong opposition to relaxation of existing airport safety standards.

A draft dated March 4, 1982, which is apparently currently under consideration for revision of the 1955 Airport Zoning Code, causes a great deal of concern to Beech regarding the safe operation of Beech Airport. As drafted, the revision:

- 1) increases the established airport elevation from 1378.0 ft. M.S.L. to 1387.0 ft. M.S.L.
- 2) changes the method of calculating permissible heights from the datum plane concept (which uses as a base the actual contour of the runway centerline) to the primary surface concept (which uses as a base a plane at a single elevation which is also the established airport elevation - the highest point of an airport's usable landing area).
- 3) changes the designation of the south end of the main north - south runway (RW 36) from a "precision instrument runway" to a "larger than utility with visibility minimum as low as 3/4 mile non-precision instrument runway", which results in:
 - a) A reduction in approach zone length from 50,000 ft. long to 10,000 ft. long.
 - b) A steepening of the approach zone slope from 1:50 for the first 10,000 ft. to 1:40 for 10,000 ft. (an increase of 25 percent).
- 4) changes the configuration of the airspace for the cross-wind (grass) runways which results in:

A reduction in the approach zone length from 10,000 ft. long to 5,000 ft. long.

01-32324

Beech Aircraft Corporation
INTER-OFFICE COMMUNICATION

FROM J. E. Beckett **DATE** April 22, 1982
TO Jim Gregory **CC:** Page 2
SUBJECT Airport Zoning Code (Update Memo of March 30, 1982) cont.

These changes, the vertical displacement of the base elevation (and, hence, the point from which the slope begins) and the shortening and steepening of the approach zones would allow for much higher obstructions than the current code would allow at the ends of Beech runways and therefore constitutes a decided relaxation of the existing airport safety standards.

J. E. Beckett
J. E. Beckett
Manager - Plant Engineering

JEB/ds1

WICHITA-SEDGWICK COUNTY

DATE 4/21/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO Jay Setter, Director of Aviation, Mid-Continent Airport
FROM Robert A. Lakin, Director of Planning
SUBJECT PROPOSED AIRPORT HAZARD ZONING ORDINANCE

We recently received the attached letter from the FAA in response to our inquiry concerning the use of 40:1 approach slopes for non-precision runways in the Airport Hazard Zoning Ordinance. I am forwarding it to you for your information. I interpret their response as an acceptance, or perhaps "concurrence" in our local discretionary use of the more restrictive slopes. I guess we didn't really expect a full-scale endorsement.

If you have any questions or comments on the draft version of the Ordinance sent to you a few weeks ago, please let me know.

Robert A. Lakin
Director of Planning

RAL:BAC:rh
Attachment

WICHITA-SEDGWICK COUNTY

DATE 4/21/82

METROPOLITAN AREA PLANNING DEPARTMENT

TO John Dekker, Director of Law
FROM Robert A. Lakin, Director of Planning
SUBJECT DRAFT AIRPORT HAZARD ZONING ORDINANCE

I am forwarding the attached copy of the draft Airport Hazard Zoning Ordinance for your review and comments. The most substantive changes to the Ordinance include the addition of Jabara and Cessna Airports and the updated runways of Mid-Continent Airport. We are also adding a section covering existing Heliports which will be forwarded upon completion.

This draft version returns to the 40:1 approach slopes for all non-precision runways, as per our existing (1955) Ordinance. An earlier draft, distributed a couple of years ago, proposed using FAA guidelines of 34:1 and 20:1 for various non-precision runways. We have inquired with the FAA for their concurrence in using the more restrictive slopes, and recently received the attached letter dated April 16. I interpret this as an acceptance of our local discretion and precedent.

As soon as we have received your review and comments, we will schedule a public hearing with the Planning Commission and distribute the Ordinance more widely. If you have any questions on this material, please give me a call.

Robert A. Lakin
Director of Planning

RAL:BAC:rh
Attachment

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4551

April 21, 1982

Mr. James M. Gregory
Box 85
Beech Aircraft Corporation
Wichita, Ks. 67201

Dear Mr. Gregory:

I am forwarding for your information a copy of the response we received from the FAA concerning our proposed use of 40:1 slopes for all non-precision runways in the Airport Hazard Zoning Ordinance. This apparently confirms FAA's acceptance of our desire to use more restrictive standards locally.

We intend to wrap-up our work on the proposed draft Ordinance as soon as we finish adding a section on heliports, and receive comments from several City Departments that are currently reviewing the draft. Please provide us with any comments and suggestions you might have so that we can consider them in the final draft. If you have any further questions, please let me know.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:BAC:rh
Enclosure

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL - TENTH FLOOR
435 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

March 26, 1982

Mr. James M. Gregory
Box 85
Beech Aircraft Corporation
Wichita, Ks. 67201

Dear Mr. Gregory:

Bob Lakin asked me to send you a copy of our draft Airport Hazard Zoning Ordinance (attached) for your information and review. Bob also shared with me your correspondence with the FAA concerning interpretation of Part 77 guidelines. I too have discussed this with the FAA and have received some verbal concurrence on our proposed use of 40:1 slopes locally for non-precision runways. We are awaiting a written response from them.

If you have any questions or comments, please feel free to call me at 268-4391.

Sincerely,

Bruce A. Curfman
Senior Planner
Advance Plans Division

BAC:rh
Attachment

WICHITA-SEDGWICK COUNTY

DATE 3/18/82

METROPOLITAN AREA PLANNING DEPARTMENT

Jay Setter, Director of Aviation, Wichita Airport Authority
Bernie Borst, First Assistant City Attorney
Robert Feldner, Superintendent of Central Inspection

TO

FROM Robert A. Lakin, Director of Planning

SUBJECT DRAFT AIRPORT HAZARD ZONING ORDINANCE

Attached for your review is a copy of the draft Airport Hazard Zoning Ordinance that was redrafted as a result of our meeting and discussions in December. The major changes include a return to the more restrictive 40:1 slope for all non-precision runways, and a reorganization of the Sections delineating Airports, Airport Zones and Height Restrictions. We interpreted our discussion at the December meeting to indicate that the additional protection afforded by the 40:1 slope was desirable, and that we have an adequate local precedent in our 1955 Ordinance.

We have discussed the 40:1 slopes with the FAA and have their verbal concurrence, but we are awaiting written comments and/or concurrence from them. Also, maps will be added later, as well as a section on Heliports. If you have any questions or comments, feel free to call me or Bruce Curfman.

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:BAC:rh

cc: Robert A. Lakin, Director of Planning

WICHITA-SEDGWICK COUNTY

DATE 12/11/81

METROPOLITAN AREA PLANNING DEPARTMENT

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Bruce A. Curfman, Senior Planner, Advance Plans Division
SUBJECT CONTACT WITH BEECH RE THE AIRPORT HAZARD ZONING ORDINANCE

I have researched the files and offer the following information in response to your question about our contacts with Beech concerning the Airport Hazard Zoning Ordinance.

As I mentioned to you, the Manager's office did change our wording in the draft letter to Beech from ...[Beech representatives] "were involved and consulted in that process" to "were also present at several of the work sessions."

When we were drafting the letter I knew of only one meeting with Beech representatives, and that is still the only one I can find any record of (3-29-79). At that meeting, Beech was represented by Austin Rising, Gale A. McKinney, and Ralph Bills. The meeting was held for the purpose of discussing the draft Ordinance, but the Beech people did also bring up the subject of airspace and air traffic congestion on the east side, as I recall.

Prior to that meeting, we had forwarded the Ordinance to Mr. Bills (Manager, Flight Operations) by letter of February 22, 1979, and asked for review and comments. He responded by letter dated 3-23-79, which included comments which were considered in subsequent redrafts. It should be noted that in his letter, reference was made to expansion plans for Beech runway 18/36. This possibility was also mentioned by Beech representatives at our meeting with them on 3-29-79. At that time, we requested further information on any such plans in order to incorporate them into the draft Ordinance. No further information has ever been made available to us.

We have record of only one phone conversation with Beech (Mr. Bills), but Art Chambers and I can recall 2 or 3 additional phone conversations during 1979 or early 1980 between us and Mr. Bills or Mr. Beckett for the purpose of discussing the proposed Ordinance or information relating to it.

There was a gap in activity on the project and in contacts relating to it until mid-1981. The Ruffin case apparently precipitated the communication between Beech Corp. and Lakin and Galbraith concerning the impact of the Airport Hazard Zoning Ordinance on the proposed development (Ruffin) and hence on Beech's protection under the Ordinance. As a follow up, I called Ralph Bills and Jim Beckett of Beech on August 27, 1981, to discuss their concerns and a possible meeting with Beech Corp.

Willard L. Stockwell

-2-

December 11, 1981

CONTACT WITH BEECH RE THE AIRPORT HAZARD ZONING ORDINANCE

representatives. At Mr. Beckett's request, I mailed a copy of the draft Ordinance to them. He stated that he would discuss it with Mr. Rising, and get right back to me. After waiting a couple of weeks and not hearing back from him, I followed up with another phone call. Apparently, Mr. Rising's letter of September 18, and Mr. Burns's letter of September 24, was their response.

Bruce A. Curfman
Senior Planner
Advance Plans Division

BAC:rh

WICHITA-SEDGWICK COUNTY

DATE 12/11/81

METROPOLITAN AREA PLANNING DEPARTMENT

TO Jay Setter, Director of Aviation
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT PROPOSED DRAFT AIRPORT HAZARD ZONING ORDINANCE

Attached for your review prior to our December 16, meeting is a copy of the draft Airport Hazard Zoning Ordinance. Also attached are copies of two recent letters from Beech Aircraft Corporation relating to the proposed Ordinance, as well as a copy of a memo outlining some of the alternatives we can consider in dealing with Beech's concerns.

The draft Ordinance itself is virtually the same draft that was produced some two years ago as a result of our previous meetings and discussions. If you have any questions, please give us a call.

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:rh
Attachment
cc: Robert A. Lakin, Director of Planning

THE CITY OF WICHITA



OFFICE OF THE CITY MANAGER
CITY HALL - THIRTEENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4351

December 1, 1981

Mr. Edward C. Burns
President
Beech Aircraft Corporation
9709 East Central
Wichita, Kansas 67201

Dear Ed:

Your recent letter expressing the concerns of Beech Aircraft Corporation regarding the possible revision of the airport hazard zoning ordinance is very much appreciated. Mayor Brown and I also enjoyed our recent visit to the Beech plant and the kind hospitality provided us by Mrs. Beech, your key executives and yourself.

As a result of your concerns and advancing development plans in the area, the Metropolitan Area Planning Department (MAPD) has worked on and completed a draft of a revised ordinance for airport hazard zoning. The revision of the ordinance was conducted for two primary reasons: (1) to incorporate current Federal Aviation Administration guidelines, terminology and criteria; and (2) to include previously unprotected airports and airport improvements that are in the public interest.

The MAPD staff developed the draft ordinance in consultation with interested parties including affected airports, the Airport Authority, the City's Law Department and Central Inspection. Representatives of Beech Aircraft Corporation (including Austin Rising, Ralph Bills, Gale A. McKinney and J.E. Beckett) were also present at several of the work sessions. Although a full consensus was not achieved, it was felt that reasonable compromises were reached.

With the Airport Authority's recent acquisition of Jabara Airport and private plans to develop the southwest corner of Douglas and Webb Road, it now appears timely to proceed with further policy review of the airport hazard zoning ordinance.

RECEIVED

DEC 3 1981

METROPOLITAN PLANNING

ROUTE _____

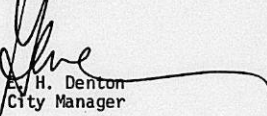
THE CITY OF WICHITA 2

Mr. Edward C. Burns
December 1, 1981

In regard to the development adjacent to Beech Aircraft, the Metropolitan Area Planning Commission will consider a request to rezone the area on the southwest corner of Douglas and Webb Road for light commercial use and will review the development's Community Unit Plan (C.U.P.) at its meeting on Thursday, December 3, 1981. The Planning Commission's determination of the acceptability of the C.U.P. will be governed by the current airport hazard ordinance requiring an approach slope of 40:1. This specific C.U.P. should alleviate some of the immediate concerns of Beech regarding the safety aspects of building heights around the Beech Airport.

Please be assured that the MAPD will continue to work closely with Beech Aircraft Corporation as the revised airport hazard ordinance is considered further. Mr. Lakin's staff will be in contact with Austin Rising in the near future to determine a convenient time to meet and further discuss these issues. Please advise if you prefer some other arrangement or contact person.

Sincerely,



E. H. Denton
City Manager

EHD:hmp
cc: Mayor Robert C. Brown
bcc: Robert A. Lakin, Director of Planning

METROPOLITAN AREA PLANNING DEPARTMENT

TO Willard L. Stockwell, Chief Planner, Advance Plans Division

FROM Bruce A. Curfman, Senior Planner, Advance Plans Division

SUBJECT AIRPORT HAZARD ZONING ORDINANCE - BEECH APPROACH SURFACES

The principal reasons for updating the Airport Hazard Zoning Ordinance are 1) to incorporate current FAA guidelines, terminology, and criteria; and 2) to include previously unprotected airports or airport improvements that are in the public interest. The FAA guidelines state that such an ordinance "will permit local authorities to control the erection of hazards to air navigation and thus protect the community's investment in the airport." We have interpreted "community investment" to include Beech, Cessna, McConnell and Jabara Airports, in addition to Mid-Continent Airport. Therefore, in the proposed new ordinance we are adding protection for Cessna Airport, and most importantly for Jabara Airport and the 3300' extension to Mid-Continent runway LL-19R, none of which were included in the 1955 Ordinance.

The current FAA guidelines prescribe the use of 34:1 or 20:1 approach slopes for all non-precision runways, depending upon the runway classification (i.e., utility, larger than utility, etc.). Our 1955 Ordinance uses 40:1 slopes for all non-precision runways (precision runways remain unchanged at 50:1). I'm not able to determine whether the 40:1 slopes were based on old FAA guidelines 26 years ago, or whether it was a local decision to use a more restrictive approach slope. The current FAA guidelines discuss the 34:1 and 20:1 approach slopes as prescribed levels, not as "minimums." They also state: "Any height limitation imposed by a zoning ordinance must be 'reasonable', meaning that the height limitations prescribed should not be so low at any point as to constitute a taking of property without compensation under local law." Therefore, I don't know whether to interpret this to preclude any local discretion in setting lower, more protective standards such as the old 40:1 slopes, but it does lead to the possibility of being more vulnerable in court if stricter standards are used than those prescribed by FAA.

With this background information in mind, we could consider several options with respect to Beech's desire to retain the greatest amount of protection possible. These options are as follows:

1. Continue to use the old Ordinance without any update.
This would appear to be unacceptable, since adding Jabara Airport and improvements to Mid-Continent Airport alone justify an update.
2. Revise the Ordinance to include Jabara, Cessna and improvements to Mid-Continent, but use the old 40:1 approach slope for all non-precision runways. This would provide maximum protection, but would not follow prescribed FAA guidelines of 34:1 and 20:1.

October 28, 1981

Due to the precedent of the old Ordinance, however, we might be justified in thinking that the stricter criteria (40:1) would not "constitute a taking of property without compensation under local law." We may wish to have a legal opinion on this.

3. Revise the Ordinance, using current FAA guidelines for all airports with the exception of Beech which would retain the old 40:1 approach slopes. It would be hard to justify giving greater protection to Beech than to the public airports, and may not be defensible in court. Also, this would require a cumbersome reformatting of the Ordinance.
4. Go with the revised Ordinance as drafted, using current FAA guidelines, but change the designation of Beech's runways to one of the classifications requiring a 34:1 slope instead of 20:1. It is permissible to use "planned" runways or usage, as well as existing. We could therefore make this change to the draft Ordinance easily if Beech would agree to a 34:1 slope (instead of 40:1) and if they would indicate a planned usage of these runways to the higher standard.
5. Go with the revised Ordinance as drafted, except specifying a 34:1 approach slope for two runway classifications which are 20:1 under FAA guidelines--"utility runway nonprecision instrument approach" and "larger than utility visual approach". These would include Beech's runways. Although this option would not strictly follow the FAA guidelines for the two runway classifications mentioned, at least it would not introduce a different slope altogether such as 40:1. Again, Beech would need to agree to the 34:1 slope as opposed to the old 40:1 (but in contrast to the proposed 20:1).

In reviewing these potential options, I would recommend that we first meet with Beech to pursue Option 4. If this does not prove to be feasible, then we would need to fall-back to either option 2 (40:1) or option 5 (34:1) depending on our willingness or ability to be more restrictive than FAA guidelines. Any of these three options would be relatively easy to accommodate in the revised draft Ordinance.

Bruce A. Curfman

Bruce A. Curfman
Senior Planner
Advance Plans Division

BAC:th

Beech Aircraft Corporation

Wichita, Kansas 67201

U. S. O.

EDWARD C. BURNS
PRESIDENT

September 24, 1981

Office of the City Manager	
<input checked="" type="checkbox"/> EHD	<input type="checkbox"/> SM
<input checked="" type="checkbox"/> RAL	<input type="checkbox"/> DF
SEP 25 1981	<input type="checkbox"/> MEC
<input checked="" type="checkbox"/> Copies To	<i>RAL</i>
<input type="checkbox"/> Send To	<i>WLS</i>
<input type="checkbox"/> File	

Mr. E. H. Denton
Manager - City of Wichita
City Hall
455 N. Main
Wichita, KS 67201

Dear Mr. Denton:

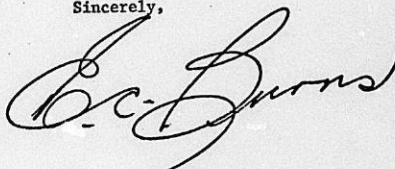
It has come to our attention that a draft revision of the Airport Hazard Zoning Regulation dealing with building heights around local airports is being considered. While the proposal, as I understand, is only in advance planning at this time, I want to bring to your attention that Beech Aircraft is strongly opposed to relaxation of existing standards.

On previous occasions, I have spoken to you, members of the Commission, and other city officials concerning the importance of protecting the approaches to Beech Aircraft runways.

Safety is one of our most important objectives for both the citizens of our community as well as those customers who buy our products. Our position is that any changes which may permit increased building heights, or otherwise obstruct safe access to Beech Aircraft's airport runways, must be avoided.

I will appreciate your most careful consideration to these matters.

Sincerely,



E.C. Burns:lh

cc: Mayor Bob Brown
O. A. Beech
Frank E. Hedrick

RECEIVED

SEP 28 1981

METROPOLITAN PLANNING
ROUTE []

A Raytheon Company

Beech Aircraft Corporation

Wichita, Kansas 67201

U. S. A.

AUSTIN RISING
VICE PRESIDENT

September 18, 1981

Mr. Robert A. Lakin
Director
Metropolitan Area Planning Dept.
455 North Main
City Hall - 10th Floor
Wichita, Kansas 67202-1688

RECEIVED

SEP 21 1981

METROPOLITAN PLANNING
ROUTE _____

Dear Mr. Lakin:

We have been given an advance copy of a proposed change in the city ordinance which relates to airport hazzard zoning.

Because of the safety of the pilots and passengers flying in and out of Beech Field, Beech Aircraft Corporation is strongly opposed to any change to the height restrictions off the end of the runways at Beech Field now contained in the present city ordinance.

Aggravated by the density and proximity of existing airports in this area, no one knows better than Beech pilots flying in and out of Beech Field in all kinds of weather and conditions about their safety and that of their passengers. Our Flight Department Manager feels that any easing of the restrictions would be a problem and would endanger lives.

As you know, Beech Field has been here since the 1920's and the city ordinance since 1955. Developers buying property have had, or should have had, notice of these requirements.

Very truly yours,

Russ Rising

Vice President

AR.ms

A Raytheon Company

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

July 21, 1980

Mr. David Haines
3208 E. Douglas
Wichita, Ks, 67208

Dear Mr. Haines:

Attached is a copy of the draft Airport Hazard Zoning Ordinance that you expressed an interest in. I would emphasize that this is a draft and has not yet been subject to public hearings or formal review. If you need any further information, please feel free to call me at 268-4326 or Art Chambers at 268-4400.

Sincerely,

Bruce A. Curfman
Senior Planner

BAC:rh
Attachment

WICHITA-SEDGWICK COUNTY

Chambers

DATE 3/10/80

METROPOLITAN AREA PLANNING DEPARTMENT

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Bruce A. Curfman, Senior Planner, Advance Plans Division
SUBJECT STATUS OF AIRPORT HAZARD ZONING ORDINANCE

At your request, I am reporting to you the status of the revised Airport Hazard Zoning Ordinance. The revisions and redrafting has been completed following comments received from the Airport Authority, Central Inspection and Law Department. Ginny is about one-third through the retyping, which has been done on a piece-meal basis only. If given high priority, the typing could be completed in a short time. However, the principal constraint appears to be availability of graphics help for the mapping. The graphics people are tied up with the zoning maps which I understand will take at least another month. Then it could take another month or so to do the airport zoning maps.

If there is now agreement on the content, format and language of the ordinance (as I assume there generally is), we could approach the MAPC informally, prior to completion of the final graphics, to set a date for a public hearing. Once a date is set, we would advertise at least 20 days in advance; and then distribute the final draft for final consideration by those affected.

Bruce A. Curfman
Senior Planner
Advance Plans Division

BAC:rh

✓ cc: Art Chambers, Junior Planner, Current Plans Division

THE WICHITA AIRPORT AUTHORITY
MID-CONTINENT AIRPORT WICHITA, KANSAS

DATE: October 18, 1979

TO: Willard L. Stockwell
 Chief Planner, Advance Plans, M.A.P.D.

FROM: Floyd J. Roedell
 Director of Airport Engineering and Planning

SUBJECT: DRAFT AIRPORT HAZARD ZONING ORDINANCE

The following items have been discussed and are suggestions only. The changes we would recommend have been double underlined.

Page 12, 28.00.070, Paragraph 2.

2. Established airport elevation 1,332 feet above mean sea level.

Page 16, 28.08.150, Paragraph 2, First Sentence.

2. MARKING AND LIGHTING - notwithstanding the preceding provision of this section, the owner of any existing non conforming structure, etc.

Page 16, 28.08.150, Paragraph 2, Last Sentence.

The maintenance, operation and installation of such markers and lights on such non conforming uses, shall be, etc.

Page 19, 28.08.160, No. 5.

5. HAZARD MARKING AND LIGHTING. We believe the last sentence should be omitted requiring the owners of airports to pay for the marking and lighting of the variance granted to an individual who has requested the variance.


Floyd J. Roedell

FJR:ba

cc: H. Jay Setter
Director of Aviation

RECEIVED

OCT 19 1979

METROPOLITAN PLANNING
ROUTE 415

WICHITA-SEDGWICK COUNTY

DATE 8/22/79

METROPOLITAN AREA PLANNING DEPARTMENT

TO H. Jay Setter, Director of Aviation, Wichita Airport
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT AIRPORT HAZARD ZONING ORDINANCE

Attached for your information are comments received from Central Inspection in response to our memo and transmittal on July 23 of the revised draft Airport Hazard Zoning Ordinance. As soon as we have received responses and comments from all departments involved, we will attempt to incorporate them into a "final draft" for consideration by the MAPC.

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:BAC:rh
Attachment

cc: Robert A. Lakin, Director of Planning
John Dekker, Director of Law
Bernard Borst, Senior Assistant to the City Attorney

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE August 14, 1979

RECEIVED

AUG 16 1979

METROPOLITAN PLANNING
ROUTE

TO Willard L. Stockwell, Chief Planner - MAPD

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Airport Hazard Zoning Ordinance

Confusion
Yes Well.
noted by RAL

The proposed air port hazard zoning ordinance has been reviewed in this division.
The following comments are furnished in reply to your memorandum dated July 23, 1979:

1. The chief plans reviewer says it is workable. *good*
2. In Item No. 6 of your memo, reference is made to collection of fees as established by Section 18.08.010 of the city code. Since there are no fees presently listed in this section for airport hazard permits, I assume we will need to devise a fee schedule.


We have been issuing permits for poles, towers, etc. on a no-fee basis. For the most part, the applications have been for power poles by the Electric Company. Our main concern has been that the poles not extend into the airspace of the various airports. We have issued approximately 80 permits since January, 1970.

For routine check of allowable height, there is minimal time required in processing the application. In the event a more complex problem was encountered that required action by the city commission, manager, planning department or airport officials; a fee should be assessed the applicant. The following is suggested as a preliminary fee schedule:

- A. To verify compliance with height restriction...\$10.00
 - B. To process application for height variance.....\$25.00
3. It may be desirable to include a definition of heliport since Chapter 9.24 deals with helistops and a distinction would be useful. For clarity, another definition may be desirable for the word "code" used in Section 28.08.160 to mean the "Code of the City of Wichita, Kansas."
 4. Page 5, definition of "Transitional Surfaces" needs the word "or" where "and" has been eliminated.

5. To whom should we apply for a drawing of the police heliport? (On Page 11, Items 8 and 9 refer to the centerline of the primary surface of the heliport. Since the heliport primary surface is circular, it would have a center point and an infinite number of centerlines. A rewording of the definition may be needed.)
6. The word "feet" sixth line from top of Page 12, should remain in text. (Typographical error in Section 28.08.070 numbers.)
7. In Section 28.08.160 "Permits" Paragraphs 1 and 4, the applicant should be directed to the Superintendent of Central Inspection to be consistent with Section 28.08.170.
8. A certain confusion is found in the definition of "surfaces" and "zones". Is a zone simply the land area which is the horizontal projection of a surface or is a "zone" the three dimensional space bounded on its upper side by an imaginary plane (as defined by slope), the lower surface being the ground and the sides being vertical projection lines? It appears from the definitions of zones that sometimes reference is made to surfaces in space such as 28.08.050 9.12 and at other times to ground area such as 28.08.050 7.8 (Page 8).

It would seem that a "zone" should be a three dimensional space since it is the volume between navigational air space and the ground surface beneath that is being regulated. Projections of "surfaces" onto ground areas are useful in making the maps to delineate boundaries defined in the space above it. It appears that the subject being regulated is the interface between the ground and the navigational air over it which, in this case, is a volume of irregular size and shape. Some clarification may be needed here.


Robert B. Feldner,
Superintendent of Central Inspection

RBF:mm1

cc: Robert A. Lakin, Director of Planning
Jack Galbraith, Chief Planner, Current Plans Division
Barnard Borst, Senior Assistant to the City Attorney, Law Department
Bruce A. Curfman, Senior Planner, Advance Plans Division
Art Chambers, Junior Planner, Current Plans Division
Glen Lytle, Special Assistant for Zoning, Current Plans Division

WICHITA-SEDGWICK COUNTY

DATE 7/23/79

METROPOLITAN AREA PLANNING DEPARTMENT

John Dekker, Director of Law
Bob Feldner, Superintendent, Central Inspection
Jay Setter, Director, Airport Authority

TO

Willard L. Stockwell, Chief Planner, Advance Plans Division

FROM

SUBJECT AIRPORT HAZARD ZONING ORDINANCE

Revisions to the draft Airport Hazard Zoning Ordinance, suggested during the review sessions held in March, have been incorporated into the attached revised draft (interdelineated relative to first draft). With this transmittal we are requesting legal review of the revised draft by the Law Department for form and content, and technical review by Airport Authority staff and Central Inspection.

Pertinent changes include:

1. Minor wording changes to improve the clarity of the ordinance.
2. Addition of runways and runway designations at Mid-Continent, Beech, and Cessna. We still do not have the new alignment for the north/south runway at Comotara or the final location and alignment for the general aviation runway at Mid-Continent. Beech runway designations are tentative, pending final review.
3. Separation of the airports into individual sections to improve the severability of the chapter (pp. 12-14).
4. Incorporation of FAA Circular "Obstruction Marking and Lighting", by reference (pp. 16 and 19).
5. Addition of a paragraph requiring a light shield for lights not incidental to residential use (p. 16).
6. Addition of paragraph 6, Section 28.08.160 (p. 20), allowing for the collection of fees as established by Chapter 18.08.010 of the City Code.
7. Revised paragraphs 1, 2, and 3, Sections 28.08.160 to create three permit exemption areas. These areas are shown on the attached map. A permit would not be required for structures and trees less than 75' in Area A, less than 150' in Area B or less than 300' in Area C.

On May 22, the City Commission appointed the MAPC as the Airport Zoning Commission. Following in-house legal and technical review, the revised draft ordinance will be distributed to other affected airport operators for review. Work on the official maps and the final draft of the ordinance will then be initiated, with a public hearing anticipated sometime this Fall.

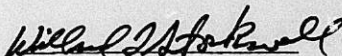
John Dekker, Director of Law
Bob Feldner, Superintendent, Central Inspection
Jay Setter, Director, Airport Authority

-2-

July 23, 1979

It should be noted that one major issue still to be resolved is the question of which airports should be protected by this ordinance. We have left the coverage in this revised draft the same as the previous draft (Mid-Continent, McConnell AFB, Comotara, Beech, Cessna, and Police Heliport). However, hospital helistops are to be added to the final coverage.

Your review and comments will be appreciated at your earliest convenience.


Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:BAC:rh

cc: Robert A. Lakin, Director of Planning
Jack Galbraith, Chief Planner, Current Plans Division
Bernard Borst, Senior Assistant to the City Attorney, Law Department
Bruce A. Curfman, Senior Planner, Advance Plans Division
Art Chambers, Junior Planner, Current Plans Division
Glen Lytle, Special Assistant for Zoning, Current Plans Division

~~11-5-47~~

Chamber ③

~~11-5-47~~

OK to proceed along lines
of draft. Need to flesh out IT's
on Hospital helicopter as to need
& rationale.

Adoption of ordinance raises some
due process questions on notice. We
need to confer w/ Kuhn & Bost.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 21, 1979

TO Robert A. Lakin, Director of Planning
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT Airport Hazard Zoning Ordinance

In light of Art's transfer, we need to determine the status of the Airport Hazard Zoning Ordinance. Art has prepared a revised draft of the Ordinance and is ready to forward it to interested parties. You indicated that prior to distribution of the revised draft, and further meetings with representatives of Beech and Cessna, it should be determined which airports should be covered. A rationale to include Mid-Continent, McConnell, Comotara, Beech, Cessna, Police Heliport and hospital helistops was prepared and forwarded to you (along with a copy of the revised draft).

We are ready to proceed with this item as soon as it is determined which airports to cover. Art has projected that, with no major problems, a public hearing could be held in late September. A date needs to be set for an informal hearing with the Planning Commission and to set a date for the public hearing. We will also need to distribute the revised draft for review and meet with interested parties. In addition, graphic support will be required to prepare the official maps prior to the public hearing.


Willard L. Stockwell, Chief Planner

WLS:ADC:vn

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 31, 1979

RE: AGENDA ITEM NO. 19

Chambers
[Signature]
[Signature]

TO The Metropolitan Area Planning Commission

FROM Willard L. Stockwell, Chief Planner, Advance Plans Division

SUBJECT Airport Zoning Commission

On May 22, 1979, the Wichita City Commission adopted a resolution appointing the Wichita-Sedgwick County Metropolitan Area Planning Commission as the Airport Zoning Commission (a copy of the resolution is attached). State statutes require that the governing body of a city appoint an Airport Zoning Commission. The Airport Zoning Commission is to make studies, surveys, maps; hold public hearings, make recommendations on the boundaries of zones and make recommendations on the regulations to be adopted. MAPD staff has been proceeding with an update of the existing Airport Zoning Ordinance.

The need for an updated Airport Zoning Ordinance became apparent in 1973, during our federally funded work activities. Chapter 28.08.08 of the City Code had become outdated due to new Federal Aviation Administration (FAA) standards and terminology, changes in airport operations and changes in runway use. The existing Airport Zoning Ordinance was adopted on October 25, 1955. There have been no amendments to the ordinance since that time. In June 1955, the Wichita Planning Commission was appointed the Airport Zoning Commission to make recommendations concerning the Wichita Municipal Airport, Beech Airport and McConnell Air Force Base.

In October 1978, preliminary work was initiated on the preparation of a revised Airport Hazard Zoning Ordinance. A draft of the proposed revisions was prepared during December 1978, and was reviewed in January and February of 1979.

Major changes from the existing ordinance include:

1. Addition of Cessna Airport due to its proximity to McConnell Air Force Base.
2. Addition of Comotara Airport due to the announced intent of the Airport Authority to purchase it as a public general aviation reliever airport.
3. Addition of a section covering heliports.
4. Use of current FAA standards.
5. Use of current FAA terminology for runway designation, zone definition and general definitions.
6. Clarified and strengthened the prohibition of new airports within eight miles of an airport covered by the proposed ordinance.
7. Coverage applicable to current runway use.

Page 2
MAPC
May 31, 1979

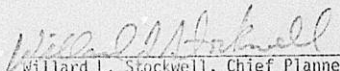
The proposed ordinance was distributed, for review, to the Law Department, Airport Authority, Central Inspection, Economic Development, the Wing Commander at McConnell Air Force Base; managers or operators of Beech, Cessna, Riverside, Westport, Hamilton and Copeland Airports, the Wichita Area Chamber of Commerce, the FAA, and the Wichita Builders Association.

On March 22, 1979, a meeting of staff representatives from MAPD, the Law Department, Airport Authority, Central Inspection, and Economic Development was held to review and discuss the proposed revisions. There was a general consensus that an updated ordinance was needed, and that with minor changes the proposed ordinance would provide protection for the covered airports.

One question raised at the March 22 meeting that has not been resolved, is which airports should be covered. Agreement was reached that, at a minimum, Mid-Continent and McConnell should be covered since their continued operations are essential to Wichita. Comotara should be covered when the Airport Authority purchases it. Other suggestions included: only those airports in the Airport System Plan; those airports covered by the existing ordinance, plus Cessna and Comotara; all airports with a minimum level of activity; or all airports within five miles of Wichita. These issues are being studied by MAPD and the Law Department.

On March 29, 1979, representatives from McConnell, Beech, Cessna, and MAPD met to review and discuss the proposed ordinance. Representatives from the Law Department, Airport Authority, Central Inspection and Economic Development were also present. Primarily, this meeting was held to inform managers of covered airports, as to what changes had been made. Additionally, there was some discussion about the issue of which airports should be covered.

Work on the Ordinance should be completed during August of this year. A public hearing is tentatively scheduled for September. If this schedule can be met, the Ordinance would be adopted in late September.


Willard L. Stockwell, Chief Planner

WLS:ADC:vn
Attachment

R E S O L U T I O N

A resolution finding and declaring that it is necessary to protect the public interest, that airport hazard zoning regulations be promulgated, and appointing the Wichita-Sedgwick County Metropolitan Area Planning Commission as the Airport Zoning Commission to make studies, surveys, maps, hold public hearings, recommend the boundaries of the various zones to be established and regulations to be adopted in connection with the proper zoning of any or all airports or heliports within five (5) miles of the city limits of the City of Wichita, Kansas.

Tony Casado, Mayor

ATTEST:

Donald C. Gisick, City Clerk

APPROVED AS TO FORM:

John Dekker, Director of Law

(SEAL)

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 11, 1979

TO E. H. Denton, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT Approval of Airport Hazard Zoning Ordinance

This is to request that the accompanying memorandum be placed on next weeks City Commission agenda (May 22, 1979).

The following is a brief synopsis of the memorandum:

The existing ordinance (Chapter 28.08) restricting the height of structures and trees in the approach zones of airports was adopted in 1955. Since that time, the ordinance has become outdated due to new Federal Aviation Administration (FAA) standards and terminology and changes in airport operations.

Preliminary work to update the ordinance has been done by the Wichita-Sedgwick County Metropolitan Area Planning Department. To proceed with the update of the ordinance an Airport Zoning Commission should be appointed to hold public hearings and make recommendations to the Board of City Commissioners. It is recommended that the Metropolitan Area Planning Commission be appointed as the Airport Zoning Commission.

ACTION: Appoint the Wichita-Sedgwick County Metropolitan Area Planning Commission as the Airport Zoning Commission.


Robert A. Lakin, Director of Planning

RAL:ADC:vn
cc: Bernard Borst, Law Department
H. J. Setter, Director of Aviation
Jerry Greider, Chairman, W-SC MAPC

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 11, 1979

TO The Honorable Board of City Commissioners
(Through E. H. Denton, City Manager)

FROM Robert A. Lakin, Director of Planning

SUBJECT Appointment of Airport Zoning Commission

PROBLEM STATEMENT

Chapter 28.08.08 of the City Code has become outdated due to new Federal Aviation Administration (FAA) standards and terminology, changes in airport operations and changes in runway use. A revised and updated ordinance is needed to continue the protection of runway approach zones and spacing requirements between airports. State Statutes require that the governing body of a city appoint an Airport Zoning Commission to study the regulations, hold public hearings and make recommendations to the governing body.

BACKGROUND

On June 21, 1955, the Wichita Planning Commission was appointed the Airport Zoning Commission for the purposes of "making studies, surveys, maps, for holding hearings, for recommending regulations to be adopted in connection with proper airport zoning of the Wichita Municipal Airport, McConnell Air Force Base and Beech Airport." In order for MAPC to revise the ordinance or to include additional airports or heliports it must be reappointed as the Airport Zoning Commission.

On October 25, 1955, the Wichita City Commission adopted Chapter 28.08, Airport Zoning Ordinance. There have been no amendments to the ordinance since that time.

In October 1978, as part of our federally funded airport planning activities, preliminary work was initiated on the preparation of a revised Airport Hazard Zoning Ordinance. A draft of the proposed revisions was prepared during December 1978, and was reviewed in January and February of 1979.

Major changes from the existing ordinance include:

1. Addition of Cessna Airport due to its proximity to McConnell Air Force Base.
2. Addition of Comotara Airport due to the announced intent of the Airport Authority to purchase it as a public general aviation reliever airport.
3. Addition of a section covering heliports.
4. Use of current FAA standards.

page 2
May 11, 1979

5. Use of current FAA terminology for runway designation, zone definition and general definitions.
6. Clarified and strengthened the prohibition of new airports within eight miles of an airport covered by the proposed ordinance.
7. Coverage applicable to current runway use.

The proposed ordinance was distributed, for review, to the Law Department, Airport Authority, Central Inspection, Economic Development, the Wing Commander at McConnell Air Force Base, managers or operators of Beech, Cessna, Riverside, Westport, Hamilton and Copeland Airports, the Wichita Area Chamber of Commerce, the FAA, and the Wichita Builders Association.

On March 22, 1979, a meeting of staff representatives from MAPD, the Law Department, Airport Authority, Central Inspection, and Economic Development was held to review and discuss the proposed revisions. There was a general consensus that an updated ordinance was needed, and that with minor changes the proposed ordinance would provide protection for the covered airports.

One question raised at the March 22 meeting that has not been resolved is which airports should be covered. Agreement was reached that, at a minimum, Mid-Continent and McConnell should be covered since their continued operations are essential to Wichita. Comotara should be covered when the Airport Authority purchases it. Other suggestions included: only those airports in the Airport System Plan; those airports covered by the existing ordinance, plus Cessna and Comotara; all airports with a minimum level of activity; or all airports within five miles of Wichita. These issues are being studied by MAPD and the Law Department.

On March 29, 1979, representatives from McConnell, Beech, Cessna, and MAPD met to review and discuss the proposed ordinance. Representatives from the Law Department, Airport Authority, Central Inspection and Economic Development were also present. Primarily, this meeting was held to inform managers of covered airports, as to what changes had been made. Additionally, there was some discussion about the issue of which airports should be covered.

Work on the proposed ordinance should be completed this summer. A public hearing is tentatively scheduled for September. If this schedule can be met, the proposed revision will be forwarded to you in September.

Page 3
May 11, 1979

OBJECTIVE: Appointment of an Airport Zoning Commission to study the proposed revisions, hold public hearings and make recommendations to the Board of City Commissioners.

ALTERNATIVES:

1. Appoint the Metropolitan Area Planning Commission.
2. Appoint the Airport Authority.
3. Appoint a new and separate Airport Zoning Commission.


EVALUATION OF OPTIONS:

The appointment of a new and separate Airport Zoning Commission would require more time to establish than appointing an existing board or commission, and would result in increased demands on city staff. Appointment of the Airport Authority, while providing aeronautical expertise, presents the problem of allowing the Board to establish regulations that apply to its own operation. In addition, the Airport Authority does not have the authority to administer the resulting regulation. The MAPC represents the optimum solution since it is currently the responsible commission for zoning matters; it is a relatively neutral body; has the expertise in zoning matters, and would not result in the creation of a new and separate commission.

H. J. Setter, Director of the Airport Authority, has recommended that the MAPC be appointed as the Airport Zoning Commission.

ACTION Appoint the MAPC as the Airport Zoning Commission as per the attached resolution.

Respectfully submitted,



Robert A. Lakin
Director of Planning

RAL:ADC:vn
Attachment

cc: Bernard Borst, Law Department
H. J. Setter, Director of Aviation
Jerry Greider, Chairman, W-SC MAPC

R E S O L U T I O N

A resolution finding and declaring that it is necessary to protect the public interest, that airport hazard zoning regulations be promulgated, and appointing the Wichita-Sedgwick County Metropolitan Area Planning Commission as the Airport Zoning Commission to make studies, surveys, maps, hold public hearings, recommend the boundaries of the various zones to be established and regulations to be adopted in connection with the proper zoning of any or all airports or heliports within five (5) miles of the city limits of the City of Wichita, Kansas.

Tony Casado, Mayor

ATTEST:

Donald C. Gisick, City Clerk

APPROVED AS TO FORM:

John Dekker, Director of Law

(SEAL)

WICHITA-SEDGWICK COUNTY

DATE

May 1, 1979

METROPOLITAN AREA PLANNING DEPARTMENT

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Art Chambers, Planning Analyst, Advance Plans Division
SUBJECT Airport Zoning Ordinance

The revisions suggested during the review sessions held in March have been incorporated into the draft ordinance. These changes are shown in the attached interdelimited draft. We have not received information on future runway alignments for the general aviation runway at Mid-Continent; for the north/south runway at Comotara or for the runways at Beech. This information will be added to the ordinance before it goes to the public hearing.

The changes include:

1. Minor wording changes to improve the clarity and as suggested by Bernie Borst of the Law Department.
2. Separation of the airports into individual sections to increase the severability of the chapter (page 12).
3. Addition of a paragraph requiring a light shield for lights not incidental to residential use (page 16).
4. Incorporation by reference of FAA Circular "Obstruction Marking and Lighting" to provide standards on where, when, and what type of obstruction markings and lighting are required (page 16).
5. Revised section 28.08.160 paragraphs 1, 2, and 3 (page 17) to create three permit exemption areas. These areas are shown on the attached map. A permit would not be required for structures and trees less than 75' in Area A, less than 150' in Area B, or less than 300' in Area C. The exemption areas were established so that quarter section maps could be used to determine where exemptions are permissible.


If there are no major changes to be made, I will forward the revised draft to Setter, Borst, Beech, Cessna, and McConnell for comment. After comments are received and agreement on the draft is obtained we will need to begin work on the official maps and the final draft of the ordinance.

COPY

Page 2
May 1, 1979

Although it has not been completely resolved on which airports to include, I am proceeding with coverage of the publicly owned airports, Beech, Cessna and the police heliport. As was noted earlier, we still need information as to the location and alignment of the general aviation runway at Mid-Continent, the north/south runway at Comotara and the runways at Beech. I would recommend that until Beech announces its plans for runway extension or relocation, the runway designations in the draft remain the same. Information has been received from Cessna about their west runway. However since it is not open to the public and is under the approach path for McConnell I recommend that it not be protected.

If you agree with the revisions, I will prepare letters, for your signature, to Setter, Borst, Feldner, Cessna, Beech and McConnell outlining the changes and asking for comments to be returned by June 1.



Arthur D. Chambers

AEC:vn
cc: Bruce Curfman, Senior Planner, Advance Plans Division
Attachments

CHAPTER 28.08
AIRPORT HAZARD ZONING

SECTIONS	Title
28.08.010	Title
28.08.020	Purpose
28.08.030	Definitions
28.08.040	Applicability
28.08.050	Airport Zones - A--Civilian Airports B--Military Airports C--Heliports-
28.08.060	Airport Zone Height Limitations
28.08.070	<i>Mid-Continent Airport</i>
28.08.080	<i>Comotara Airport</i>
28.08.090	<i>McConnell Air Force Base</i>
28.08.100	<i>Beech Airport</i>
28.08.110	<i>Cessna Airport</i>
28.08.120	<i>Police Heliport</i>
28.08.070 130	Spacing Adjacent Airports
28.08.080 140	Use Restrictions
28.08.090 150	Nonconforming Uses
28.08.100 160	Permits
28.08.110 170	Enforcement
28.08.120 180	Promulgation of Rules, Regulations, Etc.
28.08.130 190	Appeals
28.08.140 200	Institution of Action in Courts
28.08.150 210	Airport Zoning Maps
28.08.160 220	Penalties
28.08.170 230	Conflicting Regulations
28.08.180 240	Amendments
28.08.190 250	Severability of Chapter
28.08.260	<i>Repeal of Original Title</i>
28.08.200 270	Effective Date of Chapter

ORDINANCE NO. (Second Draft 4/19/79)

AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF WICHITA MID-CONTINENT AIRPORT, MCCONNELL AIR FORCE BASE, BEECH AIRPORT, CESSNA AIRPORT, COMOTARA AIRPORT, AND POLICE HELIPORT, BY CREATING ~~THE-APPROPRIATE AIRPORT HAZARD ZONES~~ AND ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING FOR CHANGES IN THE RESTRICTIONS AND BOUNDARIES OF SUCH ZONES; DEFINING CERTAIN TERMS USED HEREIN; REFERRING TO THE VARIOUS AIRPORT ZONING MAPS WHICH ARE INCORPORATED IN, AND MADE A PART OF THIS ORDINANCE; PROVIDING FOR AN APPEAL PROCESS; IMPOSING PENALTIES; ~~SUBSTITUTING-THIS-ORDINANCE-FOR AMENDING~~ CHAPTER 28.08 OF THE CODE OF THE CITY OF WICHITA, KANSAS, AND REPEALING THE ORIGINAL SAID CHAPTER.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Chapter 28.08 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.010. Title. This Ordinance shall be known and may be cited as the Wichita Airport Hazard Zoning Ordinance."

28.08.020. Purpose. It is hereby found that an airport hazard endangers the lives and property of users of ~~the-forementioned-airports~~, Mid-Continent Airport, Comotara Airport, McConnell Air Force Base, Beech Airport, Cessna Airport and Police Heliport, and occupants of land in the vicinity of said airports; that an airport hazard may affect existing and future instrument approach minimums of

the airports, and that an airport hazard may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of said airports and the public investment therein.

Accordingly, it is declared:

- (1) That the creation or establishment of an airport hazard has the potential of being a public nuisance and may injure the region served by the airports.
- (2) That it is necessary in the interest of the public health, safety, and general welfare, that the creation or establishment of airport hazards be prevented, and
- (3) That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

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

- A.1. AIRPORT - any area of land or water designed and set aside for the landing and taking-off of aircraft.
- B.2. AIRPORT ELEVATION - the highest point of an airport's usable landing area measured in feet from mean sea level.
In order to establish height limitations for Beech and Cessna Airports and McConnell Air Force Base, their established elevation for the purposes of this ordinance, is 1,380 feet above mean sea level.
- C.3. AIRPORT HAZARD - any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 28.08.060 of this ordinance located on or in the vicinity of the airports covered by this ordinance, or any use of land near such airports, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airports or is otherwise hazardous to such landing or takeoff of aircraft.
- D.4. AIRPORT REFERENCE POINT - a point at the approximate center of the airport landing area, and shown on each Airport Hazard Zoning Map.
- E.5. APPROACH SURFACE - a surface longitudinally centered on the extended runway centerline; extending outward and upward from the end of the

primary surface and at the same slope as the approach zone height limitation slope set forth in Section 28.08.060 of this ordinance. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

- F.6. APPROACH, CONICAL, HORIZONTAL, AND TRANSITIONAL ZONES - these zones are as defined and set forth in Section 28.08.050 of this ordinance.
- G.7. BOARD - ~~Board of City Commissioners of~~ the Governing Body of the City of Wichita, Kansas.
- H.8. CIVILIAN AIRPORTS - Any airport that is not owned and or operated by the Federal Government, Department of Defense.
- I.9. CLEAR ZONE SURFACE - for military airports. This surface defines the limits of the obstruction clearance requirements in the vicinity contiguous to the end of the primary surface.
- J.10. CONICAL SURFACE
- 10.1 Civilian Airports - an inclined surface extending upward and outward from the outer periphery of the horizontal surface at a slope of one foot upward for each twenty (20) feet outward for a horizontal distance of 4,000 feet.
- 10.2 Military Airports - An inclined surface extending upward and outward from the outer periphery of the inner horizontal surface at a slope of one (1) foot upward for each twenty (20) feet outward for a horizontal distance of 7,000 feet.
- K.11. FAA - Federal Aviation Administration
- L.12. 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.
- M.13. HELIPORT PRIMARY SURFACE - the area of the primary surface coincides in size and shape with the designated landing and takeoff area of the heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.
- N.14. HORIZONTAL SURFACE - a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone for civilian airports.
- O.15. INNER HORIZONTAL SURFACE - for military airports, a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan

coincides with the perimeter of the inner horizontal zone.

- P.16. LARGER THAN UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight, and jet powered aircraft.
- Q.17. MANAGER - at Wichita Mid-Continent and Comotara Airports, the Manager is the Director of the Airport Authority; at McConnell Air Force Base, the Manager is the *Wing* Commander; at Cessna and Beech Airports the manager is the person designated as *such* by ~~the~~ *each such* company.
- R.18. MILITARY AIRPORT - An airport that is owned and or operated by the Federal Government, Department of Defense.
- S.19. NONCONFORMING USE - any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this ordinance thereto.
- T.20. NONPRECISION 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 procedure has been approved or planned.
- U.21. PLANNING COMMISSION - is the Wichita-Sedgwick County Metropolitan Area Planning Commission.
- V.22. OUTER HORIZONTAL SURFACE - for military airports, a *horizontal* plane 500 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the outer horizontal zone.
- W.23. PERSON - an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, receiver, assignee, or similar representative of any of them.
- X.24. PRECISION INSTRUMENT RUNWAY - 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 on an *FAA* approved airport layout plan or any other *FAA* or *military* planning document.
- Y.25. PRIMARY SURFACE - a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends

200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section 28.08.040 of this ordinance. The elevation of any point on the primary surface is the same as the established airport elevation. ~~of-the-nearest point-on-the-runway-centerline.~~

~~Z.26~~ RUNWAY - a defined area on an airport prepared for landing and takeoff of aircraft along its length.

~~AA27~~ STRUCTURE - an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, smoke stacks, poles, light poles, signs, earth formations, and overhead transmission lines.

~~BB28~~ TRANSITIONAL SURFACES

28.1. For civilian airports, ~~these the transitional surfaces extend outward at 90 degree angles to the runway centerlines and the runway centerlines extended, at a slope of seven~~ ~~(7)-feet-horizontally one (1) foot upward for each~~ ~~feet-vertically seven (7) feet outward from the sides of the primary and approach surfaces. ~~to-where-they-intersect~~ The transitional surfaces connect the horizontal, and conical, primary and approach surfaces. Transitional surfaces for those portions of the approach surfaces, which project beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.~~

28.2. For military airports the transitional surfaces extends outward at 90 degree angles to the runway centerlines and runway centerlines extended at a slope of one (1) foot upward for each seven (7) feet outward. The transitional surfaces connect the primary surfaces, clear zone surfaces, and approach surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces.

~~CC29~~ TREE - any object of natural growth.

~~DD30~~ UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

~~BE31~~ VISUAL RUNWAY - a runway intended solely for the operation of aircraft using visual approach procedures.

28.08.040. APPLICABILITY. The provisions of this ordinance shall apply to ~~the following airports and their environs according to the designation of each runway,~~ airports and runways as designated in Sections 28.08.070 through 28.08.120 of this ordinance. The provisions of this ordinance may also be applied to planned runways indicated on a FAA approved airport layout plan, a military service approved military airport layout plan, any other FAA planning document, or military airport planning document.

28.08.050 AIRPORT ZONES - In order to carry out the provisions of this ordinance, there are hereby created and established defined certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to each runway at each particular airport; as designated in Sections 28.08.070 to 28.09.120. Such zones are shown on the Wichita Airport Hazard Zoning Map consisting of xxx sheets, prepared by the Metropolitan Area Planning Department, dated xxx, which are attached to this ordinance, and made a part hereof, and may be amended and supplemented as hereinafter provided. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby created and defined as follows.

A.---CIVILIAN AIRPORTS

~~Wichita-Mid-Centinent-Airport,-Comotara-Airport,-Beech-Airport,-and-Cessna-Airport---boundaries,-distances-and-slopes-of-the-zones-are-the-same-as-the horizontal-projections-on-the-land-of-the-respective surfaces-and-shall-be-shown-on-Sheets-xxx-(Mid-Centinent, Sheets-xxx,-Comotara-Airport,-Sheets-xxx,-Beech-Airport,-Sheets-xxx,-and-Cessna-Airport,-Sheets-xxx),-of-the attached-Wichita-Airport-Hazard-Zoning-Map.--The-various zones-are-hereby-established-and-defined-as-follows:~~

1. Utility Runway Visual Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of

- 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
2. Utility Runway Nonprecision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
 3. Runway Larger Than Utility Visual Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
 4. Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Nonprecision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
 5. Runway Larger Than Utility With A Visibility Minimum As Low As 3/4 Mile Nonprecision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone extends outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the end of the primary surface. Its centerline is the continuation of the centerline of the runway.
 6. Precision Instrument Runway Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from both ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

- 7.8. Transitional Zones - for civilian and military airports - the transitional zones are the areas beneath the transitional surfaces.
- 8.9. Horizontal Zones - for civilian airports - the horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.
- 9.12. Conical Zone

12.1 Civilian Airports - the conical zone is established that as the that area that commences at the periphery of the horizontal zone and extends upward and outward therefrom for a horizontal distance of 4,000 feet.

12.2 Military Airports - the conical zone is established as the area that commences at the periphery of the inner horizontal zone and extends upward and outward for a horizontal distance of 7,000 feet to a height of 500 feet where it intersects the outer horizontal zone.

~~B.---MILITARY AIRPORTS---McConnell-Air-Force-Base---Boundaries, distances-and-slopes-of-the-zones-are-the-same-as-the horizontal-projections-on-the-land-of-the-respective surfaces-and-shall-be-shown-on-Sheets-xxxx---The-various zones-are-hereby-established-and-defined-as-follows:~~

- 1.7. Military Runway Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 2,500 2,000 feet wide. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet beginning 200 feet beyond both ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

~~2.---Transitional-Zone---the-transitional-zones-are-the areas-beneath-the-transitional-surfaces.~~

310. Inner Horizontal Zone - for military airports - the inner horizontal zone is established by describing an arc with a radii 7,500 feet from the center of each end of the primary surface and connecting the adjacent arcs by drawing lines tangent to those arcs. The inner horizontal zone does not include the approach and transitional zones.
411. Outer Horizontal Zone - for military airports - the outer horizontal zones is established by constructing a line 30,000 feet from the periphery of the conical surface, but does not include approach zones or transitional zones.
- ~~5.---Conical Zone---the conical zone is established as that area beginning at the periphery of the inner horizontal zone and extending upward and outward for a horizontal distance of 7,000 feet to a height of 500 feet where it intersects the outer horizontal zone.~~
413. Clear Zone - this zone is established contiguous to each end of the primary surface and extends 1,500 1,000 feet, at 90 degree angles, on either side of the extended runway centerline and along the runway centerline for a horizontal distance of 3,000 1,000 feet from the end of the primary surface.
- ~~5.---HELIPORTS---Police Heliport, Sheet xxxx---The various zones are hereby established and defined as follows---~~
114. Heliport Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is fifty (50) feet in diameter. The approach zone expands outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.
215. Heliport Transitional Zones - these zones extend outward from the sides of the primary surface centerline and the heliport approach zone centerline.
- 28.08.060 AIRPORT ZONE HEIGHT LIMITATIONS - Except as otherwise provided in this Ordinance, no structure or tree shall be erected, altered, allowed to grow or be maintained-allowed to exist in any zone created by this ordinance to a height in excess of the applicable height limit herein established for such zone. Except where indicated, height limitations of non-military airport zones are also applicable to military airport zones. Where two or more zones overlap

the more restrictive limitation or requirements shall govern and prevail. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A1. UTILITY RUNWAY VISUAL APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B2. UTILITY RUNWAY NONPRECISION INSTRUMENT APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- C3. RUNWAY LARGER THAN UTILITY VISUAL APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- D4. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE - slope: one (1) foot upward for each thirty-four (34) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- E5. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM AS LOW AS 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE - Slope: one (1) foot upward for each thirty-four (34) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- F6. PRECISION INSTRUMENT RUNWAY APPROACH ZONE - slope: one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerline.

07. MILITARY APPROACH ZONE - slope: one (1) foot upward for each fifty (50) feet outward beginning at the end of, and at the same elevation as the primary surface, extending along the runway centerline extended until it reaches a height of 500 feet above the established airport elevation to the outer periphery of the approach zone.
- H6. HELIPORT APPROACH ZONE - slope: one foot (1) upward for each eight (8) feet outward beginning at the sides of, and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.
- I9. HELIPORT TRANSITIONAL ZONES - slope: one (1) foot upward for each two (2) feet outward beginning at the sides of, and at the same elevation as, the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface centerline and heliport approach zones centerline.
- I10. TRANSITIONAL ZONES - slope: one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as the primary surface, clear zone 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 one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface, or outer horizontal surface for military airports. Where precision instrument runway approach zones project beyond the conical zone, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.
- K11. HORIZONTAL ZONE - non-military airports - established at one hundred-fifty (150) feet above the established airport elevation.
- L12. OUTER HORIZONTAL ZONE - military airports - established at five hundred (500) feet above the established airport elevation.
- M13. INNER HORIZONTAL ZONE - military airports - established at one hundred-fifty (150) feet above the established airport elevation.

- N14. CONICAL ZONE - slope: one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal (inner horizontal zone at military airports) zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet-~~above the established-airport-elevation.~~ for civilian airports and five hundred (500) feet for military airports.
- Ø15. EXCEPTED HEIGHT LIMITATIONS - nothing in this ordinance shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to twenty-five (25) feet above the surface of the land.

28.00.070 WICHITA MID-CONTINENT AIRPORT - boundaries, distances and slopes of the zones are the same as the horizontal projections on the land and shall be shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map. The various zones, as created and defined in Section 28.08.050 are hereby established for Wichita Mid-Continent Airport according to the designation of each runway.

1. Runway Designations

- 1.1 Runway 1L - Precision Instrument Runway
 - 1.2 Runway 19R - Precision Instrument Runway
 - 1.3 Runway 1R - Precision Instrument Runway
 - 1.4 Runway 19L - Larger than utility with a visibility minimum as low as 3/4 mile Nonprecision Instrument Runway
 - 1.5 Runway 14 - Larger than utility with a visibility minimum greater than 3/4 mile Nonprecision Instrument Runway
 - 1.6 Runway 32 - Larger than utility with a visibility minimum greater than 3/4 mile Nonprecision Instrument Runway
 - 1.7 General Aviation Runway 1R
 - 1.8 General Aviation Runway 19L
2. Established airport elevation 1,322 feet above mean sea level.

28.08.080 COMOTARA AIRPORT - boundaries, distances and slopes of the zones are the same as the horizontal projections on the land and shall be shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map. The various zones, as created and defined in Section 28.08.050 are hereby established for Comotara Airport according to the designation of each runway.

1. Runway Designations
 - 1.1 Runway Precision Instrument Runway
 - 1.2 Runway 35 - Larger than utility with a visibility minimum as low as 3/4 mile Nonprecision Instrument runway
 - 1.3 Runway 13 - Runway larger than Utility visual approach runway
 - 1.4 Runway 31 - Runway larger than Utility visual approach runway
2. Established Airport elevation 1,420 feet above mean sea level.

28.08.090 MCCONNELL AIR FORCE BASE - boundaries, distances and slopes of the zones are the same as the horizontal projections on the land and shall be shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map. The various zones, as created and defined in Section 28.08.050, are hereby established for McConnell Air Force Base according to the designation of each runway.

1. Runway designations
 - 1.1 Runway - Military Runway
 - 1.2 Runway 36R - Military Runway
 - 1.3 Runway 18R - Military Runway
 - 1.4 Runway 36L - Military Runway
2. Established Airport elevation 1,380 feet above mean sea level.

28.08.100 BEECH AIRPORT - boundaries, distances and slopes of the zones are the same as the horizontal projections on the land and shall be shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map. The various zones, as created and defined in Section 28.08.050 are hereby established for Beech Airport according to the designation of each runway.

1. Runway designations
 - 1.1 Runway 18 - Precision Instrument Runway
 - 1.2 Runway 36 - Larger than Utility with a visibility minimum as low as 3/4 mile Nonprecision Instrument Runway
 - 1.3 Runway NE -
 - 1.4 Runway SW -
 - 1.5 Runway NW -
 - 1.6 Runway SE -
- } Utility Nonprecision Instrument Runway
2. Established airport elevation 1,380 feet above mean sea level.

28.08.110 Cessna Airport - boundaries, distances and slopes are the same as the horizontal projections on the land and shall be shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map. The various zones, as created and defined in Section 28.08.050 are hereby established for Cessna Airport according to the designation of each runway.

1. Runway Designations
 - 1.1 Runway 17L - Larger than Utility with a visibility minimum greater than 3/4 mile Nonprecision Instrument Runway.
 - 1.2 Runway 35R - Larger than Utility with a visibility minimum greater than 3/4 mile Nonprecision Instrument Runway.
 - 1.3 Runway 17R - Utility Visual Approach Runway
 - 1.4 Runway 35L - Utility Visual Approach Runway
2. Established airport elevation 1,380 feet above mean sea level.

28.08.120 Police Heliport - boundaries, distances and slopes of the zones are the same as the horizontal projections on the land and shall be shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map. The various zones, as created and defined in Section 28.08.050, are hereby established for Police Heliport according to the designation of each runway.

1. Runway Designation
 - 1.1 Runway H1 - Circular pad
2. Established airport elevation 1,290 feet above mean sea level.

28.08.070130 SPACING ADJACENT AIRPORTS

- A1. No other airport shall be established hereafter, any portion of whose proposed boundary will be *under an airport zone established by this ordinance* or within a radius of eight (8) miles from an airport reference point ~~or under-an-airport-zone~~ of an airport established on the date of this ordinance, unless a permit shall have been applied for and granted in accordance with the provisions of this ordinance.
- B2. Exceptions to the spacing requirements hereinbefore provided in this section may be granted by the Board upon receipt of proper application, but only after a public hearing duly held in accordance with provisions of this chapter, and where, owing to special conditions, the Board duly finds that a literal enforcement of these provisions would result in unnecessary hardship and such exception would not be contrary to the public interest. Prior to granting any such exception, the Board shall for the purpose of study, comment, and recommendation, refer the matter to the Federal Aviation Administration, the *Wing* Commander of McConnell Air Force Base, and to any local planning body having jurisdiction within the area affected.
- E3. If any of the aforementioned bodies to whom the matter shall have been referred does not, within sixty (60) days, transmit a report to the Board then it shall be deemed to have approved the proposal; provided, however, that upon request of any such body the Board shall grant a reasonable extension of such time.
- B.4 In granting such exception the Board shall impose special conditions which will ensure that public interest, existing public and private investment in airports, and air safety is maintained.

28.08.000140 USE RESTRICTIONS

1. Notwithstanding any other provision of this ordinance no use may be made of land or water within any zone established by this ordinance in such manner as to create electrical interference with navigational or radio communication between the airports and aircraft, make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of the pilots using the airports, *create smoke*, impair visibility in the vicinity

of the airport, create bird strike hazards or otherwise in any way, endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airports.

2. *A shield that reduces the amount of light visible from above and directs the light downward shall be required for all outdoor lights, except those incidental to residential uses, installed after the date of this ordinance, within the limits of the horizontal, inner-horizontal, transitional or approach zones.*

28.08.090150 NONCONFORMING USES

- A1. REGULATIONS NOT RETROACTIVE - the regulations prescribed by this ordinance 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 ordinance, or to otherwise interfere with the continuance of a nonconforming use. Nothing contained herein 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 diligently prosecuted.

- B2. MARKING AND LIGHTING - notwithstanding the preceding provision of this section, the owner of any existing structure or tree is hereby required to permit the operation and maintenance thereon of such markers and lights ~~as shall be deemed necessary by the Airport Manager~~ in accordance with standards as set forth in the FAA Circular Obstruction Marking and Lighting (No. AC70/7460-1F), to indicate to the operators of aircraft in the vicinity of the airports the presence of airport hazards. ~~Such markers and lights shall be installed, operated, and maintained at the expense of the operator of the affected airport.~~ *The maintenance, operation and installation of such markers and lights, shall be the responsibility of the owner or owners of the affected airport.*

28.08.100160 PERMITS

A1. FUTURE USES - except as specifically provided in

1.1, 1.2, and 1.3, hereunder, no material change shall be made in the use of land, no structure, tower, or pole shall be erected or otherwise established, and no tree shall be planted in any zone hereby created by Section 28.08.040, unless a permit, therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with particularity to permit determination of whether the resulting use, structure or tree would conform to the regulations within this ordinance. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this chapter shall be granted unless a variance has been approved in accordance with paragraph "B" 4 of this section.

- 1.---~~In the area lying within the limits of the horizontal zone (inner or outer horizontal zone for military airports), and conical zone, no permit shall be required for any tree or structure less than seventy-five (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.~~
- 2.---~~In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of 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 approach zones.~~
- 3.---~~In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of 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.~~

- 1.1 In the area lying within the limits of Area A, shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map, no permit shall be required for any tree or structure less than seventy-five (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 approach, conical, transitional, or horizontal zones.
- 1.2 In the area lying within the limits of Area B, shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map, no permit shall be required for any tree or structure less than one hundred fifty (150) 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 approach, conical, transitional or horizontal zones.
- 1.3 In the area lying within the limits of Area C, shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map, no permit shall be required for any tree or structure less than three hundred (300) feet of vertical height above the ground, except when, because of terrain, land contours or topographic features, such tree or structure would extend above the height limits prescribed for approach, conical, transitional or horizontal zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure or growth of any tree in excess of any of the height limits established by this ordinance except as set forth in Section 28.08.050, paragraph "e" "15".

- B2. 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 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 applications for such a permit shall be granted.

- C3. NONCONFORMING USES ABANDONED OR DESTROYED - whenever the Superintendent of Central Inspection determines that a nonconforming tree or structure 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.
- B4. 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 ordinance, may apply to the Board for a variance from such regulations. The Board may assign the application to the Planning Commission for study and recommendations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and be in accordance with the spirit of this chapter.

Additionally, no application for variance to the requirements of this ordinance shall be considered by the Board unless a copy of the application has been furnished to the Manager of the affected airport(s) for ~~advice~~ *comment* as to the aeronautical effects of the variance. If the Manager does not respond to the application within fifteen (15) days after receipt, the Board may act on its own to grant or deny said application.

- E5. HAZARD MARKING AND LIGHTING - any permit or variance granted, may, if such action is deemed advisable to effectuate the purpose of this ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain at the owner's expense, such markings and lights as ~~may be~~ *deemed* necessary by FAA Circular AC-70/7460-1F. If deemed proper by the Board this condition may be modified to require the owner to permit the installation, operation, and maintenance of the necessary markings and lights *in accordance with* FAA Circular AC-70/7460-1F, at the expense of the ~~operator~~ *owner(s)* of the affected airport.

6. FEES - A fee shall be collected for each permit application in accordance with the provisions of Section 18.08.010 of this code.

28.08.110170 ENFORCEMENT The Superintendent of Central Inspection is hereby designated the responsibility to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Superintendent of Central Inspection on a form furnished by him. Applications required by this ordinance to be submitted to the Superintendent of Central Inspection shall be promptly considered and granted or denied by him. If it is determined by the Superintendent of Central Inspection that the proposed use does not conform with the provisions of this ordinance, the application shall be denied.

28.08.120180 PROMULGATION OF RULES, REGULATION, ETC. The Superintendent of Central Inspection shall promulgate, and from time to time amend rules, regulations and standards for the administration and enforcement of this ordinance, which standards shall not be effective until they have first been approved by the Board of City Commissioners, and a copy thereof filed with the City Clerk of the City of Wichita.

28.08.130190 APPEALS

- A1. Any person aggrieved, or taxpayer affected by a decision of the Superintendent of Central Inspection made in administration of this ordinance, may appeal to the Board .
- B2. All appeals hereunder must be taken within a ~~reasonable time as provided by the Board of City~~ thirty (30) days by filing with the Superintendent of Central Inspection a notice of appeals specifying the grounds thereof. The Superintendent of Central Inspection shall forthwith transmit to the Board all papers constituting the record on which the action appealed was taken.
- E3. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Superintendent of Central Inspection certifies to the Board, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the opinion of the Superintendent of Central Inspection,

cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board and on due cause shown.

- Ø4. The Board shall fix a reasonable time for the hearing of 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.
- E5. The Board in conformity with the provisions of this ordinance, may 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.
- F6. The concurring vote of a majority of the members of the Board shall be sufficient to revise any order, requirement, decision, or determination of the Superintendent of Central Inspection or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in this ordinance.

28.08.140200 INSTITUTION OF ACTIONS IN COURTS

- A1. The Superintendent of Central Inspection may institute in any court of competent jurisdiction, an action to prevent, restrain, correct or abate any violation of this ordinance, or of any order or ruling made in connection therewith as provided by law.
- B2. Any person aggrieved or any taxpayer affected, by any decision of the Board of City Commissioners, may appeal to any court of competent jurisdiction as provided by law.

28.08.150210 AIRPORT ZONING MAPS

- A1 OFFICIAL TITLE - each such airport zoning map, properly identified by the name of the airport covered, and an appropriate description of what the map purports to show, shall be signed by the City Clerk of the City of Wichita, and marked with the effective date of this ordinance.
- B2. RATIFICATION - the particular airport zoning classifications as shown by the legends on such airport hazard zoning maps, are hereby ratified, confirmed and approved and all land within any of the zones shown on any of

the airport hazard zoning maps shall be and is hereby zoned the particular airport zone shown by the legend on the applicable airport zoning map.

33. MAINTENANCE -

3.1. The airport hazard zoning maps shall be kept and maintained by the City of Wichita, and shall be available for inspection and examination by members of the public at all reasonable times, as any other public record, in the office of the Superintendent of Central Inspection.

3.2. An exact copy of each airport hazard zoning map shall be located in the office of the City Clerk, who shall likewise maintain such maps and make them available for inspection and examination by members of the public at all reasonable hours.

34. CHANGE IN AIRPORT HAZARD ZONING MAPS - any change in an airport zoning classification accomplished in the manner provided by law, after public hearing and a resolution of the Board, shall be noted on the particular airport hazard zoning map affected by such change on file in the Office of the Superintendent of Central Inspection and in the office of the City Clerk, so that all such airport zoning maps shall at all times reflect the current airport zoning classification of each parcel of real estate within such zones.

28.08.160220 PENALTIES - each violation of this ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than \$300 or imprisonment for not more than 30 days or both; and each day a violation continues to exist shall constitute a separate offense.

28.09.170230 CONFLICTING REGULATIONS - in the event of any conflict between the requirements of this ordinance and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

28.08.180240 AMENDMENTS - amendment or repeal of all or part of this ordinance shall be done in accordance with the procedure prescribed by law for the adoption, amendment and repeal of airport zoning regulations (KSA 3-705).

D R A F T

28.08.190250 SEVERABILITY OF CHAPTER - if any of the provisions of this ordinance or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

28.08.260 *The original of Title 28.08 of the Code of the City of Wichita, Kansas, is hereby repealed.*

28.08.200270 EFFECTIVE DATE OF CHAPTER - this chapter shall be in full force and effect from and after its adoption, and publication in the official paper.

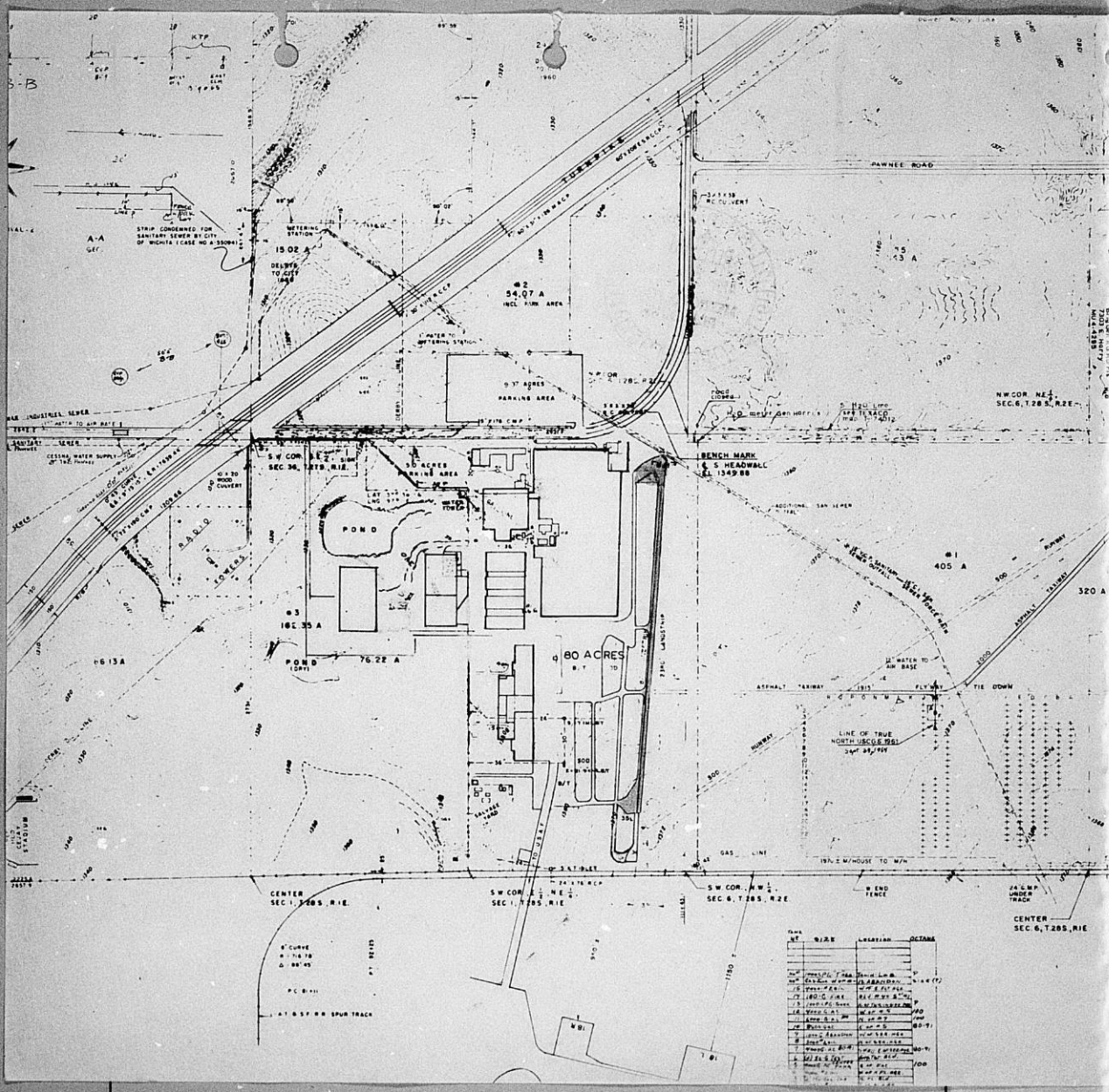
5/79

Mr. Lakin

Here's the drawing showing
both of Cessna's runways.

Call me if you have any
further questions.

Joe Spalding
685-9111 ext. 4712



NO.	DESCRIPTION	DATE	BY
1	PRELIMINARY PLAN	1950	J. H. B.
2	FINAL PLAN	1950	J. H. B.
3	AS BUILT	1950	J. H. B.
4	REVISION	1950	J. H. B.
5	REVISION	1950	J. H. B.
6	REVISION	1950	J. H. B.
7	REVISION	1950	J. H. B.
8	REVISION	1950	J. H. B.
9	REVISION	1950	J. H. B.
10	REVISION	1950	J. H. B.

4" Curve
 114.79
 0.44-45
 PC 8111
 AT 8.57 RR SPUR TRACK

CENTER SEC 6, T28S, R12E

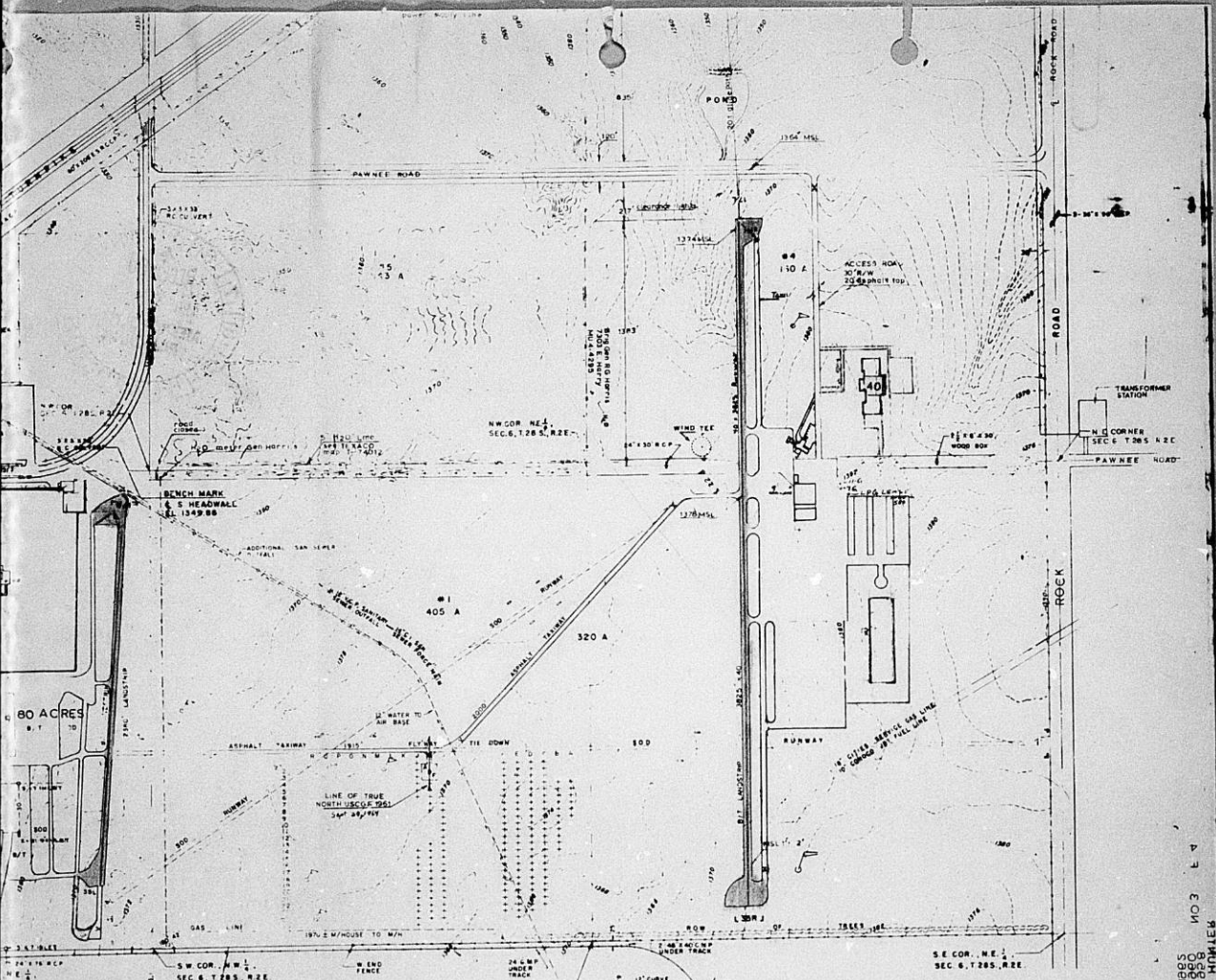
SW COR. NE 1/4 SEC. 1, T28S, R12E

SW COR. NW 1/4 SEC. 6, T28S, R2E

CENTER SEC. 36, T28S, R12E

CENTER SEC. 6, T28S, R12E

CENTER SEC. 6, T28S, R12E



60 ACRES

NO.	AREA	LOCATION	ACRES
1	405	E. OF PAWNEE	20.480
2	50.4	S. OF K.T.P. N. OF PAWNEE	
3	182.38	W. ADJ. N. OF HWY. 101	
4	57.13	N. OF SHED HANGAR	
5	50.29	E. OF PAWNEE	
6	101.06	N. OF NEW PAWNEE (45.44/50.61)	
TOTAL			605.85 PAWNEE COMM. DIV.

ACRES

AREA A LOCATION

1 405 E. OF PAWNEE 20.480 S.

2 50.4 S. OF K.T.P. N. OF PAWNEE

3 182.38 W. ADJ. N. OF HWY. 101

4 57.13 N. OF SHED HANGAR

5 50.29 E. OF PAWNEE

6 101.06 N. OF NEW PAWNEE (45.44/50.61)

TOTAL 605.85 PAWNEE COMM. DIV.

REVISED SEPT 1959

UPDATED: AUG 1965

TOPOGRAPHIC MAP
**CESSNA AIRCRAFT PROPERTY
 PAWNEE PLANT**
 WICHITA, KANSAS
 SCALE: 1" = 400'
 H. R. HUNTER—CONSULTING ENGINEERS
 WICHITA, KANSAS

103 E 4
 1030 HUNTER

WICHITA SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 3, 1979

TO Robert A. Lakin, Director of Planning
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT Airport Hazard Zoning Ordinance

In light of the two recent meetings regarding the proposed Airport Hazard Zoning Ordinance, Bruce, Art and I have discussed a revised time schedule based upon changes that need to be made, questions about the ordinance and potential problem areas. Basically, the proposed ordinance would remain in its current form with only minor changes.

The changes include: 1. Addition of general aviation runway at Mid-Continent; 2. Realignment of the north/south runway at Comotara; 3. Addition of runway at Cessna; 4. Change in primary surface width at McConnell; 5. Incorporating planned extension of existing 18/36 runway at Beech (or runway at new location), and designating runway 18 as a precision instrument runway; 6. Separating the airports within the ordinance by covering each airport in a separate section; and 7. Cosmetic changes.

Other changes that have been discussed and have general agreement, but no final approval are: 1. Rewording Section 20.08.090, paragraph B to incorporate, by reference, FAA standards on Hazard Marking and Lighting, and to establish limits on the discretion of the airport manager; 2. Rewording Section 28.08.100, paragraphs A(1) through A(3) to provide exemptions from permit applications (draft of exemption changes attached); and 3. Incorporation of a fee schedule for permit applications.

Questions and potential problem areas that have not been completely resolved include:

1. Which airports to include?
 - a. Those in Airport Systems Plan (McConnell, Mid-Continent and Comotara).
 - b. Those that contribute to the economic well being of the City (i.e., Beech and Cessna). This would be stated in the ordinance.
 - c. Those heliports/helistops that are operated in the interest of the public.

COPY

Page 2
April 3, 1979

2. If all helistops are covered, but only Beech and Cessna Airports are covered, is the City weakening its justification of not including other privately owned airports?
3. Will the inclusion of Beech and Cessna, and the exclusion of Riverside, Copeland, etc., increase the chance of litigation based on the premise that the City, through the ordinance, is creating a monopoly?
4. If the City does not extend coverage to all public use airports, what is its liability if a building is constructed that effectively precludes the use of the airport?
5. What is the legal authority to enforce the ordinance in Butler and Sumner counties?

To proceed with the adoption process, an informational meeting should be held the first week in May. At this meeting the ordinance would be presented to operators of airports not covered, Chamber of Commerce and other interested persons. Prior to this meeting, staff should adopt a stand on which airports should be covered. Also at this meeting, we would discuss the ordinance and obtain feedback from those attending.

One possible alternative to proceeding with the existing draft, would be to proceed with a draft covering Mid-Continent and McConnell only. This would allow time to resolve the above questions, obtain the new alignment at Comotara and the new runway at Beech. Then, as decisions are made, new information received, we would amend the ordinance to include coverage of additional airports.

Unless there are to be major changes in the ordinance, we will schedule an informational meeting for the first week in May to discuss the ordinance in its existing form with the Chamber of Commerce, operators of airports not covered and other interested persons.

Willard L. Stockwell

WLS:ADC:vn

cc: Bruce Curfman, Senior Planner, Advance Plans Division
Art Chambers, Planning Analyst, Advance Plans Division

1.1 In the area lying within the limits of Area A, shown on sheets xxx of the attached Wichita Airport Hazard Zoning Map, no permit shall be required for any tree or structure less than seventy-five (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 the applicable approach, conical, transitional, or horizontal zones.

1.2 In the area lying within the limits of Area B shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map, no permit shall be required for any tree or structure less than one-hundred-fifty (150) 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 the applicable approach, conical, transitional or horizontal zone.

1.3 In the area lying within the limits of Area C shown on Sheets xxx of the attached Wichita Airport Hazard Zoning Map, no permit shall be required for any tree or structure less than three-hundred (300) feet of vertical height above the ground, except when, because of terrain, land contours, or topographic features, such tree or structure would extend above the height limits prescribed for the applicable approach, conical, transitional or horizontal zones.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 27, 1979

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Arthur D. Chambers, Planning Analyst, Advance Plans Division
SUBJECT Airport Hazard Zoning

As a result of questions raised at the meeting on March 22, I researched the State Statutes regarding Airport Zoning. In addition, I researched the statutes covering industrial districts. It appears that there is a possibility that industrial districts, in the absence of city or county zoning regulations, have the power to adopt airport hazard zoning regulations. The following is a discussion of the potential problem.

According to Paragraph 3-701(4), a political subdivision is defined as being an entity that is authorized "... to acquire, operate, maintain or regulate an airport..."

It should be noted that for an entity to be defined as a political subdivision, it does not have to be authorized to regulate an airport, but only authorized to acquire, operate, maintain or regulate.

Industrial districts are authorized under Paragraph 19-3808(3), "to plan and construct facilities ... or any public improvements necessary or conducive to the public health, safety, convenience, and general welfare." They are further authorized "to purchase, lease, rent or acquire such real estate ... as may be necessary to carry out the purposes and objects of the district..." (Paragraph 19-3804(4)). Industrial districts also have the power "to issue general obligation bonds ... to pay the cost... of any public improvement necessary or conducive to the general health, safety, convenience and general welfare, which will benefit all property situated within the district?" (Paragraph 19-3808(7)).

Based upon the preceding information, it appears that an industrial district consisting of Beech Aircraft Corporation facilities on East Central would be authorized to own, operate and maintain an airport under K.S.A. 19-3808. Since they are authorized by State Statutes, it would be considered a political subdivision under K.S.A. 3-701(4).

If Beech transferred the airport to the industrial district, then the district would be able to "... adopt, administer and enforce ... airport zoning regulations ..." (Paragraph 3-703). This same situation could also arise at Cessna or possibly at any other small airport that is able to become an industrial district.

COPY

Page 2
March 27, 1979

Currently Beech would not be able to implement airport zoning regulations due to the existing Wichita Airport Zoning Ordinance since Paragraph 19-3818 states that "Nothing herein contained shall impair or affect the power or jurisdiction of the county, township, zoning boards, ... in which such industrial districts are located ..." Cessna, however, may have the power to adopt an airport zoning ordinance if no airport zoning ordinances are enacted by the city or county.

The primary question is "In the absence of city, county or other governmental entity action, can industrial districts (Beech and Cessna) enact, administer, and enforce airport hazard zoning regulations?" It appears that if there are no existing ordinances the districts can enact such regulations, but they could be superceded upon city or county action.

While there is some degree of uncertainty of the industrial district's authority in enacting airport zoning regulations, it seems likely that the districts could enact regulations. At a minimum, this would result in confusion in the administration of the City's ordinance. To remove the confusion, if Beech and Cessna do enact regulations, the City would have to enact superceding ordinances or initiate litigation.

I recommend that the Law Department be requested to comment on this matter prior to the enactment of a City Airport Hazard Zoning Ordinance excluding Beech and/or Cessna.

Arthur D. Chambers

ADC:vn
cc: Bruce Curfman, Senior Planner, Advance Plans Division
Arthur D. Chambers, Planning Analyst, Advance Plans Division

1025

Beech Aircraft Corporation
Wichita, Kansas 67201
U. S. G.



March 23, 1979

Mr. Willard L. Stockwell, Chief Planner
Advance Plans Division
Metropolitan Area Planning Department
455 N. Main St.
Wichita, Kansas

Dear Mr. Stockwell:

This is in reply to your letter of February 22, 1979, in which you requested review and comments concerning the proposed Airport Hazard Zoning Ordinance.

1. Page 4, Para. T. This paragraph refers to a runway for which a "straight-in non-precision instrument approach procedure has been approved or planned". Consideration should be given to a revision so as to include runways with circling approaches since several airports in the Wichita area only have circling non-precision instrument approaches.
2. Page 6, Para. A 2. Beech Aircraft Corporation has been in correspondence with Mr. C. R. Melugin, Jr, Director, Central Region of the Federal Aviation Agency to express concern over potential air traffic conflicts between Beech Airport and Comotara Airport (as planned) which could result in unsafe operating conditions. The enclosed letter from Mr. Melugin specifies mutually agreed upon modifications to Comotara plans to alleviate some of the above mentioned conflicts. Two additional comments regarding Para. A 2 are appropriate:
 - a. Notwithstanding the above modifications, aircraft traffic patterns of Beech and Comotara Airports will be closely situated and buffer zones will overlap. Therefore, any additional planned expansion to Comotara must be to the north since further expansion to the south would cause overlap of the aircraft traffic patterns.
 - b. Para. A 2(b) specifies non-precision instrument runway with visibility minimums as low as 3/4 mile. This appears to indicate plans for a back course ILS approach to runway 35, since circling minimums are one mile or greater. Such an approach would conflict with Beech, Cessna and McConnell AFB traffic. Circling approaches only should be specified for runway 35 at Comotara.

Sheet No. 2

Beech Aircraft Corporation
Wichita, Kansas
U.S.A.

March 23, 1979

Mr. Willard L. Stockwell, Chief Planner
Metropolitan Area Planning Department
455 N. Main St.
Wichita, Kansas

3. Page 6, Para. A3. Beech Airport runway use criteria has been left out. The following runway use criteria should be added:

Beech Airport

- (a) Runway 18 - Precision Approach runway.
- (b) Runway 36 - Larger than utility with a visibility minimum as low as 3/4 mile non-precision instrument runway.
- (c) Runway 3 - Larger than utility visual approach runway.
- (d) Runway 21 - Larger than utility visual approach runway.
- (e) Runway 31 - Larger than utility visual approach runway.
- (f) Runway 13 - Larger than utility visual approach runway.

It should be noted that the Beech runway 18/36 is stressed to accept 60,000 lbs. weight bearing capacity and that greater than utility aircraft regularly operate from Beech Airport. In addition, future Beech plans require that options remain open to relocate and lengthen the north/south runway a minimum of 2,000 ft. to the north, and to install precision instrument approach equipment.

I trust that the above comments will be of assistance to you.

Sincerely,

BEECH AIRCRAFT CORPORATION

Ralph C. Bills

Ralph C. Bills
Manager - Flight Operations

RCB:fs

Enc. 1

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

CENTRAL REGION
801 EAST 12TH STREET
KANSAS CITY, MISSOURI 64106



RECEIVED
MAR 16 1979
BEECH AIRCRAFT

MAR 14 1979

Mr. Austin Rising
Vice President
Beech Aircraft Corporation
Wichita, Kansas 67201



Dear Mr. Rising:

This will confirm our recent conversation concerning proposed development at the Comotara Airport.

Under the Master Plan currently being processed, the proposed new main runway at Comotara is shown on a 17/35 alignment. In order to improve operational compatibility with Beech runway 18/36, we have requested the sponsor to modify the Comotara runway to an 18/36 alignment. The sponsor has agreed to initiate action to accomplish this, and we anticipate no significant problems in making the modification. Traffic patterns for Comotara runways 18/36 and 13/31 would be non-standard. Specifically, the traffic pattern for 18/36 would be to west of the runway (right hand for 18), and the traffic pattern for runway 13/31 would be to the northeast of the runway (right hand for 31).

We believe that operations under the above arrangement can be conducted safely and efficiently, and we contemplate no further action at this time.

Sincerely,

C. R. Melugin, Jr.

C. R. MELUGIN, JR.
Director

bcc: C. A. Rembleske
Ralph Bills
E. S. Murray
G. A. McKinney ✓

ATTENDENCE RECORD

cont C.

Date: 3-29-79
 Time: 9:00 AM
 Place: City Hall - 10th
 Meeting Arranged By: MAPD
 Purpose: AIRPORT HAZARD ZONING REV

Name	Organization	Address
R. A. Lakin Phone: 268 4561	MAPD	
F. D. GROVER Maj USAF Phone: 681-6335	M'Connell AFB OPERATIONS	M'Connell AFB.
ROBERT L WELCH Phone: 681-5525	381 CES/DEEV	M'CONNELL AFB.
B. V. BORST Phone: 268-4681	City Law Dept	
H. Jay Setter Phone: 942 8101	wichita Airport Authority	Airport
Bill Stokwell Phone:	MAPD	
Art Chambers Phone:	MAPD	
Austin Krasig Phone: 681-7149	Beech Aircraft Corporation 316 Jim Beckett Mgr. Plant Engineering 681-5190 Dept. 64	9709 E. Central 67201
Sal A. McKinney Phone: 681-7134	Beech Aircraft Corp	
RALPH BILCS Phone: 681-7134	Beech Aircraft Corp	
LEE SPALDING Phone: 685-9111 Ex. 2525	Cessna Aircraft	

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 381st STRATEGIC MISSILE WING (SAC)
MCCONNELL AIR FORCE BASE, KANSAS 67221



21 MAR 1979

Metropolitan Area Planning Department
Attn: Mr. Willard L. Stockwell
Chief Planner
455 North Main Street
Wichita KS 67202

Dear Mr. Stockwell

A review has been made of the proposed City of Wichita Airport Hazard Zoning Ordinance as requested. Only a couple of minor discrepancies were noted and these have been discussed with your people.

Please inform me of the time and place of your information and discussion meeting and I will assure that base personnel are in attendance.

Attached are some sketches that might be of benefit to your planners.

Sincerely

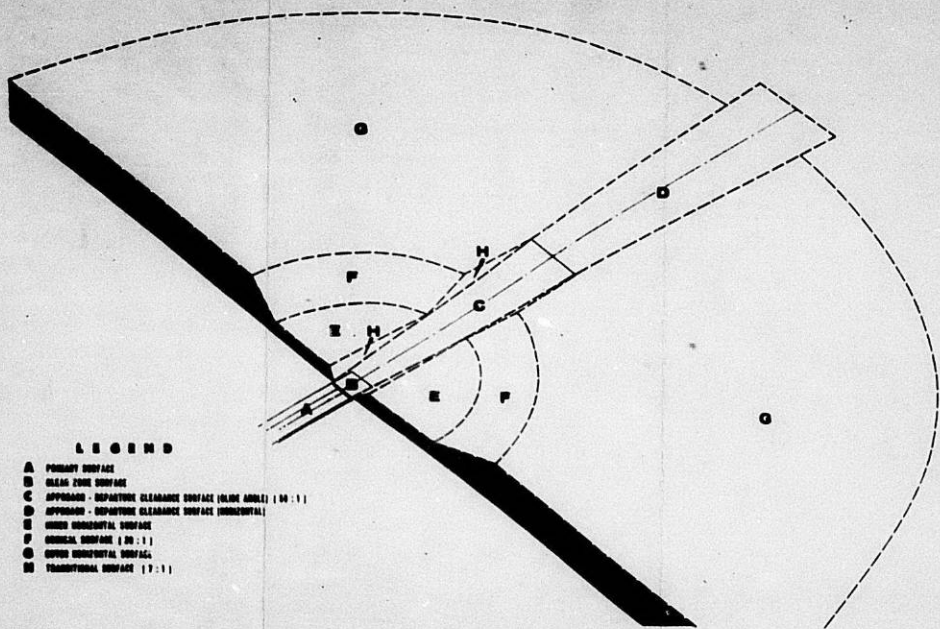
ELMER T. BROOKS, Colonel, USAF
Commander

4 Atch
1 - 4. Sketches



Peace is our Profession

13



- LEGEND**
- A PRIMARY SURFACE
 - B CLEAR ZONE SURFACE
 - C APPROACH - DEPARTURE CLEARANCE SURFACE (SLOPE ANGLE) (1:1)
 - D APPROACH - DEPARTURE CLEARANCE SURFACE (HORIZONTAL)
 - E HORIZ. HORIZONTAL SURFACE
 - F HORIZ. SURFACE (20:1)
 - G UPPER HORIZONTAL SURFACE
 - H TRANSITIONAL SURFACE (7:1)

Figure 6. Airspace Control Surfaces—Isometric View.

1221

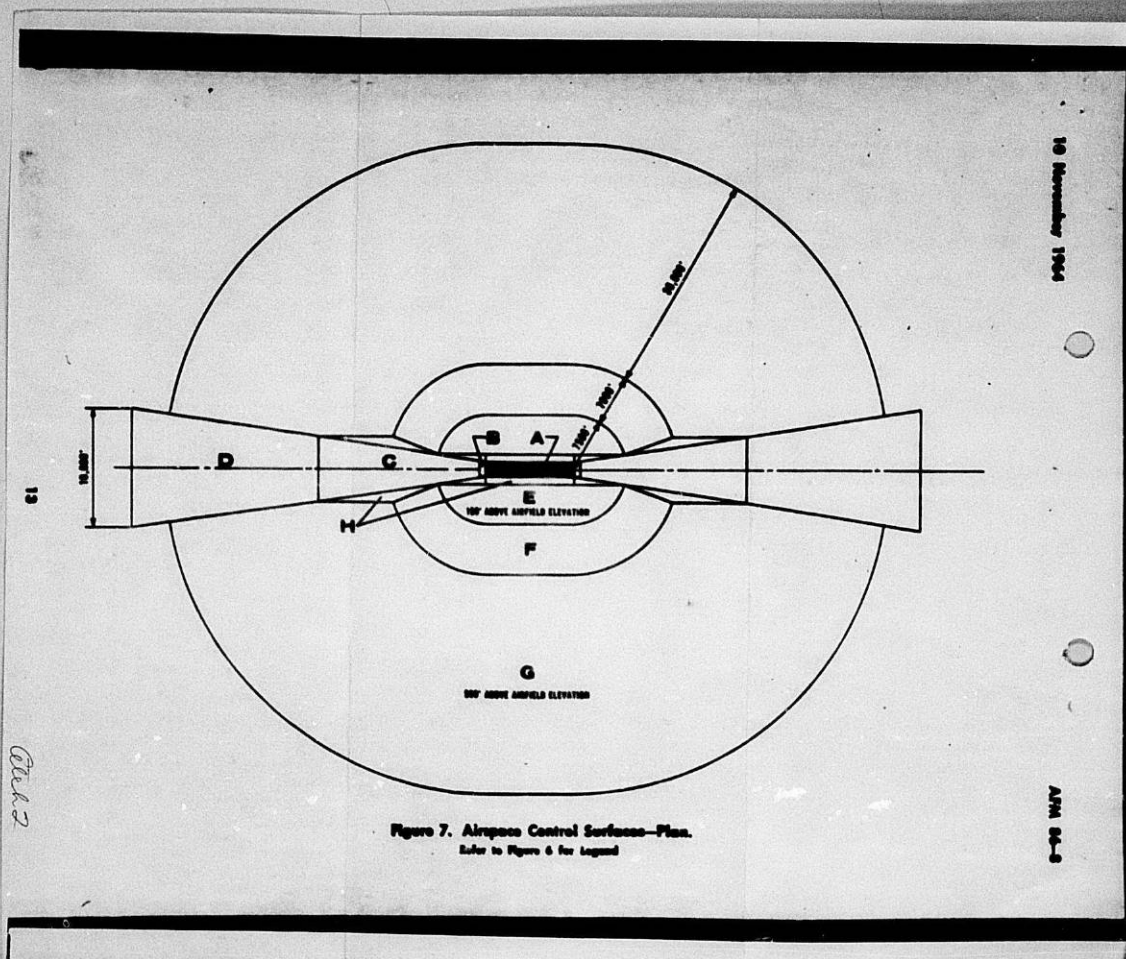


Figure 7. Airspace Control Surfaces—Plan.
Refer to Figure 6 for Legend

10 November 1964

AWA 84-3

AWA 2

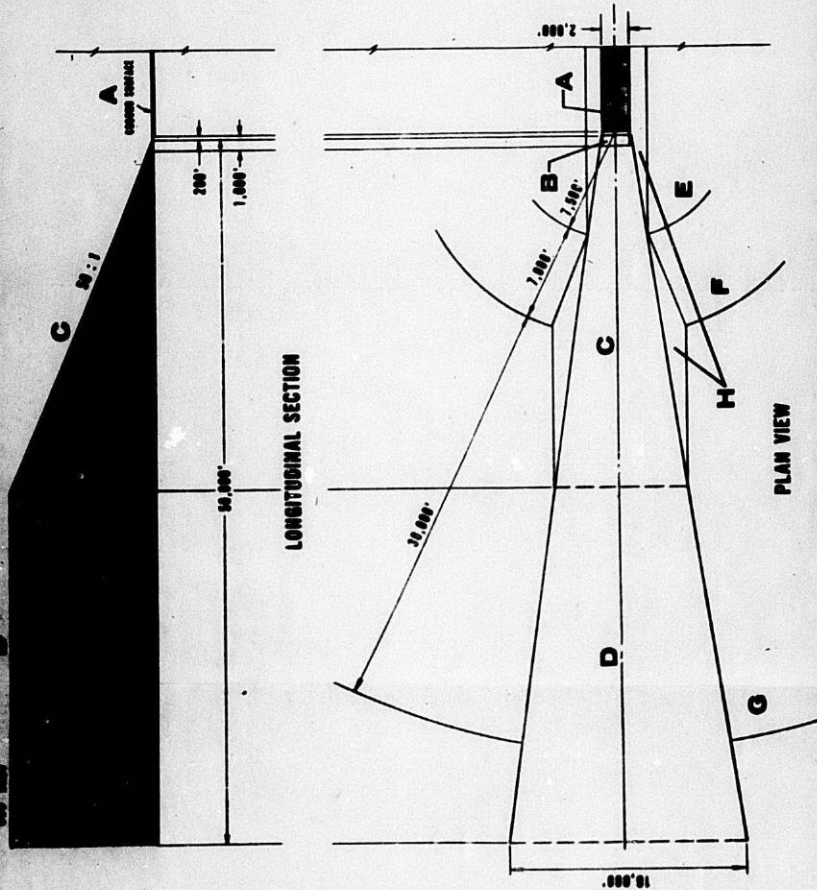
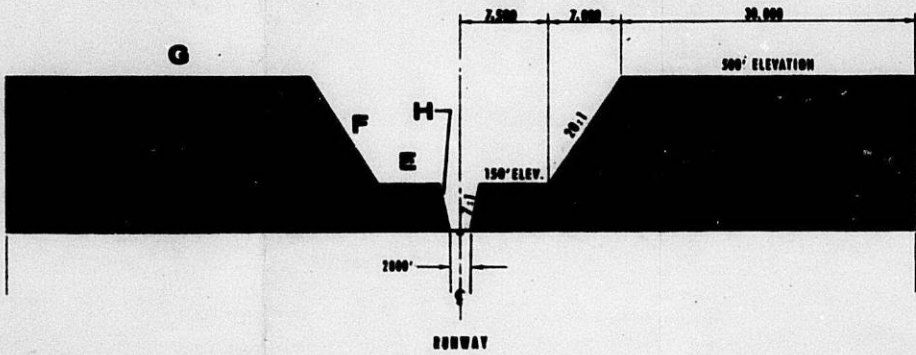


Figure 8. Standard Runway Plan & Longitudinal Section.

Refer to Figure 6 for legend

Note: The datum elevation for surfaces B, E, F, and G is the established airfield elevation. The datum elevation for surface C is the elevation of the runway centerline at the runway end. The datum elevation for surface H varies at each point along the centerline. The intersections shown in the plan view above are for the special case of a level runway.

10 November 1964



11

Steel 4

AT-20

Figure 5. Standard Runway Transverse Section.
Refer to Figure 6 for Legend

AFM 88-8

381 GMW/CC
McConnell AFB KS 67221



Metropolitan Area Planning Department
Attn: Mr. Willard L. Stockwell
Chief Planner
455 North Main Street
Wichita KS 67202

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 15, 1979

TO H. J. Setter, Director, Airport Authority
Robert B. Feldner, Superintendent, Central Inspection
FROM Bernard Borst, Senior Assistant City Attorney
Donald Wood, Industrial Development Officer

SUBJECT Willard L. Stockwell, Chief Planner, Advance Plans Division

SUBJECT Proposed Airport Hazard Zoning Ordinance

This is to confirm the meeting scheduled by my staff for Thursday, March 22 at 9:00 a.m., MAPD Conference Room, 10th Floor.

During the meeting, questions, comments and recommendations regarding the proposed ordinance, distributed February 22, will be discussed in order to finalize the ordinance for general distribution.

If you have any questions contact myself, Bruce Curfman or Art Chambers at 4391.

COPY

WLS
Willard L. Stockwell, Chief Planner

WLS:ADC:VN

cc: Robert A. Lakin, Director of Planning
Bruce Curfman, Senior Planner, Advance Plans Division
Art Chambers, Planning Analyst, Advance Plans Division

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

March 16, 1979

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Bruce A. Curfman, Senior Planner, Advance Plans Division
SUBJECT Comotara Runway Alignment Re. Airport Zoning Map

In talking with Art Larsen, Langston-Kitch and Assoc., it has been brought to our attention that the FAA has requested an adjustment to the runway alignment on the Comotara Airport Layout Plan. This is apparently in compromise to Beech's interests as expressed by them earlier. The Airport Authority is preparing an application to FAA for funding to cover the costs of revising the Master Plan. The work should proceed rather quickly and be completed within about 90 days after start date by L&K and Howard Needles.

The adjustment involves tilting the primary runway approximately 10° into a more east-west direction, but the exact location will not be known until drawn up by the consultants. I bring this to your attention, as it will alter the Airport Hazard Zoning Mapping somewhat from the maps we currently have to go on.

COPY

Bruce A. Curfman
Bruce Curfman, Senior Planner
Advance Plans Division

BAC:bp

cc: Art Chambers, Planning Analyst, Advance Plans Division

WICHITA-SEDGWICK COUNTY

DATE

March 12, 1979

METROPOLITAN AREA PLANNING DEPARTMENT

TO Art Chambers, Planning Analyst
FROM Glen E. Lytle, Special Assistant for Zoning
SUBJECT Airport Hazard Zoning Ordinance

*in Municipal Ordinance
to Council Approval
4/20/79*

I disagree with your comments that structures less than seventy-five feet high are exempt from a permit, but only those that do not extend above the height limits prescribed by the ordinance are exempt.

My suggestion to establish a height and exempt any structure below that height from a permit application would simplify the administration of the regulations. It is immaterial to me whether the height is 75 feet or 125 feet. My suggestion of 125 feet was simply an immediate relation to a building approximately ten stories in height.

I agree with your comments on the ordinance being administered by one agency preferably the Inspection Division of the City, I do, however, feel there is a need for coordination and the control point at the time of permit is with the Inspection Division that has jurisdiction. In many instances this will be with the County Inspection Department.

In order to simplify the administration of the ordinance, it would be helpful to both the City and County Inspection offices to be able to quickly look at a map and immediately know there is no need for an airport hazard permit for the proposed structure if it is 75 feet or less in height. This could be a simple black and white map exempting all structures up to 75 feet in height and could be on a 1/4 Section area basis. When within the 1/4 Section that some structures would be limited below the 75 feet, it would then be necessary to apply for a permit and the City Inspection Office would verify the permitted height.

When you look at your zoning maps, it is not readily determined where the seventy-five foot limit lies, so a determination would have to be made by someone whenever it is questionable. Since the County would cooperate in the enforcement by requiring an airport hazard permit, a designation on each 1/4 Section map of the exemption would be helpful. There could also be maps prepared for heights up to 350 feet or 500 feet that would exempt practically all

Page Two
Art Chambers, Planning Analyst
March 12, 1979

but radio and TV transmitting towers.

Should such maps be prepared, the language of exemption within the ordinance would have to be changed. As I read the ordinance now written, only structures up to 25 feet in height are actually excepted.



Glen E. Lytle
Special Assistant
for Zoning

GEL:el

cc: Robert A. Lakin, Director of Planning
Willard Stockwell, Chief Planner
Jack Galbraith, Chief Planner

WICHITA—SEDCWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL—TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4391

David Gilworth

Central Region
Federal Aviation Administration
Planning Branch
601 East 12th
Kansas City, MO 64106

February 26, 1979

Art

Dear Mr. Gilworth:

Enclosed is a draft copy of the proposed update of the Airport Hazard Zoning Ordinance for Wichita. Also enclosed is a copy of the existing Airport Zoning Ordinance. We have updated the ordinance to incorporate current FAA standards and terminology. General rewording of the existing ordinance, adopted in 1955, has been done to improve clarity and consistency within the ordinance.

Coverage has been extended to two additional airports, Comotara and Cessna. Cessna has been added due to its proximity to McConnell Air Force Base. Comotara Airport has been added due to the announced intent of the Airport Authority to purchase it as a public general aviation reliever airport. Additionally, a section covering heliports has been added to accommodate the Police Heliport.

Copies of the ordinance are being distributed to the City's Law Department, Central Inspection and the Airport Authority. Managers of covered airports are also being asked to review and comment on the proposed ordinance. Other interested groups and agencies are being kept informed on the status of the ordinance. We are attempting to arrange an information and discussion meeting during the last two weeks in March. When the date has been finalized we will contact you.

If you have any questions, comments, or recommendations please contact myself, Bruce Curfman, or Art Chambers at (316) 268-4391.

Sincerely,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:ADC:vn
Enclosures

cc: Bruce Curfman, Senior Planner, Advance Plans Division

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

February 23, 1979

TO Gary L. Pierce, Graphics Supervisor
FROM Willard L. Stockwell, Chief Planner, Advance Plans Division
SUBJECT Request for Graphic Support

We need Airport Hazard Zoning Maps prepared in draft form for Mid-Continent and Comotara Airports. An example of an airport hazard zoning map is attached. Art Chambers has the necessary information and will coordinate this project.

I estimate that this project will require approximately one to one and one-half weeks to complete. These maps will be used for a review session for city staff, airport managers, and other interested groups March 21. The priority for the maps is as follows:

1. Zoning Plan, Mid-Continent
2. Zoning Plan, Comotara. (trace) } *Adel McConnell*
3. Isometric view, Mid-Continent. (one summary only)
4. Isometric view, Comotara.

I will have Art contact you the week of February 26, to provide the necessary information and to coordinate the activities.

Willard L. Stockwell, Chief Planner

WLS:ADC:vn

cc: Art Chambers, Planning Analyst, Advance Plans Division

COPY

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

John H. Oliphant
Executive Director
Wichita Builders Association
730 North Main Street - Suite 1
Wichita, KS 67203

February 22, 1979

Dear Mr. Oliphant:

This is to inform you that this department has prepared an updated Airport Hazard Zoning Ordinance as a part of our federally funded airport planning activities. The proposed ordinance will replace the existing 24 year old ordinance. Covered airports include McConnell Air Force Base, Mid-Continent, Comotara, Beech, Cessna, and the Police Heliport. The updating of the ordinance is being done to incorporate current Federal Aviation Administration (FAA) standards and terminology.

Cessna Airport has been included due to its proximity to McConnell. Comotara Airport is included due to the announced intent of the Airport Authority to purchase it as a public general aviation reliever airport. The other major addition is a section covering heliports, specifically, the Police Heliport.

Except for a decrease in the size of the zones, and an increase in slope, for visual approach runways utilized by small aircraft, no substantial changes have been made in the zones. This is also true for height limitations. The zones for McConnell have been changed slightly.

If you have any questions please contact myself, Bruce Curfman, or Art Chambers at 268-4391.

Sincerely,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:ADC:vn

cc: Robert A. Lakin, Director of Planning

February 22, 1979

(Refer to back page)

A draft copy of the proposed updated Airport Hazard Zoning Ordinance, and a copy of the existing ordinance are enclosed for your review and comment. This draft was prepared as part of our federally funded airport planning activities. In general, the existing ordinance (adopted in 1955), has been updated to incorporate current Federal Aviation Administration (FAA) standards and terminology. Additionally, rewording has been done to clarify and improve consistency within the ordinance.

Specific changes and additions to the ordinance include:

1. Addition of Cessna Airport due to its proximity to McConnell.
2. Addition of Comotara Airport due to the announced intent of the Airport Authority to purchase it as a public general aviation reliever airport.
3. Addition of a section covering heliports, specifically, the Police Heliport.
4. Use of current FAA standards.
5. Use of current FAA terminology for runway designation, definition of zones, and general definitions.
6. Clarified and strengthened the prohibition of new airports within eight miles of the reference point of any airport covered by this ordinance.
7. A decrease in the size of approach zones and an increase in approach zone slope from 40:1 to 20:1 for runways utilized by small propeller driven aircraft.

Page 2
February 22, 1979

The primary purpose of this letter is to request your review and comments on the proposed ordinance. Comments are also being solicited from the Airport Authority, Law Department, Economic Development, Central Inspection, the Police Department, FAA, Beech, Cessna, McConnell Air Force Base, and the Aviation Committee of the Chamber of Commerce. Managers of airports not covered by the proposed ordinance are being kept informed of all hearings relating to this ordinance.

We are anticipating holding an information and discussion meeting sometime during the last two weeks in March, probably the 21st or 28th. Any comments, suggestions and/or recommendations you may have should be forwarded to us by March 16, so that we can respond to them at the meeting. If you have a preference for a meeting date, please let us know so we can better accommodate your schedule.

If you have any questions, call myself, Bruce Curfman, or Art Chambers at 268-4391.

Sincerely,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:ADC:vn
Enclosure

R. C. Bills, Manager
Beech Factory Airport
Beech Aircraft Corporation
9709 East Central
Wichita, KS 67230

Lee Spalding, Manager
Cessna Aircraft Field Airport
Cessna Aircraft Company
5800 East Pawnee
Wichita, KS 67210

Colonel Elmer T. Brooks, Commander
McConnell Air Force Base
Wichita, KS 67221

Charles W. Harris
830 First National Bank Building
Wichita, KS 67202

w/cc to: Richard D. Upton, Executive Director, Wichita Area
Chamber of Commerce
Delores Eades, Administrative Assistant, Chamber of
Commerce

CHAPTER 28.08
AIRPORT HAZARD ZONING

SECTIONS

28.08.010	Title
28.08.020	Purpose
28.08.030	Definitions
28.08.040	Applicability
28.08.050	Airport Zones - A. Civilian Airports B. Military Airports C. Heliports
28.08.060	Airport Zone Height Limitations
28.08.070	Spacing Adjacent Airports
28.08.080	Use Restrictions
28.08.090	Nonconforming Uses
28.08.100	Permits
28.08.110	Enforcement
28.08.120	Promulgation of Rules, Regulations, Etc.
28.08.130	Appeals
28.08.140	Institution of Action in Courts
28.08.150	Airport Zoning Maps
28.08.160	Penalties
28.08.170	Conflicting Regulations
28.08.180	Amendments
28.08.190	Severability of Chapter
28.08.200	Effective Date of Chapter

ORDINANCE NO. draft 2/5/79

AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF WICHITA MID-CONTINENT AIRPORT, MCCONNELL AIR FORCE BASE, BEECH AIRPORT, CESSNA AIRPORT, COMOTARA AIRPORT, AND POLICE HELIPORT, BY CREATING THE APPROPRIATE ZONES AND ESTABLISHING THE BOUNDARIES THEREOF; PROVIDING FOR CHANGES IN THE RESTRICTIONS AND BOUNDARIES OF SUCH ZONES; DEFINING CERTAIN TERMS USED HEREIN; REFERRING TO THE VARIOUS AIRPORT ZONING MAPS WHICH ARE INCORPORATED IN, AND MADE A PART OF THIS ORDINANCE; PROVIDING FOR AN APPEAL PROCESS; IMPOSING PENALTIES; SUBSTITUTING THIS ORDINANCE FOR CHAPTER 28.08 OF THE CODE OF THE CITY OF WICHITA, KANSAS, AND REPEALING THE ORIGINAL SAID CHAPTER.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Chapter 28.08 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.08.010. Title. This Ordinance shall be known and may be cited as the Wichita Airport Hazard Zoning Ordinance."

28.08.020. Purpose. It is hereby found that an airport hazard endangers the lives and property of users of the aforementioned airports, and occupants in the vicinity of said airports; that an airport hazard may affect existing and future instrument approach minimums of the airports, and that an airport hazard may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of said airports and the public investment therein.

Accordingly, it is declared:

- (1) That the creation or establishment of an airport hazard has the potential of being a public nuisance and may injure the region served by the airports.
- (2) That it is necessary in the interest of the public health, safety, and general welfare, that the creation or establishment of airport hazards be prevented, and
- (3) That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

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

- A. AIRPORT - any area of land or water designed and set aside for the landing and taking-off of aircraft.
- B. AIRPORT ELEVATION - the highest point of an airport's usable landing area measured in feet from mean sea level.
- C. AIRPORT HAZARD - any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 28.08.050 of this ordinance located on or in the vicinity of the airports covered by this ordinance, or any use of land near such airports, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.
- D. AIRPORT REFERENCE POINT - a point at the approximate center of the airport landing area, and shown on each Airport Hazard Zoning Map.
- E. APPROACH SURFACE - a surface longitudinally centered on the extended runway centerline; extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 28.08.050 of this ordinance. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
- F. APPROACH, CONICAL, HORIZONTAL, AND TRANSITIONAL ZONES - these zones are set forth in Section 28.08.040 of this ordinance.
- G. BOARD - Board of City Commissioners of Wichita, Kansas.
- H. CIVILIAN AIRPORTS - Any airport that is not owned and operated by the Federal Government, Department of Defense.

- I. CLEAR ZONE SURFACE - for military airports. This surface defines the limits of the obstruction clearance requirements in the vicinity contiguous to the end of the primary surface.
- J. CONICAL SURFACE
 - 1. Civilian Airports - a surface extending outward and upward from the periphery of the horizontal surface at a slope of one foot upward for each twenty (20) feet outward for a horizontal distance of 4,000 feet.
 - 2. Military Airports - An inclined surface extending upward and outward from the outer periphery of the inner horizontal surface for a horizontal distance of 7,000 feet at a slope of one (1) foot upward for each twenty (20) feet outward.
- K. FAA - Federal Aviation Administration
- L. 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.
- M. HELIPORT PRIMARY SURFACE - the area of the primary surface coincides in size and shape with the designated landing and takeoff area of the heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.
- N. HORIZONTAL SURFACE - a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone for civilian airports.
- O. INNER HORIZONTAL SURFACE - for military airports, a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the inner horizontal zone.
- P. LARGER THAN UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight, and jet powered aircraft.

- Q. MANAGER - at Wichita Mid-Continent and Comotara Airports, the Manager is the Director of the Airport Authority; at McConnell Air Force Base, the Manager is the Commander; at Cessna and Beech Airports the manager is the person designated by the company.
- R. MILITARY AIRPORT - An airport that is owned and operated by the Federal Government, Department of Defense.
- S. NON-CONFORMING USE - any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this ordinance thereto.
- T. NON-PRECISION 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 procedure has been approved or planned.
- U. PLANNING COMMISSION - is the Wichita-Sedgwick County Metropolitan Area Planning Commission.
- V. OUTER HORIZONTAL SURFACE - for military airports, a plane 500 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the outer horizontal zone.
- W. PERSON - an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, receiver, assignee, or similar representative of any of them.
- X. PRECISION INSTRUMENT RUNWAY - 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 on an approved airport layout plan or any other planning document.
- Y. PRIMARY SURFACE - a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width

of the primary surface is set forth in Section 28.08.040 of this ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline

- Z. RUNWAY - a defined area on an airport prepared for landing and takeoff of aircraft along its length.
- AA. STRUCTURE - an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, smoke stacks, poles, light poles, signs, earth formations, and overhead transmission lines.
- BB. TRANSITIONAL SURFACES
 - 1. For civilian airports, these surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended, at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.
 - 2. For military airports the transitional surface extends outward at 90 degree angles to the runway centerline and runway centerline extended at a slope of one (1) foot upward for each seven (7) feet outward. The transitional surfaces connect the primary surfaces, clear zone surfaces, and approach surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces.
- CC. TREE - any object of natural growth.
- DD. UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
- EE. VISUAL RUNWAY - a runway intended solely for the operation of aircraft using visual approach procedures.

29.08.040. APPLICABILITY. The provisions of this ordinance shall apply to the following airports and their environs according to the designation of each runway.

A. CIVILIAN AIRPORTS

1. Wichita Mid-Continent Airport

- (a) Runway 1L - Precision Instrument Runway
- (b) Runway 19R - Precision Instrument Runway
- (c) Runway 1R - Precision Instrument Runway
- (d) Runway 19L - Larger than utility with a visibility minimum as low as 3/4 mile Nonprecision Instrument Runway
- (e) Runway 14 - Larger than utility with a visibility minimum greater than 3/4 mile Nonprecision Instrument Runway
- (f) Runway 32 - Larger than utility with a visibility minimum greater than 3/4 mile Nonprecision Instrument Runway

2. Comotara Airport

- (a) Runway 17 - Precision Instrument Runway
- (b) Runway 35 - Larger than utility with a Visibility minimum as low as 3/4 mile Nonprecision Instrument runway
- (c) Runway 13 - Runway larger than Utility visual approach runway
- (d) Runway 31 - Runway larger than Utility visual approach runway

3. Beech Airport

- (a) Runway 18 -
- (b) Runway 36 -
- (c) Runway NE -
- (d) Runway SW -
- (e) Runway NW -
- (f) Runway SE -

4. Cessna Airport

- (a) Runway 17 -
- (b) Runway 35 -

B. MILITARY AIRPORTS

1. McConnell Air Force Base

- (a) Runway 18L - Military Runway
- (b) Runway 36R - Military Runway
- (c) Runway 18R - Military Runway
- (d) Runway 36L - Military Runway

C. HELIPORTS

1. Police Heliport

28.08.050 AIRPORT ZONES - In order to carry out the provisions of this ordinance, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to each particular airport. Such zones are shown on the Wichita Airport Hazard Zoning Map consisting of xxx sheets, prepared by the Metropolitan Area Planing Department, dated xxx, which are attached to this ordinance, and made a part hereof, and may be amended and supplemented as hereinafter provided. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation.

A. CIVILIAN AIRPORTS

Wichita Mid-Continent Airport, Comotara Airport, Beech Airport, and Cessna Airport - boundaries, distances and slopes of the zones are the same as the horizontal projections on the land of the respective surfaces and shall be shown on Sheets xxx (Mid-Continent, Sheets xxx; Comotara Airport, Sheets xxx; Beech Airport, Sheets xxx; and Cessna Airport, Sheets xxx), of the attached Wichita Airport Hazard Zoning Map. The various zones are hereby established and defined as follows:

1. Utility Runway Visual Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
2. Utility Runway Non-Precision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
3. Runway Larger Than Utility Visual Approach Zone - the inner edge of this approach zone zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to

a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

4. Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Non-Precision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
5. Runway Larger Than Utility With A Visibility Minimum As Low As 3/4 Mile Non-Precision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone extends outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the end of the primary surface. Its centerline is the continuation of the centerline of the runway.
6. Precision Instrument Runway Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from both ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.
7. Transitional Zones - the transitional zones are the areas beneath the transitional surfaces.
8. Horizontal Zones - the horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.
9. Conical Zone - the conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

- B. MILITARY AIRPORTS - McConnell Air Force Base - Boundaries, distances and slopes of the zones are the same as the horizontal projections on the land of the respective surfaces and shall be shown on Sheets xxxx. The various zones are hereby established and defined as follows:
1. Military Runway Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 2,500 feet wide. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet beginning 200 feet beyond both ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.
 2. Transitional Zone - the transitional zones are the areas beneath the transitional surfaces.
 3. Inner Horizontal Zone - the inner horizontal zone is established by describing an arc with a radii of 7,500 feet from the center of each end of the primary surface and connecting the adjacent arcs by drawing lines tangent to those arcs. The inner horizontal zone does not include the approach and transitional zones.
 4. Outer Horizontal Zone - the outer horizontal zone is established by constructing a line 30,000 feet from the periphery of the conical surface, but does not include approach zones or transitional zones.
 5. Conical Zone - the conical zone is established as that area beginning at the periphery of the inner horizontal zone and extending upward and outward for a horizontal distance of 7,000 feet to a height of 500 feet where it intersects the outer horizontal zone.
 6. Clear Zone - this zone is established contiguous to each end of the primary surface and extends 1,500 feet, at 90 degree angles, on either side of the extended runway centerline for a horizontal distance of 3,000 feet from the end of the primary surface.
- C. HELIPORTS - Police Heliport, Sheet xxxx. The various zones are hereby established and defined as follows:
1. Heliport Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.

2. Helicopter Transitional Zones - these zones extend outward from the sides of the primary surface centerline and the heliport approach zone centerline.

28.08.060 AIRPORT ZONE HEIGHT LIMITATIONS - Except as otherwise provided in this Ordinance, no structure or tree shall be erected, altered, allowed to grow or be maintained in any zone created by this ordinance to a height in excess of the applicable height limit herein established for such zone. Except where indicated, height limitations of non-military airport zones are also applicable to military airport zones. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. UTILITY RUNWAY VISUAL APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. UTILITY RUNWAY NON-PRECISION INSTRUMENT APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- C. RUNWAY LARGER THAN UTILITY VISUAL APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- D. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NON-PRECISION INSTRUMENT APPROACH ZONE - slope: one (1) foot upward for each thirty-four (34) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- E. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM AS LOW AS 3/4 MILE NONPRECISION INSTRUMENT APPROACH ZONE - slope: one (1) foot upward for each thirty-four (34) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

- F. PRECISION INSTRUMENT RUNWAY APPROACH ZONE - slope: one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerline.
- G. MILITARY APPROACH ZONE - slope: one (1) foot upward for each fifty (50) feet outward along the runway centerline extended until it reaches a height of 500 feet above the established airport elevation to the outer periphery of the approach zone.
- H. HELIPORT APPROACH ZONE - slope: one foot (1) upward for each eight (8) feet outward beginning at the sides of, and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.
- I. HELIPORT TRANSITIONAL ZONES - slope: one (1) foot upward for each two (2) feet outward beginning at the sides of, and at the same elevation as, the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface centerline and heliport approach zones centerline.
- J. TRANSITIONAL ZONES - slope: one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as the primary surface, clear zone 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 one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface, or outer horizontal surface for military airports. Where precision instrument runway approach zones project beyond the conical zone, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

- K. HORIZONTAL ZONE - non-military airports - established at one hundred-fifty (150) feet above the established airport elevation.
- L. OUTER HORIZONTAL ZONE - military airports - established at five hundred (500) feet above the established airport elevation.
- M. INNER HORIZONTAL ZONE - military airports - established at one hundred-fifty (150) feet above the established airport elevation.
- N. CONICAL ZONE - slope: one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal (inner horizontal zone at military airports) zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the established airport elevation.
- O. EXCEPTED HEIGHT LIMITATIONS - nothing in this ordinance shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to twenty-five (25) feet above the surface of the land.

28.08.070 SPACING ADJACENT AIRPORTS

- A. No other airport shall be established hereafter, any portion of whose proposed boundary will be within a radius of eight (8) miles from an airport reference point or under an airport zone of an airport established on the date of this ordinance, unless a permit shall have been applied for and granted in accordance with the provisions of this ordinance.
- B. Exceptions to the spacing requirements hereinbefore provided in this section may be granted by the Board upon receipt of proper application, but only after a public hearing duly held in accordance with provisions of this chapter, and where, owing to special conditions, the Board duly finds that a literal enforcement of these provisions would result in unnecessary hardship and such exception would not be contrary to the public interest. Prior to granting any such exception, the Board shall for the purpose of study, comment, and recommendation, refer the matter to the Federal Aviation Administration, the Commander of McConnell Air Force Base, and to any local planning body having jurisdiction within the area affected.

- C. If any of the aforementioned bodies to whom the matter shall have been referred does not, within sixty (60) days, transmit a report to the Board then it shall be deemed to have approved the proposal; provided, however, that upon request of any such body the Board shall grant a reasonable extension of such time.
- D. In granting such exception the Board shall impose special conditions which will ensure that public interest, existing public and private investment in airports, and air safety is maintained.

28.08.080 USE RESTRICTIONS - notwithstanding any other provisions of this ordinance, no use may be made of land or water within any zone established by this ordinance in such manner as to create electrical interference with navigational or radio communication between the airports and aircraft, make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of the pilots using the airports, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airports.

28.08.090 NONCONFORMING USES

- A. REGULATIONS NOT RETROACTIVE - the regulations prescribed by this ordinance 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 ordinance, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein 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 diligently prosecuted.
- B. MARKING AND LIGHTING - notwithstanding the preceding provision of this section, the owner of any existing structure or tree is hereby required to permit the operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Airport Manager to indicate to the operators of aircraft in the vicinity of the airports the presence of airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the operator of the affected airport.

28.08.100 PERMITS

- A. FUTURE USES - except as specifically provided in 1, 2, and 3, hereunder, no material change shall be made in the use of land, no structure, tower, or pole shall be erected or otherwise established, and no tree shall be planted in any zone hereby created by Section 28.08.040, unless a permit, therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with particularity to permit determination of whether the resulting use, structure or tree would conform to the regulations within this ordinance. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this chapter shall be granted unless a variance has been approved in accordance with paragraph "D" of this section.
1. In the area lying within the limits of the horizontal zone (inner or outer horizontal zone for military airports), and conical zone, no permit shall be required for any tree or structure less than seventy-five (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.
 2. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of 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 approach zones.
 3. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of 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.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure or growth of any tree in excess of any of the height limits established by this ordinance except as set forth in Section 28.08.050, paragraph "O".

- B. 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 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 applications for such a permit shall be granted.
- C. NONCONFORMING USES ABANDONED OR DESTROYED - whenever the Superintendent of Central Inspection determines that a nonconforming tree or structure 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.
- D. 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 ordinance, may apply to the Board for a variance from such regulations. The Board may assign the application to the Planning Commission for study and recommendations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and be in accordance with the spirit of this chapter.

Additionally, no application for variance to the requirements of this ordinance shall be considered by the Board unless a copy of the application has been furnished to the Manager of the affected airport(s) for advice as to the aeronautical effects of the

variance. If the Manager does not respond to the application within fifteen (15) days after receipt, the Board may act on its own to grant or deny said application.

- E. HAZARD MARKING AND LIGHTING - any permit or variance granted, may, if such action is deemed advisable to effectuate the purpose of this ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Board this condition may be modified to require the owner to permit the installation, operation, and maintenance of the necessary markings and lights at the expense of the operator of the affected airport.

28.08.110 ENFORCEMENT The Superintendent of Central Inspection is hereby designated the responsibility to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Superintendent of Central Inspection on a form furnished by him. Applications required by this ordinance to be submitted to the Superintendent of Central Inspection shall be promptly considered and granted or denied by him. If it is determined by the Superintendent of Central Inspection that the proposed use does not conform with the provisions of this ordinance, the application shall be denied.

28.08.120 PROMULGATION OF RULES, REGULATION, ETC.
The Superintendent of Central Inspection shall promulgate, and from time to time amend rules, regulations and standards for the administration and enforcement of this ordinance, which standards shall not be effective until they have first been approved by the Board of City Commissioners, and a copy thereof filed with the City Clerk of the City of Wichita.

28.08.130 APPEALS

- A. Any person aggrieved, or taxpayer affected by a decision of the Superintendent of Central Inspection made in administration of this ordinance, may appeal to the Board .

- B. All appeals hereunder must be taken within a reasonable time as provided by the Board of City by filing with the Superintendent Central Inspection a notice of appeals specifying the grounds thereof. The Superintendent of Central Inspection shall forthwith transmit to the Board all papers constituting the record on which the action appealed was taken.
- C. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Superintendent of Central Inspection certifies to the Board, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the opinion of the Superintendent of Central Inspection, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board and on due cause shown.
- D. The Board shall fix a reasonable time for the hearing of 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.
- E. The Board in conformity with the provisions of this ordinance, may 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.
- F. The concurring vote of a majority of the members of the Board shall be sufficient to revise any order, requirement, decision, or determination of the Superintendent of Central Inspection or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in this ordinance.

28.08.140 INSTITUTION OF ACTIONS IN COURTS

- A. The Superintendent of Central Inspection may institute in any court of competent jurisdiction, an action to prevent, restrain, correct or abate any violation of this ordinance, or of any order or ruling made in connection therewith as provided by law.

- B. Any person aggrieved or any taxpayer affected, by any decision of the Board of City Commissioners, may appeal to any court of competent jurisdiction as provided by law.

28.08.150 AIRPORT ZONING MAPS

- A. OFFICIAL TITLE - each such airport zoning map, properly identified by the name of the airport covered, and an appropriate description of what the map purports to show, shall be signed by the City Clerk of the City of Wichita, and marked with the effective date of this ordinance.
- B. RATIFICATION - the particular airport zoning classifications as shown by the legends on such airport hazard zoning maps, are hereby ratified, confirmed and approved and all land within any of the zones shown on any of the airport hazard zoning maps shall be and is hereby zoned the particular airport zone shown by the legend on the applicable airport zoning map.
- C. MAINTENANCE -
 - 1. The airport hazard zoning maps shall be kept and maintained by the City of Wichita, and shall be available for inspection and examination by members of the public at all reasonable times, as any other public record, in the office of the Superintendent of Central Inspection.
 - 2. An exact copy of each airport hazard zoning map shall be located in the office of the City Clerk, who shall likewise maintain such maps and make them available for inspection and examination by members of the public at all reasonable hours.
- D. CHANGE IN AIRPORT HAZARD ZONING MAPS - any change in an airport zoning classification accomplished in the manner provided by law, after public hearing and a resolution of the Board, shall be noted on the particular airport hazard zoning map affected by such change on file in the Office of the Superintendent of Central Inspection and in the office of the City Clerk, so that all such airport zoning maps shall at all times reflect the current airport zoning classification of each parcel of real estate within such zones.

28.08.160 PENALTIES - each violation of this ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than \$300 or imprisonment for not more than 30 days or both; and each day a violation continues to exist shall constitute a separate offense.

28.09.170 CONFLICTING REGULATIONS - in the event of any conflict between the requirements of this ordinance and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

28.08.180 AMENDMENTS - amendment or repeal of all or part of this ordinance shall be done in accordance with the procedure prescribed by law for the adoption, amendment and repeal of airport zoning regulations (KSA 3-705).

28.08.190 SEVERABILITY OF CHAPTER - if any of the provisions of this ordinance or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

28.8.200 EFFECTIVE DATE OF CHAPTER - this chapter shall be in full force and effect from and after its adoption, and publication in the official paper.

(Individual Memorandums)

February 22, 1979

H. J. Setter, Director of Aviation
John Dekker, Director of Law
Don Anderson, Director of Economic Development
Robert Feldner, Superintendent of Central Inspection
Lt. Don Henton, Police Prison Farm Heliport
Willard L. Stockwell, Chief Planner, Advance Plans Div.
Airport Hazard Zoning Ordinance

A draft copy of the proposed updated Airport Hazard Zoning Ordinance is enclosed for your review and comment. This draft was prepared as part of our federally funded airport planning activities. In general, the existing ordinance (adopted in 1955), has been updated to incorporate current Federal Aviation Administration (FAA) standards and terminology. Additionally, rewording has been done to clarify and improve consistency within the ordinance.

Specific changes and additions to the ordinance include:

1. Addition of Cessna Airport due to its proximity to McConnell.
2. Addition of Comotara Airport due to the announced intent of the Airport Authority to purchase it as a public general aviation airport.
3. Addition of a section covering heliports, specifically, the Police Heliport.
4. Use of current FAA standards.
5. Use of current FAA terminology for runway designation, definition of zones, and general definitions.
6. Clarified and strengthened the prohibition of new airports within eight miles of the reference point of any airport covered by this ordinance.
7. A decrease in the size of approach zones and an increase in approach zone slope from 40:1 to 20:1 for runways utilized by small propeller driven aircraft.

The primary purpose of this memorandum is to request your review and comments on the proposed ordinance. Comments are also being solicited from the Airport Authority, Law Department, Economic Development, Central Inspection, the Police Department, FAA, Beech, Cessna, McConnell Air Force Base, and the Aviation Committee of the Chamber of Commerce. Managers of airports not covered by the proposed ordinance are being kept informed of all hearings relating to this ordinance.

Page 2
February 22, 1979

We are anticipating holding an information and discussion meeting sometime during the last two weeks in March, probably the 21st or 28th. Any comments, suggestions and/or recommendations you may have should be forwarded to us by March 16, so that we can respond to them at the meeting. If you have a preference for a meeting date, please let us know so we can better accommodate your schedule.

If you have any questions, call myself, Bruce Curfman, or Art Chambers at 268-4391.

Willard L. Stockwell, Chief Planner

WLS:ADC:vn
Enclosure

February 2, 1979

Willard White, Manager
Triangle Heliport
Box 9151
Wichita, KS 67277

Thomas G. Sanders, Manager
Riverside Airport
3520 North Hoover
Wichita, KS 67205

*sent a copy
3/1/79*

John & Marilyn Copeland, Mgrs
Copeland Airport
10416 East Central Avenue
Wichita, KS 67206

Maude M. Long, Manager
Westport Airport
3601 West Pawnee
Wichita, KS 67213

Earl Long, Manager
Westport Auxiliary Airport
1801 West 47th Street South
Wichita, KS 67217

Dorothy Hamilton, Manager
Hamilton Field Airport
Derby, KS 67037

*sent a copy
3/27/79*

This department is currently updating the existing Airport Hazard Zoning Ordinance, which was adopted in 1955, as part of our federally funded aviation activities. Covered airports include McConnell Air Force Base, Mid-Continent, Comotara, Beech and Cessna Airports, and the Police Heliport. The updating of this ordinance is being done to incorporate current Federal Aviation Administration (FAA) standards and terminology. Clarity and consistency have been improved by a general rewording and incorporating current terminology.

One major difference in the existing and proposed ordinances is the addition of Cessna and Comotara Airports. Cessna has been included due to its proximity to McConnell Air Force Base. Comotara has been included due to the announced intent of the Airport Authority to purchase it. Another major difference is the addition of a section covering heliports, specifically, the Police Heliport.

Except for a decrease in the size, and an increase in the slope of zones relating to utility runways with visual approaches, no substantial changes have been made in the zones. This is also true for height limitations. The zones for McConnell have been changed slightly.

The proposed ordinance is being prepared for discussion and review during the next few months. If you would like to discuss the proposed ordinance or desire a copy of the ordinance please contact us. We will keep you informed of all public hearings and other meetings held concerning this ordinance.

Page 2
February 22, 1979

If you do have any questions please contact Bruce Curfman,
Art Chambers, or myself at 268-4391.

Sincerely,

Willard L. Stockwell
Chief Planner
Advance Plans Division

WLS:ADC:vn

~~Just to the~~ Please mail to

Copeland August
10416 E. Central
Wichita 67206
Attn: Marilyn Copeland

Copy of Ord.
any maps

Art
put her on
wishing list,
meeting notice list etc.

February 15, 1979

William B. Olson
Director of Planning and Engineering
Minneapolis St. Paul Airports Commission
Twin City Airport
Box 1700
St. Paul, MN 55111

Dear Mr. Olson:

We are currently preparing an update to our Airport Systems Plan. In conjunction with the update we are studying existing land uses around airports in this area to determine alternative strategies for insuring compatible land uses. In addition, we have been developing alternatives to deal with noise impacts on existing development.

Currently the city requires developers of subdivisions, in close proximity to an airport, to transfer to the city an avigational easement as a condition for final plat approval. We have been analyzing the possibility and desirability of enacting a Fair Disclosure Ordinance that would require the seller to inform the buyer that the property is subject to a particular level of noise impact.

Any information you would have on the form of a Fair Disclosure Ordinance, problems enacting such an ordinance, enforcement problems, potential benefits or any other information would be appreciated. If there is a fee for any of the information, please advise us prior to sending it.

Thank you for your cooperation.

Sincerely,

Arthur D. Chambers
Planning Analyst
Advance Plans Division

ADC:bp

February 15, 1979

Maurice Z. Laham
Airport Environmental Planner
Department of Airports
City Hall
Los Angeles, CA 90012

Dear Mr. Laham:

We are currently preparing an update to our Airport Systems Plan. In conjunction with the update we are studying existing land uses around airports in this area to determine alternative strategies for insuring compatible land uses. In addition, we have been developing alternatives to deal with noise impacts on existing development.

Currently the city requires developers of subdivisions, in close proximity to an airport, to transfer to the city an avigational easement as a condition for final plat approval. We have been analyzing the possibility and desirability of enacting a Fair Disclosure Ordinance that would require the seller to inform the buyer that the property is subject to a particular level of noise impact.

Any information you would have on the form of a Fair Disclosure Ordinance, problems enacting such an ordinance, enforcement problems, potential benefits or any other information would be appreciated. If there is a fee for any of the information, please advise us prior to sending it.

Thank you for your cooperation.

Sincerely,

Arthur D. Chambers
Planning Analyst
Advance Plans Division

ADC:bp

Letter requesting info

Curfman

WICHITA AIRPORT AUTHORITY

MID-CONTINENT AIRPORT WICHITA, KANSAS

DATE: February 12, 1979

TO: Bruce Curfman, Senior Planner
Advance Plans Division, M.A.P.D.

FROM: Floyd J. Roedell, P.E.
Director of Airport Engineering & Planning

SUBJECT: FAIR DISCLOSURE ORDINANCE

In accordance with your request, we are furnishing two names of persons who might be able to help you in the Fair Disclosure Ordinance.

1. William B. Olson
Director of Planning & Engineering
Minneapolis St. Paul Airports Commission
Twin City Airport
Box 1700
St. Paul, MN 55111
(Tel. 612/726-5770)
2. Maurice Z. Laham
Airport Environmental Planner
Department of Airports
City of Los Angeles

Floyd J. Roedell
Floyd J. Roedell

FJR:ba



WICHITA-SEDGWICK COUNTY

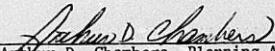
DATE

METROPOLITAN AREA PLANNING DEPARTMENT February 12, 1979

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Art Chambers, Planning Analyst, Advance Plans Division
SUBJECT Airport Hazard Zoning Ordinance

The attached is provided in response to Mr. Lakin's questions regarding the Airport Hazard Zoning Ordinance. The accompanying ordinance has been redrafted and typed in an ordinance format, to incorporate Mr. Lakin's comments, suggestions, and recommendations.

If there are no major changes to be made in the ordinance, I will prepare letters requesting review and comments from the Law Department, Central Inspection, FAA, Airport Authority, covered airports and others (Chamber of Commerce Aviation Committee, Builders Association, and the Board of Realtors). An informal review session with the Planning Commission should be held to inform the members of the changes made.



Arthur D. Chambers, Planning Analyst

ADC:vn
Attachments
cc: Bruce A. Curfman, Senior Planner, Advance Plans Division

QUESTIONS/RESPONSE REGARDING THE AIRPORT HAZARD ZONING ORDINANCE

1. (Lakin) Who should hold hearings? What should be the format for the report?

According to the State Statutes (Paragraph 3-704,(1), and Paragraph 3-705,(2), this Ordinance may be incorporated and made a part of the City's Comprehensive Zoning Ordinance, which the existing Ordinance is. Thus, the MAPC should hold the hearings for this Ordinance.

2. (Lakin) Should be typed in ordinance format with interdelineation if minor amendment; without if major changes.

The draft Ordinance has been retyped in an Ordinance format. No interdelineation was done since this is a major revision.

3. (Lakin) How do you propose to run by such groups that are not included? i.e., Riverside, Van Long, etc.

Owners, operators, and/or managers of airports not covered by this Ordinance will be sent a letter informing them that we are updating the Ordinance. In the letter, we will state, that if they desire, we will discuss any questions and/or comments they may have. They will be informed of any hearings to be held on this matter.

4. (Lakin) Do any of the proposed approach zones or transitional zones have structures invading the "planes"?

A field check would have to be made to determine if any of the zones are invaded by structures or trees.

5. (Lakin) Are the new slopes and zones generally tougher or lesser than existing?

In general, the new zones are not substantially different from existing zones. For runways used by small (single-engine, propeller) aircraft, the approach zone length has been reduced from 10,000 to 5,000 feet, and the slope from 1:40-1:20. The width of the approach zone length has been reduced slightly. The Ordinance has been revised to incorporate updated FAA standards and terminology. Additionally, the existing Ordinance has not been updated since its adoption in 1955.

6. (Lakin) Call in managers and explain what we are doing, hand out material and draft maps for their individual airports.

We will send the managers of the covered airports a letter with copies of the existing and draft ordinances. In the letter, we will solicit comments, and state that if they have any questions to contact us. A meeting of the managers might be helpful in discussing the proposed changes. It would also be useful to include copies of the new zoning maps in the letter. However, preparation of the maps will require graphic support. If the maps cannot be prepared in time for distribution with the letter, they should be sent as soon as they are completed.

7. (Lakin) Does the City have authority to regulate ten-miles from the airport and out of the City, i.e., McConnell? If not, do we need to go through the County?

According to KSA Paragraph 3-703, the City does have authority to enforce and administer the provisions of this Ordinance, provided that the affected airport is within five miles of the City limits.

8. (Lytle) It would seem to me that the Ordinance should designate as the administrative authority the inspection department (City and County) having building permit jurisdiction.

The Ordinance would have to be adopted by both the City and County if the County Inspection Department is to be designated as administrative authority. This would result in two offices issuing permits under the provisions of this ordinance. Since the City directly controls three of the covered airports (Mid-Continent, Comotara, and Police Heliport), the authority and responsibility should rest with the City in enforcing this Ordinance.

9. (Lytle) The way the Ordinance is now constructed, the type of runways will have to be designated on the airport zoning maps.

The draft Ordinance has been revised to incorporate designation of airports and runways.

10. (Lytle) As a matter of clarification to an applicant and the administrative authority, the development of a map showing all of Sedgwick County, the areas exempted up to 125 feet, and the areas that would require a permit to be approved by the approving authority. This would be a ready reference for both realtors and developers, but it would also be helpful to the inspection department. In conjunction with the map indicated above, it would be necessary to exempt out those structures up to 125 feet from the permit provision somewhere within the Ordinance.

The development of a map showing the areas exempted from height limitations would be useful, but the exempted height is 75 feet as stated in the Ordinance. The 75 feet is based upon FAA Circular A Model Zoning Ordinance to Limit Height of Objects Around Airports.

11. (Page 14) Shall we add any notice provisions to adjoining landowners?

Notice provisions to adjoining land owners should be adequately covered in the County Zoning Ordinance. Airports are conditional uses in zones "R" and "R-1". Airports are not mentioned in any other zoning classification, either in the City or in the County Zoning Ordinances. Therefore, the necessary requirements of rezoning should be adequate for informing adjoining land owners. Those land owners not adjoining the proposed airport, but impacted by aircraft flyover, would have to rely on general public notification.

536626
9317

DRAFT/Chambers

SUBJECT: Rationale for Establishing Hazard Zones for Certain Airports and Excluding Other Airports.

According to K.S.A. 3-703 the governing body of a political subdivision of the state may establish airport hazard zoning regulations for publicly or privately owned airports located within the subdivision, or within five miles of the territorial limits of the subdivision. To extend coverage to privately owned airports the governing body must decide if the airport is using its facilities to provide a service to the public. Thus, the City of Wichita can establish airport hazard zones for public airports, and for private airports if, in the opinion of the City Commission, they are being used to provide a service to the public.

Mid-Continent and Comotara (assuming it will be purchased), Airports are publicly owned airports and as such represent a large public investment. In order to protect this investment and to insure public safety at the airports, Airport Hazard Zoning regulations are needed to restrict the height of buildings, structures, and trees. In addition, Mid-Continent Airport ~~is~~ an Airport System Airport, and plays a ^{major} ~~minor~~ role in the provision of aeronautical facilities for the Wichita area. Comotara Airport has been identified by a master plan for the northeast area as being the best location for a general aviation facility and will become an Airport System Airport when it is purchased and the Airport System Plan is updated. Mid-Continent is covered by the 1955 Ordinance.

McConnell AFB is also publicly owned and represents a large public investment. In order to maintain its role in the national defense, the construction of tall buildings and structures must be regulated. Another reason for including McConnell AFB is that Boeing, a major employment center for the Wichita area, uses McConnell's facilities. McConnell is also covered by the 1955 Ordinance.

Beech Airport, like Mid-Continent and McConnell, is covered by the 1955 Ordinance. In 1955 the reasoning for including Beech was that it was an integral part of the local economy. This is still true today, since Beech currently employs over 7,000 people. Updated zones and designations are needed to insure that public safety is maintained and that the runways do not become unusable.

P.2

Although Cessna is not covered in the 1955 Ordinance, it should be covered in the new ordinance. In 1955, it was felt that the airport zones at McConnell were adequate to protect Cessna. However, since that time operations and activities at Cessna have changed and protection is needed to preclude the possibility of buildings and structures making the airport unusable. Cessna plays a large role in maintaining the economic well-being of the Wichita area. There are in excess of 13,000 people currently employed at Cessna.

By including Beech, Cessna, Mid-Continent and McConnell, the aircraft industries will be assured that airport facilities will be available for their use. These facilities are essential to the continued operation of the various aircraft manufacturers. To date, Cessna has been the only firm that has not had direct protection from the construction of buildings and other structures. Boeing has had the protection of ~~of~~ McConnell. Mid-Continent has provided protection for Learjet and the Cessna-Wallace Division. Zones were established for Beech Airport in 1955. By providing protection to the facilities used by the aircraft manufacturers the possibility of a firm ~~closing~~ due to an inability to ~~test~~ flight or deliver their planes would be reduced.

not being able to continue

Other airports in the area are not recommended for coverage for several reasons. The other airports, although they are public use airports, are not publicly owned and serve only a limited public. Most of the airports not covered are very poorly located in regard to airspace, and would probably not have been permitted to be built in their present location under the existing ^{or} proposed ordinance. Their locations do not meet FAA standards for airport locations. ~~To increase the safety of the people using Mid-Continent, Comotara and McConnell, the small public use airports should be relocated.~~

The Police Heliport should be protected since it is publicly owned and is used to provide a public service. Public safety and protection is provided by the helicopters operating out of the Police Heliport. In addition the City has made substantial investment in the facility and it could be lost if the height of buildings are not regulated.

P.3

Helistops at hospitals, although not publicly owned, do provide a public service. Through the use of helicopters valuable time can be saved in providing emergency health services. To maintain the usefulness of the helistops, they must be located in the immediate vicinity of a hospital. Hospital helistops do not have the same ability to be relocated that radio or television helistops have. *expand* Basically, airports that are publicly owned (Mid-Continent, Comotara, and McConnell), or are needed to insure the economic well-being of the area (Beech and Cessna), should be protected by Airport Hazard Zoning regulations. Publicly owned heliports (Police Heliport) and those helistops used to provide emergency medical treatment (hospital helistops) should be covered.

from: WJ date: 1-8-79

admin. adv. plans cur. plans social graphics

- | | | | |
|------------------------------------|---|--------------------------------------|------------------------------------|
| <input type="checkbox"/> main | <input type="checkbox"/> stackwell | <input type="checkbox"/> mitchell | <input type="checkbox"/> pierce |
| <input type="checkbox"/> waiter | <input type="checkbox"/> furek | <input type="checkbox"/> kubi | <input type="checkbox"/> stafford |
| <input type="checkbox"/> edwards | <input type="checkbox"/> shen | <input type="checkbox"/> hart | <input type="checkbox"/> garland |
| <input type="checkbox"/> hanson | <input type="checkbox"/> leaw | <input type="checkbox"/> brown n. | <input type="checkbox"/> polo |
| <input type="checkbox"/> nelson, v | <input type="checkbox"/> schafar | <input type="checkbox"/> covert | <input type="checkbox"/> barber |
| <input type="checkbox"/> lakin, e | <input type="checkbox"/> carman | <input type="checkbox"/> newby | <input type="checkbox"/> crook |
| <input type="checkbox"/> henderson | <input type="checkbox"/> reed | <input type="checkbox"/> johnson | <input type="checkbox"/> cummer |
| <input type="checkbox"/> brothers | <input type="checkbox"/> brown d. | <input type="checkbox"/> olivarez | <input type="checkbox"/> vinson |
| <input type="checkbox"/> craig | <input type="checkbox"/> huggins | <input type="checkbox"/> burch | <input type="checkbox"/> syal |
| <input type="checkbox"/> barnes | <input type="checkbox"/> chambers | <input type="checkbox"/> luetters | <input type="checkbox"/> sharpe |
| <input type="checkbox"/> | <input type="checkbox"/> butler | <input type="checkbox"/> harvey | <input type="checkbox"/> smith |
| <input type="checkbox"/> | <input type="checkbox"/> nagley | <input type="checkbox"/> crawford | <input type="checkbox"/> phelps |
| <input type="checkbox"/> | <input type="checkbox"/> forinash | <input type="checkbox"/> phelps | <input type="checkbox"/> schroeder |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> bechtel | <input type="checkbox"/> jones | <input type="checkbox"/> king |
| <input type="checkbox"/> | <input type="checkbox"/> mccladden | <input type="checkbox"/> king | <input type="checkbox"/> beebe |
| <input type="checkbox"/> | <input type="checkbox"/> swander | <input type="checkbox"/> signature | <input type="checkbox"/> martinez |
| <input type="checkbox"/> | <input type="checkbox"/> lictelg | <input type="checkbox"/> library | <input type="checkbox"/> miller |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> information | <input type="checkbox"/> johns |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> files | <input type="checkbox"/> sansing |

Yea

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> note & return | <input type="checkbox"/> signature |
| <input type="checkbox"/> handle | <input type="checkbox"/> library |
| <input type="checkbox"/> all staff | <input type="checkbox"/> information |
| <input checked="" type="checkbox"/> comment | <input type="checkbox"/> files |

remarks: *Need your review and comment. To save time I would like to ask Dalkin and Settle to assist in our review - Do you agree?*

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

January 8, 1979

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Arthur D. Chambers, Planning Analyst, Advance Plans Division
SUBJECT City of Wichita Airport Hazard Zoning Ordinance

A revised draft of the Airport Hazard Zoning Ordinance is attached for your review. Airports covered include Mid-Continent, Comotara, Beech, Cessna, and McConnell Air Force Base. The Police Heliport is also covered. The form, standards, and some wording of this Ordinance was taken from an FAA publication titled A Model Zoning Ordinance to Limit Height of Objects Around Airports. Other standards are from Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAA). Alterations were made to the model ordinance as required by local conditions and the existing Ordinance.

The only substantial change from the first draft is the deletion of all privately owned airports except Beech, Cessna, and Comotara. Mid-Continent Airport, Beech Airport, and McConnell Air Force Base are currently covered by the existing Ordinance. Cessna was included because, like Beech, is an integral part of the local economy and supports the public interest. Comotara Airport has been selected as a reliever airport by an Airport Master Plan as part of the Airports Systems Plan. In addition, Comotara is proposed to be purchased by the City, and is included in the draft 1979 Capital Improvements Program. The final decision to include or exclude airports rests with the City Commission according to KSA Chapter 3, paragraph 703.

Other changes include:

1. Section 28.08.020, Definitions - added definition of airports, taken from State Statutes.
2. Section 28.08.030, Elevations - deleted reference to omitted airports.
3. Section 28.08.040, Airport Zones - dropped paragraph titled "Privately Owned Airports." Retitled paragraph "A" to "Civilian Airports", and included Comotara, Beech, and Cessna, and rearranged other paragraphs.
4. Section 28.08.050, Airport Zone Height Limitations - rearranged for clarity.
5. Section 28.08.080, Nonconforming Uses - paragraph "D" added sentence stating that "The Board may assign the application to the Metropolitan Area Planning Commission for study and recommendations."

Page 2
January 8, 1979
WLS/City of Wichita Airport Hazard Zoning Ordinance

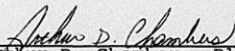
One question that has been raised is how to prevent landing strips, landing fields, etc., from being established under existing approach zones. If such landing strips are defined as airports a permit would have to be issued prior to establishment of the landing strip. According to the definition of airports in this Ordinance, such landing strips and fields are considered airports. To establish an airport, a permit would have to be obtained according to the requirements in Section 28.08.060, Spacing Adjacent Airports.

In addition, the establishment of a landing strip or field would constitute an airport hazard as defined in Section 28.08.020, Definitions, paragraph C. Section 28.08.070, Use Restrictions, states that "...no use may be made of land or water within any zone established by this Ordinance in such a manner as to create (a hazard)..., or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airports." To establish a landing strip or field a permit would have to be issued under the provisions of Section 28.08.090, Permits.

Examples of the zoning are included for your information. A map will need to be prepared for each airport prior to adoption of the Ordinance. Before the maps are prepared, each runway of each airport covered by this Ordinance, will have to be designated as to its type. The information will be gathered during the Airport Systems Plan update currently underway.

Cessna Airport is included in this Ordinance as noted above. However, due to its proximity to McConnell Air Force Base, it could be deleted without sacrificing much in the way of height limitations. It may be beneficial to ask the Commander at McConnell for comments on whether to include Cessna or not.

In proceeding with the review of the draft, I recommend that the draft be circulated among the appropriate staff in the Planning Department. Then after revisions have been made, the draft should be sent to the FAA, Airport Managers, Airport Authority, Law Department, Central Inspection, and any other interested groups for review and comment. After the information on type of runways is gathered, the zoning maps would be prepared. Suggestions and comments would then be incorporated in a final draft for submission to the Planning Commission.


Arthur D. Chambers, Planning Analyst

Page 3
January 8, 1979
WLS/City of Wichita Airport Hazard Zoning Ordinance

ADC:vn
Attachments: Draft Airport Hazard Zoning Ordinance
Supportive Maps
cc: Monroe Funk, Principal Planner, Advance Plans Division
Bruce A. Curfman, Senior Planner, Advance Plans Division

28.08.010	Short Title
28.08.020	Definitions
28.08.030	Airport Elevations
28.08.040	Airport Zones -
	A. Civilian Airports
	B. Military Airports
	C. Heliports
28.08.050	Airport Zone Height Limitations
28.08.060	Spacing Adjacent Airports
28.08.070	Use Restrictions
28.08.080	Nonconforming Uses
28.08.090	Permits
28.08.100	Enforcement
28.08.110	Promulgation of Rules, Regulations, Etc.
28.08.120	Appeals
28.08.130	Institution of Action in Courts
28.08.140	Airport Zoning Maps
28.08.150	Penalties
28.08.160	Conflicting Regulations
28.08.170	Amendments
28.08.180	Severability of Chapter
28.09.190	Effective Date of Chapter

CITY OF WICHITA AIRPORT HAZARD ZONING ORDINANCE

An ordinance regulating and restricting the height of structures and objects of natural growth, and otherwise regulating the use of property in the vicinity of Wichita Mid-Continent Airport, McConnell Air Force Base, Beech Airport, Cessna Airport, Comotara Airport, and Police Heliport, by creating the appropriate zones and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such zones; defining certain terms used herein; referring to the various airport zoning maps which are incorporated in, and made a part of this ordinance; providing for enforcement; providing for an appeal process; and imposing penalties.

This ordinance is revised pursuant to the authority conferred by Chapters 3 and 12 of the Laws of the State of Kansas. It is hereby found that an airport hazard endangers the lives and property of users of the aforementioned airports, and occupants in the vicinity of said airports; that an airport hazard may affect existing and future instrument approach minimums of the airports, and that an airport hazard may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of said airports and the public investment therein. Accordingly, it is declared:

- (1) That the creation or establishment of an airport hazard has the potential of being a public nuisance and may injure the region served by the airports.
- (2) That it is necessary in the interest of the public health, safety, and general welfare that the creation or establishment of airport hazards be prevented, and

- (3) That the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

IT IS HEREBY ORDAINED BY The Board of City Commissioners of the City of Wichita, Kansas, AS FOLLOWS:

28.0801 SHORT TITLE - This Ordinance shall be known and may be cited as the Wichita Airport Hazard Zoning Ordinance.

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

- A. AIRPORT - any area of land or water designed and set aside for the landing and taking-off of aircraft.
- B. AIRPORT ELEVATION - the highest point of an airport's usable landing area measured in feet from mean sea level.
- C. AIRPORT HAZARD - any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 28.08.050 of this Ordinance located on or in the vicinity of the airports covered by this Ordinance, or any use of land near such airports, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.
- D. AIRPORT REFERENCE POINT - a point selected and marked at the approximate center of the airport landing area.
- E. APPROACH SURFACE - a surface longitudinally centered on the extended runway centerline; extending outward and upward from the end of the

primary surface and at the same slope as the approach zone height limitation slope set forth in Section 28.08.050 of this Ordinance. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

- F. APPROACH, CONICAL, HORIZONTAL, AND TRANSITIONAL ZONES - these zones are set forth in Section 28.08.040 of this Ordinance.
- G. BOARD - Board of City Commissioners of Wichita, Kansas.
- H. CLEAR ZONE SURFACE - for military airports. This surface defines the limits of the obstruction clearance requirements in the vicinity contiguous to the end of the primary surface.
- I. CONICAL SURFACE
 - 1. Non-military Airports - a surface extending outward and upward from the periphery of the horizontal surface at a slope of one foot upward for each twenty (20) feet outward for a horizontal distance of 4,000 feet.
 - 2. Military Airports - An inclined surface extending upward and outward from the outer periphery of the inner horizontal surface for a horizontal distance of 7,000 feet at a slope of one (1) foot upward for each twenty (20) feet outward.
- J. 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.
- K. HELIPORT PRIMARY SURFACE - the area of the primary surface coincides in size and shape with the designated landing and takeoff area of the heliport. this surface is a horizontal plane at the elevation of the established heliport elevation.

- L. HORIZONTAL SURFACE - a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone for non-military airports.
- M. INNER HORIZONTAL SURFACE - for military airports, a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the inner horizontal zone.
- N. LARGER THAN UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight, and jet powered aircraft.
- O. MANAGER - at Wichita Mid-Continent and Comotara Airports, the Manager is the Director of the Airport Authority; at McConnell Air Force Base, the Manager is the Commander; at Cessna and Beech Airports the manager is the person designated by the company.
- P. NON-CONFORMING USE - any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this Ordinance thereto.
- Q. NON-PRECISION 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 procedure has been approved or planned.
- R. OUTER HORIZONTAL SURFACE - for military airports, a plan 500 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the outer horizontal zone.

- S. PERSON - an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, receiver, assignee, or similar representative of any of them.
- T. PRECISION INSTRUMENT RUNWAY - 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 on an approved airport layout plan or any other planning document.
- U. PRIMARY SURFACE - a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section 28.08.040 of this Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- V. RUNWAY - a defined area on an airport prepared for landing and takeoff of aircraft along its length.
- W. STRUCTURE - an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, smoke stacks, earth formations, and overhead transmission lines.
- X. TRANSITIONAL SURFACES
 - 1. For non-military airports, these surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended, at a slope of seven (7) feet horizontally for each foot vertically

from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

2. For military airports the transitional surface extends outward at 90 degree angles to the runway centerline and runway centerline extended at a slope of one (1) foot upward for each seven (7) feet outward. The transitional surfaces connect the primary surfaces, clear zone surfaces, and approach surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces.
- Y. TREE - any object of natural growth.
- Z. UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
- AA. VISUAL RUNWAY - a runway intended solely for the operation of aircraft using visual approach procedures.

28.08.030 AIRPORT ELEVATIONS - the various airport elevations are hereby established and defined as follows:

- A. Wichita Mid-Continent Airport 1,332 feet
- B. Beech Airport - 1,387 feet
- C. Cessna Airport - 1,380 feet
- D. Comotara Airport - 1,429 feet
- E. McConnell Air Force Base - 1,371 feet
- F. Police Heliport - 1,280 feet

28.08.040 AIRPORT ZONES - In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to the particular airport. Such zones are shown on the Wichita Airport Hazard Zoning Map consisting of xxx sheets, prepared by the Metropolitan Area Planning Department, dated xxx, which is attached to this Ordinance, and made a part hereof, and may be amended and supplemented as hereinafter provided. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation.

A. CIVILIAN AIRPORTS

Wichita Mid-Continent Airport, Comotara Airport, Beech Airport, and Cessna Airport-boundaries, distances and slopes of the zones are the same as the horizontal projections on the land of the respective surfaces and shall be shown on Sheets xxx (Mid-Continent, Sheets xxx; Comotara Airport, Sheets xxx; Beech Airport, Sheets xxx; and Cessna Airport, Sheets xxx), of the attached Wichita Airport Hazard Zoning Map. The various zones are hereby established and defined as follows:

1. Utility Runway Visual Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

2. Utility Runway Non-Precision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
3. Runway Larger Than Utility Visual Approach Zone - the inner edge of this approach zone zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
4. Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Non-Precision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
5. Runway Larger Than Utility With A Visibility Minimum As Low As 3/4 Mile Non-Precision Instrument Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone extends outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the end of the primary surface. Its centerline is the continuation of the centerline of the runway.

6. Precision Instrument Runway Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from both ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.
 7. Transitional Zones - the transitional zones are the areas beneath the transitional surfaces.
 8. Horizontal Zones - the horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet radii for all other runways 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 radii of the arcs for each end of the runway shall be the same and the radius used shall be the longest determined for either end.
 9. Conical Zone - the conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.
- B. MILITARY AIRPORTS - McConnell Air Force Base - Boundaries, distances and slopes of the zones are the same as the horizontal projections on the land of the respective surfaces and shall be shown on Sheets xxxx. The various zones are hereby established and defined as follows:
1. Military Airport Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface and is 2,500 feet wide. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet beginning 200 feet beyond both

ends of the primary surface of each runway. Its centerline is the continuation of the centerline of the runway.

2. Transitional Zone - the transitional zones are the areas beneath the transitional surfaces.
 3. Inner Horizontal Zone - the inner horizontal zone is established by describing an arc with a radii of 7,500 feet from the center of each end of the primary surface and connecting the adjacent arcs by drawing lines tangent to those arcs. The inner horizontal zone does not include the approach and transitional zones.
 4. Outer Horizontal Zone - the outer horizontal zone is established by constructing a line 30,000 feet from the periphery of the conical surface, but does not include approach zones or transitional zones.
 5. Conical Zone - the conical zone is established as that area beginning at the periphery of the inner horizontal zone and extending upward and outward for a horizontal distance of 7,000 feet to a height of 500 feet where it intersects the outer horizontal zone.
 6. Clear Zone - this zone is established contiguous to each end of the primary surface and extends 1,500 feet, at 90 degree angles, on either side of the extended runway centerline for a horizontal distance of 3,000 feet from the end of the primary surface.
- C. HELIPORTS - Police Heliport, Sheet xxxx. The various zones are hereby established and defined as follows:
1. Heliport Approach Zone - the inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands outward uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface.

2. Heliport Transitional Zones - these zones extend outward from the sides of the primary surface centerline and the heliport approach zone centerline.

28.08.050 AIRPORT ZONE HEIGHT LIMITATIONS - Except as otherwise provided in this Ordinance, no structure or tree shall be erected, altered, allowed to grow or be maintained in any zone created by this Ordinance to a height in excess of the applicable height limit herein established for such zone. Except where indicated, height limitations of non-military airport zones are also applicable to military airport zones. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. UTILITY RUNWAY VISUAL APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. UTILITY RUNWAY NON-PRECISION INSTRUMENT APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- C. RUNWAY LARGER THAN UTILITY VISUAL APPROACH ZONE - slope: one (1) foot upward for each twenty (20) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

- D. RUNWAY LARGER THAN UTILITY WITH A VISIBILITY MINIMUM GREATER THAN 3/4 MILE NON-PRECISION INSTRUMENT APPROACH ZONE - slope: one (1) foot upward for each thirty-four (34) feet outward, beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- E. PRECISION INSTRUMENT RUNWAY APPROACH ZONE - slope: one (1) foot upward for each fifty (50) feet outward, beginning at the end of, and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes one (1) foot upward for each forty (40) feet outward to an additional horizontal distance of 40,000 feet along the extended runway centerline.
- F. MILITARY APPROACH ZONE - slope: one (1) foot upward for each fifty (50) feet outward along the runway centerline extended until it reaches a height of 500 feet above the established airport elevation to the outer periphery of the approach zone.
- G. HELIPORT APPROACH ZONE - slope: one foot (1) upward for each eight (8) feet outward beginning at the sides of, and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.
- H. HELIPORT TRANSITIONAL ZONES - slope: one (1) foot upward for each two (2) feet outward beginning at the sides of, and at the same elevation as, the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface centerline and heliport approach zones centerline.

- I. TRANSITIONAL ZONES - slope: one (1) foot upward for each seven (7) feet outward, beginning at the sides of, and at the same elevation as the primary surface, clear zone 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 one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface and extending to where they intersect the conical surface, or outer horizontal surface for military airports. Where precision instrument runway approach zones project beyond the conical zone, there are established height limits sloping one (1) foot upward for each seven (7) feet outward beginning at the sides of, and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.
- J. HORIZONTAL ZONE - non-military airports - established at one hundred-fifty (150) feet above the established airport elevation.
- K. OUTER HORIZONTAL ZONE - military airports - established at five hundred (500) feet above the established airport elevation.
- L. INNER HORIZONTAL ZONE - military airports - established at one hundred-fifty (150) feet above the established airport elevation.
- M. CONICAL ZONE - slope: one (1) foot upward for each twenty (20) feet outward beginning at the periphery of the horizontal (inner horizontal zone at military airports) zone and at one hundred-fifty (150) feet above the established airport elevation and extending to a height of three hundred-fifty (350) feet above the established airport elevation.

- N. EXCEPTED HEIGHT LIMITATIONS - nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to twenty-five (25) feet above the surface of the land.

28.08.060 SPACING ADJACENT AIRPORTS

- A. No other airport shall be established hereafter, any portion of whose proposed boundary will be within a radius of eight (8) miles from an airport reference point or under an airport zone of an airport established on the date of this chapter, unless a permit shall have been applied for and granted in accordance with the provisions of this Chapter.
- B. Exceptions to the spacing requirements hereinbefore provided in this section may be granted by the Board of City Commissioners upon receipt of proper application, but only after a public hearing duly held in accordance with provisions of this Chapter, and where, owing to special conditions, the Board of City Commissioners duly finds that a literal enforcement of these provisions would result in unnecessary hardship and such variance would not be contrary to the public interest. Prior to granting any such exception or variance, the Board shall for the purpose of study and recommendation, refer the matter to the Federal Aviation Administration, the Commander of McConnell Air Force Base, and to any local planning body having the jurisdiction within the area affected.
- C. If any of the aforementioned bodies to whom the matter shall have been referred does not, within forty-five

(45) days, transmit a report to the Board of City Commissioners, then it shall be deemed to have approved the proposal; provided, however, that upon request of any such body the Board of City Commissioners shall grant a reasonable extension of such time.

- D. In granting such exception or variance the Board shall impose special conditions which will ensure that the public interest is maintained.

28.08.070 USE RESTRICTIONS - notwithstanding any other provisions of this Ordinance, no use may be made of land or water within any zone established by this Ordinance in such manner as to create electrical interference with navigational or radio communication between the airports and aircraft, make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of the pilots using the airports, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airports.

28.08.080 NONCONFORMING USES

- A. REGULATIONS NOT RETROACTIVE - the regulations prescribed by this Ordinance 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 Ordinance, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein 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 diligently prosecuted.

- B. MARKING AND LIGHTING - notwithstanding the preceding provision of this section, the owner of any existing structure or tree is hereby required to permit the operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Superintendent of Central Inspection to indicate to the operators of aircraft in the vicinity of the airports the presence of airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the City of Wichita.

28.08.090 PERMITS

- A. FUTURE USES - except as specifically provided in 1, 2, and 3, hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit, therefore, shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with particularity to permit determination of 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. No permit for a use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with paragraph "D" of this section.

1. In the area lying within the limits of the horizontal zone (outer horizontal zone for military airports), and conical zone, no permit shall be required for any tree or structure less than seventy-five (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.

2. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of 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 approach zones.
3. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of 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.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure or growth of any tree in excess of any of the height limits established by this Ordinance except as set forth in Section 28.08.050, paragraph "N".

- B. 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 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 applications for such a permit shall be granted.

- C. NONCONFORMING USES ABANDONED OR DESTROYED - whenever the Superintendent of Central Inspection determines that a nonconforming tree or structure 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.
- D. 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 Ordinance, may apply to the Board of City Commissioners for a variance from such regulations. The Board may assign the application to the Metropolitan Area Planning Commission for study and recommendations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and be in accordance with the spirit of this Ordinance.

Additionally, no application for variance to the requirements of this Ordinance may be considered by the Board of City Commissioners unless a copy of the

the application has been furnished to the Manager of the affected airport(s) for advice as to the aeronautical effects of the variance. If the Manager does not respond to the application within fifteen (15) days after receipt, the board of City Commissioners may act on its own to grant or deny said application.

- E. HAZARD MARKING AND LIGHTING - any permit or variance granted, may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Board of City Commissioners, this condition may be modified to require the owner to permit the City of Wichita, at its own expense, to install, operate and maintain the necessary markings and lights.

28.08.100 ENFORCEMENT The Superintendent of Central Inspection is hereby designated Administrative Officer. It shall be the duty of the Administrative Officer to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Administrative Officer on a form furnished by him. Applications required by this Ordinance to be submitted to the Administrative Officer shall be promptly considered and granted or denied by him. If it is determined by the Administrative Officer that the proposed use does not conform with the provisions of this Ordinance, the application shall be denied and a copy transmitted to the Board of City Commissioners for further hearing and decision.

28.08.110 PROMULGATION OF RULES, REGULATION, ETC. by the Administrative Officer. The Administrative Officer shall promulgate, and from time to time amend rules, regulations and standards for the administration and enforcement of this Ordinance, which standards shall not be effective until they have first been approved by the Board of City Commissioners, and a copy thereof filed with the City Clerk of the City of Wichita.

28.08.120 APPEALS

- A. Any person aggrieved, or taxpayer affected by a decision of the Superintendent of Central Inspection made in administration of this Ordinance, may appeal to the Board of City Commissioners.
- B. All appeals hereunder must be taken within a reasonable time as provided by the Board of City Commissioners by filing with the Superintendent of Central Inspection a notice of appeals specifying the grounds thereof. The Superintendent of Central Inspection shall forthwith transmit to the Board of City Commissioners all papers constituting the record on which the action appealed was taken.
- C. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Superintendent of Central Inspection certifies to the board, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the opinion of the Superintendent of Central Inspection, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board and on due cause shown.

- D. The Board shall fix a reasonable time for the hearing of 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.
- E. The Board in conformity with the provisions of this Ordinance, may 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.
- F. The concurring vote of a majority of the members of the Board shall be sufficient to revise any order, requirement, decision, or determination of the Superintendent of Central Inspection or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any variation in this Ordinance.

28.08.130 INSTITUTION OF ACTIONS IN COURTS

- A. The Superintendent of Central Inspection may institute in any court of competent jurisdiction, an action to prevent, restrain, correct or abate any violation of this Ordinance, or of any order or ruling made in connection therewith as provided by law.
- B. Any person aggrieved or any taxpayer affected, by any decision of the Board of City Commissioners, may appeal to any court of competent jurisdiction as provided by law.

28.08.140 AIRPORT ZONING MAPS

- A. OFFICIAL TITLE - each such airport zoning map, properly identified by the name of the airport covered, and an appropriate description of what the map purports

to show, shall be signed by the City Clerk of the City of Wichita, and marked with the effective date of this Ordinance.

- B. RATIFICATION - the particular zoning classifications as shown by the legends on such airport hazard zoning maps, are hereby ratified, confirmed and approved and all land within any of the zones shown on any of the airport hazard zoning maps shall be and is hereby zoned the particular airport zone shown by the legend on the applicable airport zoning map.
- C. MAINTENANCE - the airport hazard zoning maps shall be kept and maintained by the City of Wichita, and shall be available for inspection and examination by members of the public at all reasonable times, as any other public record, in the office of the Superintendent of Central Inspection.

An exact copy of each airport hazard zoning map shall be located in the office of the City Clerk, who shall likewise maintain such maps and make them available for inspection and examination by members of the public at all reasonable hours.

- D. CHANGE IN AIRPORT HAZARD ZONING MAPS - any change in an airport zoning classification accomplished in the manner provided by law, after public hearing and a resolution of the Board of City Commissioners, shall be noted on the particular airport hazard zoning map affected by such change on file in the Office of the Superintendent of Central Inspection and in the office of the City Clerk, so that all such airport zoning maps shall at all times reflect the current airport zoning classification of each parcel of real estate within such zones.

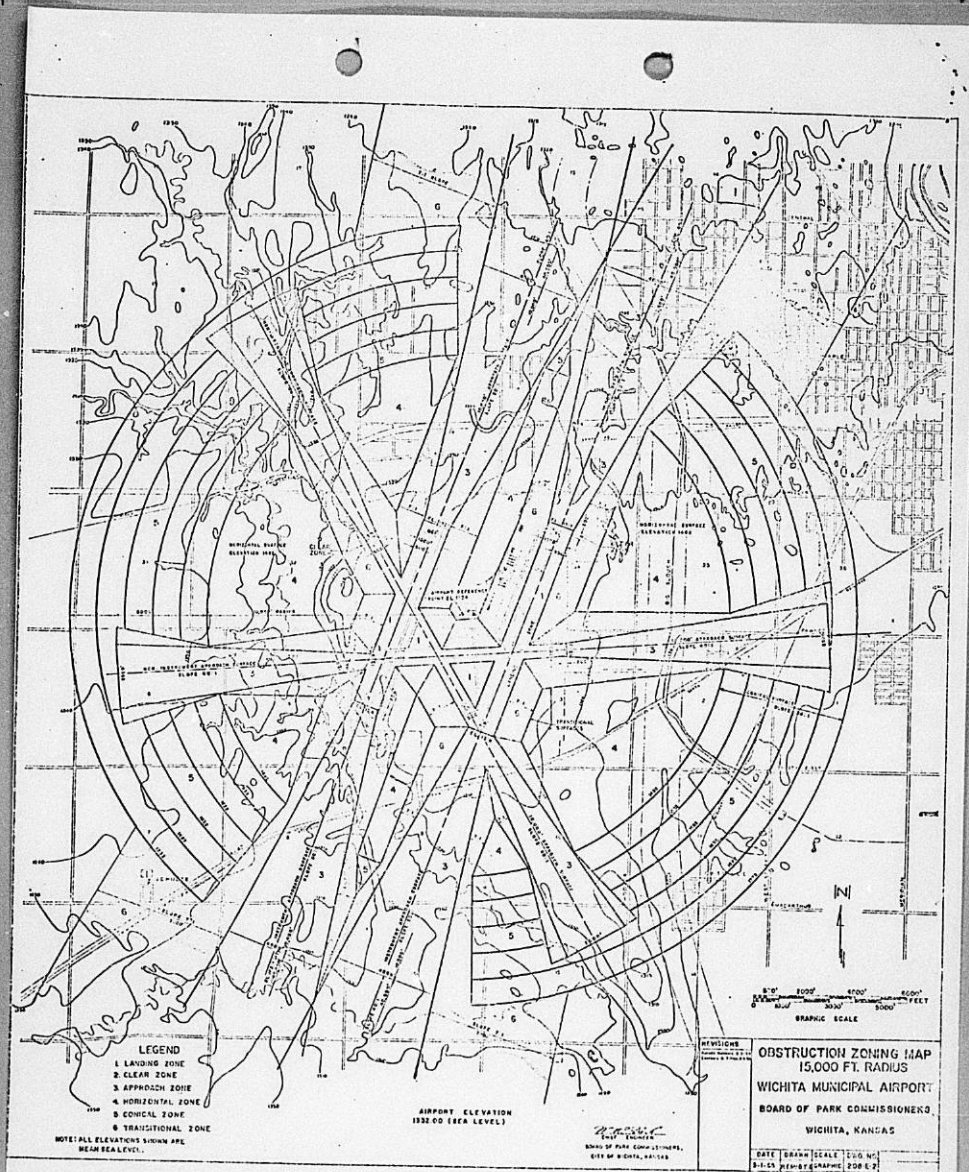
28.08.150 PENALTIES - each violation of this Ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than \$300 or imprisonment for not more than 30 days or both; and each day a violation continues to exist shall constitute a separate offense.

28.09.160 CONFLICTING REGULATIONS - in the event of any conflict between the requirements of this Ordinance and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

28.08.170 AMENDMENTS - amendment or repeal of all or part of this Ordinance shall be done in accordance with the procedure prescribed by law for the adoption, amendment and repeal of airport zoning regulations (KSA 3-705).

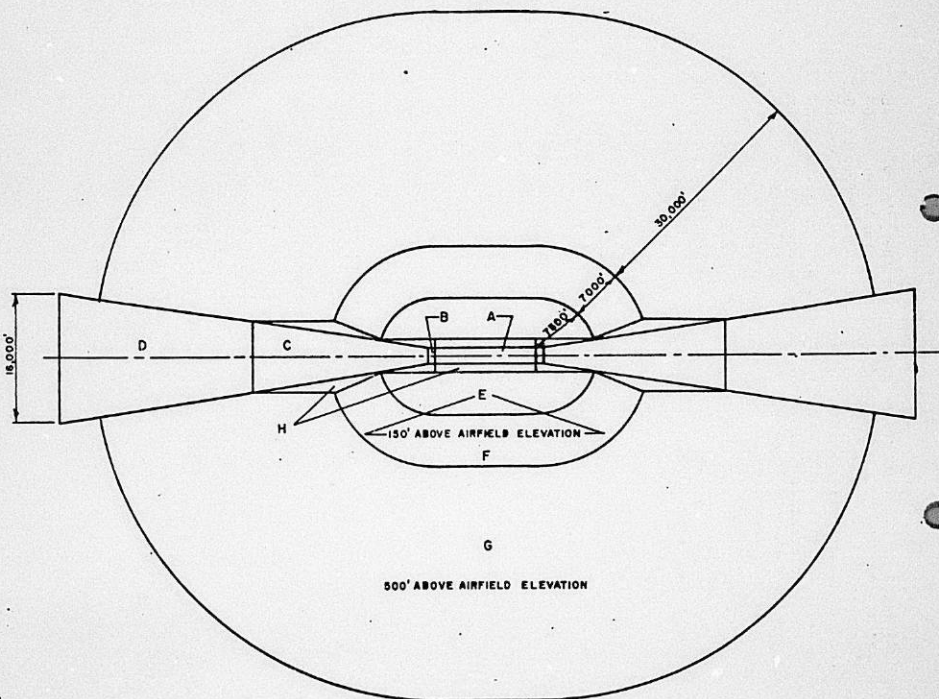
28.08.180 SEVERABILITY OF CHAPTER - if any of the provisions of this Ordinance or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Chapter are declared to be severable.

28.8.190 EFFECTIVE DATE OF CHAPTER - this Chapter shall be in full force and effect from and after its adoption, and publication in the official paper.



EXISTING ZONING Mid-Continent

E-3

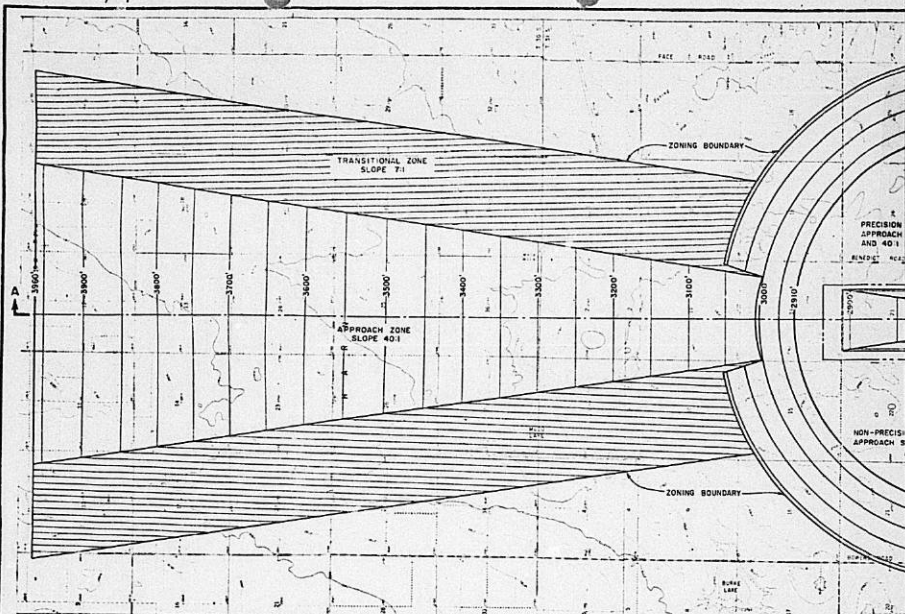


- A. PRIMARY SURFACE
- B. CLEAR ZONE SURFACE
- C. APPROACH / DEPARTURE CLEARANCE SURFACE (GLIDE ANGLE)
- D. APPROACH / DEPARTURE CLEARANCE SURFACE (HORIZONTAL)
- E. INTER HORIZONTAL SURFACE
- F. CONICAL SURFACE
- G. OUTER HORIZONTAL SURFACE
- H. TRANSITIONAL SURFACE

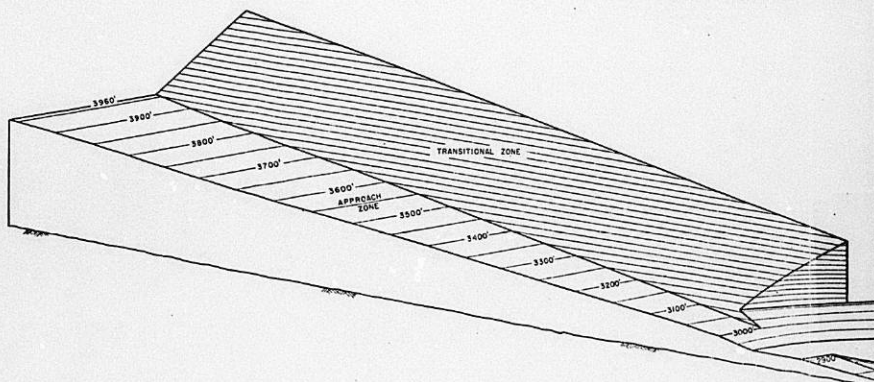
AIRSPACE CONTROL
SURFACE - PLAN

EXAMPLE MILITARY ZONING
FIG. E-1

8/23/77

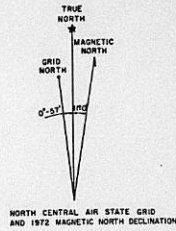
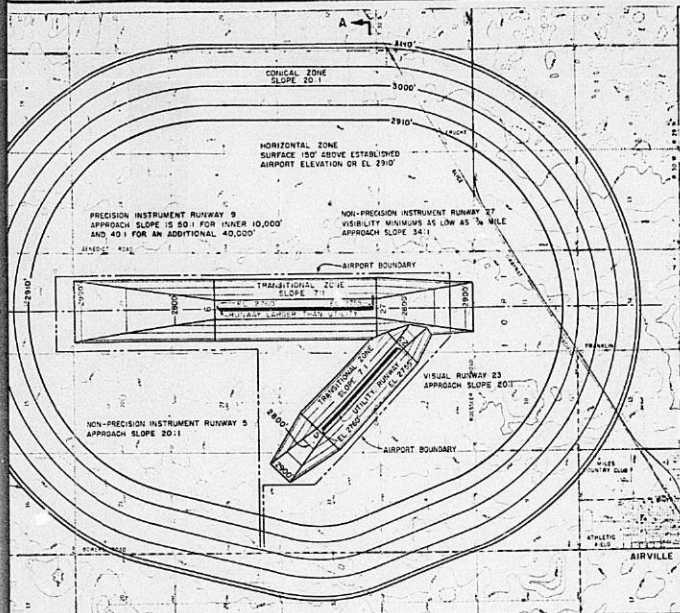


ZONING PLAN



EXAMPLE CIVILIAN ZONING

ISOMETRIC VIEW OF SECTION A-A



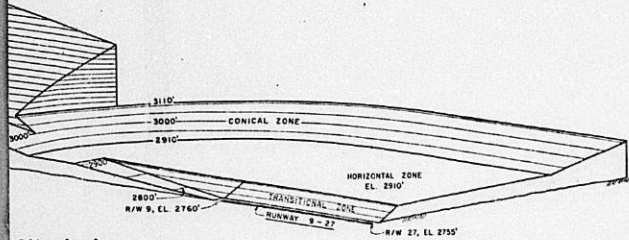
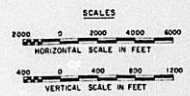
LEGEND

- ULTIMATE RUNWAY
- AIRPORT BOUNDARY
- ZONE BOUNDARIES
- TOPOGRAPHIC CONTOURS
- AERIAL CONTOURS
- MEDIUM DUTY ROAD
- LIGHT-DUTY ROAD
- UNIMPROVED DIRT ROAD

NOTES

1. THE AERIAL CONTOURS ILLUSTRATE THE HEIGHT LIMITATIONS WITHIN EACH ZONE.
2. A SLOPE, SUCH AS 20:1 EXPRESSES THE HORIZONTAL DISTANCE OF 20 FEET TO THE VERTICAL DISTANCE OF 1 FOOT.
3. EXISTING TOPOGRAPHIC SYMBOLS ARE THOSE USED BY THE U.S. GEOLOGICAL SURVEY.
4. THE NORTH CENTRAL AIR STATE GRID SYSTEM IS USED.

PLAN



SECTION A-A

CITY & COUNTY OF AIRVILLE JOINT ZONING BOARD	
AIRVILLE MUNICIPAL AIRPORT ZONING MAP	
ZONING ORDINANCE ADOPTED (DATE)	
REVISION	APPROVED
	RECEIVED
SUBMITTED	
CHECKED	DATE
DATE	SHEET
	OF NO

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
436 NORTH MAIN STREET
WICHITA, KANSAS 67202

(316) 268-4561

Gary Seitz, Director of Planning

City Hall

Newton, KS 67114

November 27, 1978

Dear Mr. Seitz:

Bill Stockwell has asked me to send you a copy of Wichita's current Airport Hazard Zoning Ordinance, and a copy of the draft updating the Ordinance. A copy of each is enclosed. The updated ordinance is a preliminary draft and will probably undergo revision after it is reviewed. Generally, the revisions should be minor unless several of the privately owned airports are dropped. Additionally, the section on "heliports" may be dropped.

If you have any questions or if I can be of assistance please advise. I would like to stay in contact with you in order that we can compare the problems encountered in preparing the ordinance and having it adopted.

Sincerely,

ADC
Arthur D. Chambers
Planning Analyst
Advance Plans Division

ADC:vn

Enclosures

cc: Willard L. Stockwell, Chief Planner, Advance Plans Division
✓ Bruce A. Curfman, Senior Planner, Advance Plans Division

~~2~~
clude Lesma Hill - (may or may
not be adequately covered by the Connell AFB)
+ some more.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 21, 1978

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Arthur D. Chambers, Planning Analyst, Advance Plans Division
SUBJECT Airport Hazard Zoning Ordinance

Attached is a draft updating the current Airport Hazard Zoning Ordinance. The draft revises the current ordinance by including new definitions and standards, and deleting those that are no longer applicable. In preparing the draft phrasing from FAA Circular 150/5190-4, A Model Zoning Ordinance to Limit Height of Objects Around Airports, was used.

The draft is a general revision, rewritten primarily to incorporate new standards and zone definitions. However, the section on Spacing Adjacent Airports was not revised. Although the draft is in a different form, there are no substantial changes in the purpose of the Ordinance.

I would like to meet with you to discuss any comments you may have concerning the draft. Additionally, I would like to discuss the procedure that should be followed to have the draft adopted.

Arthur D. Chambers
Arthur D. Chambers, Planning Analyst

ADC:vn
Attachment

cc: Joseph L. Forinash, Principal Planner, Advance Plans Division
Bruce A. Curfman, Senior Planner, Advance Plans Division

from: *WIS* date: *10-4*

admin. adv. plans cur. plans social graphics

<input type="checkbox"/> takin	<input type="checkbox"/> stockwell	<input type="checkbox"/> gallbreth	<input type="checkbox"/> michell	<input type="checkbox"/> pierce
<input type="checkbox"/> walter	<input type="checkbox"/> vandehek	<input type="checkbox"/> lytle	<input type="checkbox"/> hart	<input type="checkbox"/> stafford
<input type="checkbox"/> webster	<input type="checkbox"/> shen	<input type="checkbox"/> young	<input type="checkbox"/> kahl l.	<input type="checkbox"/> garland
<input type="checkbox"/> tucker	<input type="checkbox"/> nelson, p	<input type="checkbox"/> monk	<input type="checkbox"/> brown	<input type="checkbox"/> pate
<input type="checkbox"/> nelson, v	<input type="checkbox"/> lesaw	<input type="checkbox"/> shirkey	<input type="checkbox"/> kaliber	<input type="checkbox"/> barber
<input type="checkbox"/> takin, o	<input type="checkbox"/> schafar	<input type="checkbox"/> newby	<input type="checkbox"/> covert	<input type="checkbox"/> crook
<input type="checkbox"/> henderson	<input type="checkbox"/> [unclear]	<input type="checkbox"/> dekan	<input type="checkbox"/> kohl t.	<input type="checkbox"/> comner
<input type="checkbox"/> brothers	<input type="checkbox"/> kabbitt	<input type="checkbox"/> olivarez	<input type="checkbox"/> lane	<input type="checkbox"/>
<input type="checkbox"/> hanson	<input type="checkbox"/> read	<input type="checkbox"/> krebbiel	<input type="checkbox"/> syal	<input type="checkbox"/>
<input type="checkbox"/> craig	<i>Chamber</i>	<input type="checkbox"/> church	<input type="checkbox"/> leutters	<input type="checkbox"/>
<input type="checkbox"/> barnes	<input type="checkbox"/> reiva	<input type="checkbox"/>	<input type="checkbox"/> sharpe	<input type="checkbox"/>
<input type="checkbox"/> haden	<input type="checkbox"/> may	<input type="checkbox"/>	<input type="checkbox"/> harvey	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> smith	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/> better	<input type="checkbox"/>	<input type="checkbox"/> crawford	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/> nagley	<input type="checkbox"/>	<input type="checkbox"/> phelps	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/> browne c.	<input type="checkbox"/>	<input type="checkbox"/> schroeder	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/> stahschmidt	<input type="checkbox"/>	<input type="checkbox"/> harwood	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/> forinash	<input type="checkbox"/>	<input type="checkbox"/> blanton	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> mccladden	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> note & return	<input type="checkbox"/> signature
<input type="checkbox"/> swander	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> handle	<input type="checkbox"/> library
<input type="checkbox"/> licketig	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> all staff	<input type="checkbox"/> information
<input type="checkbox"/> grossnickle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> comment	<input type="checkbox"/> files

remarks: *Have you located
our 1973 file?
of the [unclear]
lets meet Friday
afternoon.*

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

October 2, 1978

TO Willard L. Stockwell, Chief Planner, Advance Plans Division
FROM Art Chambers, Planning Analyst, Advance Plans Division
SUBJECT Update of Airport Hazard Zoning Ordinance

We have received two FAA publications to be used in updating Wichita's Airport Hazard Zoning Ordinance. (1) Part 77 Objects Affecting Navigable Airspace -- general standards for structures and natural growth in the vicinity of an airport. (2) A Model Zoning Ordinance to Limit Height of Objects Around Airports.

The Model Zoning Ordinance was published in 1977. It differs from the current Airport Hazard Zoning Ordinance mainly by having expanded and/or reworded definitions. Additionally, there are new definitions included which are concerned with defining the type of runways. One major difference is that the model ordinance uses a board of adjustment for appeals instead of the City Commission. In general, the model ordinance incorporates new standards into a reworded and expanded ordinance.

Since this is an update of an existing ordinance I do not foresee any major difficulty in having it adopted. The following steps indicate the general updating process.

1. Compare the above publications with the current ordinance.
2. Determine which airports to specifically cover (all airports or just the major ones with instrument landings?), and obtain necessary information.
3. Draft new ordinance noting changes when they occur.
4. Have maps prepared depicting the new guidelines and standards. This will be official maps when the ordinance is adopted.
5. Submit to relevant departments, i.e., Legal, FAA, McConnell AFB, County, etc., for review and comment; make appropriate changes
6. Submit to City Commission for adoption.

*At least
the airports
in our System
Plan.*

I would like to discuss this with you and any interested staff before proceeding further.

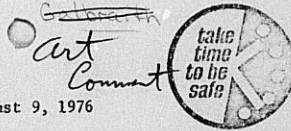
Arthur D. Chambers
Arthur D. Chambers, Planning Analyst

ADC:vn
cc: Joseph L. Forinash, Principal Planner
Bruce A. Curfman, Senior Planner

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

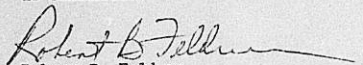
DATE August 9, 1976



TO Robert A. Lakin, Director of Planning
FROM Robert B. Feldner, Superintendent of Central Inspection
SUBJECT Airport Zoning Ordinance

Please note the comments of attached memo from Leland Johnson. It would appear that an amendment should be adopted for the sections cited.

Though we do not have many cases like Tri City, clarification of the procedure should be made before the next application is submitted.


Robert B. Feldner
Superintendent of Central Inspection

RBF:mm1

cc: R. W. Bruggeman
Jack Galbraith

Attachment



THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE August 9, 1976



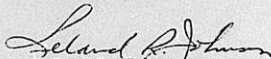
TO Robert B. Feldner, Superintendent of Central Inspection
FROM Leland R. Johnson, Building Code Engineer

SUBJECT Airport Zoning Ordinance

A recent application for a building permit to erect a radio transmitting tower was received from Tri City Broadcasting Company. This tower is to be located approximately two and one-third miles south of Derby.

According to Jack Galbraith of the Metropolitan Area Planning Department, the Superintendent should issue a permit on the basis of this application as described in Section 28.08.150, 28.08.160 and 28.08.170. I questioned whether or not the building official for the city should be concerned with applications and permits for such structures in the county. Jack Galbraith seemed to think that it should be a function of the Superintendent of the Central Inspection Division as the Chief Building Official named in the ordinance.

It would appear to me that since the county now has a functioning building department the application and permit for the structure to comply with airport zoning requirements should be handled through the County Public Works Department. Perhaps an amendment to the Airport Zoning Ordinance should be prepared by the Metropolitan Area Planning Department for consideration by the Metropolitan Area Planning Commission and recommendation for City Commission adoption.


Leland R. Johnson
Building Code Engineer

LRJ:mm1