

Sec. 27-429 AH Airport Hazard Overlay District.

A. Intent.

The intent of the AH Airport Hazard Overlay District regulations is to specify land use controls in addition to the underlying zoning district that will ensure a compatible relationship between the Airport operations and other land uses in the vicinity, promote the health, safety and general welfare of the inhabitants and visitors of the City by preventing the creation, establishment or maintenance of hazards to aircraft, preventing the destruction or impairment of the utility of the airports in the City and the public investment therein and protecting the lives and properties of owners or occupants of lands in the vicinity of airports as well as the users of airports and to aid and implement the overriding federal interest in the operation of airports and the security of land surrounding airports.

B. Applicability.

The regulations set forth herein are applicable to all lands lying within delineated airport environs adopted as a part of the zoning map and to all lands defined herein. Notwithstanding the airport zoning regulations set out in Chapter 26 of the City Code, the provision of this section as they apply to a parcel of land shall override and supersede other regulations set forth in the zoning regulations to the extent set forth herein based upon the airport environ(s) in which the parcel is located. The provisions of this section shall not override or supersede notification requirements previously established pursuant to the zoning regulations or by action of a property owner.

C. Geographic Area.

The Airport Hazard Overlay District as depicted on the official zoning map. The Airport Layout Plan (ALP), together with all explanatory matter therein, is hereby adopted by reference and declared to be a part of these regulations. The boundaries of all airport environs zone delineations shall be defined in Chapter 26 and determined as follows:

1. For recorded lots less than one acre in size, where an airport environs zone enters or crosses a lot, the land use restriction and noise level reduction standards of the more stringent airport environs zone shall apply to the entire lot.
2. For platted and unplatted properties greater than one acre in size, where an airport environs zone enters or crosses the parcel, the regulations associated with more than one zone may apply. The zoning administrator shall use the zoning map, including the applicable airport environs zone, overlaid onto a parcel map to determine the applicable zone. The zoning administrator, in consultation with the Director of Parks and Facilities and the Hutchinson Airport Advisory Board, as appropriate, shall determine the line of demarcation.

D. Zones.

In order to carry out the provisions of the AH Airport Hazard Overlay District there are hereby created and established certain imaginary surfaces on the ground and in the airspace above and surrounding the Hutchinson Municipal Airport which are described and subject to the current Federal Aviation Regulations, Part 77 (Objects Affecting Navigable Airspace), Part 25 (Airworthiness Standards) and Part 139 (Certification of Airports) which for the purposes of these regulations shall be herein construed as zones and shall be included in the AH Airport Hazard Overlay District. The various zones are hereby established and specifically defined in Chapter 26.

E. Compatible Use Categories.

All uses permitted in the underlying zoning district and deemed appropriate and compatible with maintaining the Airport's physical facilities and associated air service compatibilities shall be allowed provided they fully comply with all the requirements of Chapter 26. Where there is a conflict between the Airport Hazard Overlay District regulations and any other regulations herein, the Airport Hazard Overlay District regulations shall govern.

F. Permitted Uses.

Permitted uses are allowed outright provided the uses and/or related structures meet the requirements of the Airport Hazard Overlay District as defined in Chapter 26.

G. Site Plan Review.

Site plans shall be reviewed pursuant to Article X of these regulations.

H. Miscellaneous Provisions.

Supplemental regulations including, but not limited to signs, parking, landscaping and fences shall be applied as required under Articles VII, VIII and IX of these regulations.

Sec. 27-430 HP Historic Preservation Overlay District.

A. Intent.

The intent of the HP Historic Preservation Overlay District is to provide means of designating on the zoning map those properties determined by the National Park Service, Kansas Preservation Law and the Hutchinson City Council to be historic landmarks or historic landmark districts.

In the HP District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered except in accordance with the regulations in this section, and all uses shall be subject to the regulations of the underlying zoning district and the development and performance standards set forth in these regulations.