

Sound level requirement (SLR) means maximum Ldn permitted in interior spaces for specific land uses.

Structure means any object, constructed, erected, installed or planted by man, including but not limited to: antennas, buildings, cranes, overhead transmission lines, smoke stacks, towers and utility poles.

Tree means any plant of the vegetable kingdom.

Zoning board of adjustment means the executive body or agency having the statutory authority and responsibility to hear and decide appeals from any order, requirement, decision or determination made by the zoning administrator in enforcing this division; to hear and decide variances to the requirements of this division within the City of Naples, Florida. For purposes of this division, the zoning board of adjustment in the City of Naples, Florida is the Naples City Council.

(Ord. No. 02-9648, § 2, 6-5-02)

Sec. 102-1037. School impact area regulations.

(a) There is hereby created and established a school impact area (Exhibit D) for areas at each end of each active runway at the Naples Municipal Airport. Within a school impact area, certain uses are restricted or prohibited to reduce incompatibilities with normal airport operations and danger to public health, safety and well-being.

(b) The school impact area is an area five miles long in direct line with each runway centerline and has a width of 2,500 feet.

(c) Educational centers and facilities, including all types of primary and secondary schools, preschools, childcare facilities both public and private shall be prohibited, with the exception of aeronautical related educational facilities.

(d) Variances approving construction of an educational facility within the school impact area shall only be granted when the city council makes specific findings detailing how the public policy reasons for allowing the construction outweigh health and safety concerns prohibiting such a location, and the application otherwise satisfies the requirements for a variance.

(Ord. No. 02-9648, § 2, 6-5-02)

Editor's note: It should be noted that Exhibit D referred to in § 102-1037 is not set out herein, but is on file and available for inspection in the offices of the city.

Sec. 102-1038. Airport noise impact zone and regulations.

(a) There is hereby created and established as an overlay zone on the adopted city zoning atlas an "airport noise impact zone" as depicted on the Naples Airport Noise Contour Plan (Exhibit E) for areas surrounding the Naples Municipal Airport. The airport noise impact zone is an area with restricted land uses and special construction standards to minimize the impact of noise produced by aircraft operations. The airport noise impact zone map contained herein is based on projected future aircraft operations and is defined as follows:

(1) *Noise Impact Zone A.* The entire interior area of the curvilinear figure delineated by the outermost boundary of line "A" on the noise zone map. The contour of noise zone A approximates the 75 Ldn line.

(2) *Noise Impact Zone B.* That area commencing at the boundary indicated on the noise zone map as the boundary of noise zone A and extending outward therefrom to the boundary indicated on the Noise Zone map as "B." The contour of noise zone B approximates the 70 Ldn line.

(3) *Noise Impact Zone C.* That area commencing at the boundary indicated on the noise zone map as the outer boundary of noise zone B and extending outward therefrom to the boundary indicated on the noise zone map as "C." The contour of noise zone C approximates the 65 Ldn line.

(4) *Noise Impact Zone D.* That area commencing at the boundary indicated on the noise zone map as the outer boundary of Noise Zone C and extending therefrom to the boundary indicated on the noise zone map as "D". The contour of noise zone D approximates the 60 Ldn lines as further modified based upon property lines and zoning district boundaries.

(Ord. No. 02-9648, § 2, 6-5-02)

Editor's note: It should be noted that Exhibit E referred to in § 102-1038 is not set out herein, but is on file and available for inspection in the offices of the city.

Sec. 102-1039. Airport noise impact zone land use regulations.

(a) The purpose of this section is to establish standards for land use with respect to exterior noise resulting from the legal and normal operations at the Naples Municipal Airport within the City of Naples. Section 102-1038 establishes four specific noise zones of differing intensities. This section shall address specific land use in the vicinity of Naples Municipal Airport, as identified in the most recent Naples Airport FAA Part 150 Study as it now exists or may be hereafter amended or established from time to time in accordance with federal regulations; establishes permitted, and prohibited land uses in the noise zones; the appeal process, establishes soundproofing requirements for development within the noise zones; and establishes notification procedures.

TABLE 1: LAND USES REGULATION CHART

TABLE INSET:

	Noise Impact ZONES			
	A	B	C	D
LAND USE	75 Ldn	75-70 Ldn	70-65 Ldn	65-60 Ldn
Residential, single-family	Not permitted	Not permitted	Not permitted	Not permitted
Residential, multifamily	Not permitted	Not permitted	Not permitted	Not permitted
Multifamily as part of a mixed use development	Not permitted	Not permitted	Not permitted	Not Permitted
Transient lodging	Not permitted	Not permitted	Not permitted	Conditional Use**
Church	Not permitted	Not permitted	Not permitted	Conditional Use**
Library	Not permitted	Not permitted	Not permitted	Conditional Use**
Hospital	Not permitted	Not permitted	Not permitted	Conditional Use**
Correctional Institution	Not permitted	Not permitted	Not permitted	Not Permitted
Nursing Home	Not permitted	Not permitted	Not permitted	Not Permitted
Assisted Living Facility	Not permitted	Not permitted	Not permitted	Not Permitted
School*	Not permitted	Not permitted	Not permitted	Not Permitted

Note: This table is a general regulation. The responsibility for determining the acceptability and permissible land uses remains in the Naples City Council. All other land uses not specified above shall be permitted in the noise zones pursuant to the applicable zoning district and shall not be required to meet SLR.

* As otherwise permitted in section 102-1037(c).

**** Criteria for Evaluating Conditional Use Application:**

- * Ability to meet and maintain sound level requirement of 45 Ldn for interior spaces.
- * Extent and location of outdoor assembly areas designed for active recreation purposes.
- * Extent and location of outdoor living areas including patios, porches, lanais, and balconies.
- * Other sound attenuation measures utilized.
- * Mixture of uses and project density.
- * Fleet mix (i.e., number and type(s) of aircraft using the runway, including the number and type of engine(s) used and gross weight of aircraft.
- * Inbound approach or outbound departure flight paths relative to the extended runway centerline.
- * Proximity of the site to runway(s).

(b) *Appeals.* Determinations made by the planning director, relating to use interpretations involving Table 1, may be appealed to the city council. An appeal may be made by an applicant, any aggrieved person, governing body of a political subdivision, NAA or FDOT.

(c) *Permitted and restricted activities.* Land uses shall be permitted in the noise zone pursuant to the applicable zoning district and as provided in Table 1. Those activities and land uses not specifically listed in the land use guidance chart are permitted or restricted in the noise zones based on their similarity to noise tolerance as exhibited by the activities and land uses which are listed in the guidance chart.

(d) Where boundaries of more than one noise impact zone are shown on a parcel, provisions of the most restrictive zone shall apply.

(e) Where boundaries of a entire parcel noise impact zone traverses a portion of a parcel, only the land within the zone is subject to the regulations of this division.

(f) *Nonconforming uses.* The regulations prescribed by this section shall not be construed to require the sound conditioning or other changes or alteration of any preexisting structure not conforming to this part as of the effective date of this section or to otherwise interfere with the continuance of any such preexisting nonconforming use. Nothing herein contained shall require any such change in the construction of or alteration of a structure which has commenced construction prior to the effective date of this section and which is diligently pursued.

(g) *Sound level requirement (SLR) for buildings or structures.* The provisions of these special regulations shall apply to the construction of a new building and the major redevelopment of existing buildings.

(1) Redevelopment of an existing structure containing residential uses which triggers the need for compliance with the Federal Emergency Management Agency's floor elevations will also require compliance with the sound level requirement of 45 Ldn.

(2) Buildings or structures moved into the established noise zone must comply with applicable provisions.

(h) Compliance with the aircraft sound isolation performance standards shall be established by certification from a registered professional architect or engineer that when constructed in accordance with the approved plans and with quality workmanship, the building shall achieve the specified interior noise levels, or by the use of assemblies having the Sound Transmission Class ratings.

(i) *Notification of potential noise impact:*

(1) Public notice of the existence of maps depicting noise impacted areas shall be published at least three times in a newspaper of general circulation in Collier County.

(2) The Naples Airport noise zones are identified on The City of Naples Zoning Map (any revisions or reconfigurations thereof), and shall be available for public inspection at the City of Naples Planning Department.

(3) Upon any revision of the maps depicting potential noise impacted areas, the city manager or his designee shall record in the Public Records of Collier County a notice of potential noise impacted areas with maps depicting the noise contours shown thereon. Said notice shall provide constructive notice to existing and prospective purchasers of property within the noise impacted area and elsewhere.

(j) *Avigation easements.* New development or redevelopment of property located within the land use zones described in Table 1 of this section shall be evaluated to determine the appropriateness of requiring an avigation easement, or its functional equivalent, in favor of the City of Naples Airport Authority. Such evaluation shall be based upon the criteria for evaluating conditional uses outlined in Table 1 of this section.

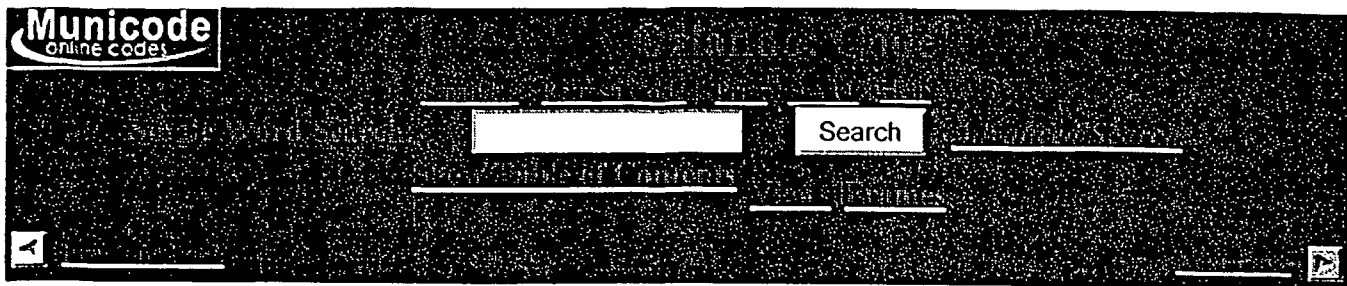
(k) *Disclosure statement.* Any person (entity) in a first sale from the developer selling any interest in real property located within the noise impact zone shall disclose in writing in the sales contract or addendum the following information to the purchaser prior to the sale: (i) the noise impact zone within which the real property lies and (ii) a statement that the real property lies within an area which airport noise may be present and objectionable. Said written notice shall also contain the following statement: "The undersigned purchaser of said interest in real property hereby certifies that the purchaser has read and understands the above disclosure made by the seller and acknowledges the preexistence of the airport and the potential for objectionable noise affecting (the use and enjoyment) of the real property." Although the disclosures required by this paragraph (k) shall not apply to resales of improved real property existing as of the effective date of this division, it shall not operate to obviate any disclosures regarding the existence of the airport or the effect of the airport noise zone on the property that may otherwise exist at law or in equity.

(l) Prior to the issuance of a certificate of occupancy for new development or redevelopment located within the noise impact zones, the developer shall provide deed restrictions or a declaration of condominium stating that the property is located in an airport noise impact zone.

(Ord. No. 02-9648, § 2, 6-5-02)

Secs. 102-1040--102-1070.
Reserved.

ORLANDO, FLORIDA
EXCERPTS FROM ZONING REGULATIONS



CODE OF THE CITY OF ORLANDO, FLORIDA Codified through Ord. of Dec. 2, 2002, Document # 021202901. (Supp. No. 12)

Chapter 58 ZONING DISTRICTS AND USES

PART 2. DISTRICT REGULATIONS

2R. AN AIRCRAFT NOISE OVERLAY DISTRICT

2R. AN AIRCRAFT NOISE OVERLAY DISTRICT

Sec. 58.370. Relationship to the Growth Management Plan.

The AN Aircraft Noise Overlay District implements GMP Transportation Element Objective 1.19 to facilitate proper land use planning and prohibit incompatible land uses in the areas surrounding the Orlando International Airport (OIA) and the Orlando Executive Airport (OEA). GMP Future Land Use Element Policy 2.4.11 also specifies that the City and Greater Orlando Aviation Authority shall work cooperatively to implement the Aircraft Noise and Land Use Control Map concept, which utilizes the AN Overlay district.

(Ord. of 9-16-1991, Doc. #25094; Ord. of 5-20-1996, Doc. #29361; Ord. of 8-23-1999, § 7, Doc. #32283)

Sec. 58.371. Purpose of the District.

The purpose of the Aircraft Noise Overlay District is to protect the health, safety, and welfare of persons and property in the vicinity of the OIA and OEA. Aircraft noise may be considered annoying, objectionable, or unhealthy to residents in the community surrounding the airports. The AN Overlay district is intended to reduce noise and safety hazards associated with aircraft operations, to preserve the operational stability of the airports, and assist in the implementation of policies and recommendations found in the City's Growth Management Plan and in appropriate FAA sponsored Part 150 Studies.

The requirements found in the AN Overlay District are intended to supplement all other zoning districts in which land may be classified, and the various Chapters of the City Code which might impact on aviation and land development, including, but not limited to, safety, fire, building, and health codes. However, to the extent that any provision of this Part conflicts with another code or ordinance, the provisions of this Part shall govern and control.

FIGURE 7A. AIRCRAFT NOISE/LAND USE CONTROL ZONE MAP

GRAPHIC LINK: FIGURE 7A. AIRCRAFT NOISE/LAND USE CONTROL ZONE MAP

(Ord. of 9-16-1991, Doc. #25094; Ord. of 5-20-1996, Doc. #29361; Ord. of 8-23-1999, § 9, Doc. #32283)

Sec. 58.372. Establishment of Aircraft Noise/Land Use Control Zones.

Aircraft Noise/Land Use Control Zones - Five separate Aircraft Noise/Land Use Control Zones shall be established as shown on the Aircraft Noise/Land Use Control Zone Map (Figure 7A). The Aircraft Noise/Land Use Control Zones are based on a projection of future noise environments arising from aircraft flight operations at the OIA and OEA, as such environments were defined by FAR Part 150 Studies.

A composite contour was developed to establish the aircraft noise overlay zones. This was accomplished based on land use controls for two noise metrics (DNL and dBA Aircraft Noise Metric). The DNL metric is a day-night sound level used to present cumulative/average long term aircraft noise exposure. The dBA Aircraft Noise Metric is a single event maximum sound level measure used to describe peak noise levels of representative aircraft flyovers as related to speech interference.

Zone A - 75 and greater DNL contour

Zone B - 70 to 75 DNL contour

Zone C - 65 to 70 DNL contour

Zone D - The composite limits of the 60 DNL contour and the 80 dBA Aircraft Noise Metric contour to the 65 DNL contour.

Zone E - The composite of the limits of the 55 DNL and the 75 dBA Aircraft Noise Metric contour to the composite limits of the 60 DNL contour and the 80 dBA Aircraft Noise Metric contour.

The boundaries of the AN Overlay district shall be construed as the outer boundary of Zone E, and may be altered by initiation of the City Council or Municipal Planning Board whenever there is a finding that noise impacts have changed, via a FAA Part 150 Study.

Determination of Boundaries. In determining the location of noise zone boundaries on the Aircraft Noise/Land Use Control Zone Map, the following standards shall apply:

1. For platted lots less than one (1) acre in size, where an Aircraft Noise/Land Use Control Zone boundary line enters or crosses said platted parcel, the land use restriction and sound level reduction standards associated with the more stringent Aircraft Noise/Land Use Control Zone shall apply.
2. For platted and unplatted properties greater than 1 acre in size, where an Aircraft Noise/Land Use Control Zone boundary line enters or crosses the parcel, the regulations associated with more than one zone may apply. The City shall utilize the Aircraft Noise/Land Use Control Zone Map over-layed onto a 1/8th section line map to determine the applicable Aircraft Noise/Land Use Control Zone. The City, in consultation with the Greater Orlando Aviation Authority, shall determine the applicable line of demarcation. If conflicts arise, the City's determination may be appealed to the Municipal Planning Board and City Council.

(Ord. of 9-16-1991, Doc. #25094; Ord. of 8-23-1999, § 11, Doc. #32283)

Secs. 58.373--58.379.
Reserved.

Editor's note: Ord. of 8-23-1999, § 12, repealed § 58.373, relative to additional district requirements. Said section was derived from Ord. of 9-16-1991, Doc. #25094.

2S. AIRCRAFT NOISE

Sec. 58.380. Land Use Restrictions.

Applicability of Overlay Zone Controls. Aircraft noise/land use control zone regulations shall not apply to existing residential and non-residential development, noise compatible land uses such as commercial, industrial, and office uses and/or vacant land zoned for such use, or vacant properties zoned for residential use prior to the adoption of this ordinance (unless a proposed modification of the residential zoning would reduce existing noise/land use compatibility).

The regulations prescribed by this Part shall not be construed to require the sound conditioning or other changes or alteration of any pre-existing structure not conforming to this Part as of the effective date of this revision or to otherwise interfere with the continuance of any pre-existing nonconforming use. Nothing in this Part shall require any such change in the construction or alteration of a structure which was begun prior to the effective date of this part and is diligently pursued.

(Ord. of 9-16-1991, Doc. #25094; Ord. of 8-23-1999, § 13, Doc. #32283)





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CODE OF THE CITY OF ORLANDO, FLORIDA Codified through Ord. of Dec. 2, 2002, Document # 021202901. (Supp. No. 12)

Chapter 58 ZONING DISTRICTS AND USES

PART 2. DISTRICT REGULATIONS

2S. AIRCRAFT NOISE

**2S. AIRCRAFT
NOISE**

**Sec. 58.380. Land Use
Restrictions.**

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The regulations prescribed by this Part shall not be construed to require the sound conditioning or other changes or alteration of any pre-existing structure not conforming to this Part as of the effective date of this revision or to otherwise interfere with the continuance of any pre-existing nonconforming use. Nothing in this Part shall require any such change in the construction or alteration of a structure which was begun prior to the effective date of this part and is diligently pursued.

(Ord. of 9-16-1991, Doc. #25094; Ord. of 8-23-1999, § 13, Doc. #32283)

Sec. 58.381. Sound Level Requirements for Structures and Buildings.

The following chart (Figure 7B) summarizes the aircraft noise/land use controls associated with the noise overlay zones:

FIGURE 7B. AIRCRAFT NOISE LAND USE CONTROLS

Residential Uses.

Consistent with Future Land Use Element Policy 2.4.11, the following controls shall apply to all residential uses including: single family, multifamily, mobile homes, and hotel/motel/timeshare uses.

TABLE INSET:

REQUIRED CONTROLS						
Control Zone	Avigation Easement	Waiver of Claim	Notification	SLR 25 db	SLR 30 db	SLR 35 db
Zone E			X			
Zone D		X	X	X		
Zone C	X	X	X		X	X
Zone B	X	X	X			X
Zone A (On Airport)	X	X	X		X	

1. Single Family, Multi-Family, and Mobile Home uses prohibited in Zones A and B, except where prior approvals/ agreements grant such use. Hotel/Motel/Timeshare uses are permitted in Zones A and B with appropriate controls as specified above.

2. While Single Family and Multifamily residential uses are permitted in Zone C, they are discouraged. Mobile Homes are specifically prohibited in Zone C. For Single Family uses in Zone C, a 35 SLR shall be applied. For Multifamily uses, a 30 SLR shall be applied.

Non-Residential Uses.

Consistent with Future Land Use Element Policy 2.4.11, the following controls shall apply to all sensitive non-residential land use types, consisting of: hospital/clinic/nursing home, childcare, school uses. These regulations shall not be applied to commercial, industrial and/or office uses.

TABLE INSET:

REQUIRED CONTROLS						
Control Zone	Avigation Easement	Waiver of Claim	Notification	SLR 25 db	SLR 30 db	SLR 35 db
Zone E			X			
Zone D			X	X		
Zone C		X	X		X	
Zone B	X	X	X			X
Zone A (On Airport)	X	X	X			X

1. Hospital/Clinic/Nursing Homes, Childcare, and School Uses prohibited in Zones A and B, except for aviation related training/educational facilities.

2. Childcare facilities in Zone C shall only be permitted as accessory uses. Stand-alone childcare facilities shall be prohibited. Existing childcare facilities shall be permitted to expand so long as new structures meet the SLR standards shown above.

3. Elementary, Middle and High School facilities, whether public or private, shall be prohibited in Zone C. Other school facilities shall be reviewed as a Conditional Use, in which the SLR reduction specified above and additional land use compatibility measures may be applied.

SLR - Sound Level Reduction in Decibels (db); can be achieved through insulation, high grade windows, etc.

(Ord. of 9-16-1991, Doc. #25094; Ord. of 8-23-1999, § 14, Doc. #32283)

Sec. 58.382. Sound Level Reduction (SLR) Design Requirements.

General Requirements. The SLR requirements found in Section 58.381 may be achieved by any suitable combination of building design, choice of building materials and execution of construction details in accordance with established architectural and acoustical principles. The SLR requirements shall apply to all occupied rooms having one or more exterior walls or ceilings, when furnished in accordance with the intended final usage of the room.

No new building or structure for which an SLR of 25, 30, or 35 is required by Section 58.381 may be constructed unless and until a building permit therefore has been issued by the City. No such permit shall be issued unless and until conformance with the requirements contained in Section 58.381 is indicated by plans and specifications for the building or structure.

The City may require, prior to granting final approval of the finished building construction, at the expense of the owner, a field test by a Qualified Acoustical Consultant to verify the sound level reduction (SLR) of the building. In lieu of field testing, the City may accept, at the owner's expense, a certification of design criteria by a Qualified Acoustical Consultant; verifying the sound level reduction (SLR) of the building.

Verification Testing Procedures/SLR Design Information. Sound level reductions shall be determined for at least four aircraft fly-over events by a typical air carrier-sized jet aircraft for each room tested. The resulting value assigned to the room shall be the average value of the individual fly-over events. Using the noise signal generated by an individual aircraft fly-over event, outside and inside noise levels may be measured simultaneously. The noise levels measured outside and inside the room being tested may be observed directly by simultaneously reading the maximum noise levels on two sound level meters; or the outside and inside fly-over event may be recorded on magnetic tape, and the required noise level reduction determined by analysis of the recorded signals. In either case, the two measuring systems used for outside and inside noise measurement must satisfy the requirements for a Type II Sound Level Meter according to ANSI S1.4-197. The two systems shall be calibrated prior to and following the fly-over events so that they indicate the same level within one decibel for the same noise, using suitable calibration procedures as specified by the manufacturer. For calculations undertaken for purposes of meeting the requirements of this Part, the City, owner, or qualified acoustical consultant may use the assumed outside spectrum shown in Figure 8.

FIGURE 8. OCTAVE BAND NOISE SPECTRUM

GRAPHIC LINK: FIGURE 8. OCTAVE BAND NOISE SPECTRUM





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Chapter 58 ZONING DISTRICTS AND USES

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Sec. 58.382. Sound Level Reduction (SLR) Design Requirements.

This spectrum may be used to make calculations for determining how the standards of this Part are to be met. Such calculations shall take into account the area and sound transmission loss characteristics of exposed room surfaces, and the amount of sound absorption in the room.

In residential structures, the assumed ratio of sound absorption to floor area for each room is as follows (making an allowance of at least two decibels for sound leaks and flanking sound transmission paths):

TABLE INSET:

Octave Frequency Band (Hz)	Sound Absorption Floor Area
63	0.30
125	0.50
250	0.75
500+	1.00

Inside Noise Levels. In residential structures, inside noise levels shall be measured with a single microphone, four feet above the floor, near the center of the room. For other structures, inside noise levels shall be measured with a single microphone, five feet above the floor, either near the center of the room, or inside the room eight feet from the exterior wall most directly exposed to the aircraft noise, whichever distance from the most directly exposed wall is less.

For residential structures, it shall generally be sufficient to conduct tests in two rooms. One of the rooms to be tested shall be the bedroom most directly exposed to aircraft noise. The other room to be tested shall be either the living room, dining room, or family room, whichever is most directly exposed to the aircraft noise. The Building Official shall have sole authority in determining the number of rooms and the particular rooms to be tested.

For structures where a number of rooms receive nearly equal exposure to aircraft noise, tests need only be conducted in two of the near identical rooms. For structures in which several rooms are to be evaluated, tests need only be conducted for those rooms whose exterior walls are most directly exposed to the noise source. If noise level reduction requirements are met for these rooms, the tests need not be repeated for rooms of similar construction which are not directly exposed to fly-over events.

Adjustments for Unfurnished Rooms. When the sound level reduction is measured in an unfurnished or partially furnished room an adjusted sound level reduction shall be computed by adding ten times the logarithm and the base ten of the ratio of the floor area of the room to the sound absorption in the unfurnished or partially furnished room but in any event, such correction shall not exceed two decibels. The adjusted noise level reduction value shall be used in determining compliance with the SLR requirements. If the noise level reduction is measured in a furnished room no adjustment in the noise level reduction may be made.

Outside Noise Levels. The outside noise level shall be measured in an unobstructed location near the center of the wall most directly exposed to the aircraft noise source, approximately five feet above the level of the floor of the room being tested and eight feet from the wall.

(Ord. of 9-16-1991, Doc. #25094; Ord. of 8-23-1999, § 15, Doc. #32283)

Sec. 58.383. Public Notification of Potential Noise Impacts.

Public disclosure of aircraft noise impacts shall be made to all future purchasers, mortgagees, occupiers and users of residential property located in all of the Aircraft Noise/Land Use Control Zones shown on the Aircraft Noise/Land Use Control Zone map, consistent with Figure 7A. Public notification shall consist of the following:

1. Public notice of the existence of maps depicting noise impacted areas shall be published by the Greater Orlando Aviation Authority at least three (3) times in a newspaper of general circulation in Orange County, as provided in Public Law 96-193; and
2. Aircraft Noise/Land Use Control Zone Maps depicting noise impacted areas shall be available for public inspection at the Planning and Development Department, the Orlando Public Library and other public places; and
3. The Greater Orlando Aviation Authority shall ensure that Aircraft Noise information is publicized and available to the public and other interested parties such as local realtors/brokers/title companies and professional organizations; and
4. The City shall attach a zoning suffix of AN-Aircraft Noise Overlay District to all areas where residential and/or sensitive non-residential uses are allowed within Aircraft Noise/Land Use Control Zones A through E; and
5. Residential plats recorded within Noise Zones C, D, and E shall note the potential for objectionable aircraft noise on the plat. Specifically, the plat shall note the following in a minimum 12 point type: "The properties delineated on this plat are subject to aircraft noise that may be objectionable." This requirement shall be made a condition of approval for all residential subdivisions approved by the City of Orlando.

(Ord. of 8-23-1999, § 16, Doc. # 32283)

Sec. 58.384. Avigation Easement and Waiver of Claims.

An avigation easement and/or waiver of claim, consistent with Section 58.381, shall be required as a condition of development approval for certain lot-splits, short form and long form subdivisions in Aircraft Noise Zones A, B, C, and D. The avigation easement and/or waiver of claim shall be executed between the applicant and the Greater Orlando Aviation Authority and delivered to the Planning and Development Department before a building permit may be issued for a building or structure located, or to be located, within Aircraft Noise Zones A, B, C, or D.

The Board of Zoning Adjustment or Municipal Planning Board may require the execution and delivery of an avigation easement and/or waiver of claim as a condition of granting variances for nonconforming construction or land uses within any of the Aircraft Noise Zones. The land use controls, avigation easement, waiver of claim, and sound level reduction requirements specified in this Part shall be consistent with agreements reached between the property owner and the Greater Orlando Aviation Authority established prior to the effective date of this ordinance revision. Adoption of this ordinance shall in no way invalidate or modify such recorded avigation easements, or noise damage waivers of claim.

(Ord. of 8-23-1999, § 17, Doc. #32283)

Secs. 58.385–58.389.
Reserved.

2T. AR APPEARANCE REVIEW OVERLAY DISTRICT

Sec. 58.390. Relationship to the Growth Management Plan.

The AR Overlay district assists in the implementation of GMP Urban Design Goal 1 and Objectives 1.1–1.4, to establish urban design standards which protect and enhance the positive design elements of the Traditional City, and in particular to adopt appearance and design standards for low intensity office uses; and Housing Goal 1 and Objective 1.1, to provide a suitable living environment for present and future residents, and to upgrade and extend the life of the existing housing stock.

(Ord. of 9-16-1991, Doc.
#25094)

Sec. 58.391. Purpose of the District.

The purpose of the Appearance Review Overlay District is to encourage both public and private participation in the enhancement of community appearance and provide the necessary standards and criteria for review in accordance with accepted architectural principles. Furthermore, it is the purpose of this district to strengthen the economy of the City by stabilizing and improving property values in AR areas, and to encourage new construction and redevelopment that will be harmonious with existing structures and architectural styles.


It is further intended that the Appearance Review Overlay District shall operate in conjunction with any other zoning district in which land may be classified, and that such lands may be used as permitted by such other districts except as may be qualified by the requirements of the AR Overlay District as set forth below.



ADAMS COUNTY, COLORADO
EXCERPTS FROM COMPREHENSIVE PLAN AND ZONING
REGULATIONS

Adams County Colorado

Home



- Adams County Courts
- Adopt A Child/
Social Services
- Animal Shelter/
Adoption Center
- CSU Extension
- Community Corrections
- Community Development
 - County Attorney
 - County Fair
 - Elected Officials
 - Elections
 - Fiscal Affairs
 - Fleet Management
 - Head Start
- Human Development
 - Human Resources
 - Knolls Golf Course
 - Library Services
- MIS/Telecommunication
 - Motor Vehicle
 - Museum
- Office of Emergency
Preparedness
- One Stop Career Center
- Open Space Sales
Tax Program
- Parks & Community
Resources
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ADAMS COUNTY COMPREHENSIVE PLAN II. PLANNING INFLUENCES

B. Physical Influences

Important physical features that have influenced land use patterns include flood plains located along major drainage ways, areas with conservation values, including open land agricultural lands, public park lands and open space, and airport-related noise impacts. The following is a summary of key physical influences (see figure 2.1, Physical Influences map).

1. Floodplains

The South Platte River and its tributary creeks and streams form the major waterway and drainage basin in the western half of the county. Other drainages include Clear Creek, Big Dry Creek, and Little Dry Creek. Defined floodplains can be found along these



A farm bordering McKay Lake in northwestern Adams County



drainages and creeks in the county. The County is also traversed by a number of north/south creeks east of [International Airport]. In general, creeks in the east part of the County are characterized by their intermittent nature and broad, shallow floodplains.

2. Priority Conservation Areas and Agricultural Lands

The county contains a number of important natural resources, open lands, and agricultural lands. The Adams County Open Space Plan identifies areas that are important to the county in terms of wildlife habitat, scenic character, and agricultural production. The location of these areas can be used as an important factor in directing development in areas that are more suited for development. Figure 6.

Agriculture Lands Conservation Map which appears in Chapter 6 illustrates areas in the county that should be considered for conservation. See the Adams County Open Space Plan for a more detailed discussion of these areas.

3. Parks and Open Space

The western third of the county has diverse recreation and open space opportunities. Major facilities include the Adams County Regional Park, the South Platte River and Clear



Tran Lake's Park is part of the Clear Creek Open Space System.

Creek Open Space systems, Barr Lake State Park, and Rocky Mountain Arsenal National Wildlife Refuge.

4. Airport Noise Impacts

Denver International Airport and Front Range Airport are located in the western half of Adams County. The 60 L noise contours resulting from airport operations, as shown on figure 2.1, will impact future land uses. The county prohibits new residential development within the 60 L noise contour.

Section C: Land Use Patterns

3-32 AIRPORT NOISE OVERLAY (ANO)

3-32-01 PURPOSE

The Airport Noise Overlay is intended to provide for protection of residential and non-residential land uses in areas that could be subjected to noise levels of such duration and frequency that they would constitute a nuisance to residential and other uses.

3-32-02 BOUNDARIES

The Airport Noise Overlay includes all land heavily impacted by the noise created by low-flying aircraft, and lying within the sixty (60) Ldn or greater noise contour area. The extent of this area is determined based upon the measurements of sound computed by the methods contained in Title 14 of the Code of Federal Regulations, Subchapter I, Federal Aviation Regulations (F.A.R., hereafter) Part 150, "Airport Noise Compatibility Planning". These computations are based upon the fleet mix that forms the "worst case scenario" for the type and volume of aircraft activity proposed at full build-out of the facility. The geographic extent of the noise overlay for each aviation facility affecting Adams County is delineated on the official Adams County Zoning Map.

3-32-03 PERMITTED USES

All uses permitted by the underlying zone as permitted uses or conditional uses are permitted in the Airport Noise Overlay unless specifically prohibited, subject to building permit review and approval.

3-32-04 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the underlying zone district; or (2) determined to be permitted by the Director of Planning and Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited. In addition, the following uses are specifically prohibited in an Airport Noise Overlay Zone:

1. Neighborhood Indoor Uses
2. Institutional Care
3. Universities

3-32-05 GENERAL SITE DESIGN AND PERFORMANCE STANDARDS

The following general site design and performance standards shall be met by all uses within an Airport Noise Overlay District.

3-32-05-01 RESIDENTIAL USES

3-32-05-01-01 NO NEW RESIDENTIAL ZONING

No residential rezonings shall be considered or approved.

3-32-05-01-02 EXISTING LOTS DEVELOPABLE

One single family dwelling may be constructed per lot in existence at the effective date of these standards and regulations, or as may be created per Article 28, Title 30, Section 101 (10) of the Colorado Revised Statutes, as amended.

3-32-05-01-03 EXISTING RESIDENTIAL USE NON-CONFORMING

Existing residential uses may continue, but shall be limited by the non-conforming use provisions of these standards and regulations.

3-32-05-01-04 APPROVED RESIDENTIAL USES

Residential uses allowed in accordance with an approved Site Specific Development Plan, or building permit effective at the time airport construction commences may be allowed if the use conforms with the performance standards listed below

3-32-05-01-05 NOISE REDUCTION REQUIRED

All newly established residential uses must incorporate noise level reduction measures sufficient to achieve an interior noise level of 45 dB on the A-weighted scale. Assurance that these measures have been incorporated into the structure is illustrated by submission of noise reduction plans certified by a registered professional engineer at the time of application for a building permit, and implemented prior to issuance of a Certificate of Occupancy.

3-32-05-02 AFFIDAVIT REQUIRED TO OBTAIN BUILDING PERMIT

A signed " Aircraft Activity Covenant with Disclosure" must be filed prior to issuance of a building permit.

3-32-05-03 COMMERCIAL AND INDUSTRIAL USES TO INCORPORATE NOISE REDUCTION

The portions of the commercial or industrial structures devoted to office uses, or occupied by members of the public must incorporate noise level reduction measures sufficient to achieve an interior noise level of 45 dB on the A-weighted scale. The noise reduction measures cited above are described in Chapter 35 of the Appendix of the Uniform Building Code, and as adopted by Adams County. Assurance that these measures have been incorporated into the structure is illustrated by submission of noise reduction plans certified by a registered professional engineer at the time of application for a building permit, and implemented prior to issuance of a Certificate of Occupancy.

3-32-05-04 USES NOT TO INTERFERE WITH AVIATION

3-32-05-04-01 *NO EMISSIONS*

Uses must not produce steam, smoke, or otherwise pose a hazard to aviators.

3-32-05-04-02 *NO GLARE*

Uses must not emit glaring light or employ highly reflective surfaces that may impair the visibility of aviators, nor shall the use create interference with the electronic communication among aviators and ground control.

3-32-05-04-03 *NOT ATTRACTIVE TO WILDLIFE*

Uses must lack the potential of attracting birds and other wildlife species that may pose a hazard to flight operations.

3-32-06 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Noise Overlay District unless inconsistent with a provision contained in Section 3-32, in which case the specific standard or requirement contained in Section 3-32 shall apply.