

FAYETTE COUNTY ZONING ORDINANCE

ARTICLE IV

Supplemental Regulations

§1000-400. Purpose.

- A. The provisions of this Article shall be subject to such additions or modifications as provided by the following regulations. These regulations are intended to supplement, not repeal, abrogate, impair or replace any existing ordinances that relate to zoning or building construction within the County.

§1000-401. Airport hazard overlay.

- A. The intent of this overlay district is to regulate development and the use of land in the Municipality in the flight path of present and projected aircraft operations at airport facilities regulated by the United States Federal Aviation Administration (FAA) and the Pennsylvania Department of Transportation (PennDOT).
- B. All land uses which are classified as permitted uses and uses by special exception as established in §1000-203 shall be governed by the standards of the Airport Hazard Overlay.
- C. Any use within the boundaries of this overlay district which creates the following conditions must comply with applicable FAA and PennDOT regulations. Notice of proposed construction or alteration must be submitted to the County, FAA and PennDOT. Such construction or alteration is subject to review and possible modification of design in accordance with applicable FAA and PennDOT regulations. The conditions are as follows:
1. Creates electrical interference with navigational signals or radio communication between the airport and aircraft.
 2. Makes it difficult for pilots to distinguish between airport lights and other lights.
 3. Results in glare in the eyes of pilots using the airport.
 4. Impairs visibility in the vicinity of the airport.
 5. Creates bird strike hazards.
 6. Otherwise, in any way, endangers or interferes with the landing, take-off or maneuvering of aircraft intending to use the airport.
- D. Any of the following types of construction or alteration within the boundaries of this overlay district must comply with applicable FAA and PennDOT regulations. Notice of proposed construction or alteration must be submitted to the County, FAA and PennDOT. Such construction or alteration is subject to review and possible modification of design in accordance with applicable FAA and PennDOT regulations.

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1. Any construction or alteration of more than two hundred (200) feet in height above the ground level at its site.
 2. Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
 - a. One hundred (100) to one (1) for a horizontal distance of twenty thousand (20,000) feet from the nearest point of the nearest runway.
 - b. Twenty-five (25) to one (1) for a horizontal distance of five thousand (5,000) feet from the nearest point of the nearest landing and take-off area of each heliport.
 3. Any highway, railroad, or other thoroughfare whose existing height is elevated twenty-three (23) feet.
- E. The Airport Hazard Overlay generally outlines the outermost boundary of the imaginary sloping surface as defined by the FAA and PennDOT. No building shall have a height which exceeds the elevation of the imaginary sloping surface. A landowner and/or developer owning a lot situated within the Airport Hazard Overlay shall be responsible for verifying the height and location of the imaginary sloping surface. Building height shall be computed by the landowner and/developer as per the criteria of the FAA.
- F. The following structures or uses are exempted from the provisions of this overlay district:
1. Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height and would be located in the congested area of city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.
 2. Any antenna structure of twenty (20) feet or less in height except one that would increase the height of another antenna structure.
 3. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of any type approved by the administrator or appropriate military service on military airports, the location and height of which is fixed by its functional purpose.
 4. Any construction or alteration for which notice is required for any other FAA regulation.

§1000-402. Floodplain management overlay.

- A. The floodplain management overlay defines those areas subject to the one hundred (100) year flood as shown on the Flood Insurance Rate Maps that are available from the Federal Emergency Management Agency (FEMA).