

3.7 A – Airspace Overlay District

Intent – An Airspace Overlay *District*, a secondary zoning *District* is established to enhance and promote the safe operations of the Indianapolis International Airport. The Airspace Overlay *District* consists of *Airport Instrument Approach Surface Areas*, *Airport Transitional Surface Areas*, *Airport Horizontal Surface Areas* and *Airport Conical Surface Areas* as defined below in this Article 3.7 and indicated on the Airspace Overlay District Map.

A. Airspace Overlay *District* Regulations.

The following regulations shall apply to all land within the Airspace Overlay *District*. These regulations shall be in addition to all other primary or secondary zoning *District* regulations applicable to such land. In case of conflict between these regulations and the regulations of any other primary or secondary zoning *District*, the provisions which impose the greater or higher or more restrictive standard of performance shall control.

1. Prohibited Uses:

Within that part of the *Airport Instrument Approach Surface Areas* and *Airport Transitional Surface Areas*, which extend ten thousand, two hundred (10,200) feet from each end of a *Runway* measured horizontally along the extended centerline of such *Runway*, no *Building*, *Structure* or premises shall be erected, relocated or converted for use as a:

- a. amusement park;
- b. assembly hall;
- c. carnival;
- d. *Child Caring Institution*;
- e. correctional institution;
- f. hospital;
- g. public auditorium;
- h. public swimming pool;
- i. school;
- j. *Religious Use*;
- k. residential primary *Plat*;
- l. sports arena;
- m. stadium; or
- n. theatre.

2. Height Limits.

Except as otherwise provided herein, no *Structure* or tree shall be erected, altered, allowed to grow or be maintained within the Airspace Overlay *District* to a height in excess of the following height limits herein established for the *Airport Instrument Approach Surface Area*, *Airport Transitional Surface Area*, *Airport Horizontal Surface Area* and *Airport Conical Surface Area*, as defined below and designated on the official zoning map. (Such height limits shall be computed from the applicable *Runway* elevation or airport elevation as designated on the Airspace Overlay District Map).

- a. Height limits for the *Airport Instrument Approach Surface Area* shall be:
One (1) foot in height for each one hundred (100) feet in horizontal distance beginning at a point two hundred (200) feet from the end of the instrument *Runway* and extending to a distance of ten thousand two hundred (10,200)

Article 3.7
Airspace Overlay District

feet from the end of the *Runway*; thence one (1) foot in height for each fifty (50) feet in horizontal distance to a point fifty thousand two hundred (50,200) feet from the end of the *Runway*.

- b. Height limits for the *Airport Transitional Surface Area* shall be:
One (1) foot vertical height for each seven (7) feet of horizontal distance measured from the outer lines of all *Airport Instrument Approach Surface Areas* for the entire length of such *Airport Instrument Approach Surface Areas*, extending to their intersection with the outer line of the *Airport Conical Surface Area*; and, beyond such points of intersection, beginning at the outer lines of all *Airport Instrument Approach Surface Areas* and extending a horizontal distance to five thousand (5,000) feet therefrom, measured at right angles to the continuation of the *Runway* centerline, one (1) foot vertical height for each seven (7) feet of horizontal distance.
- c. Height limit for the *Airport Horizontal Surface Area* shall be:
One hundred fifty (150) feet above the established airport elevation as indicated on the Airspace Overlay District Map.
- d. Height limit for the *Airport Conical Surface Area* shall be:
One (1) foot in height for each twenty (20) feet of horizontal distance beginning at the periphery of the *Airport Horizontal Surface Area* and measured perpendicularly to the periphery of the *Airport Horizontal Surface Area* to a height of three hundred fifty (350) feet above the airport elevation. Provided, however, if any area is subject to more than one (1) of the above height limitations, the more restrictive limitation shall control. Provided, further, however, nothing in this Article shall be construed as prohibiting the erection, construction, growth or maintenance of any structure or tree to a height of fifty (50) feet or less above the surface of the land.

3. Performance Standards within the *Airport Conical Surface Area*.

The following performance standards shall apply to all land within the perimeter of the *Airport Conical Surface Area* as defined below and indicated on the Airspace Overlay District Map.

- a. Interference with Communications.
No use shall create interference with any form of communication, the primary purpose of which is for air navigation.
- b. Glare; Marking and Lighting of Airspace Hazards.
 - (1) All lights shall be located or shielded in such a manner that they do not interfere with *Runway*, taxi, tower or any other airport lights or result in glare which may interfere with the use of the airport in landing, taking-off or maneuvering of aircraft.
 - (2) Such markers and lights as may be required by the Indianapolis Airport Authority to indicate to air crews the presence of structures or trees constituting *Airspace Hazards* shall be permitted.
- c. Smoke, Dust, Particulate Matter.
 - (1) *Open Burning* shall be prohibited.
 - (2) No use shall cause smoke, dust, particulate matter or airborne material of any kind to escape beyond the *Lot Lines* in a manner detrimental to or endangering the visibility of air crews using the airport in landing, taking-off or maneuvering of aircraft.

B. Construction of Language and Definitions.

1. Construction of Language.

The language of this Article 3.6 shall be interpreted in accordance with the following regulations:

- a. The particular shall control the general.
- b. In the case of any difference of meaning or implication between the text of this Article and any illustration or diagram, the text shall control.
- c. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.
- d. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- e. A "building" or "structure" includes any part thereof.
- f. The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for," or "occupied for."
- g. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and," "or," or "either . . . or," the conjunction shall be interpreted as follows:
 - (1) "And" indicates that all the connected items, conditions, provisions, or events shall apply.
 - (2) "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
 - (3) "Either . . . or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

2. Definitions.

AIRPORT CONICAL SURFACE AREA: The land area beginning at the periphery of the *Airport Horizontal Surface Area* and thence extending outwardly a distance of four thousand (4,000) feet – such *Airport Conical Surface Area* does not include, however, the *Airport Instrument Approach Surface Areas* and *Airport Transitional Surface Area*.

AIRPORT HORIZONTAL SURFACE AREA: The land area, the perimeter of which is determined by projecting arcs from the center of the inner line of each *Airport Instrument Approach Surface Area* with the dimension of such arcs for instrument approach surface areas being ten thousand (10,000) feet – such *Airport Horizontal Surface Area* does not include, however, the *Airport Instrument Approach Surface Area* and *Airport Transitional Surface Area*.

AIRPORT INSTRUMENT APPROACH SURFACE AREA: The land area located at each end of each instrument *Runway* for landings and take-offs - such *Airport Instrument Approach Surface Area* having a width of one thousand (1,000) feet at a horizontal distance of two hundred (200) feet beyond each end of the *Runway* and widening thereafter uniformly to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty thousand two hundred (50,200) feet beyond each end of the *Runway*, its centerline being the continuation of the *Runway* centerline.

AIRPORT LANDING AREA: The area of the airport used for the landing, taking-off or taxiing of aircraft.

Article 3.7
Airspace Overlay District

AIRPORT TRANSITIONAL SURFACE AREA: The land area located adjacent to each instrument Runway - such Airport Transitional Surface Area extending outward as indicated on the official zoning map from a line five hundred (500) feet of either side of the centerline of an instrument Runway plus two hundred (200) feet at each end thereof, to the inner line of the Airport Horizontal Surface Area; further symmetrically located adjacent to each instrument Runway Airport Instrument Approach Surface Area, on each side thereof, having variable widths, as indicated on the official zoning map, and extending the entire length of such Airport Instrument Approach Surface Area to their intersection with the outline of the Airport Conical Surface Area; and further located beyond such points of intersection, beginning at the out lines of the Airport Instrument Approach Surface Area and extending a horizontal distance of five thousand (5,000) feet therefrom, measured at right angles to the continuation of the Runway centerline, as indicated on the Airspace Overlay District Map.

AIRSPACE HAZARD: Any Structure, tree, object or use of land which obstructs the airspace or is otherwise hazardous to the flight of aircraft in landing or taking-off at a public airport or heliport, as determined to constitute an "airspace" or "airport" hazard either by the Federal Aviation Administration, the Aeronautics Commission of Indiana or the Indianapolis Airport Authority.

INSTRUMENT RUNWAY: A *Runway* equipped or to be equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.

PUBLIC AIRPORT: An airport publicly owned or operated, designated as a "public airport" on the official zoning map, for which an *Airspace District* is established by this Article.

OPEN BURNING: Any burning of combustible matter where the products of combustion are emitted directly into the outside air without passing through a stack or chimney.

RUNWAY: The surface of the airport used for landing and taking-off of aircraft.

STRUCTURE: An object constructed or installed by man, including but without limitation, buildings, towers, smokestacks and overhead transmission lines.