



Article 17

AIRPORT OVERLAY ZONING

TABLE OF CONTENTS

DIVISION I: ESTABLISHMENT & PURPOSE 3
Section 17.010 Airport Overlay (AO) District Established 3
Section 17.020 Purpose 3
DIVISION II: DEFINITIONS 4
Section 17.030 Interpretation 4
Section 17.040 Definitions 4
Section 17.050 Acronyms 7
DIVISION III: BOUNDARIES AND MAPS 8
Section 17.060 Airport Overlay District 8
Section 17.070 Interpretation of District Boundaries 8
Section 17.080 Subareas; Overlap 9
Section 17.090 Maps 10
DIVISION IV: GENERAL PROVISIONS 15
Section 17.100 General Use Restrictions 15
Section 17.110 Administration and Enforcement 15
Section 17.120 State Airport Hazard Zoning Regulations 16
Section 17.130 Development Application Consultation Procedures 16
Section 17.140 Regional Advisory Board 17
DIVISION V: AO-1: PRIMARY PLANNING INFLUENCE AREA 20
Section 17.150 Purpose and Generally 20
Section 17.160 Consultation 20
Section 17.170 Avigation Easements 20
Section 17.180 Lighting 21
DIVISION VI: AO-2: SAFETY ZONES AREA 22
Section 17.190 Purpose and Generally 22
Section 17.200 Procedures and Design Regulations in Safety Zones 23
Section 17.210 Use Regulations in Safety Zones 23
DIVISION VII: AO-3: HEIGHT RESTRICTION AREA 30
Section 17.220 Purpose and Generally 30
Section 17.230 Procedures and Design Regulations in the Height Restriction Areas 30
Section 17.240 Area Regulations 31
Section 17.250 Height Exceptions and Limitations 32
DIVISION VIII: AO-4: NOISE ZONES AREA 32
Section 17.260 Purpose and Generally 32
Section 17.270 Procedures and Design Regulations in Noise Zones 33
Section 17.280 Use Regulations in Noise Zones 33



Article 17

**AIRPORT OVERLAY
ZONING**

Section 17.290 Attenuation..... 38

DIVISION IX SUPPLEMENTAL PROCEDURES 39

Section 17.300 Generally 39

Section 17.310 Hearing Officer..... 40

Section 17.320 Appeals 40

Section 17.330 Variances 41

Section 17.340 Non-Conformities 41

Section 17.350 Airport Hazard Marking 42

APPENDIX A PROCESS CHART 43

APPENDIX B AIRPORT IMAGINARY SURFACES 44



Article 17

AIRPORT OVERLAY ZONING

DIVISION I: ESTABLISHMENT & PURPOSE

Section 17.010. Airport Overlay (AO) District Established

There is hereby established a zoning district entitled Airport Overlay (AO) District, including subarea districts, with the expressed intent to provide for uses and unique design requirements for lands adjacent to and within runway protection zones, accident potential zones, airspace zones, and noise zones for the environs of Scott Air Force Base and the MidAmerica St. Louis Airport.

Section 17.020. Purpose

The purpose of the Airport Overlay (AO) District is to establish land use controls that promote and protect the public health, safety, comfort and general welfare, and including:

- A. To provide for and protect the long term mission, operation, and viability of Scott Air Force Base (AFB) and MidAmerica St. Louis Airport from hazardous, injurious, and/or other conditions that could adversely affect airport operations and safety and/or that would be incompatible with airport operations and functions.
- B. To protect the use, enjoyment, and values of land and development in the airport environs from injurious and hazardous conditions and incompatibility of uses.
- C. To promote proper land use arrangement and development, public and private services and facilities, and a desirable environment to achieve and sustain physical, social, and economic activities, which are compatible with Scott AFB and MidAmerica St. Louis Airport.
- D. To provide standards for new or redeveloped buildings within the noise attenuation zone to be constructed with materials and in such manner that aircraft noise be reduced by the structure to an interior level that has no adverse impact on the health, safety, and general welfare of the residents.
- E. To maintain an open process of regional coordination, negotiation, and interpretation of airport influence districts and cooperation with other affected local governments to achieve these goals.
- F. To inform citizens in the vicinity of Scott AFB and MidAmerica St. Louis Airport of the potential impacts of airport influence districts on the use of their properties.
- G. To preserve the economic development potential that Scott AFB and MidAmerica St. Louis Airport brings to the area.



Article 17

AIRPORT OVERLAY ZONING

DIVISION II: DEFINITIONS

Section 17.030. Interpretation

Words and phrases shall be construed according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning. Except as otherwise specifically defined below for purposes of this Article, definitions generally applicable within the Zoning Code shall apply herein.

Nothing contained within this Article shall be construed as or applied to be substantially inconsistent with an airport approach plan adopted by IDOT Division of Aeronautics, pursuant to 620 ILCS 25/12.

Section 17.040. Definitions

Accident Potential Zones (APZ): As applied to military airfields, those areas which are identified as being significantly impacted by accident potential from aircraft. APZ-1 is an area normally beyond the Clear Zone that possesses a significant potential for accidents. APZ-2 is an area normally beyond APZ-1 that has a measurable potential for accidents. Both the APZ-1 and APZ-2 are the same width as the Clear Zone. APZ-1 extends from the Clear Zone an additional 5,000 feet. APZ-2 extends from APZ-1 an additional 7,000 feet.

Air Installation Compatible Use Zone (AICUZ): A study conducted by the Air Force to evaluate the effect on noise and accident potential on surrounding property and to promote compatible land use that reduces the risks to public health and safety.

Air Force: The United States Air Force as represented by the Base Community Planner for Scott Air Force Base or such other designee.

Airport: Any area of land or water that is designed and set aside for the landing and taking off of aircraft and related use associated with Scott Air Force Base or MidAmerica St. Louis Airport and utilized or to be utilized in the interest of the public for such purposes.

Airport Environs: The geographic area that is affected by the airport air traffic operations and defined on the basis of those areas immediately affected by noise exposure, Clear Zones, Civilian Clear Zones, Runway Protection Zones, APZ-1 and APZ-2 areas, CPZ-1 and CPZ-2 areas, height hazard zones, and areas of airport influence property. These areas constitute the Airport Overlay (AO) District established in this Article.

Airport Hazard: Any structure or object of natural growth or use of land within the airport environs that obstructs the air space required for the flight of taking off, maneuvering or landing at an airport or which is otherwise hazardous to such landing or taking off of aircraft.

Airport Hazard Area: Any area of land or water, or both, upon which an airport hazard might be established if not prevented by this Article.



Article 17

AIRPORT OVERLAY ZONING

Civilian Protection Zones (CPZ): As applied to civilian airfields, those areas which are identified as being significantly impacted by accident potential from aircraft. CPZ-1 is an area normally beyond the Civilian Clear Zone that possesses a significant potential for accidents. CPZ-2 is an area normally beyond CPZ-1 that has a measurable potential for accidents. Both the CPZ-1 and CPZ-2 are the same width as the Civilian Clear Zone. CPZ-1 extends from the Civilian Clear Zone an additional 5,000 feet. CPZ-2 extends from CPZ-1 an additional 7,000 feet.

Civilian Clear Zone (CCZ): A defined area extending outward from the end of each runway of MidAmerica St. Louis Airport. The Civilian Clear Zones are considered an area of high accident potential. The Clear Zone starts at the end of the runway and extends outward 3,000 feet at a width of 3,000 feet.

Clear Zone (CZ): A defined area extending outward from the end of each runway of Scott Air Force Base. The Clear Zones are considered an area of high accident potential. The Clear Zone starts at the end of the runway and extends outward 3,000 feet at a width of 3,000 feet.

Decibel (dB): A unit for measuring the relative loudness of sound or sound pressure equal approximately to the smallest degree of difference of loudness or sound pressure ordinarily detectable by the human ear, the range of which includes about 130 decibels on a scale beginning with one for the faintest audible sound.

Decibel A-Weighted Scale (dBA): The unit of noise level measured in accordance with the "A-weighted scale" which replicates the response characteristics of the ear. This scale is a quantity, in decibels, read from a standard sound-level meter with A weighting circuitry. The A-space weighting discriminates against lower frequencies according to a relationship approximating, and more accurately reflecting the auditory sensitivity and response of the human ear. The A-scale sound level measures approximately the relative "noisiness" or "annoyance" of common sounds.

Development Application: Any request to the local governing body for rezoning, subdivision (major or minor), zoning variance, permit for a non-conformity, final site plan approval, special use permits, sign permits for freestanding or illuminated signs, mobile home permits, or in the case of building permits, permits to increase the existing square footage by 50% or more or over thirty-five (35) feet in height, or permits otherwise determined by the Director to have any potential impact within the District intended to be addressed by this Article. A request to approve a change to the future land use map of the approved Comprehensive Plan shall also be considered a development application within this section.

Director: The Director of Planning and Zoning, or other designee, as the staff person assigned to administer, interpret, and implement the standards, criteria, and procedures of this Zoning Code for their respective elected bodies.

DNL: Day Night Level. See Level, Day Night Sound Level (Ldn). Acoustical industry standards often use the abbreviations DNL and Ldn interchangeably.

Electronic Display Signs: Signs that show changeable copy, graphic displays or video displays.



Article 17

AIRPORT OVERLAY ZONING

Federal Aviation Administration (FAA): The federal agency responsible for the safety of civil aviation and the regulation of U.S. commercial space transportation.

Height, Airport: In the Airport Environs, for purpose of determining the height of any structure, tree, or other object, including communication towers, the height is the elevation above mean sea level (MSL). For calculation purposes, this is the sum of the elevation of the site and the height of the structure, including any appurtenances.

Level, Day Night Sound Level (Ldn): A basic measure for quantifying noise exposure. The day/night average level, or the twenty-four (24) hour equivalent continuous sound level (time averaged A-weighted sound level) from midnight to midnight, obtained after the addition of ten (10) dBA to sound levels measured from 10:00 P.M. to 7:00 A.M.

Noise Contour: A line on the AO-4 Map linking together a series of points of equal cumulative noise exposure based on the day/night average level (Ldn) measurement. Such contours are developed based on aircraft flight patterns, number of daily aircraft operations by type of aircraft, and time of day noise characteristics of each aircraft and typical runway usage patterns.

Nit: A unit of visible-light intensity, commonly used to specify the brightness of a cathode ray tube or liquid crystal display computer display. One nit is equivalent to one candela per square meter.

Noise Level Reduction (NLR): Amount of noise reduction required through construction and incorporation of sound attenuation material to reduce interior noise level. The difference between the exterior and interior sound level, expressed in decibels.

Owner: Any person, group of persons, firm or firms, corporation or corporations, Commanding Officer of any local military base, or any other legal entity having legal or equitable title to or sufficient proprietary interest in or to any property subject to this Zoning Code.

Participating Local Governments: the coordinating local governments in St. Clair County, Illinois participating in the RAB and adopting an Airport Overlay Code substantially in the form of or consistent with this Article.

Primary Surface: A ground surface longitudinally centered on the runway. The dimensions and limits of the primary surface shall be those prescribed in Department of Defense (DoD) height and obstruction criteria for Scott AFB and in Federal Aviation Regulation (FAR) Part 77 for MidAmerica St. Louis Airport.

Runway: A defined area on an airport or airfield prepared for landing and takeoff of aircraft along its length. For purposes of this Article and compliance with other applicable laws, the runways of Scott Air Force Base or MidAmerica St. Louis Airport shall be considered Precision Instrument Runways unless otherwise hereinafter designated.

Runway Protection Zone (RPZ): An area off the runway end of a civilian airport designated by the FAA to enhance the protection of people and property on the ground.



Article 17

AIRPORT OVERLAY ZONING

SLCUM: The Standard Land Use Coding Manual, which provides a general numeric coding scheme that uses two, three, four, or more digits to identify land use activities and allow for the flexible categorization of new land uses

Sound Attenuation: The reduction in sound level which occurs between the source and the receiver.

Sound Level: The level of sound pressure measured with a sound level meter and one of its weighing (frequency) networks. When A-weighting is used, the sound level is expressed as dBA.

Sound Transmission Class (STC): is an integer rating of how well a building partition attenuates airborne sound. In the USA, it is widely used to rate interior partitions, ceilings/floors, doors, windows and exterior wall configurations

Structure: Any object whether permanent or temporary, including, but not limited to a building, tower, crane, smokestack, earth formation, overhead transmission line, or flagpole; to also include mobile and tethered objects.

Zoning Code: The Zoning Ordinance of the City of O'Fallon, as amended, including this Article.

Section 17.050. Acronyms

AFB - Air Force Base

AICUZ - Air Installation Compatible Use Zone

APZ - Accident Potential Zone

CZ - Clear Zone

CCZ - Civilian Clear Zone

CPZ - Civilian Protection Zone

dB - Decibels

dBA - Weighted decibels

DoD - Department of Defense

FAA - Federal Aviation Administration

IDOT - Illinois Department of Transportation

Ldn - Day-night sound level

NLR - Noise Level Reduction

RAB -Regional Advisory Board

RPZ - Runway Protection Zone

SLUCM - Standard Land Use Coding Manual

STC - Sound Transmission Class



Article 17

AIRPORT OVERLAY ZONING

DIVISION III: BOUNDARIES AND MAPS

Section 17.060. Airport Overlay District

Certain airport environs are identified and established by this Article for property within and around Scott Air Force Base (AFB) and MidAmerica St. Louis Airport (MidAmerica) within St. Clair County, Illinois. These environs have been identified through Federal Aviation Regulations Part 77 and data provided to St. Clair County by the United States Air Force as part of the 2008 Joint Land Use Study and the 2009 Air Installation Compatible Use Zone (AICUZ) report. Areas within the airport environs are subject to regulation beyond the other requirements of the Zoning Code. These additional restrictions, designated as the Airport Overlay (AO) District, provide an enhanced level of protection in support of the continued operations of Scott AFB and MidAmerica St. Louis Airport.

Section 17.070. Interpretation of District Boundaries

A. Establishment and Interpretation of District Boundaries:

The boundaries of the Airport Overlay (AO) District and Subarea districts are hereby enacted and established as set forth on the series of four (4) maps incorporated in Section 17.090 of this Article (District Maps), with precise boundaries being determined by scaling distances and features shown on these maps. Where interpretation is needed as to the exact location of the boundaries of the airport districts, as shown on the Airport Overlay (AO) District maps, the Director shall make the necessary determination of the boundary based on the purposes of this Article and underlying mapping data. Any property owner contesting the location of a district boundary affecting his or her property shall be given a reasonable opportunity to present their case in accordance with the appeal procedures established in the Zoning Code and in Division IX of this Article. The adopted District Maps may include areas outside the territorial boundaries of the City in order to promote coordination with other participating local governments. The regulations of this Airport Overlay District shall not be deemed to extend to any property outside such territorial boundaries to which the City lacks jurisdiction to impose such regulation.

B. Split Parcels:

For purposes of regulation of parcels that appear split by the district boundary lines, only that portion of a parcel that falls within the district shall be subject to the provisions and standards of this Article.

C. Boundary Changes:

The boundaries of the Airport Overlay (AO) District may be subject to change reflecting new military mission activity and/or aviation operations at Scott AFB and MidAmerica Airport. Scott AFB and MidAmerica Airport shall communicate the results of updated analyses of noise and air safety zones, including AICUZ reports and FAA studies, to affected local governments. The Director shall notify the Air Force, MidAmerica Airport and other local governments that have adopted airport



Article 17

AIRPORT OVERLAY ZONING

zoning regulations in the environs of Scott Air Force Base and MidAmerica Airport of changes to the district boundary lines as shown in the maps in Section 17.090 to promote the coordinated and consistent application of Airport Overlay regulations. Other coordinating local governments may adopt more stringent regulations than the minimum requirements in this Article. Boundary changes to the AO district or subarea districts shall be adopted pursuant to the procedures applicable to amendments to the Zoning Code.

Section 17.080. Subareas; Overlap

To carry out the purpose of this district, the Airport Overlay (AO) District is composed of four (4) overlapping subarea districts that establish different levels of restrictions based on airport boundary areas of influence, safety areas based on hazard zones and structure height regulations, and noise contours as follows. Properties or portions of properties located within multiple subareas shall comply with the standards established for each of those subareas in which the property is located.

A. AO-1 Primary Planning Influence Area:

The Primary Planning Influence Area designates the subarea that primarily includes standards for aviation easements and lighting as described in Division V of this Article.

B. AO-2 Safety Zones Area:

The Safety Zones Area designates the subarea that primarily includes standards for land use, density, and design as designated in Division VI of this Article. The boundary of this area is determined by FAA and DoD Imaginary Surfaces definitions for military and civilian airfields (Clear Zone, Runway Protection Zone, Accident Potential Zone 1 and Accident Potential Zone 2) in effect on the effective date of this Article in conjunction with any other relevant safety area data obtained by the Director.

C. AO-3 Height Restriction Area:

The Height Restriction Area designates the subarea that primarily includes standards for controlling height as described in Division VII of this Article. The boundary of this area is determined by a combination of measurements including a 1,500 foot buffer around Scott Air Force Base and Imaginary Surfaces definitions for military and civilian airfields in effect on the effective date of this Article, in conjunction with any other relevant Height Restriction data obtained by the Director.

D. AO-4 Noise Zones Area:

The Noise Zones Area designates the subarea that primarily includes standards for the attenuation of noise and residential land use controls as specified in Division VII of this Article. This boundary is determined by applying the noise contours published



Article 17

AIRPORT OVERLAY ZONING

by the DoD for Scott Air Force Base in conjunction with any other relevant noise data obtained by the Director.

Section 17.090. Maps

The following four (4) maps, Figures 17.3.1 – 17.3.4, are incorporated as an integral part of the Zoning Code. These maps are hereby adopted and incorporated as an amendment to the official zoning map whether maintained separately or integrated within a single document:

- A. AO-1 Primary Planning Influence Area
- B. AO-2 Safety Zones Area
- C. AO-3 Height Restriction Area
- D. AO-4 Noise Zones Area

Figure 17.3.1

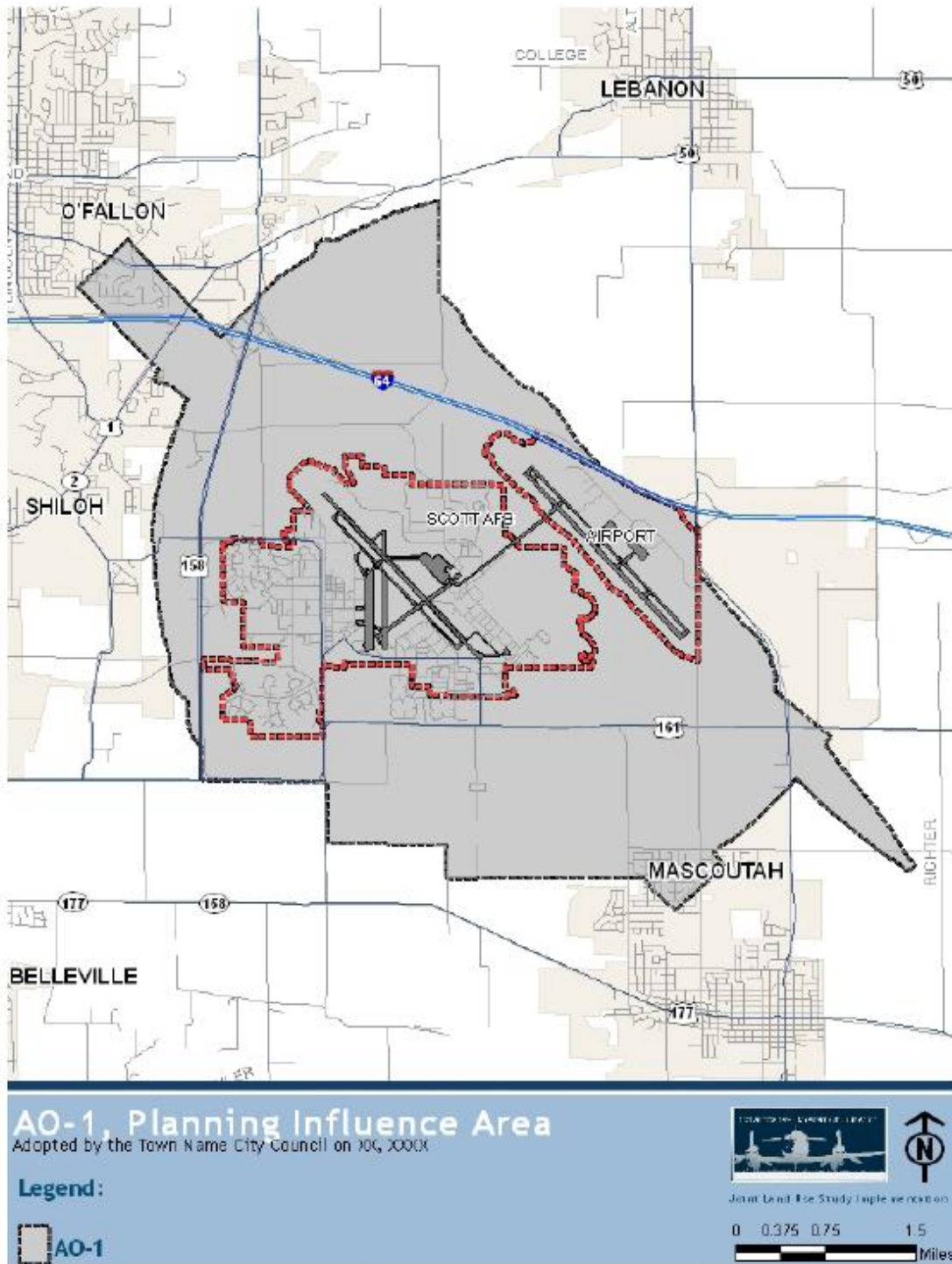


Figure 17.3.2

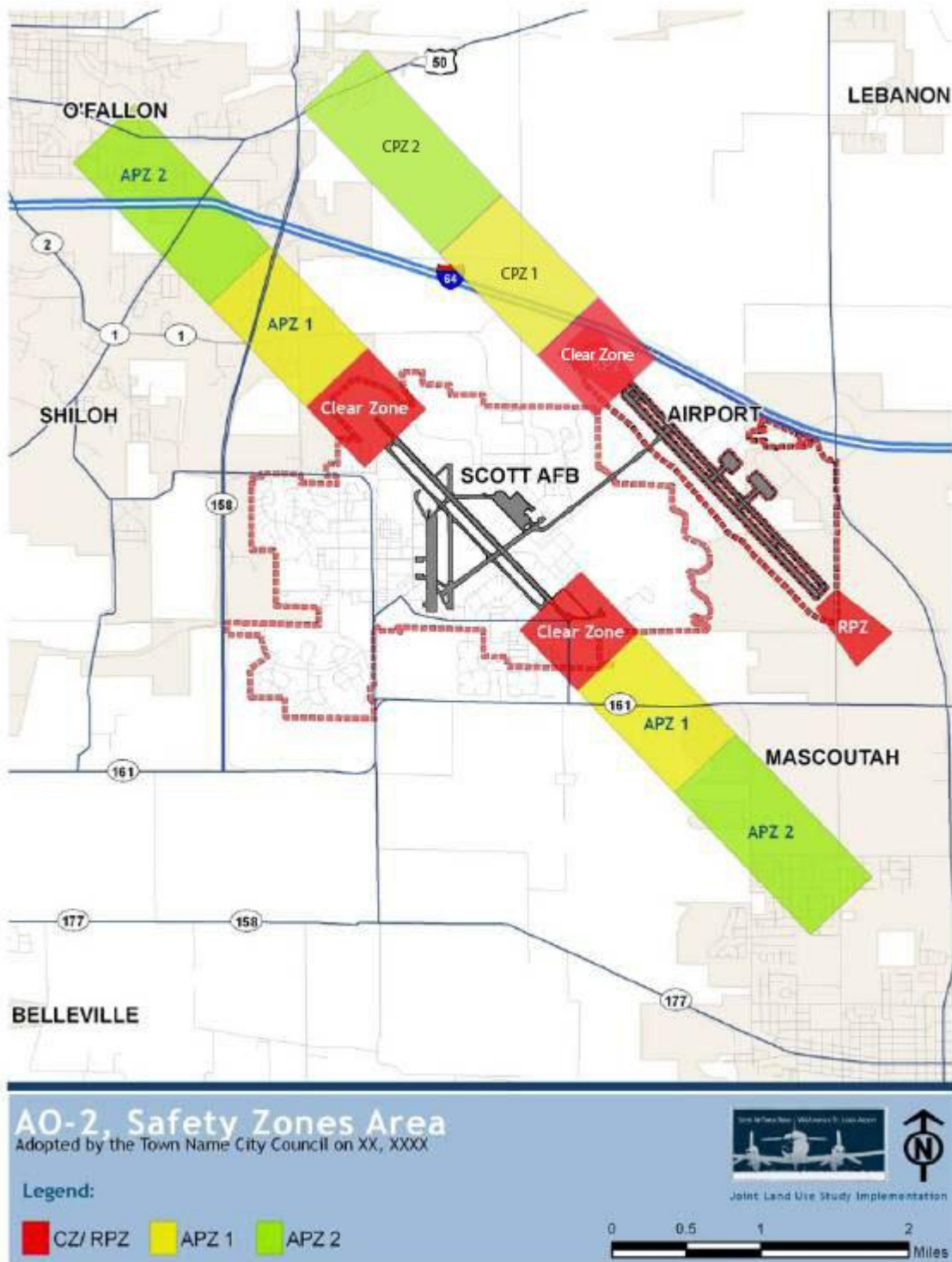


Figure 17.3.3

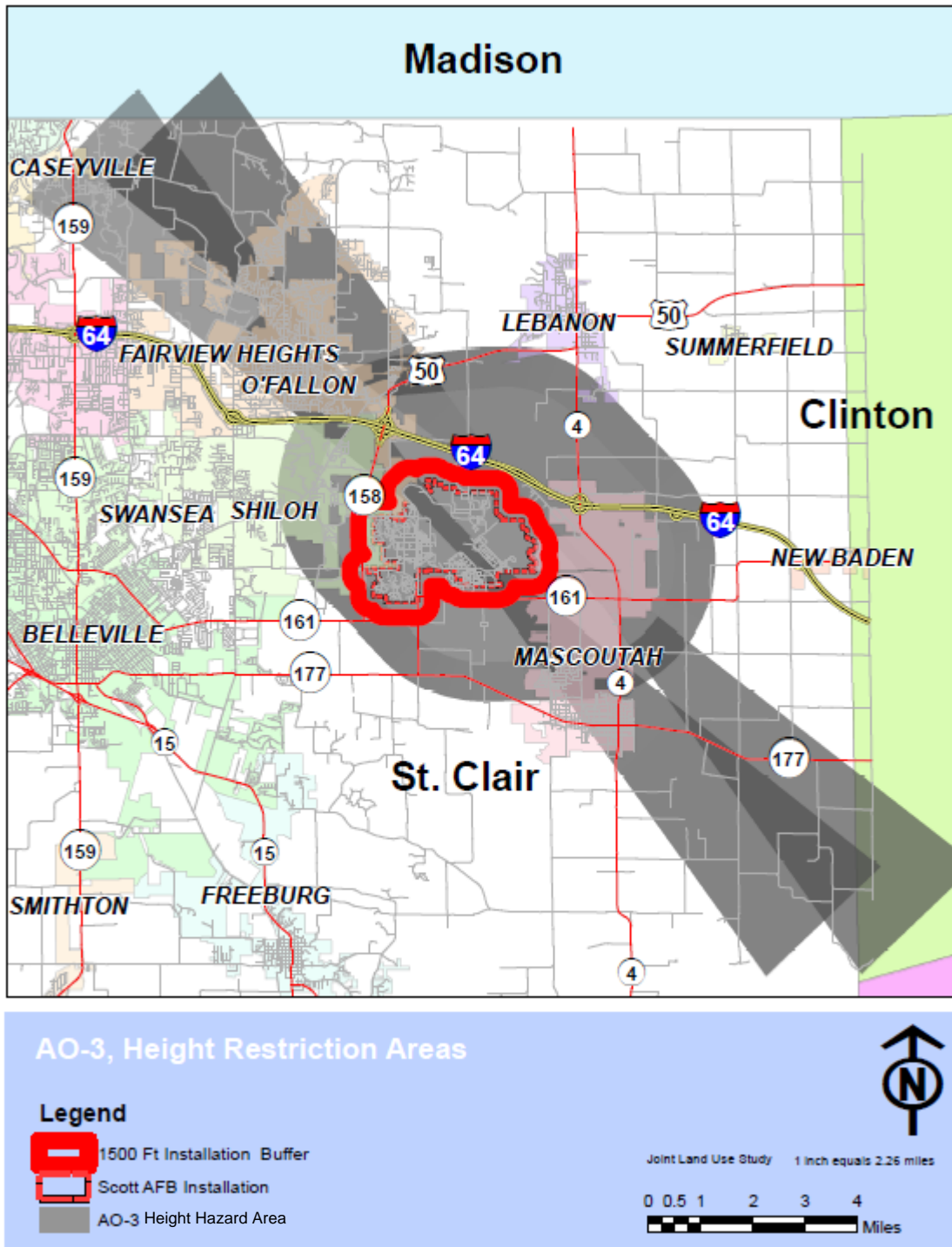
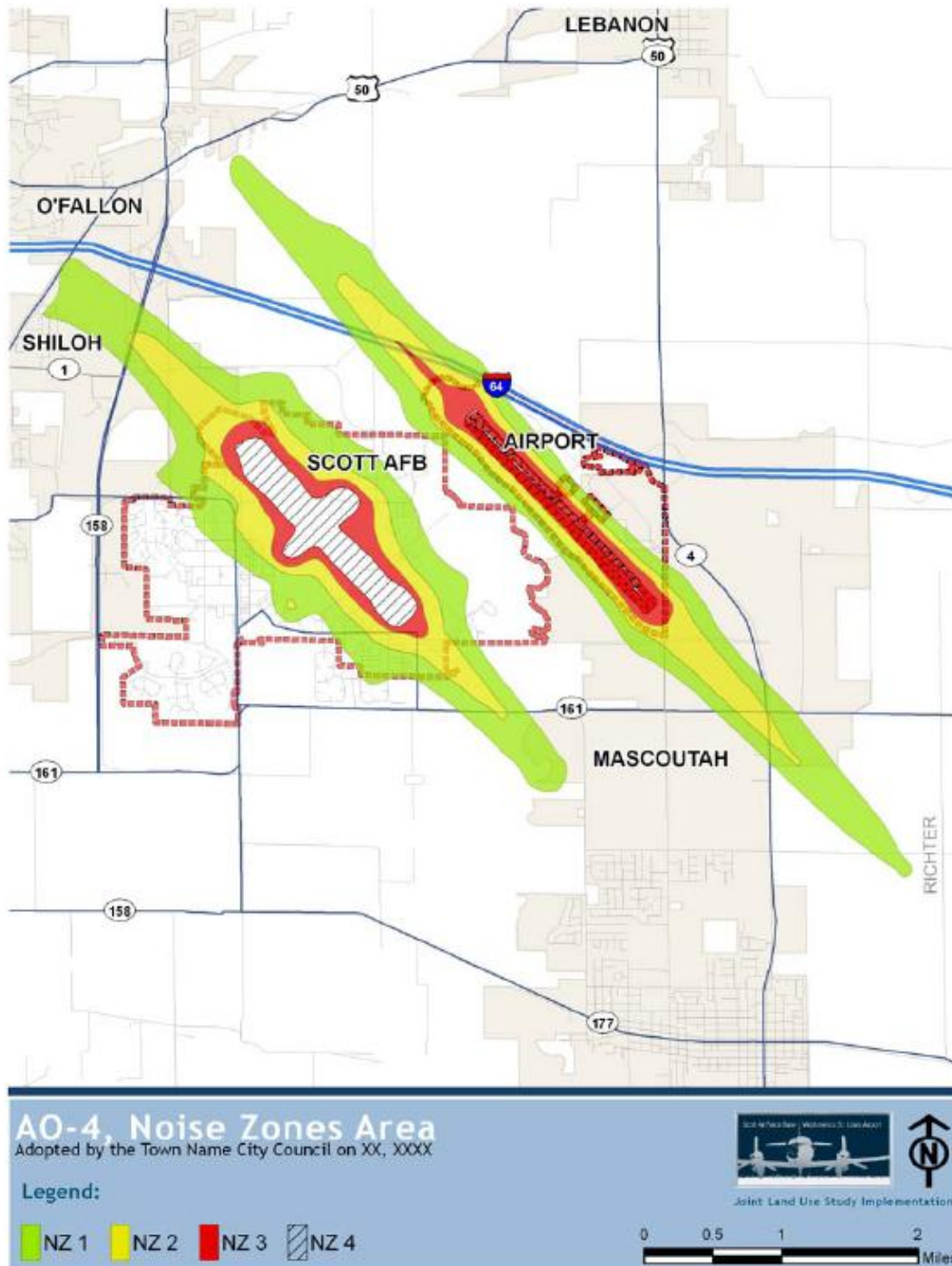


Figure 17.3.4





Article 17

AIRPORT OVERLAY ZONING

DIVISION IV: GENERAL PROVISIONS

Section 17.100 General Use Restrictions

Notwithstanding any other provisions of the Zoning Code, no use whether permitted in the underlying zoning district, or by planned use, special use permit, or otherwise, may be made of land or water within the Airport Overlay (AO) District so as to:

- A. Create electrical interference with navigational signals, radar, or radio communications between Scott Air Force Base and MidAmerica St Louis Airport and the aircraft.
- B. Cause confusion or otherwise make it difficult for pilots to distinguish between airport lights and other lights.
- C. Result in glare in the eyes of the pilots using the airport.
- D. Impair visibility of the airport.
- E. Emit or discharge smoke (e.g., exhaust from a smoke stack), that interferes with the health and safety of pilots and the public in the use of the airport, or that is otherwise detrimental or injurious to the health, safety and general welfare of the public in the use of the airport.
- F. Emit thermal discharge (e.g., steam from a power plant), that interferes with the pilot's vision in the use of the airport.
- G. Cause significant air turbulence (e.g., exhaust from a peaker plant) where aircraft limit loads may be exceeded.
- H. Cause any other kind of emission that may cause a safety of flight issue.
- I. Create a bird or wildlife strike hazard that in any way endangers or interferes with the landing, takeoff, or maneuvering of aircraft using or intending to use the airport.
- J. Create a vertical obstruction that physically intrudes on protected airspaces around the airport.
- K. Concentrate people within zones to unduly expose them to noise or aircraft accident risk.

Section 17.110. Administration and Enforcement

- A. The Director is hereby granted the authority to issue clarification and interpretation of this Article and the items and uses set forth in the attached land use compatibility tables consistent with the intent and language of this Article.
- B. Notification: The Director shall make reasonable efforts to provide notice to all persons filing a Development Application for in the AO District that the respective property is located either partially or wholly within the AO District, and may be subject to aircraft over-flight and the standards and requirements of this Article.

- C. Field Testing: When field inspection indicates that the construction is not in accordance with the approved plans, the Director may order such corrective action as may be necessary to meet the height and noise attenuation requirements, including but not limited to stop work orders until such corrections are made.
- D. Inspections of height and of noise attenuation work shall be performed during the required building construction inspection process.
- E. Any person who violates this act or any orders, regulations, or rulings promulgated or made pursuant to this Article shall be subject to the penalties and enforcement procedures established in the Zoning Code.

Section 17.120. State Airport Hazard Zoning Regulations

In the event of conflict between any Airport Hazard Zoning Regulations promulgated by IDOT Division of Aeronautics pursuant to 620 ILCS 25/17 and contained at Title 92, Part 16 of the Illinois Administrative Code and any airport zoning regulation set forth in this Article or any other applicable regulations provided in the Zoning Code, pursuant to 620 ILCS 25/18, the more stringent limitation or requirement shall govern and prevail.

Section 17.130. Development Application Consultation Procedures

- A. The Director shall submit to the Air Force a copy of Development Applications for properties within the AO District as graphically shown on Appendix A (“Process Chart”) and implemented as follows:
 - 1. AO-2 District: If the application or impact is on property within the AO-2 District, all Development Applications relating thereto, shall be sent to Scott AFB for review.
 - 2. AO-1, AO-3, and AO-4 Districts: If the application or impact is in an AO District subarea other than the AO-2 District, Development Applications that meet one of the following criteria shall be sent to Scott AFB for review:
 - i. Increase of an existing structure or construction of a new structure whose height is 100 feet or higher above the ground level of the runway. Towers, antennae, lighting, silos, or any similar structures that are 100 feet above the ground level of the runway or higher shall be subject to review.
 - ii. Request for any outdoor lighting applications, temporary lighting, obstruction marking or lighting, and illuminated signs that do not meet the lighting standards established within the AO-1 District Lighting, Section 17.180.
 - iii. Application for a human-made use that could attract high levels of birds or wildlife, such as retention ponds, roosting habitats on



Article 17

AIRPORT OVERLAY ZONING

buildings, landscaping, putrescible-waste disposal operations, wastewater treatment plants, and surface mining.

- iv. Application for a use or permit that could create electrical interference with navigational signals or radio communications between Scott AFB and MidAmerica St. Louis Airport and aircraft, including emergency and public safety communications systems, power lines, transformers, television broadcast and radio transmitters, and telecommunication towers.
- v. Applications for a use or permit that could create air-borne emissions or materials limiting visibility such as smoke, steam, dust, gases or projectiles of any type.

B. The Director shall send all appropriate Development Applications, as determined in the above section, to the Air Force for review. Applications can be mailed to:

Base Community Planner
375 CES/CEAO
702 Hangar Road, Bldg 56
Scott AFB IL 62225-5035
618-256-4270

C. Optional Consultation with MidAmerica St. Louis Airport – For any Development Application within the Height Restriction Zone, Airport Overlay (AO-3) District or the Noise Zones, Airport Overlay (AO-4) District, the Director may choose to mail and/or email notice to the MidAmerica St. Louis Airport at:

Director, Engineering & Planning
MidAmerica St. Louis Airport
9768 Airport Boulevard, Box 3
Mascoutah, IL 62258
618-566-5325
tom.goode@flymidamerica.com

Section 17.140. Regional Advisory Board

The State of Illinois allows for the use of eminent domain authority to resolve incompatible land uses in the environs of Scott Air Force Base and MidAmerica St. Louis Airport pursuant to 620 ILCS 25/33. To reduce the need for the use of eminent domain and to better coordinate airport zoning and planning, a Regional Advisory Board (RAB) is established. The purpose of the RAB is to review potentially incompatible Development Applications within a specific geography around Scott AFB and MidAmerica St. Louis Airport and provide comment to the applicable local government receiving the application.



Article 17

AIRPORT OVERLAY ZONING

A. Established:

The Regional Advisory Board (RAB) is hereby authorized and established as an advisory intergovernmental body to coordinate and review land use decisions in the AO-2 District. The RAB shall be deemed to exist immediately and shall include all qualified members similarly authorizing such establishment.

B. Membership:

1. The RAB shall consist of one (1) representative from each of the following five (5) entities, appointed by local governing authorities ("Participating Local Governments"):
 - i. St. Clair County
 - ii. The City of Lebanon
 - iii. The City of Mascoutah
 - iv. The City of O'Fallon
 - v. The Village of Shiloh
2. In addition, one (1) Air Force representative and one (1) representative of MidAmerica St. Louis Airport shall serve on the RAB as non-voting, ex-officio members.
3. The RAB shall designate a Chairperson among the five Participating Local Government representatives to conduct meetings and coordinate with the Air Force on administrative support and the distribution of background materials. The RAB Chair shall rotate among the Participating Local Government representatives every two (2) years. In the event that any member fails to adopt authority for the RAB or subsequently withdraws from participation, the membership shall continue with the remaining authorized members.
4. The representative on the RAB for the City of O'Fallon shall be the Mayor, who may from time-to-time designate another person to attend meetings of the RAB and act on the RAB on behalf of the City of O'Fallon.

C. Meetings:

1. The RAB shall meet if the Air Force renders an opinion that a Development Application subject to review under Section 17.130 is incompatible.
2. The RAB may also establish and publish a regular meeting schedule. Meetings shall be public. Special meetings may be called by the Chairperson.



Article 17

**AIRPORT OVERLAY
ZONING**

D. Rules:

1. The RAB shall adopt operating procedures for the conduct of meetings and business of the RAB.
2. The RAB shall adhere to the provisions of this Article with regard to the review and approval of site development plans.
3. The RAB shall keep a record of its transactions, findings, and determinations, which record shall be a public record.

E. Duties:

1. The RAB shall review Development Applications and present an advisory finding to the local jurisdiction responsible for approval of applications in the geographic areas designated as AO-2 District.
2. Any time the FAA, DoD, or IDOT Division of Aeronautics, amends, deletes, or creates regulations affecting the standards set forth in this Article, the RAB shall review such amended, deleted, or new regulations and advise the Participating Local Governments as to necessary or appropriate changes to this Article.
3. The RAB shall act only as an advisory body.

F. Procedures and Responsibilities:

1. Within the Airport Overlay (AO) District, the members shall consult with the Air Force on those Development Applications that have potential impacts on Scott AFB based on criteria established in Section 17.130.
2. The Air Force shall review these actions within a thirty (30) calendar day period and render an advisory opinion of compatible/incompatible for those actions inside the AO-2 District. The Air Force may recommend conditions of approval to mitigate any negative impacts of those actions within the AO-1 District.
3. The Air Force shall evaluate the compatibility of the Development Application based on consistency with land use guidance established in the Joint Land Use Study and Air Installation Compatible Use Zone program.
4. If no response is rendered from the Air Force within 30 days, the local government may consider the Air Force recommendation as being compatible.
5. If the Air Force finds an application within the AO-2 District to be incompatible, the RAB shall meet within a thirty (30) calendar day period following an incompatible finding. The Air Force shall provide administrative support for the scheduling of the RAB meeting and the distribution of necessary background materials.

6. The RAB shall render a recommendation, which the City shall consider.
7. The City shall not make a final decision without a recommendation from the RAB; provided that if the RAB does not provide its recommendation within 30 days of receipt of the application, a final decision may proceed without such recommendation.

DIVISION V: AO-1 PRIMARY PLANNING INFLUENCE AREA

Section 17.150. Purpose and Generally

- A. The purpose of this Division is to require that new or redeveloped facilities within the Primary Planning Influence Area, Airport Overlay (AO-1) District, be constructed in such a manner to mitigate impacts on aircraft operators and therefore protect the health, safety and general welfare of the residents.
- B. The AO-1 District designates the area that primarily includes standards for consultation with the Air Force, aviation easements, and lighting.
- C. Establishment of Primary Planning Influence Area:
Buildings, structures, or land shall be occupied or used only in conformity with all of the regulations set forth herein for the district or districts in which they are located. The boundaries of the AO-1 District are shown on the map in Division III.

Section 17.160. Consultation

Development Applications on properties within the AO-1 District shall require consultation with the Air Force to the extent required per Section 17.130 of this Article.

Section 17.170. Aviation Easements

- A. All applications for subdivision approval for any structure requiring plan approval in the AO-1 District, to the extent consistent with applicable requirements of law, shall include the dedication of an aviation easement to the City. The dedicated aviation easement shall allow property owners to develop land in accordance with the applicable zoning district and regulations, and shall also convey a clear right to maintain flight operations in navigable airspace over the property, consistent with federal statutes and regulations, and shall submit the property to compliance with the regulations set forth in this Article. The easement shall be recorded with the deed to a property and shall run in perpetuity with the land.
- B. The applicant for all final subdivision plats within an AO District shall place a reference to the applicability of AO District regulations to the subdivision on the recorded plat.

- C. The City shall maintain publicly available maps of the Airport Overlay District to facilitate the disclosure of potential airport environs impacts as part of real estate transactions.

Section 17.180. Lighting

The following standards shall apply to all lands within the AO-1 District, unless otherwise stated.

A. Non-Residential Uses and Multi-Family Residential:

1. The light source of outdoor lighting fixtures shall be fully shielded and downward facing so as not to allow any light above the horizontal, as measured at the luminaire.
2. Outdoor lighting fixtures shall be placed so as to not cause excessive glare or light trespass.
3. On-site parking areas shall be constructed of asphalt, dyed concrete or other non-reflective paving surfaces.
4. All light fixtures that are required to be shielded shall be installed and maintained in such a manner that the shielding is effective.
5. Canopy lighting shall be designed to conceal the illumination source and the lighting fixture shall not extend below the canopy skirt.
6. Exterior sign lights shall be shielded and oriented downward with respect to the sign.

B. Single-Family and Agricultural Uses:

Single-family residential and agricultural uses are exempt from the standards contained in this Section 17.180, provided that such uses do not affect the safety of the public or persons utilizing Scott Air Force Base or MidAmerica St. Louis Airport.

C. Electronic Display Signs:

Electronic display signs shall be permitted within the AO-1 District under the following conditions:

1. The maximum brightness of electronic signs shall not exceed 5,000 nits (candelas per square meter) during daylight hours, or of 500 nits (candelas per square meter) between dusk to dawn.
2. Any image or message or portion thereof displayed on the sign shall have a minimum duration of fifteen seconds and shall be of static display.
3. Electronic signs are prohibited in the AO-2 District.
4. Electronic Display Signs shall comply with all other applicable regulations set forth in the Zoning Code.



Article 17

AIRPORT OVERLAY ZONING

D. Temporary lights:

Special use permits shall be required for temporary lights such as spot lights. A permit may be granted if, upon review, the Director finds that the proposed lighting will not create excessive glare, sky glow, or light trespass.

E. Lighting Plan:

Within the AO-1 District, a lighting plan shall be included as part of the required site plan submittal or subdivision construction drawings which shall contain but not be limited to the following:

1. The location of the site where the outdoor light fixtures will be installed;
2. Plans indicating the location on the premises of each outdoor light fixture, both proposed and any already existing on the site; and
3. A description of the outdoor light fixtures including but not limited to manufacturer's catalog cuts and drawings.

DIVISION VI: AO-2: Safety Zones Area

Section 17.190. Purpose and Generally

- A. The purpose of this Division is to require that land and structures located within safety zones around the Scott AFB and MidAmerica St. Louis airfields are developed to protect the health, safety and general welfare of the public and to mitigate hazards of potential aircraft mishaps.
- B. The Safety Zones Area, Airport Overlay (AO-2) District, designates the area that primarily includes standards for land use, density and design, in addition to those requirements established for all properties within the AO-1 District.
- C. Establishment of Safety Zones:
 1. Buildings, structures, or land shall be occupied or used only in conformity with all of the regulations set forth herein for the district in which they are located.
 2. The boundaries of the military safety zones as determined by the Air Installation Compatible Use Zone (AICUZ) program are shown on the map in Section 17.090. There are three (3) military safety zones:
 - i. CZ: Clear Zone
 - ii. APZ-1: Accident Potential Zone 1
 - iii. APZ -2: Accident Potential Zone 2
 3. The Federal Aviation Administration designates a Runway Protection Zone (RPZ) for civilian airports as shown on the map in Section 17.090. There are four (4) civilian safety zones:



Article 17

AIRPORT OVERLAY ZONING

- i. RPZ: Runway Protection Zone
- ii. CCZ: Civilian Clear Zone
- iii. CPZ-1: Civilian Protection Zone 1
- iv. CPZ -2: Civilian Protection Zone 2

Section 17.200. Procedures and Design Regulations in Safety Zones

A. Consultation:

All Development Applications on properties within the AO-2 District shall require consultation with the Air Force as per Section 17.130 of this Article.

B. Design Regulations:

Properties within the AO-2 District shall also comply with all the standards established per Division V of this Article.

Section 17.210. Use Regulations in Safety Zones

A. Use Regulations in AO-2: CZ, CCZ and RPZ:

- 1. No uses or structures shall be permitted in the CZ, CCZ and RPZ except roadways, underground utilities, agriculture and permanent passive open space. Bridges above the ground level of the runway, timber activities and silvaculture shall not be permitted.

B. Use and Design Regulations in AO-2: APZ-1 & CPZ-1:

1. Permitted Uses:

- i. Permitted uses are listed on Table 17.6, provided that no uses shall be allowed where not permitted in the underlying zoning district.

2. Prohibited Uses:

- i. Manufacturing or above-ground bulk storage of flammable liquids, gases, or other explosive materials is prohibited.
- ii. No use shall be permitted that emits smoke, steam, dust, gases or projectiles of any type that may interfere with safe aircraft operation.
- iii. No residential development of any type is permitted. This includes short-and long-term hotels, lodgings, campsites, RV parks, mobile home parks, group homes, dormitories, or any accommodations where over-night residency is expected.
- iv. Active parks with facilities intended to support organized activity or concentrations of users, such as athletic fields, buildings or structures

for recreational activities, concessions, courts, or playgrounds are prohibited.

- v. Places of large assemblies shall be prohibited to protect the general public against the grave consequences of an aircraft mishap. Places where the mobility-challenged and youth regularly assemble are also prohibited. These include hospitals, in-patient clinics, nursing homes, child care centers, schools, movie theaters and auditoriums, churches and places of worship or meditation, sports arenas, restaurants and other places of assembly.
- vi. Public transportation passenger terminals shall not be permitted in the APZ-1 or CPZ-1.
- vii. Regionally-significant above-ground utility lines or sub-stations, such as high-tension power lines or public transportation transmission wires, shall not be permitted in the APZ-1 or CPZ-1.

3. Maximum Assembly:

- i. Maximum assembly shall be limited to 25 people per acre per hour over a 24-hour period, and shall not be more than 50 people per acre at any one time.

4. Lot Coverage:

- i. The maximum gross acreage for all buildings on any single lot is 10%. Use restrictions shall comply with Table 17.6 of this Article. Height restrictions shall comply with Division VII, Height Restrictions, of this Article.
- ii. For industrial uses, in addition to all other limitations on concentrations of people, a sliding scale of employment density per shift and maximum acreage coverage shall be utilized as shown in Figure 17.6.1.
- iii. A Planned Development approach is encouraged to maximize flexibility in layout and guide buildings away from the centerline of the runway.

C. Use and Design Regulations in AO-2: APZ-2 & CPZ-2:

1. Permitted Uses:

- i. Permitted uses are listed on Table 17.6, provided that no uses shall be allowed where not permitted in the underlying zoning district.
- ii. Single-family residential density shall be limited to one (1) dwelling unit per acre within the APZ-2 and CPZ-2.

2. Prohibited Uses:

- i. Manufacturing or above-ground bulk storage of flammable liquids, gases, or other explosive materials is prohibited.
- ii. No use shall be permitted that emits smoke, steam, dust, gases or projectiles of any type that may interfere with safe aircraft operation.
- iii. Higher density housing is prohibited. This includes multi-family housing, attached single-family housing, short- and long-term hotels, lodgings, campsites, RV parks, mobile home parks, group homes, or dormitories.
- iv. Places of large assemblies shall be prohibited to protect the general public against the grave consequences of an aircraft mishap. Places where the mobility-challenged and youth regularly assemble are also prohibited. These include hospitals, in-patient clinics, nursing homes, child care centers, schools, movie theaters and auditoriums, churches and places of worship or meditation, sports arenas, restaurants and other places of assembly.

3. Lot Coverage:

- i. The maximum gross acreage for all nonresidential buildings on any single lot is 20%. Use restrictions shall comply with Table 17.6 of this Article. Height restrictions shall comply with Division VII, Height Restrictions, of this Article.
- ii. For industrial uses, in addition to all other limitations on concentrations of people, a sliding scale of employment density per shift and maximum acreage coverage shall be utilized as shown in Figure 17.6.2.
- iii. A Planned Development approach is encouraged to maximize flexibility in layout and guide buildings away from the centerline of the runway.

Figure 17.6.1
APZ-1 & CPZ-2 Industrial Uses

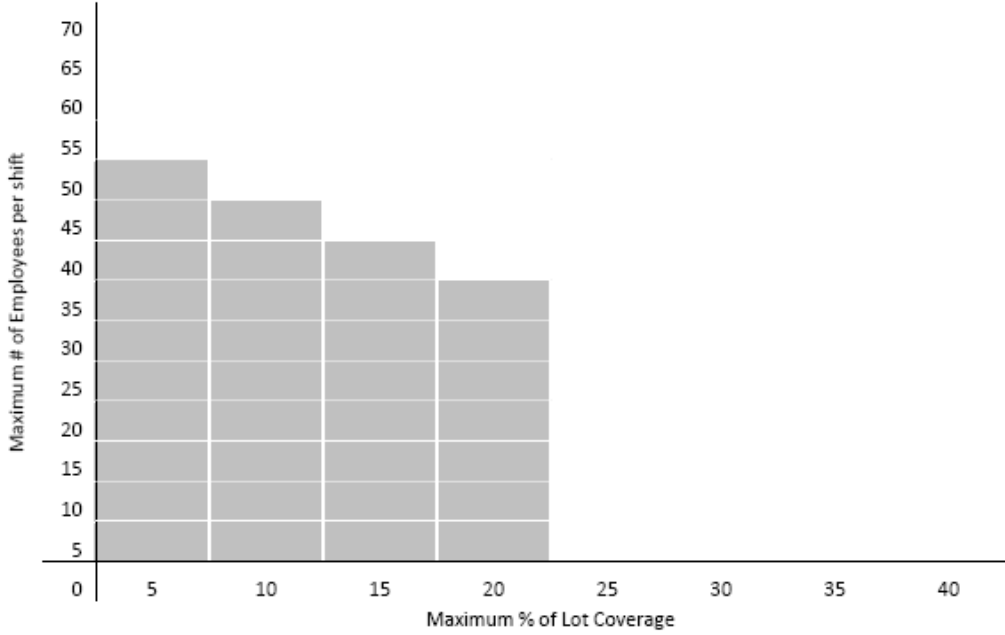
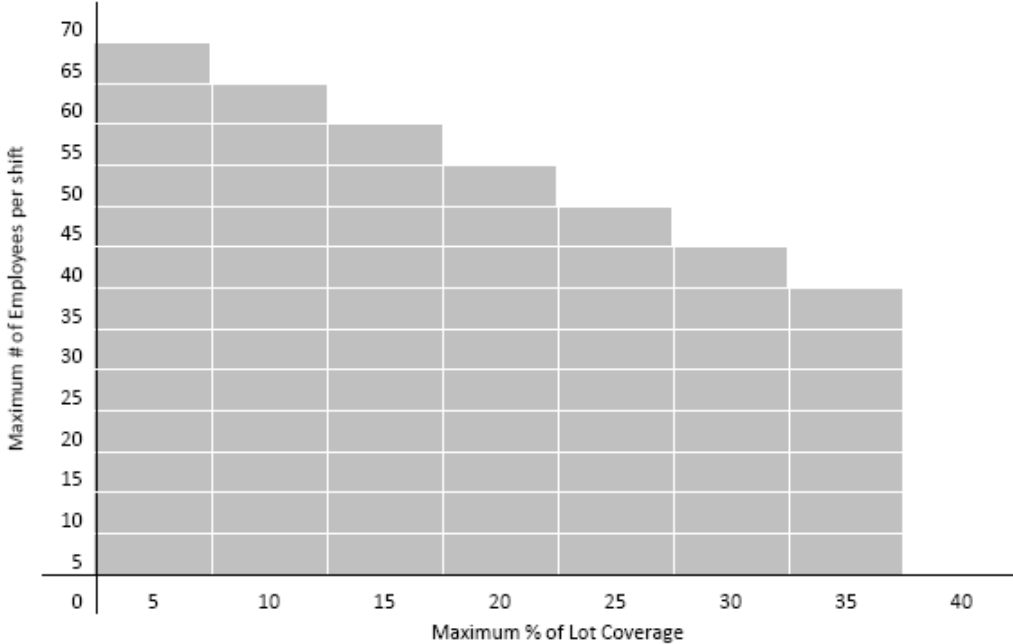


Figure 17.6.2
APZ-2 & CPZ-2 Industrial Uses



D. Permitted Land Uses in AO-2: Safety Zones:

1. Table 17.6 describes those uses that are permissible within the areas designated as safety zones. Within Table 17.6, the designation with the letter “Y” indicates that the land use is permissible, subject to compliance with the standards of the Zoning Code and this Article.
2. The designation with the letters “PS” indicates that the land use is permissible, subject to compliance with the standards of the Zoning Code, and the supplemental standards specified for the use. Supplemental standards are contained in Sections 17.210(A), (B), (C).
3. The designation with the letter “N” indicates the land use is prohibited.
4. Any land use that is not identified in Table 17.6 is prohibited unless it is found to be substantially similar by the Director. A requested use shall be considered substantially similar when the characteristics of the requested use are equivalent in type, intensity, degree, or impact when compared to a permissible use named in Table 17.6. Such characteristics include, but are not limited to:
 - a. Typical numbers of employees and public located on the property at any given time;
 - b. Typical hours of operation;
 - c. Generation of noise, light pollution, odor, smoke, dust, electromagnetic interference, or vibration;
 - d. Bulk of structures and large equipment storage;
 - e. Use of outdoor storage;
 - f. Typical airspace intrusion;
 - g. Attractiveness to birds and wildlife;
 - h. Customary functions of the use.
5. Accessory uses and structures incidental to a permitted principal structure or use are permitted so long as they are within the intent, purpose, or objectives of these regulations.
6. Temporary uses and structures are permitted so long as they are within the intent, purpose, or objectives of these regulations.



Article 17

AIRPORT OVERLAY ZONING

Table 17.6

Land Use		AO-2 DISTRICT SAFETY ZONES		
SLCUM	Name	CZ/CCZ/RPZ	APZ/CPZ 1	APZ/CPZ 2
10	Residential			
11	Household units			
11.11	Single units; detached	N	N	PS
11.12	Single units; semi detached	N	N	N
11.13	Single units; attached row	N	N	N
11.21	Two units; side-by-side	N	N	N
11.22	Two units; stacked	N	N	N
11.31	Apartments; walk up	N	N	N
11.32	Apartments; elevator	N	N	N
12	Group quarters	N	N	N
13	Residential hotels	N	N	N
14	Mobile home parks or courts	N	N	N
15	Transient lodgings	N	N	N
16	Other residential	N	N	N
20	Manufacturing			
21	of Food & kindred products	N	PS	PS
22	of Textile mill products	N	PS	PS
23	of Apparel and other finished products made from fabrics, leather, and similar materials	N	PS	PS
24	of Lumber and wood products (except furniture)	N	PS	PS
25	of Furniture and fixtures	N	PS	PS
26	of Paper & allied products	N	PS	PS
27	of Printing, publishing, and allied industries	N	PS	PS
28	of Chemicals and allied products	N	PS	PS
29	of Petroleum refining & related industries	N	PS	PS
30	Manufacturing			
31	Rubber and miscellaneous plastic products	N	PS	PS
32	Stone, clay and glass products	N	PS	PS
33	Primary metal industries	N	PS	PS
34	Fabricated metal products	N	PS	PS
35	Professional and scientific instruments	N	PS	PS
39	Miscellaneous manufacturing	N	PS	PS
40	Transportation, communications and utilities			
41	Railroad, rapid rail transit and street railroad transportation	N	PS	Y
42	Motor vehicle transportation	N	PS	Y
43	Aircraft transportation	N	PS	Y
44	Marine craft transportation	N	PS	Y
45	Highway & street right-way	PS	Y	Y
46	Automobile parking	N	PS	Y
47	Communications	N	PS	Y
48	Utilities	N	PS	Y
48.23	Natural or manufactured gas storage and distribution points	N	N	N
49	Other transportation communications and utilities	N	PS	Y
50	Trade			
51	Wholesale trade	N	PS	Y
52	Retail trade -building materials, hardware and farm equipment	N	PS	PS
53	Retail trade - general merchandise	N	PS	PS



Article 17

AIRPORT OVERLAY ZONING

Land Use		AO-2 DISTRICT SAFETY ZONES		
SLCUM	Name	CZ/CCZ/RPZ	APZ/CPZ 1	APZ/CPZ 2
54	Retail trade - food	N	PS	PS
55	Retail trade - automotive, marine craft, aircraft and accessories	N	PS	PS
55.3	Gasoline service stations	N	N	N
56	Retail trade - apparel and accessories	N	PS	PS
57	Retail trade - furniture, home furnishings and equipment	N	PS	PS
58	Retail trade - eating and drinking establishments	N	N	PS
59	Other retail trade	N	PS	PS
60	Services			
61	Finance, insurance and real estate services	N	N	PS
62	Personal services	N	N	PS
62.4	Cemeteries	N	PS	PS
63	Business services	N	PS	PS
63.7	Warehousing and storage services	N	PS	PS
64	Repair services	N	PS	PS
65	Professional services	N	N	PS
65.1	Hospitals, nursing homes	N	N	N
65.1	Other medical facilities	N	N	N
65.11	Physician services	N	N	N
65.12	Dental services	N	N	N
66	Contract construction services	N	PS	PS
67	Governmental services	N	N	PS
68	Educational services	N	N	N
69	Miscellaneous services	N	PS	PS
70	Cultural, entertainment and recreational			
71	Cultural activities (including churches)	N	N	PS
71.2	Nature exhibits	N	PS	Y
72	Public assembly	N	N	N
72.1	Auditoriums, concert halls	N	N	N
72.11	Outdoor music shell, amphitheaters	N	N	N
72.2	Outdoor sport arenas, spectator sports	N	N	N
73	Amusements	N	N	N
74	Recreational activities (including golf course & riding stables)	N	PS	Y
75	Resorts and group camps	N	N	N
76	Parks	N	PS	PS
76.1	Parks – General recreational (active)	N	N	PS
76.2	Parks - leisure and ornamental (passive)	N	PS	PS
79	Other cultural, entertainment and recreation	N	PS	PS
80	Resources production and extraction			
81	Agriculture (except livestock)	PS	Y	Y
81	Livestock farming and animal breeding	N	Y	Y
82	Agricultural related activities	N	PS	Y
83	Forestry activities and related services	N	Y	Y
84	Fishing activities and related services	N	PS	Y
85	Mining activities and related services	N	PS	Y
89	Other resources production and extraction	N	PS	Y

DIVISION VII: AO-3: HEIGHT RESTRICTION AREA

Section 17.220. Purpose and Generally

- A. The purpose of this section is to require that new or redeveloped buildings within the Height Restriction Area, Airport Overlay (AO-3) District, be constructed to prevent interference with safe aircraft operation and to maintain a visually permeable and physically secure buffer that lowers the vulnerability of personnel on the base to outside attacks.
- B. The AO-3 District designates the areas that primarily include standards for controlling height. Except as otherwise provided herein for this District, no structure shall be erected, altered, or maintained in the AO-3 District to a height in excess of the applicable height limitations established in this Division VII or those established and enforced by the FAA, DoD, or IDOT Division of Aeronautics.
- C. Establishment of Height Restriction Areas:

Buildings, structures, or land shall be occupied or used only in conformity with all of the regulations set forth herein for the district in which they are located. The boundaries of the AO-3 Installation Buffer and Height Hazard restriction areas are shown on the map in Section 17.090. There are two (2) height restriction areas within the AO-3 District:

 - 1. "Height Hazard Area": a height hazard area as shown on the map depicted in Figure 17.3.3 encompassing all of the AO-3 District and defined by the Airport Imaginary Surfaces described in Sections 16.50 - 16.110 of the State Airport Hazard Zoning regulations, Title 92, Part 16 of the Illinois Administrative Code.
 - 2. "Installation Buffer": a subarea of the AO-3 District being a buffer extending 1,500 feet from the boundaries of Scott Air Force Base, as shown on map depicted in Figure 17.3.3 and establishing supplemental height restrictions in the AO-3 District.

Section 17.230. Procedures and Design Regulations in the Height Restriction Area

A. Consultation:

Development Applications on properties within the AO-3 District established by reference to Scott Air Force Base shall require consultation with the Air Force to the extent required by Section 17.130 of this Article.

B. Design Regulations:

Properties within the AO-3 District shall also comply with all the standards established per Division V of this Article.



Article 17

AIRPORT OVERLAY ZONING

Section 17.240. Area Regulations

A. “AO-3: Installation Buffer Area”:

1. Permitted Uses:

- i. All uses are permitted as defined by the underlying zoning district, except for those listed as a Prohibited Use below.
- ii. Single-family residential density shall be limited to two (2) dwelling units per acre within Installation Buffer.

2. Prohibited Uses:

- i. Manufactured housing shall not be permitted within the Installation Buffer.
- ii. Multi-family housing shall not be permitted within the Installation Buffer.
- iii. Group homes, dormitories, or hotels and overnight lodging sites shall not be permitted within the Installation Buffer.

3. Maximum height:

- i. The maximum height of any structure within the Installation Buffer for shall be 35 feet.

B. “AO-3: Height Hazard Area”:

1. Maximum height:

- i. The maximum height of any structure or object of natural growth in the AO-3 subarea shall be determined by the limits of the Airport Imaginary Surfaces described in Sections 16.50 - 16.110 of the State Airport Hazard Zoning regulations, Title 92, Part 16 of the Illinois Administrative Code.
- ii. The Airport Imaginary Surfaces are based on the imaginary surfaces in 14 C.F.R. Part 77 and are visually represented on the Airport Airspace sheet of the Airport Layout Plan for MidAmerica St. Louis Airport dated January 7, 2009 and adopted by the Illinois Department of Transportation, Division of Aeronautics. Sample graphic depictions of the Airport Imaginary Surfaces are contained in Appendix B to this Article. The drawings in Appendix B are for illustrative purposes only.
- iii. No structures are permitted within the Clear Zone/Runway Protection Zone as set forth by Section 17.210(A).



Article 17

AIRPORT OVERLAY ZONING

Section 17.250. Height Exceptions and Limitations

- A. The building height limitations stipulated in the AO-3 District, shall apply to all structures within this district, including, but not limited to:
1. Air conditioning units
 2. Antennae
 3. Chimneys
 4. Church steeples
 5. Communication towers
 6. Elevator towers
 7. Flag poles
 8. Parapet walls
 9. Silos
 10. Utility transmission towers
 11. Windmills
 12. Similar structures
 13. Landscaping
- B. No structure shall be erected to a height that would encroach into or through any established public or private airport approach plan, prepared in accordance with the criteria established by the Department of Defense and/or the Federal Aviation Administration.

DIVISION VIII: AO-4: NOISE ZONES AREA

Section 17.260. PURPOSE AND GENERALLY

- A. The purpose of this section is to require that new or redeveloped buildings within the Noise Zones Area, Airport Overlay (AO-4) District, be constructed with materials and in such manner that aircraft noise is reduced by the structure to an interior level which has no adverse impact on the health, safety and general welfare of the residents.
- B. The AO-4 District designates the area that primarily includes standards for the attenuation of noise.
- C. Establishment of Noise Zones:
1. Buildings, structures, or land shall be occupied or used only in conformity with all of the regulations set forth herein for the district in which they are located.

The boundaries of the noise contour zones are shown on the map in Division III. There are four (4) applicable noise zones:

NZ 1: Area within the noise zone where the DNL is between 65 and 69 dB.

NZ 2: Area within the noise zone where the DNL is between 70 and 74 dB.

NZ 3: Area within the noise zone where the DNL is between 75 and 79 dB.

NZ 4: Area within the noise zone where the DNL is greater than 80 dB.

2. Other industry-standard noise zones exist around the airfields. However, all land uses are considered compatible with noise levels below 65 dB. Noise Zone 4 is only located on federally controlled land.

Section 17.270. Procedures and Design Regulations in Noise Zones

A. Consultation:

Development Applications on properties within the AO-4 District shall require consultation with the Air Force to the extent required by Section 17.130 of this Article.

B. Design Regulations:

Properties within the AO-4 District shall also comply with all the standards established per Division V of this Article.

Section 17.280. Use Regulations in Noise Zones

A. Use and Design Regulations in AO-4: NZ 1:

1. Permitted Uses:

- i. Permitted uses are listed on Table 17.8, provided that no uses shall be allowed where not permitted in the underlying zoning district. When regulations within the Airport Overlay District overlap, the more stringent standard shall apply.
- ii. Single-family residential density shall be limited to one (1) dwelling unit per acre within the NZ-1.

2. Prohibited Uses:

- i. Manufactured housing shall not be permitted within the NZ-1.
- ii. Outdoor amphitheaters shall not be permitted within the NZ-1.

3. Sound Attenuation:

- i. To the extent permitted by law, sound attenuation standards to achieve an NRL of at least 25 dB is required for all new or expanded hospitals, clinics, nursing homes, child care centers, schools, movie theaters, auditoriums, churches, and places of worship and meditation.



Article 17

AIRPORT OVERLAY ZONING

The requirements of this section shall apply only to the area of expansion. Expansion shall include any such work that results in an increase of the cubic content of the building or the floor or ground area devoted to the noise sensitive use or in any way increases or creates a site-related non-conformity.

- ii. Sound attenuation standards to achieve an NRL of at least 25 dB are required for all new residential construction within the NZ-1.

B. Use and Design Regulations in AO-4: NZ 2:

1. Permitted Uses:

- i. Permitted uses are listed on Table 17.8, provided that no uses shall be allowed where not permitted in the underlying zoning district. When regulations within the Airport Overlay District overlap, the more stringent standard shall apply.

2. Prohibited Uses:

- i. Manufactured housing shall not be permitted within the NZ-2.
- ii. Outdoor amphitheaters shall not be permitted within the NZ-2.
- iii. All residential uses, including hotels and overnight lodging sites, shall be prohibited within the NZ-2.

3. Sound Attenuation:

- i. To the extent permitted by law, sound attenuation standards to achieve an NRL of at least 30 dB is required for all new or expanded hospitals, clinics, nursing homes, child care centers, schools, movie theaters, auditoriums, churches and places of worship and meditation.
- ii. Sound attenuation standards to achieve an NRL of at least 25 dB is required for all new or expanded structures containing office, business, retail and wholesale trade uses. Within new or expanded industrial structures, those portions of the building where the public is received, offices are located, and other places where low noise levels are normally expected shall utilize sound attenuation standards to achieve an NRL of at least 25 dB.

C. Use and Design Regulations in AO-4: NZ 3:

1. Permitted Uses:

- i. Permitted uses are listed on Table 17.8, provided that no uses shall be allowed where not permitted in the underlying zoning district. When regulations within the Airport Overlay District overlap, the more stringent standard shall apply.



Article 17

AIRPORT OVERLAY ZONING

2. Prohibited Uses:

- i. Manufactured housing shall not be permitted within the NZ-3.
- ii. Outdoor amphitheatres shall not be permitted within the NZ-3.
- iii. All residential uses, including hotels and overnight lodging sites, shall be prohibited within the NZ-3.
- iv. All hospitals, clinics, nursing homes, child care centers, schools, movie theaters, auditoriums, churches and places of worship and meditation are prohibited.

3. Sound Attenuation:

- i. Sound attenuation standards to achieve an NRL of at least 30 dB is required for all new or expanded structures containing office, business, retail and wholesale trade uses. Within new or expanded industrial structures, those portions of the building where the public is received, offices are located, and other places where low noise levels are normally expected shall utilize sound attenuation standards to achieve an NRL of at least 30 dB.

D. Use and Design Regulations in AO-4: NZ 4:

1. Permitted Uses:

- i. Permitted uses are listed on Table 17.8, provided that no uses shall be allowed where not permitted in the underlying zoning district. When regulations within the Airport Overlay District overlap, the more stringent standard shall apply.

2. Prohibited Uses:

- i. Manufactured housing shall not be permitted within the NZ-4.
- ii. Outdoor amphitheatres shall not be permitted within the NZ-4.
- iii. All residential uses, including hotels and overnight lodging sites, shall be prohibited within the NZ-4.
- iv. All hospitals, clinics, nursing homes, child care centers, schools, movie theaters, auditoriums, churches and places of worship and meditation are prohibited within the NZ-4.

3. Sound Attenuation:

- i. Sound attenuation standards to achieve an NRL of at least 30 dB is required for all new or expanded structures containing office, business, retail and wholesale trade uses. Within new or expanded industrial structures, those portions of the building where the public is received, offices are located, and other places where low noise levels are



Article 17

AIRPORT OVERLAY ZONING

normally expected shall utilize sound attenuation standards to achieve an NRL of at least 30 dB.

E. Permitted Land Uses in AO-4: Noise Zones:

1. Table 17.8 describes those uses that are permissible within the areas designated as noise zones. Within Table 17.8, the designation with the letter “Y” indicates that the land use is permissible, subject to compliance with the standards of the Zoning Code and this Article.
2. The designation “PS 25” indicates that the land use is permissible, subject to compliance with the standards of the Zoning Code and demonstrating noise reduction materials have been incorporated into the design and construction of proposed development in a manner that achieves a noise level reduction of 25 dB.
3. The designation “PS 30” indicates that the land use is permissible, subject to compliance with the standards of the Zoning Code and demonstrating noise reduction materials have been incorporated into the design and construction of proposed development in a manner that achieves a noise level reduction of 30 dB.
4. The designation with the letter “N” indicates the land use is prohibited.
5. The recommendations for permitted and prohibited types of facilities or land uses by noise level reduction are based on the U.S. Department of Transportation and Federal Aviation Administration (FAA) charts for aircraft noise avoidance.

Table 17.8

Land Use		AIRPORT OVERLAY AO-4 NOISE ZONES (dB)			
SLCUM	Name	NZ 1 65-69	NZ 2 70-74	NZ 3 75-79	NZ 4 80+
10	Residential				
11	Household units				
11.11	Single units; detached	PS 25	N	N	N
11.12	Single units; semi detached	N	N	N	N
11.13	Single units; attached row	N	N	N	N
11.21	Two units; side-by-side	N	N	N	N
11.22	Two units; stacked	N	N	N	N
11.31	Apartments; walk up	N	N	N	N
11.32	Apartments; elevator	N	N	N	N
12	Group quarters	N	N	N	N
13	Residential hotels	N	N	N	N
14	Mobile home parks or courts	N	N	N	N
15	Transient lodgings	N	N	N	N
16	Other residential	N	N	N	N
20	Manufacturing				
21	of Food & kindred products	Y	PS 25	PS 30	PS 30
22	of Textile mill products	Y	PS 25	PS 30	PS 30
23	of Apparel and other finished products made from fabrics, leather,	Y	PS 25	PS 30	PS 30



Article 17

AIRPORT OVERLAY ZONING

Land Use		AIRPORT OVERLAY AO-4 NOISE ZONES (dB)			
SLCUM	Name	NZ 1 65-69	NZ 2 70-74	NZ 3 75-79	NZ 4 80+
	and similar materials				
24	of Lumber and wood products (except furniture)	Y	PS 25	PS 30	PS 30
25	of Furniture and fixtures	Y	PS 25	PS 30	PS 30
26	of Paper & allied products	Y	PS 25	PS 30	PS 30
27	of Printing, publishing, and allied industries	Y	PS 25	PS 30	PS 30
28	of Chemicals and allied products	Y	PS 25	PS 30	PS 30
29	of Petroleum refining & related industries	Y	PS 25	PS 30	PS 30
30	Manufacturing				
31	Rubber and miscellaneous plastic products	Y	PS 25	PS 30	PS 30
32	Stone, clay and glass products	Y	PS 25	PS 30	PS 30
33	Primary metal industries	Y	PS 25	PS 30	PS 30
34	Fabricated metal products	Y	PS 25	PS 30	PS 30
35	Professional and scientific instruments	Y	PS 25	PS 30	N
39	Miscellaneous manufacturing	Y	PS 25	PS 30	PS 30
40	Transportation, communications and utilities				
41	Railroad, rapid rail transit and street railroad transportation	Y	PS 25	PS 25	PS 25
42	Motor vehicle transportation	Y	PS 25	PS 25	PS 25
43	Aircraft transportation	Y	PS 25	PS 25	PS 25
44	Marine craft transportation	Y	PS 25	PS 25	PS 25
45	Highway & street right-way	Y	PS 25	PS 25	PS 25
46	Automobile parking	Y	Y	Y	Y
47	Communications	Y	PS 25	PS 25	N
48	Utilities	Y	Y	Y	Y
49	Other transportation communications and utilities	Y	PS 25	PS 25	N
50	Trade				
51	Wholesale trade	Y	PS 25	PS 30	PS 30
52	Retail trade-building materials, hardware and farm equipment	Y	PS 25	PS 30	PS 30
53	Retail trade- general merchandise	Y	PS 25	PS 30	N
54	Retail trade- food	Y	PS 25	PS 30	N
55	Retail trade- automotive, marine craft, aircraft and accessories	Y	PS 25	PS 30	N
56	Retail trade- apparel and accessories	Y	PS 25	PS 30	N
57	Retail trade- furniture, home furnishings and equipment	Y	PS 25	PS 30	N
58	Retail trade- eating and drinking establishments	Y	PS 25	PS 30	N
59	Other retail trade	Y	PS 25	PS 30	N
60	Services				
61	Finance, insurance and real estate services	Y	PS 25	PS 30	N
62	Personal services	Y	PS 25	PS 30	N
62.4	Cemeteries	Y	PS 25	PS 30	N
63	Business services	Y	PS 25	PS 30	N
64	Repair services	Y	PS 25	PS 30	PS 30
65	Professional services	Y	PS 25	PS 30	PS 30
65.1	Hospitals, nursing homes	PS 25	PS 30	N	N
65.1	Other medical facilities	PS 25	PS 30	PS 30	N
66	Contract construction services	Y	PS 25	PS 30	N
67	Governmental services	Y	PS 25	PS 30	N
68	Educational services	PS 25	PS 30	N	N
69	Miscellaneous services	Y	PS 25	PS 30	N
70	Cultural, entertainment and recreational				
71	Cultural activities (including churches)	PS 25	PS 30	N	N
71.2	Nature exhibits	Y	N	N	N



Article 17

AIRPORT OVERLAY ZONING

Land Use		AIRPORT OVERLAY AO-4 NOISE ZONES (dB)			
SLCUM	Name	NZ 1 65-69	NZ 2 70-74	NZ 3 75-79	NZ 4 80+
72	Public assembly	Y	N	N	N
72.1	Auditoriums, concert halls	PS 25	PS 30	N	N
72.11	Outdoor music shell, amphitheaters	N	N	N	N
72.2	Outdoor sport arenas, spectator sports	Y	Y	N	N
73	Amusements	Y	Y	N	N
74	Recreational activities (including golf courses, riding stables, water recreation)	Y	PS 25	PS 30	N
75	Resorts and group camps	Y	Y	N	N
76	Parks	Y	Y	N	N
79	Other cultural, entertainment and recreation	Y	Y	N	N
80	Resources production and extraction				
81	Agriculture (except livestock)	Y	Y	Y	N
81.5-81.7	Livestock farming and animal breeding	Y	Y	Y	N
82	Agricultural related activities	Y	Y	Y	N
83	Forestry activities and related services	Y	Y	Y	N
84	Fishing activities and related services	Y	Y	Y	Y
85	Mining activities and related services	Y	Y	Y	Y
89	Other resources production and extraction	Y	Y	Y	Y

Section 17.290. Attenuation

A. Minimum Noise Attenuation Requirements and Standards:

- Where a particular structure contains different occupancy uses, the more stringent requirements shall apply, except where it is architecturally possible to achieve the appropriate noise level reduction for each different use and the uses are acoustically separated by a wall or partition with a minimum STC of 25.

B. Compliance Use Above Minimum:

- In any instance where noise level reduction is required by this Article, all plans and specifications are to be certified by a recognized acoustical specialist for compliance.

C. Noise Reduction:

- Buildings, structures, and active outdoor recreation space shall be located at the greatest distance from the noise source, taking maximum advantage of existing topographical features to minimize noise impacts, and within zoning district requirements such as required setbacks.
- Buildings and structures shall be oriented to minimize exposure to the noise source and building openings, such as windows, shall be located away from the noise source. The amount of passive outdoor recreational space where individuals would be subject to noticeable or severe levels of noise should be minimized. Landscaping materials should be used to deflect noise. Noise attenuation shall be accomplished as follows:



Article 17

AIRPORT OVERLAY ZONING

- a) All mechanical ventilation systems shall provide the minimum air circulation and fresh air supply requirements as provided in the Building Code for the proposed occupancy without the need to open any exterior doors or windows.
- b) The perimeter of all exterior windows and door frames shall be sealed airtight to the exterior wall construction.
- c) Fireplaces shall be equipped with well-fitted chimney cap devices.
- d) All ventilation ducts, except range hoods, connecting interior space to outdoors shall be provided with a bend such that no direct line of sight exists from exterior to interior through the vent duct.
- e) Doors and windows shall be constructed so they are close-fitting. Weather-stripping seals shall be incorporated to eliminate all edge gaps.
- f) All penetration through exterior walls by pipes, ducts, conduits and the like shall be caulked airtight to the exterior construction.

D. Existing residences:

Any existing residence may be added to, structurally altered, or repaired without conforming to the referenced specifications provided the property owner signs a waiver indicating notification of said specifications and provided that all generally-applicable requirements of the Building Code are complied with.

DIVISION IX: SUPPLEMENTAL PROCEDURES

Section 17.300. Generally

- A. The purpose of this Division IX is to provide mechanisms for obtaining relief from the provisions of this Article. There are several ways that potential relief from hardship is addressed, including through nonconforming development, the grant of a variance, the grant of a special use permit, or through appeal.
- B. All cases shall be administered in accordance with the appeal, variance, nonconforming use, and special use permit procedures established in the Zoning Code, provided that all such procedures shall comply with applicable procedures set forth in the Airport Zoning Act, 620 ILCS 25/24, 27, 28, and 29.
- C. This Article provides supplemental requirements beyond those required by applicable state or federal law. The failure of the City to specifically or precisely conform to any notice, review, or other procedural requirement herein shall not



Article 17

**AIRPORT OVERLAY
ZONING**

invalidate any action or approval of the City unless such invalidation is required by law.

D. Avigation easement:

As a condition of approval of a Development Application in an Airport Overlay (AO) District subarea, including the application for a variance, rezoning or special use permit prior to receiving final approval of the application, the applicant may be required to convey to the appropriate authority an avigation easement consistent with the avigation easement described in Section 17.170 of this Article.

Section 17.310. Hearing Officer

- A. The Hearing Officer established and existing under the Zoning Code is hereby established as and shall serve as the Hearing Officer under this Article. The Hearing Officer shall exercise the following powers:
 - 1. To hear and decide appeals from any order, requirement, decision, or determination made by the Director in the enforcement of the airport zoning regulations of this Article.
 - 2. To hear and decide specific variances under this Article.
- B. All appeals and variances shall be administered in accordance with the appeal and variance procedures established in Article 15 of the Zoning Code.

Section 17.320. Appeals

- A. Except as provided below, appeals shall be made in a manner consistent with procedures for appeals established within Article 15 of the Zoning Code.
- B. All appeals must be taken within a reasonable time, as provided in the Zoning Code, by filing with the Director and with the Hearing Officer, a notice of appeal specifying the grounds thereof. The Director shall forthwith transmit to the Hearing Officer all the papers constituting the record upon which the action appealed from was taken.
- C. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Director certifies to the Hearing Officer, 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 Director's opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by order of the Hearing Officer on notice to the Director and on due cause shown.
- D. The Hearing Officer 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, consistent with the times and procedures for notice, hearing and decision of appeals provided in the Zoning Code. Upon the hearing any party may appear in person or by agent or by attorney.



Article 17

AIRPORT OVERLAY ZONING

- E. The Hearing Officer may, in conformity with the provisions of this Article and the Airport Zoning Act, 620 ILCS 25/1 *et seq.*, reverse or affirm, wholly or partly, or modify, the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the Director from which the appeal is taken.

Section 17.330. Variances

- A. Except as provided herein, variance applications shall be made in a manner consistent with the procedures for variances established within Article 15 of the Zoning Code.
- B. Any person seeking a variance from the height limitations of this Article shall include as part of their variance application a determination from the FAA as to whether the proposed construction or alteration for which the variance is being sought would be a hazard to air navigation, pursuant to the standards and procedures set forth in 14 C.F.R. Part 77.

Section 17.340. Non-Conformities

- A. Structures and uses existing on the effective date of this Article shall not be required to change in order to comply with these regulations, except where otherwise required by law or where a threat to public safety warrants a determination that the ongoing use is a public nuisance. The nonconforming use requirements of this section shall otherwise apply to the future applicability of the standards and requirements contained herein, provided that the requirements of this section shall be supplemented by provisions of the Zoning Code governing non-conformities which do not conflict with the provisions of this section.
- B. Before any non-conforming structure or object of natural growth may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher, or replanted, a permit must be secured from the Director, authorizing such replacement, change or repair. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming structure or tree or non-conforming use to be made or become higher or become a greater hazard to air navigation than it was on the effective date of this Article or than it is when the application for a permit is made.
- C. Whenever the Director determines that a non-conforming use or non-conforming structure or tree has been abandoned or more than 80 percent torn down, destroyed, deteriorated, or decayed: (a) 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; and (b) whether application is made for a permit under this section or not, the Director may by appropriate action compel the owner of the



Article 17

AIRPORT OVERLAY ZONING

non-conforming structure or tree, at his own expense, to lower, remove, reconstruct, or equip such object as may be necessary to conform to the regulations.

- D. If the owner of the non-conforming structure or tree shall neglect or refuse to comply with such order for 10 days after notice thereof, the Director may proceed to have the object so lowered, removed, reconstructed, or equipped and shall have a lien, upon behalf of the City, upon the land whereon it is or was located, in the amount of the cost and expense thereof. Such lien may be enforced by the City by an action for the enforcement thereof, as in the case of other liens.

Section 17.350. Airport Hazard Marking

In granting any Development Application, the Director or Hearing Officer may, if it deems such action advisable to effectuate the purposes of this Article and the Airport Zoning Act, 620 ILCS 25/1 *et seq.*, and reasonable in the circumstances, so condition such grant, consistent with 620 ILCS 25/25, as to require the owner of the structure or tree in question to permit the State or the City, as the case may be, at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

Appendix A – PROCESS CHART

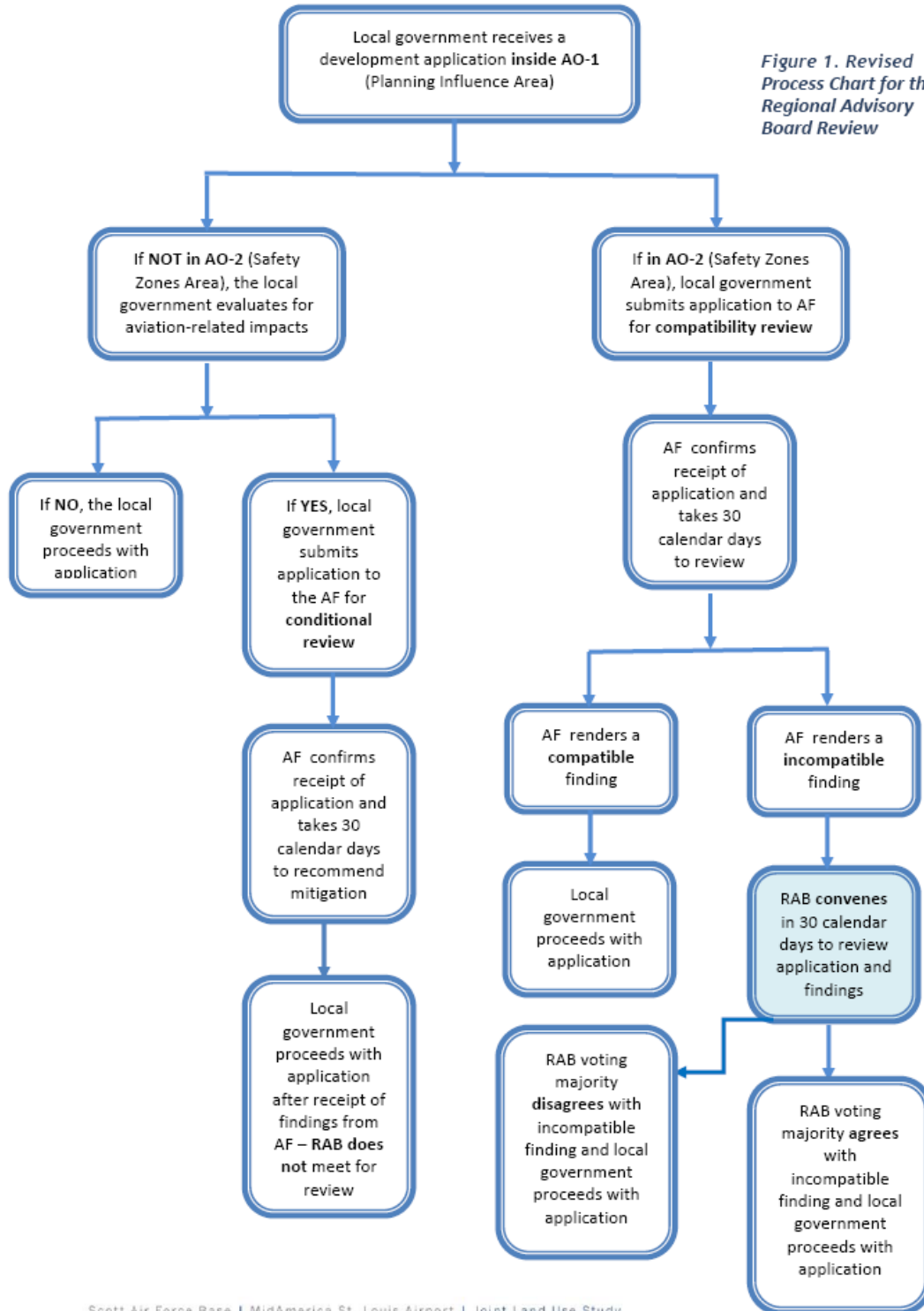


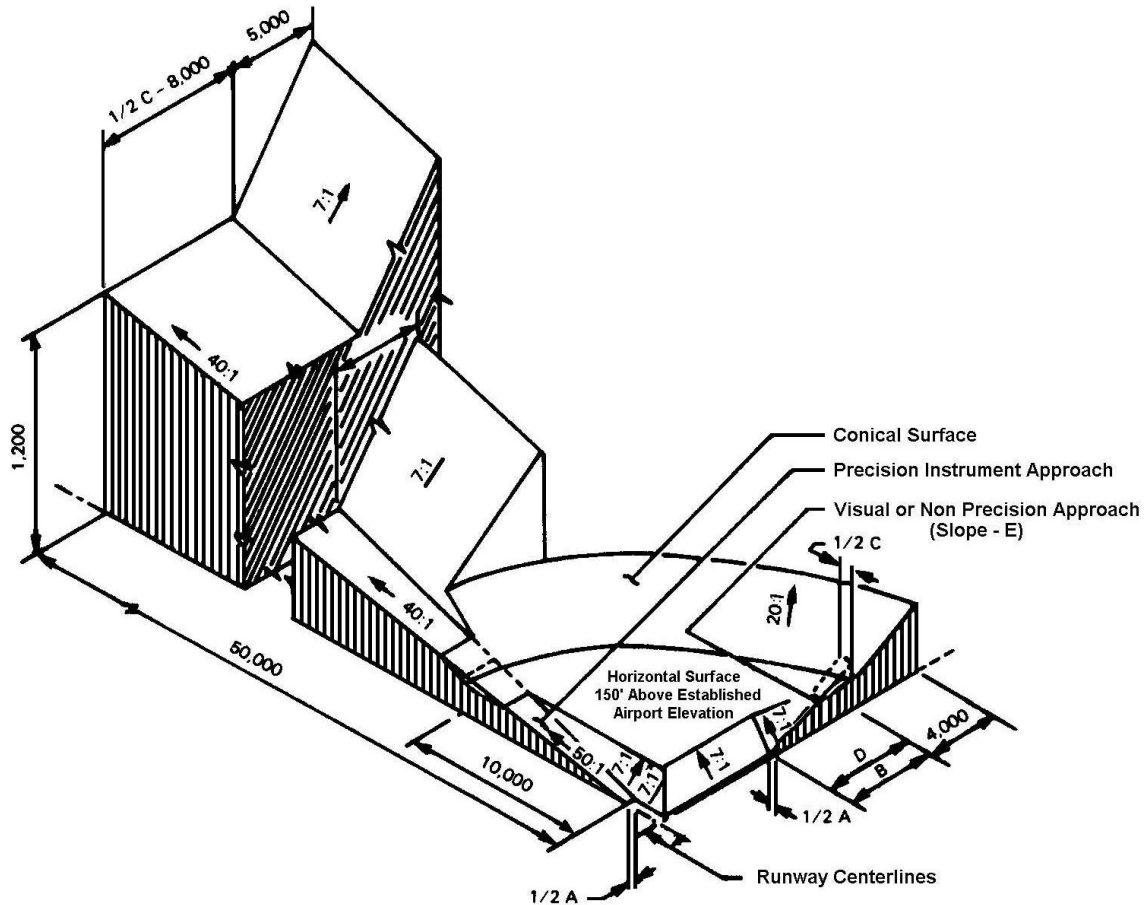
Figure 1. Revised Process Chart for the Regional Advisory Board Review

Appendix B – AIRPORT IMAGINARY SURFACES

OBSTRUCTION IDENTIFICATION SURFACES
FEDERAL AVIATION REGULATIONS PART 77

DIM	ITEM	DIMENSIONAL STANDARDS (FEET)					PRECISION INSTRUMENT RUNWAY PIR
		VISUAL RUNWAY		NON - PRECISION INSTRUMENT RUNWAY		PRECISION INSTRUMENT APPROACH	
		A	B	A	B		
				C	D		
A	WIDTH OF PRIMARY SURFACE AND APPROACH SURFACE WIDTH AT INNER END	250	500	500	500	1,000	1,000
B	RADIUS OF HORIZONTAL SURFACE	5,000	5,000	5,000	10,000	10,000	10,000
		VISUAL APPROACH		NON - PRECISION INSTRUMENT APPROACH		PRECISION INSTRUMENT APPROACH	
		A	B	A	B		
C	APPROACH SURFACE WIDTH AT END	1,250	1,500	2,000	3,500	4,000	16,000
D	APPROACH SURFACE LENGTH	5,000	5,000	5,000	10,000	10,000	*
E	APPROACH SLOPE	20:1	20:1	20:1	34:1	34:1	*

- A - UTILITY RUNWAYS
- B - RUNWAYS LARGER THAN UTILITY
- C - VISIBILITY MINIMUMS GREATER THAN 3/4 MILE
- D - VISIBILITY MINIMUMS AS LOW AS 3/4 MILE
- * - PRECISION INSTRUMENT APPROACH SLOPE IS 50:1 FOR INNER 10,000 FEET AND 40:1 FOR AN ADDITIONAL 40,000 FEET



Appendix B (cont.)

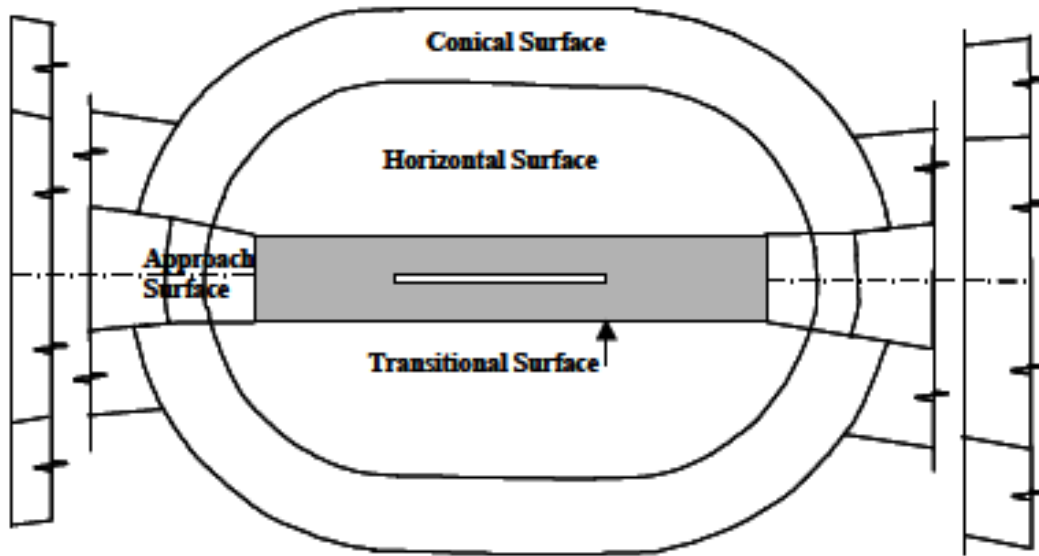


Figure 1. Plan view of FAA imaginary obstruction space standard, FAR Part 77 (3)

3-D VIEW OF FAA AIRPORT AIRSPACE CONTROL SURFACE

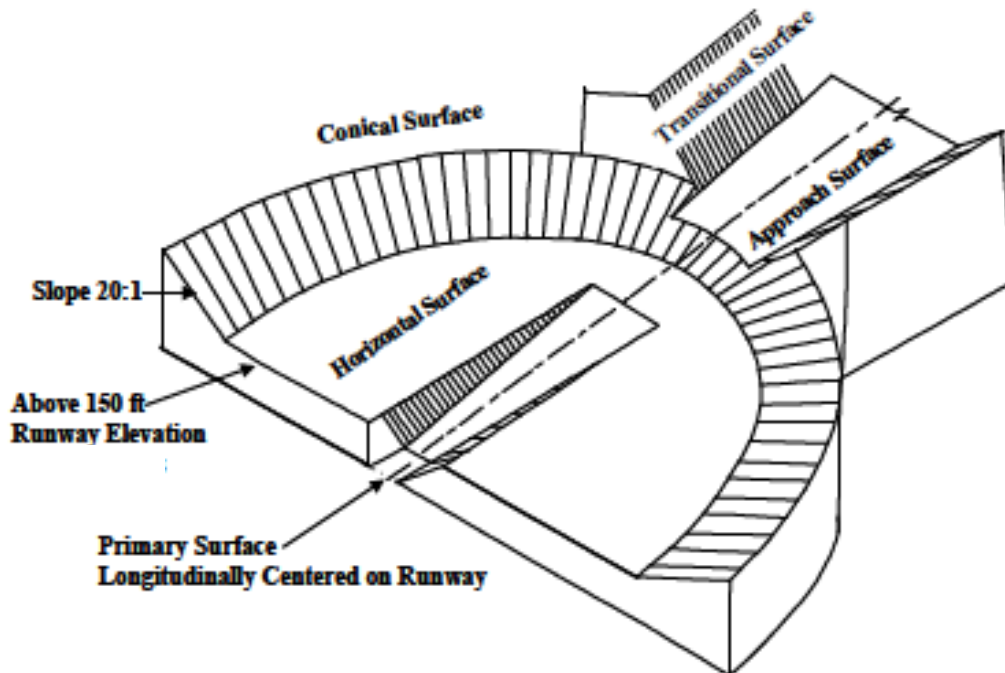


Figure 2. Isometric view of FAA imaginary obstruction space standard, FAR Part 77 (3)