

**WRIGHT-PATTERSON AIR FORCE BASE  
AIRPORT ZONING REGULATIONS**

**Developed for:**

**Wright-Patterson Air Force Base Joint Airport Zoning Board  
Dayton, Ohio**

**By:**

**Melissa Burn  
Wyle Laboratories  
2001 Jefferson Davis Hwy, Suite 701  
Arlington, Virginia 22202**

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**RESOLUTION NO. 97-1  
MAY 14, 1997**

RESOLUTION ADOPTING THE REVISED WRIGHT PATTERSON AIR FORCE BASE AIRPORT ZONING REGULATIONS EFFECTIVE ON JULY 1, 1997.

WHEREAS, the current Wright Patterson Air Force Base Airport Zoning Regulations have not been updated since 1975, and

WHEREAS, the character of the flying operations, the percent of slope and grade customarily used in descent and ascent of the aircraft expected to use the airport with reference to their size, speed and type, the nature of the terrain within the airport hazard area, the character of the neighborhood and the uses to which the property to be zoned is adoptable are of mutual concern and interest to the military and to governmental jurisdictions in the WPAFB area, and

WHEREAS, the Wright Patterson Air Force Base Joint Airport Zoning Board with financial support from the office of Economic Adjustment in the Department of Defense entered into a contractual service agreement with Wyle Laboratories to prepare a Joint Land Use Study (JLUS) and revised zoning regulations and map for the Wright Patterson Air Force Base, and

WHEREAS, the Wright Patterson Air Force Base Joint Airport Zoning Board appointed the Wright Patterson Air Force Base Joint Airport Zoning Board Land Use Policy Committee as a Commission to make a preliminary review and recommendation on the JLUS and proposed zoning regulations and map for the Wright Patterson Air Force Base Hazard Area, and

WHEREAS, upon completion of this JLUS and revised zoning regulations and map, the Wright Patterson Air Force Base Joint Airport Zoning Board Land Use Policy Committee held a public information meeting on May 15, 1996 at 7:00 p.m. at the Riverside Government Center to obtain public input, and

WHEREAS, on June 27, 1996 the Wright Patterson Air Force Base Joint Airport Board Land Use Policy Committee made certain modifications and then accepted and approved the draft JLUS and revised zoning regulations and map, as modified, and forwarded them to the full Wright Patterson Air Force Base Joint Airport Zoning Board for review and adoption, and:

WHEREAS , after giving a thirty (30) day notice as is required by law, a public hearing was held on May 14, 1997, at 3:00 p.m., in the Montgomery County Administration Building, 451 West Third Street, Dayton, Ohio, by the Wright Patterson Air Force Base Joint Airport Zoning Board on the revised Wright Patterson Air Force Base JLUS and the revised airport zoning regulations and map as modified and approved by the Wright Patterson Air Force Base Joint Airport Board Land Use Policy Committee, and

WHEREAS, there were questions concerning the JLUS and revised zoning regulations and map but no one spoke in opposition.

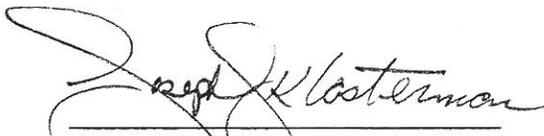
NOW, THEREFORE, BE IT RESOLVED, by the Wright Patterson Air Force Base Joint Airport Zoning Board that the revised Wright Patterson Air Force Base Airport Zoning map and regulations are hereby adopted with an effective date of July 1, 1997.

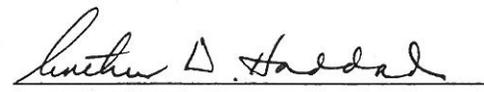
BE IT FURTHER RESOLVED, that the Secretary transmit a copy of this Resolution to the Clerk of the Board of County Commission of Clark, Greene, Miami and Montgomery Counties.

*Mr. Detrick moved for adoption. Motion seconded by Mr. Curran and upon call of the roll, the following resulted: Mr. Curran, aye; Mr. Detrick, aye; Mr. Haddad, aye; Mrs. Hagler, aye; Mr. Lucas, aye; Mr. Tackett, aye. Motion carried.*

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I hereby certify that the foregoing is a true and correct copy of this Resolution duly adopted by the Joint Airport Zoning Board on May 14, 1997.

  
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Joseph J. Klosterman  
Secretary

  
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Arthur Haddad  
Acting Chairman

JJK:AH:eam

**INTRODUCTION TO REVISED  
WRIGHT-PATTERSON AIR FORCE BASE  
AIRPORT ZONING REGULATIONS**

This document represents a 1997 revision of the original 1975 Wright-Patterson Air Force Base (WPAFB) Airport Zoning Regulation. The revision was made necessary by significant changes in aircraft activity during the intervening period. It was also motivated by a desire, on the part of both WPAFB and the Joint Airport Zoning Board, to ensure continued cooperation between WPAFB and neighboring jurisdictions in promoting compatible land-use development.

There are several notable changes between the 1997 revised regulations and the 1975 regulations. They include the following:

- Use of Mission Capacity Contours as the standard for assessing noise impacts as opposed to the noise exposure contours for a specific year. This is supported by the jurisdictions surrounding the WPAFB, by WPAFB, and by the Department of Defense Office of Economic Adjustment.
- Consolidation of eleven (11) 1975 Zoning Districts into six (6) Revised Zoning Districts. The correlation between the two sets of districts is given in Appendix A. This change will result in a simpler system of Zoning Districts both for evaluation and for administration.
- Changes to the sound level reduction construction design requirements. The requirements have been examined and updated for noise reduction effectiveness in view of the changes in building materials available since 1975.

This revision has been developed through the work of the WPAFB Joint Land Use Study (JLUS) Coordinating Committee with technical services provided by the Research and Consulting Group of Wyle Laboratories of Arlington, Virginia, and The Oregon Group Architects of Dayton, Ohio. Questions and comments regarding these Zoning Regulations should be addressed to Joseph Klosterman, Montgomery County Planning Commission, 451 West Third Street, Dayton, Ohio 45422.

Dated: July 1997

## CHAPTER ONE DEFINITIONS

### PURPOSE AND APPLICABILITY

The purpose of this chapter is to promote consistency and clarity in the interpretation of the zoning regulations. The meaning and construction of words and phrases defined in this Article shall apply throughout the Zoning Resolution, except where the context of such words or phrases clearly indicates a different meaning or construction.

### GENERAL RULES FOR CONSTRUCTION OF LANGUAGE

The following general rules of construction shall apply to the text of the Zoning Resolution:

1. The particular shall control the general.
2. In case of any difference of meaning or implication between the text of any provision and any caption or illustration, the text shall control.
3. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
4. The word "shall" is a mandatory requirement the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
5. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."
6. The word "lot" includes the words "plot or parcel."

**ACCESSORY USE:** A use which: (1) is subordinate to and serves a principal structure or a principal use; (2) is subordinate in area, extent, and purpose to the principal structure or use served; (3) is located on the same lot as the principal structure or use served; (4) is customarily incidental to the principal structure or use.

**ACCIDENT POTENTIAL ZONE I (APZ I):** The area beyond the clear zone that possesses a significant potential for accidents. APZ I begins 3,000 ft. from the end of the runway and extends to a distance of 8,000 ft. from the end of the runway. Normally, the APZ I is 3,000 ft. wide.

**ACCIDENT POTENTIAL ZONE II (APZ II):** The area beyond APZ I that has a measurable potential for accidents. APZ II begins 8,000 ft. from the end of the runway and extends to a distance of 15,000 ft. from the end of the runway.

**ADMINISTRATIVE AGENCY:** For purposes of the enforcement and administration of these regulations, the administrative agency shall be the Chief Building Inspector for Montgomery County, Ohio, hereafter known

as the "Airport Zoning Inspector." (See also Chapter Three, Section 3.)

**AGRICULTURAL STRUCTURES:** Bona fide agricultural buildings, structures, improvements, and associated non-residential developments.

**AICUZ (Air Installations Compatible Use Zone):** (1) Land areas on which certain uses may obstruct the airspace or otherwise be hazardous to aircraft operations, and (2) land areas that are exposed to the health, safety, or welfare hazards of aircraft operations.

**AIR NAVIGATION (i.e., AIRPORT, FLIGHT) HAZARD:** Any use of land within the airfield environs which obstructs the air space required for flight of aircraft in landing or taking off at any airport or is otherwise hazardous to such air navigation.

**AIRPORT or AIRFIELD:** The Wright-Patterson Air Force Base (WPAFB) airport facility and any area of land designated and set aside for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, other necessary buildings, and open spaces, designated for the storage, repair, and operation of aircraft, and utilized or to be utilized in the interest of the military for such purposes.

**AIRPORT BOARD:** The WPAFB Joint Airport Zoning Board. See Chapter Three.

**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 the Accident Potential Zones and by the 65 dB DNL and greater noise exposure area from the noise exposure map that is submitted as part of WPAFB Joint Land-Use Study.

**AIRPORT MANAGER:** The Commanding Officer of the WPAFB charged with the responsibility for the overall management and operation of the Airport.

**ANSI SPECIFICATIONS:** Specifications by the American National Standards Institute adopted by reference herein as they are referenced by the applicable building code standards.

**APPROACH-DEPARTURE CLEARANCE SURFACE:** An inclined plane or combination inclined and horizontal plane, symmetrical about the runway centerline extended. The inclined plane flares outward and upward from the primary surface (on the ground at the runway and extending 200 feet beyond each runway end), having the same width as the runway Primary Surface (varies depending on runway type, either 1,000 or 2,000 feet wide), and begins with the centerline elevation of the runway end. The slope ratio and dimensions of the inclined plane and dimensions of the horizontal plane vary with the type of runway.

Planes and surfaces related to airfield reference points are described below and shown where necessary in Figure B-1, Wright-Patterson Air Force Base (WPAFB) Zoning District Map and in Figure B-2, WPAFB

Official Height Zoning Map:

**Inner-Horizontal Surface** – An oval-shaped plane at a height of 150 feet above the established airfield elevation. It is constructed by scribing an arc with a radius of 7,500 feet about the centerline at each end of each runway and interconnecting these arcs with tangents.

**Conical Surface** – An inclined plane that extends from the periphery of the inner horizontal surface outward and upward at a slope of 20 to 1 for a horizontal distance of 7,000 feet to a height of 500 feet above the established airfield elevation.

**Outer- Horizontal Surface** – A plane located 500 feet above the established airfield elevation, extending outward from the outer periphery of the conical surface for a horizontal distance of 30,000 feet.

**Transitional Surface** – Inclined planes that connect the primary surface and the approach-departure clearance surfaces to the inner horizontal surface, conical surface, outer horizontal, or other transitional surfaces. The slope is 7 to 1 outward and upward at right angles to the runway centerline and runway centerline extended.

**APPROVED PART 77 AIRSPACE PLAN:** A systematic definition of airspace regions and corridors above the airfield that has been established for the safe operation of aircraft in the vicinity. A Part 77 Airspace Plan that has been approved by the Department of Defense and Federal Aviation Administration.

**ASTM SPECIFICATIONS:** Specifications by the American Society for Testing and Materials adopted by reference herein.

**AVIGATION:** Navigation of aircraft.

**AVIGATION EASEMENT:** An easement that recognizes the right of free aircraft flight over the land in question, and allows all emissions and noise concomitant with normal aircraft operations.

**BOARD OF APPEALS:** A Board of Appeals appointed pursuant to Section 4563.13 of the Revised Code and designated as the Airport Zoning Board of Appeals.

**CLEAR ZONES:** The safety clearance areas at the end of each runway. Dimensions are 3,000 feet by 3,000 feet for primary (Class B) runways and 1,000 feet by 3,000 feet for secondary (Class A) runways. This land is entirely owned by WPAFB.

**DAY-NIGHT AVERAGE SOUND LEVEL (DNL):** The estimated cumulative aircraft or other noise exposure in decibels of noise as measured by an A-weighted sound level meter. In the DNL procedure, noise exposures are accumulated for a typical 24-hour period. A weighting factor equivalent to a penalty of 10 decibels is applied to aircraft operations or other noise sources between 10:00 P.M. and 7:00 A.M. to account for the increased sensitivity of people to nighttime noise.

**DECIBEL (dB):** A unit of measure of a sound expressed from a calibrated sound level meter utilizing an A-level weighting scale.

**DISTRICT 1 – Runway Protection Zone**

A district created to regulate land use and reduce hazards to safety, health, and welfare in areas characterized by very severe noise impacts and significant safety concerns. Dimensions (including the Clear Zones, APZ I AND APZ II) are 3,000 feet by 15,000 feet along the primary runway and 1,000 feet by 8,000 feet along the secondary runway.

**DISTRICT 2 – 75 to 79 dB DNL Noise Contour**

A district created to regulate land use and reduce hazards to safety, health, and welfare in areas characterized by severe noise impacts.

**DISTRICT 3 – 70 to 74 dB DNL Noise Contour**

A district created to regulate land use and reduce hazards to safety, health, and welfare in areas characterized by intermediate noise impacts.

**DISTRICT 4 – 65 to 69 dB DNL Noise Contour**

A district created to regulate land use and reduce hazards to safety, health, and welfare in areas characterized by moderate noise impacts

**DISTRICT 5 – Built-Up Areas**

A district created to recognize the presence of existing development around the airport, and to discourage further incompatible development without diminishing the existing use.

**DISTRICT 6 – Federally Owned Public Lands**

A district consisting of the Wright-Patterson Air Force Base property.

**EXISTING USE:** Uses lawfully existing on the effective date of this regulation. (See also Chapter Two, Section 4.

**FLOOR AREA:** The sum of the gross areas of the several floors of a building or structure exclusive of areas used for off-street parking and loading facilities, whether or not such area is enclosed by walls on each side or a roof. Floors or parts of floors used for purposes incidental or accessory to principal uses such as repair facilities, storage, washrooms, and utility rooms, shall be included as part of the floor area of the building or structure within which they are located.

**HABITABLE ROOMS:** Rooms within enclosed structures which are, or may reasonably be expected to be used as living quarters, such as bedrooms, living rooms, family rooms, dining rooms, and excluding bathrooms, garages, and unfinished basements.

**HEIGHT, MAXIMUM:** The maximum height of a building, structure, or object of natural growth shall be as established by the designated height district applicable to the lot in which the building, structure, or object of natural growth is located as shown on the Official Height Zoning Map. (See also Chapter Six.)

**INTERIOR NOISE LEVEL:** Sound level in any habitable room with windows and/or doors closed.

**LOT COVERAGE:** That percentage of a lot covered by principal or accessory structures, or any part thereof, excluding projecting roof eaves.

**LOT SIZE OR LOT AREA:** Lot size or lot area shall mean the area of a horizontal plane bordered by the front, side, and rear lot lines.

**MANUFACTURED HUD UNIT:** Any structure that is transportable in one or more sections regardless of the presence of wheels, runners, tracks, or a chassis, which is

not self-propelled, and complies with the standards and specifications for the design and construction of manufactured housing, as set forth by the United States Government in regulations promulgated pursuant to 42 U.S.C. 5401 *et seq.* as amended and to which is affixed a permit, sticker, plate, or other recognized, official identification indicating such compliance.

**MISSION CAPACITY CONTOURS:** The Day Night Average Sound Level noise contours generated by projected future aviation activities. This level of operations is not equivalent to the current condition, either in number of operations or fleet mix, but is a realistic scenario of possible future airbase operations.

**MOBILE HOME:** Any non-self-propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such a manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other foundation and used or so construed as to permit its being used as conveyance upon the public streets and highways. Most significantly the term mobile home designates those units not in compliance with Federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 *et seq.*).

**MOBILE HOME PARK:** An area of land for the parking of three (3) or more Mobile Homes and/or Manufactured HUD units.

**MODULAR INDUSTRIALIZED UNIT:** A modular structure which complies with the standards and specifications for Industrial Units of Closed Construction, as provided for by the Ohio Basic Building Code as amended and as authorized by the Board of Building Standards pursuant to Ohio Revised Code Section 3781.01 *et seq.* as amended and to which is affixed a permit sticker, plate, or other recognized, official identification indicating such compliance.

**NOISE:** Aircraft or other noise which interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying.

**NOISE CONTOUR:** A line linking together a series of points of equal cumulative noise exposure based on the DNL metric. 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. For the purpose of these zoning regulations, the mission capacity contours are being used.

**NOISE IMPACT, SEVERE:** Noise exposure within the 75 to 79 dB DNL noise contour.

**NOISE IMPACT, INTERMEDIATE:** Noise exposure within 70 to 74 dB DNL noise contour.

**NOISE IMPACT, MODERATE:** Noise exposure within the 65 to 69 dB DNL noise contour.

**NOISE-SENSITIVE SURFACE:** Any area located above land within the 65 dB DNL noise contours.

**NONCONFORMING STRUCTURE OR BUILDING:** A structure or building the size, dimensions, or location of which was lawful (according to applicable building codes and zoning regulations) prior to adoption, revision, or amendment to a zoning regulation, but which fails by reason of such adoption, revision, or amendment to conform to the present requirement of the zoning district.

**NONCONFORMING USE:** A use or activity which was lawful (according to applicable building codes and zoning regulations) prior to the adoption, revision, or amendment of a zoning resolution, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district.

**OBSTACLE:** A natural or man-made object that violates airfield clearances, or projects into imaginary airspace surfaces.

**OCCUPIED ROOMS:** Rooms within enclosed structures which are, or may reasonably be expected to be used as living quarters, the reception of the public for sales or service activities, or as typical office uses.

**PART 77:** Part 77 of the Federal Aviation Regulations (14 CFR 77). FAA criteria for the establishment of imaginary surfaces in the airspace surrounding airports as set forth in Subpart C of Part 77 for purposes of ensuring safe air navigation.

**PART 77 AIRSPACE PLAN:** A map or maps showing the layout of the Part 77 surfaces with notations as to the heights and slopes of the various Part 77 surfaces. The Part 77 Airspace Plan is part of the official airport layout plan for the airport.

**POPULATION DENSITY:** A measure of the number of people anticipated on an acre during a one-hour period, or the maximum number of people allowed per acre per hour. Generally computed using an average number of people expected on a site multiplied by the number of hours they will be on that site, then divided by 24 hours.

**SLUCM:** *Standard Land Use Coding Manual*, U.S. Urban Renewal Administration and Bureau of Public Roads, 1965, 1977. The SLUCM is the system used in these regulations to classify compatible land uses within each zoning district.

**SOUND LEVEL:** In decibels, the quantity measured by an instrument satisfying requirements of American National Standard Specification for Sound Level Meters SI.4-1971, or the latest revision thereof. Unless otherwise indicated, sound level shall be obtained with the frequency-weighting A and the standardized dynamic characteristic SLOW (A-weighting).

**SOUND LEVEL REDUCTION (SLR):** Difference in decibels between the sound level outside a building and the sound level inside a designated room in that building that was caused by exterior noise. Also called "Noise Level Reduction". SLR shall in all cases be adjusted to reflect the SLR which would be obtained if a room were furnished in the manner in which it would be regularly used. The Airport Zoning Inspector shall provide a verification procedure by which a property owner may at the property owner's expense verify SLR for any designated room.

**STC:** Sound Transmission Class, a single-figure rating of the sound insulating properties of a partition as determined by methods described in "Determination of Sound Transmission Class", ASTM E413-73.

**STRUCTURE:** An object, including a mobile object, constructed or installed by man, including, but not limited to, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

**TEMPORARY STRUCTURE:** A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

**TEMPORARY USE:** A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

**CHAPTER TWO**

**WRIGHT-PATTERSON AIR FORCE BASE  
AIRPORT ZONING REGULATIONS**

**SECTION 1 TITLE AND PURPOSE**

- 1.1 The WPAFB Airport Zoning Regulations are hereby created with the following purposes:
- A. To protect the public health, safety, and welfare by regulating development and land use within the noise-sensitive surface and airport hazard areas;
  - B. To ensure compatibility between the WPAFB and surrounding land uses; and
  - C. To protect the airport from incompatible encroachment.
- 1.2 Airport hazards are hereby declared a public nuisance.
- 1.3 These regulations are adopted pursuant to the authority conferred by Sections 4563.01 to 4563.99, inclusive, of the Ohio Revised Code and divide the approach, transitional, horizontal, and conical areas of the WPAFB into districts to accommodate the purposes in this chapter.
- 1.4 These regulations shall serve as an overlay zoning. The overlay zoning is comprised of specialized zoning districts that impose land use and construction requirements in addition to those of the underlying zone(s) established by the local jurisdictions (such as residential, commercial, industrial, etc.). In any case, the more restrictive provisions shall prevail. [e.g., land uses permitted within the Airport Overlay Zoning Districts would only be allowed if permitted by the respective underlying zoning district(s).]

**SECTION 2 ZONING DISTRICTS**

There is hereby established a map entitled the Zoning District Map which indicates the boundaries of the districts hereinafter described. Said map shall be maintained in the office(s) of the Airport Zoning Inspector(s). The map, with all explanatory material thereon, is hereby made a part of these regulations, and all amendments to the aforementioned map shall be part of these regulations.

**2.1 Zoning Districts.** For the purposes of these regulations, the approach, transitional, horizontal, and conical surfaces at WPAFB are divided into zoning districts which represent differing levels of noise impacts and/or safety concerns. These districts are noted on the official Zoning District Map and designated throughout these regulations by the following numbers:

**District I – Runway Protection Zone**

A district designed to regulate land use and reduce hazards to safety, health, and welfare in areas characterized by very severe noise impacts and significant safety hazards.

**District 2 – 75 to 79 dB DNL Noise Contour**

A district designed to regulate land use and reduce hazards to safety, health, and welfare in areas characterized by severe noise impacts.

**District 3 – 70 to 74 dB DNL Noise Contour**

A district designed to regulate land use and reduce hazards to safety, health, and welfare in areas characterized by intermediate noise impacts.

**District 4 – 65 to 69 dB DNL Noise Contour**

A district designed to regulate land use and reduce hazards to safety, health, and welfare in areas characterized by moderate noise impacts

**District 5 – Built-Up Areas**

A district designed to recognize the presence of existing intensively built up areas subject to the jurisdiction of the Airport Board which existed prior to the adoption of these regulations. This district shall be limited to those areas on the District Zoning Map which were substantially developed prior to July 1, 1970.

**District 6 – Federally Owned Public Lands**

A district designed to provide for those public service uses owned, operated, and maintained by the federal government, in particular the Department of Defense.

**SECTION 3 APPLICATION OF ZONING REGULATIONS**

- 3.1 Within the six (6) districts identified in Section 2, the following items are subject to review as described herein and shall be evaluated relative to the standards and requirements provided herein:
- A. The erection or establishment of any new building, structure, or use;
  - B. Any substantial change in any existing use, including but not limited to the moving or relocation of any building, structure, or use to a new site or new location on the same or different land, or the change from one use to another of any building, structure, or land, or the re-establishment of a use after its discontinuance for a period of two years or more;
  - C. Any substantial improvement to an existing structure;
  - D. The rehabilitation of any building or structure which exceeds the reasonable requirements of ordinary maintenance or repair; and;
  - E. The extension of any use.

**SECTION 4 EXEMPTIONS**

- 4.1 Except for the height regulations in Chapter 6, the provisions of these regulations shall not be deemed applicable to the following when permitted in the underlying district.
- A. **Existing Uses** – Uses lawfully existing on the effective date of this resolution shall not be required to change in order to comply with these regulations. Any building or structure that is lawfully under construction at the time of adoption or amendment of these regulations, shall be exempt from them if the construction is completed within 180 days after the date of adoption or amendment of the regulations.
  - B. **Temporary Uses** – Temporary uses, including but not limited to public celebrations and outdoor entertainment events, so long as the period of operation does not exceed twenty (20) days. A variance may be requested to extend the time period for a temporary use.

- C. **Temporary Structures** – Temporary buildings and structures that are not used for residential purposes and that meet said applicable requirements as contained within this zoning resolution, so long as such uses and associated structures are constructed incidental to a permitted uses, as per the requirements of this zoning resolution.
  
- D. **Agricultural Structures** – Bona fide agricultural buildings, structures, improvements, and associated non-residential developments.

**SECTION 5 ACCESSORY USES AND REGULATIONS**

- 5.1 This section hereby establishes the requirements for accessory uses for all the districts established herein which shall be applicable unless supplemented or superseded by applicable district regulations.
  
- 5.2 **General Standards for Accessory Uses** – An accessory use shall be located on the same lot as the principal use, and shall be subordinate in size to the principal use. No accessory use shall be established prior to the establishment of the principal permitted use. No existing accessory use may be extended or expanded unless it is in compliance with all applicable provisions of these regulations.

**SECTION 6 NONCONFORMING STRUCTURES**

- 6.1 **Enlargement, Repair, Alterations** – Any structure lawfully existing on the effective date of this resolution may be enlarged, maintained, repaired, or structurally altered. However, no such enlargement, maintenance, repair, or structural alteration shall either create any additional nonconformity or increase the degree of existing nonconformity of all or any part of such structure(s) except in District 4. Existing structures in District 4 that are nonconforming solely because they do not comply with the sound level requirements may be enlarged, repaired, or structurally altered provided that any new sleeping areas must conform to the sound level requirements of these regulations.
  
- 6.2 **Damage or Destruction** – In the event that any such structure described in Subsection 6.1 is damaged or destroyed by any means to the extent of more than seventy-five (75) percent of the current replacement cost of the entire structure, such structure shall not be restored unless it shall thereafter conform to the regulations for the Airport Zoning District in which it is located. When a structure is damaged to the extent of seventy-five (75) percent or less, no repairs or restoration shall be made unless a zoning certificate is obtained and restoration is actually completed within one year after the date of such partial destruction.

- 6.3 **Moving** – No existing structure shall be moved in whole or in part for any distance whatever, to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the Airport Zoning District in which it will be located after being moved.

**SECTION 7 NONCONFORMING USES**

- 7.1 **Continuation** – Any lawfully existing nonconforming use of part or all of a structure or any lawfully existing nonconforming use of land, not involving a structure, may be continued, so long as otherwise lawful, subject to the restrictions contained in this Section.

**7.2 Repair and Maintenance**

- A. Work may be done on ordinary maintenance and repairs, or on repair or replacement of walls, fixtures, wiring, or plumbing.
- B. Nothing in these regulations shall be deemed to prevent the strengthening or restoring to a safe condition of a building or other structure (other than a damaged or destroyed building or other structure subject to the provisions of Subsection 6.2) in accordance with the order of a public official who is charged with protecting the public safety and who declares such building or other structure to be unsafe and orders its restoration to a safe condition.
- C. Nonconforming residential may be maintained, repaired, improved, modernized or enlarged subject to the provisions of Sections 3 and 6. However, no increase in the number of dwelling units shall be permitted.

- 7.3 Damage or Destruction** – In the event that any building or other structure that is devoted in whole or in part to a nonconforming use is damaged or destroyed by any means to such an extent that the cost of restoration to the condition in which it was before such damage or destruction exceeds seventy-five (75) percent of the current replacement costs of the entire building or other structure, exclusive of foundation, such building or other structure shall not be restored unless such building or other structure and the use thereof shall thereafter conform to the regulations of the District in which it is located. Moreover, even if such damage is seventy-five (75) percent or less, no repair or restoration shall be made unless a building permit is obtained, and restoration is actually completed, within one year after the date of such partial destruction.
- 7.4 Moving** – No structure devoted in whole or in part to a nonconforming use, shall be moved to any other location on the same lot or any other lot unless the entire structure and the use thereof shall thereafter conform to the regulations of the District in which it will be located after being so moved. Moreover, no nonconforming land use shall be relocated, in whole or in part, to any other location on the same or any other lot unless such use shall thereafter conform to the regulations of the district in which it is located after being moved.
- 7.5 Discontinuance**
- A. Discontinuance of nonconforming use of land: In the event that operation of a nonconforming use of land is voluntarily discontinued for a period of two (2) years, such nonconforming use shall not thereafter be re-established and any subsequent use or occupancy of such land shall conform to the regulations of the district in which it is located.
- B. Discontinuance of nonconforming use of buildings or structures: In the event that operation of a nonconforming use of all or part of a building or other structure is voluntarily discontinued for a period of two (2) years, such nonconforming use shall not thereafter be reestablished, and any subsequent use or occupancy of such building or other structure shall conform to the regulations of the district in which it is located.
- 7.6 Nonconforming Accessory Uses** – No nonconforming accessory use shall continue after the principal use to which its accessory has been discontinued.

- 7.7 Marking and Lighting** – Notwithstanding the other provisions of this Section, the owner of any existing structure or tree that is nonconforming with respect to height is hereby required to permit at the airports expense, the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Airport Zoning Inspector to indicate to operators of aircraft the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained by the operator of the airport

**SECTION 8 NOTICE TO APPLICANTS**

The jurisdiction in which the subject property is located shall provide a notice to all applicants for any lodging or residential development related permit informing the applicant that the respective property is located, either partially or wholly, within a zoning district(s) controlled by these regulations and may be subject to noise impacts from aircraft overflight. Also a statement shall be placed on all new subdivision plats located either partially or wholly within a zoning district controlled by these regulations that the plat may be subject to noise impacts from aircraft overflight.

**SECTION 9 DEVELOPMENT STANDARDS**

The following development standards shall apply to all proposed uses and structures.

- 9.1 Proposed Uses and Structures** – Table A, Land-Use Compatibility Standards, contained herein, identifies development standards that apply to proposed uses and structures within the Revised Airport Zoning Districts One through Four. All proposed uses and structures must comply with these standards.

Within Zoning District Five any use that conforms with local zoning is permitted subject only to the provisions of Chapter Two, Section 10, Lights and Electrical Interference, and Chapter Six, Height Regulations. Any residential building three stories in height or less may be constructed in District Five without requiring the issuance of a Zoning Permit under Chapter Three, Section 2 of these regulations.

- 9.2 Interior Day-Night Average Noise Level (DNL)** – All proposed uses and structures must comply with the Sound Level Reduction (SLR) standards as provided in Table A. Compliance with SLR requirements shall be evidenced prior to issuance of an Occupancy Permit.

**SECTION 10 LIGHTS AND ELECTRICAL INTERFERENCE**

The following shall be prohibited in District 1:

- A. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport other than an FAA-approved navigational signal light or visual approach slope indicator.
- B. Any use which would cause sunlight to be reflected toward an aircraft engaged in initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the airport.
- C. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
- D. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation in the approach/departure zone.

**CHAPTER THREE  
ADMINISTRATION AND ENFORCEMENT**

**SECTION 1     WRIGHT-PATTERSON AIR FORCE BASE JOINT AIRPORT ZONING BOARD**  
The WPAFB Joint Airport Zoning Board (hereinafter referred to as the "Airport Board") shall consist of the twelve persons duly qualified and seated as members of the Boards of Commissioners of Clark, Greene, Miami, and Montgomery Counties, Ohio (three from each). The Airport Board shall elect from its members a chairman and vicechairman, who shall serve for a term of one year or until such time as a successor is elected and takes office. The Airport Board shall adopt bylaws to govern its affairs, shall designate such persons to keep records, take minutes of meetings, issue and receive notices and perform such other functions as may be delegated by the Airport Board, and shall designate an office(s) to which communications and notices may be mailed or delivered.

**SECTION 2     ZONING PERMIT**  
No building or structure shall be constructed, no use shall be established, and no other action specified in Section 3 of Chapter Two or Section 4 of Chapter 6 of these regulations shall be taken without a Zoning Permit therefore being issued by the administrative agency designated under Section 3 of this Chapter.

**SECTION 3     ADMINISTRATIVE AGENCY**  
For purposes of the enforcement and administration of these regulations, the administrative agency shall be the Chief Building Inspector for Montgomery County, Ohio, hereafter known as the "Airport Zoning Inspector." Subject to the approval of the Airport Board, the Airport Zoning Inspector may appoint such additional staff as he finds appropriate. With the approval of the local jurisdictions, the Airport Zoning Inspector may appoint a Deputy Zoning Inspector from each government jurisdiction to issue permits within their respective jurisdiction. These Deputy Inspectors may be appointed by position (e.g., city building inspector, township zoning inspector) rather than a specific individual.

**SECTION 4     DEVELOPMENT OR ADMINISTRATIVE REVIEW REQUIRED**  
No permit of any type shall be issued for any development or activity within Districts 1, 2, 3, or 4 of the Airport Environs until such development or activity has been reviewed and approved in accordance with the provisions of administrative review described in Section 5 or the development plan review described in Section 6. Administrative review shall be required in the case of construction or alteration of a single-family dwelling within the Airport Environs when being constructed or altered by the owner(s) and which involves no more than one dwelling owned by the applicant within the parcel, tract, or subdivision. The specific intent of the administrative review is to allow for expeditious review of plans for construction and remodeling of individual single family homes by their owners. All other uses subject to the provisions of this regulation shall prepare and submit a development plan in accordance with Section 6.

**SECTION 5 CONTENT OF ADMINISTRATIVE REVIEW APPLICATIONS**

An application for an administrative development review shall be submitted by the property owner to the Airport Zoning Inspector or designee and shall include:

- A. A zoning certificate from the jurisdiction in which the property is located which confirms that the proposed use complies with the jurisdiction's zoning requirements.
- B. Descriptive information on the development proposed and the sound attenuation techniques to be incorporated in construction.
- C. A statement of assurance signed by the property owner indicating that insulation required to reduce interior noise levels in all habitable rooms as required by Table A will be incorporated in the construction or remodeling.
- D. Such other information as may be required by the Airport Zoning Inspector to determine the compliance with the sound attenuation measures required by Table A.

**SECTION 6 CONTENT OF DEVELOPMENT PLAN**

The required development plan shall include technical substantiation, maps, plans, drawings, and such other information as is necessary to show:

- A. **DNL Contours** – Day-Night Average Sound Level (DNL) contours, as provided in the WPAFB Joint Land-Use Study (1996) Noise Exposure Maps, shall be superimposed on a site plan of the development site to show the Mission Capacity Contour sound levels. All maps should be drawn at an appropriate scale.
- B. **Location of Structures** – The placement of all existing and proposed buildings and structures shall be shown located on the site/sound level contour map.
- C. **Specification of Uses** – Identification of the uses to occur within each structure or activity area shall be designated on the site/sound level contour map.
- D. **Narrative Description** – A narrative shall be provided describing the location of the site, its total acreage, existing character and use, the concept of the proposed development or use, such as proposed residential density, and the relation of the proposed development plan to the land-use planning of the jurisdiction in which the property lies.

- E. A zoning certificate from the jurisdiction in which the property is located which confirms that the proposed use complies with the jurisdiction's zoning requirements.
- F. The locations and outline of all existing and proposed buildings, structures, and trees must be marked on a map which shows the topographic contours of the site. The height with respect to mean sea level of each existing and proposed building, structure, and tree must be noted on this map or on an attachment to the map.
- G. Any other information as may be required by the Airport zoning inspector to evaluate the development plan.

**SECTION 7 DEVELOPMENT REVIEW CRITERIA**

The development plan described in Section 6 shall be reviewed and evaluated using, at a minimum, the following criteria:

**Proposed Uses** – All elements of the proposed development are consistent with Table A, Land-Use Compatibility Standards.

**Siting** – Occupied buildings and structures should be located the greatest distance from the noise source, taking maximum advantage of existing topographical features to minimize noise impact, and remain within zoning district requirements, such as required setbacks. Occupied buildings and structures should be oriented to minimize exposure to the noise source and building openings, such as windows, should be located away from the noise source.

Support uses such as utilities, common parking areas, garages, recreation facilities, and open space should be located in the parts of the development most adversely impacted by noise.

**SECTION 8 ISSUANCE OF ZONING PERMIT**

The Airport Zoning Inspector shall issue a Zoning Permit if the application demonstrates that the proposed action will be in compliance with the applicable provisions of these regulations. A Zoning Permit or the denial thereof shall become effective upon being filed in the office of the Airport Zoning Inspector and notice thereof being given to the applicant.

**SECTION 9 TIME LIMITS**

No Zoning Permit shall be effective for more than twelve (12) months unless during that period, construction shall have been commenced by the applicant.

**SECTION 10 ZONING PERMIT FEES**

The Airport Board may establish such permit fees and authorize their disbursement as it deems appropriate.

**SECTION 11 VIOLATIONS**

It shall constitute a violation of these regulations for any person to undertake any action specified in Section 3 of Chapter Two without having first obtained a Zoning Permit therefor. Any Zoning Permit issued upon a false statement of any fact which is material to the issuance thereof shall be void. Any person who shall proceed thereafter with the work for which the void permit was issued, without having obtained a new Zoning Permit in accordance with this Chapter, shall be deemed guilty of a violation.

**SECTION 12 ABATEMENT**

The Airport Board may institute an action in any court of competent jurisdiction to prevent, restrain, or correct any violation of these regulations, of Sections 4563.01 to 4563.99 of the Revised Code, or of any order or ruling made in connection with the administration or enforcement of such regulations or statutes. The court shall adjudge to the Airport Board such relief by way of injunction, which may be mandatory or otherwise, as may be proper under all the facts and circumstances of the case, in order fully to effectuate the purposes of Sections 4563.01 to 4563.99 of the Revised Code and of these regulations.

**SECTION 13 PENALTIES**

Any person who violates any of the provisions of these regulations shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred (\$100) dollars. Each day upon which said violation shall continue shall constitute a separate offense.

**SECTION 14 AIRPORT ZONING BOARD OF APPEALS**

There is hereby created pursuant to Section 4563.13 of the Revised Code, the Airport Zoning Board of Appeals (formerly called the "Review Commission") and hereinafter referred to as the "Board of Appeals." The Board of Appeals shall consist of five (5) members appointed by the Airport Board. The members of the Board of Appeals shall each be appointed for a term of three (3) years except that the first members of such Board of Appeals shall consist of two members appointed to serve for a term of one year, two members to serve for a term of two years, and one member to serve for a term of three years. The composition of the Board shall be as follows: (a) One (1) member from each of the following jurisdictions: Clark County, Greene County, Miami County, Montgomery County, and one at-large member. Such members shall be subject to removal by the Airport Board for cause upon written charges and after public hearing. The Board of Appeals shall elect a chairman for a term of one year or until his successor is elected and takes office, and shall appoint a Secretary, and designate an office to which notices may be mailed or delivered, and at which the public may obtain information. The Board of Appeals may utilize the services of the professional staffs of any of the Counties that have Commissioners as members of the Board.

**SECTION 15 POWERS OF AIRPORT ZONING BOARD OF APPEALS**

The Board of Appeals shall have and exercise the following powers:

- A. To hear and decide appeals from any order, requirement decision, or determination made by the administrative agency in the enforcement of the airport zoning regulations.
- B. To hear and allow, refuse, or allow with modifications or conditions, any variance from the terms of the airport zoning regulations which the Board may be authorized to pass upon pursuant to such regulations.
- C. To hear and decide specific variances. Any person desiring to erect any structure, or increase the height of any structure, or permit the increases in height of any object of natural growth, or otherwise use his property in any manner in conflict with airport zoning regulations, may apply to the Airport Zoning Board of Appeals for a variance from the zoning regulations in question. Such variance shall be allowed where a literal application or enforcement of the regulations would result in unnecessary hardship and the relief granted would not be contrary to the public interest or create conditions dangerous to the safety of aircraft using the airport but would do substantial justice and would not be in conflict with factors set down for consideration in Sections 4563.07 and 4563.08 of the Ohio Revised Code. The Board of Appeals may subject any variance to any reasonable conditions that they deem necessary.

**SECTION 16 MEETINGS**

- A. The Board of Appeals shall adopt rules for its procedure and governance in accordance with the provisions of these regulations.
- B. Meetings of the Board of Appeals shall be held at the call of the chairman and at such other times as the Board of Appeals determines. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

- C. All meetings of the Board of Appeals shall be public. The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such facts, and shall keep the records of its examinations and other official actions open to the public at its office.
- D. Decisions of the Board of Appeals shall be by a majority vote of all members then in office, and shall be accompanied by findings and reasons therefore.

**SECTION 17 RIGHT TO APPEAL**

Any requirement, decision, or determination of the Airport Zoning Inspector under these regulations may be appealed to the Board of Appeals by:

- A. Any person aggrieved thereby;
- B. The governing body of a political subdivision; or
- C. The Airport Board.

**SECTION 18 METHOD OF APPEAL**

- A. The notice of appeal shall be filed with the Airport Zoning Inspector and the Board of Appeals within twenty (20) days after the requirement, decision, or determination appealed from has become effective. The notice shall include the grounds of such appeal. The Zoning Board may fix such fee for the filing of appeals as it deems reasonable.
- B. Upon receipt of a notice of appeal, the Airport Zoning Inspector shall submit to the Board of Appeals the record upon which the action appealed was taken. The Board of Appeals shall meet to hear the appeal not less than twenty (20) days or more than forty (40) days from the receipt of the appeal by the Airport Zoning Inspector.
- C. Upon receipt of a notice of appeal, the Board of Appeals shall publish a notice in a newspaper of general circulation in the County in which the property is located at least ten (10) days prior to the date of the hearing. The notice shall give the address or other description of the property, describe the action sought to be taken by the applicant, specify the location of the public hearing to be held on the appeal, and designate the time and date of such hearing. A copy of this notice shall also be mailed to the applicant and to the WPAFB.

**SECTION 19 STAYS**

All proceedings in furtherance of the action appealed from shall be stayed by the filing of a notice of appeal, unless the Airport Zoning Inspector certifies to the Board of Appeals that by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such cases proceedings shall not be stayed other than by order of the Board of Appeals.

**SECTION 20 HEARINGS ON APPEAL**

At the hearing any party may appear in person or by agent or attorney. The Commission may admit as a party any person, agency or organization demonstrating a significant interest in the subject matter.

**SECTION 21 DECISIONS**

- A. On appeal the Board of Appeals may reverse, affirm wholly or partially, or modify, the order, requirement, decisions, or determination appealed from.
- B. The Board of Appeals shall render its decision on an appeal within thirty (30) days after the termination or closure of the public hearing thereon.

**SECTION 22 VARIANCES**

**22.1 Variances From the Requirements of Chapter Two**

Any person seeking to use his property in any manner in conflict with these regulations may appeal to the Board of Appeals for a variance from the zoning regulations in question. Such variance shall be allowed where a literal application or enforcement of the regulations would result in unnecessary hardship and the relief granted would do substantial justice and would not be contrary to the public interest or in conflict with the provisions of Sections 4563 *et seq.* of the Revised Code.

**22.2 Variances From the Requirements of Chapter Six**

- A. Any person desiring to erect or increase the height of any structure with the regulations prescribed in Chapter Six may appeal to the Board of Appeals for a variance from such regulations. The appeal shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. The appeal shall also be accompanied by a Permit to Construct an Obstruction issued by the Ohio Department of Transportation, Division of Aviation. While issuance of a Permit to Construct an Obstruction by the Division of Aviation shall be duly weighed and considered by the Board of Appeals in its review of the appeal, it does not release the Board of Appeals from its responsibility to study and consider all evidence concerning the appeal. Issuance of a State Permit to Construct an

Obstruction shall be considered necessary, but not by itself sufficient, grounds for the approval of a variance.

- B. Variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship, and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Regulation. The granting of the variance will be for the purpose of maintaining the reasonable use of the land and the building. The variance as granted may be the minimum variance that will accomplish this purpose, rather than the variance as requested. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district. All findings made by the Board of Appeals in support of the variance shall be noted and recorded with the official record of the approval.

**SECTION 23 ATTACHMENT OF CONDITIONS**

- 23.1 The Board of Appeals may subject any variance to any reasonable conditions that it may deem necessary, if such action is deemed advisable by the Board of Appeals to advance the purpose of this Regulation and be reasonable in circumstances.

**SECTION 24 AVIGATION EASEMENT**

In the case of a variance or conditional use permit, the Board of Appeals may require the property owner to convey to WPAFB an avigation easement acknowledging the right of flight in the airspace above the subject property and all lawful associated noise and emissions.

With respect to easements granted to WPAFB, Air Force policy spelled out in AFI 32-7063, Chapter 4, Paragraph 4.1 states, "The only real property interests acquired are those necessary to prevent incompatible land use in the end-of-runway clear zone." Such acquisitions are dependent upon the availability of funds through normal Air Force programming channels.

Such easement shall be in a form supplied by the Airport Zoning Inspector and shall be recorded in the title of the subject property.

**SECTION 25 APPEALS TO COURT OF COMMON PLEAS**

Any person, or any legislative authority, or the Airport Board, aggrieved or affected by any decision of the Board of Appeals, may appeal within thirty (30) days after the minutes of the meeting at which the decision was rendered have been approved. The appeal shall be made to the Court of Common Pleas of the County in which the affected real estate lies.

**CHAPTER FOUR**  
**SOUND LEVEL REDUCTION (SLR) DESIGN REQUIREMENTS**

**SECTION 1 PURPOSE**

Exterior noise having a significant impact on human activity, health, and safety may be isolated and reduced in homes and working environments where public contact is common through construction techniques which selectively increase the insulating quality of the exterior of occupied structures. The insulating level required is based upon a calculation of noise exposure taken from the Mission Capacity Contour at WPAFB, a modification of the Maximum Mission Contour as shown in the 1995 Air Installation Compatible Use Zone (AICUZ), and presented here as the Zoning Regulation Map, page B-1.

The index of noise exposure, called the DNL metric, includes the noise level, its duration, frequency of occurrence, and time of day of the occurrence in its calculation. Graduated sound level reduction standards are based upon the reduction in decibels of a standard sound source from the exterior to the interior of structure.

**SECTION 2 GENERAL REQUIREMENTS**

- A. The Sound Level Reduction (SLR) requirements of this Chapter may be achieved by any suitable combination of building designs, 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 ceiling.
  
- B. Compliance with the construction standards of this Chapter shall be deemed to comply with the SLR requirements specified in the various airport land-use districts. The standards of this Chapter shall be applied to plans and specifications for any proposed structure or use submitted pursuant to Chapter Two of these regulations. If the plans and specifications do not indicate compliance with the construction standards of this Chapter, a written statement from a qualified acoustical consultant shall accompany the plans and specifications certifying that the construction of the building as indicated in the plans and specifications will result in a SLR for appropriate occupied rooms at least as great as the SLR value specified for the applicable airport use district.

**SECTION 3 BUILDING REQUIREMENTS FOR A MINIMUM SOUND LEVEL REDUCTION OF 25 dB.**

**A. General**

1. Brick veneer, masonry blocks, or stucco exterior walls shall be constructed airtight. All joints shall be grouted or caulked airtight, except weep holes for drainage.
2. At the penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar. Non-mortar caulking may be used to fill a space no more than one-quarter inch around the pipe, duct, or conduit. Any opening having a gap greater than one-quarter inch around the pipe, duct, or conduit must be reduced to a maximum one-quarter inch by filling with mortar.
3. Window and/or through-the-wall ventilation units shall not be used in habitable rooms or in hallways or spaces that access habitable rooms.
4. Through-the-wall/door mailboxes shall not be used.

**B. Exterior Walls**

1. Exterior walls other than as described in this section shall have a laboratory sound transmission class rating of at least STC-39.
2. Masonry walls having a surface weight of at least 25 pounds per square foot do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered or painted with heavy "bridging" paint.
3. Stud walls shall be at least 4 inches in nominal depth and shall be finished on the outside with siding-on-sheathing, stucco, or brick veneer.
  - a. Interior surface of exterior stud walls shall be of gypsumboard or plaster at least 5/8 inch thick, installed on studs.

- b. Continuous composition board, plywood, or gypsumboard sheathing at least 5/8 inch thick shall cover the exterior side of the wall studs behind wood, metal, or other siding. Asphalt or wood shake shingles are acceptable forms of siding.
- c. Sheathing panels shall be butted tightly and covered on the exterior with overlapping building paper. The top and bottom edges of the sheathing shall be sealed airtight.
- d. Insulation material at least 2 inches thick shall be installed continuously throughout the cavity space behind the exterior sheathing and between the wall studs. Insulation shall be glass fiber or mineral wool.

### C. Windows

- 1. Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC-30.
- 2. Where the window consists of a single pane, the glass shall be at least 3/16 inch thick.
- 3. Dual-glazed, thermo-pane units may be used provided the thermo-pane assembly consists of two panes of glass, each at least 1/8 inch thick, and that the airspace between them is at least 1/4 inch thick (total overall thickness 1/2 inch), and that the entire assembly is sealed airtight.
- 4. All operable windows shall be weather-stripped and airtight when closed so that air infiltration will not exceed 0.5 cubic foot per minute per foot of crack length in accordance with ASTM E-282-65-T.
- 5. Glass of fixed sash windows shall be sealed in an airtight manner with a non-hardening sealant, or a soft elastomer gasket, or glazing tape, or equivalent airtight adhesive.

6. The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following federal specifications: TT-S-00227, TT-S-00230, or TT-S-001-53.
7. The total area of glass in exterior windows and doors in sleeping spaces shall not exceed 20 percent (20%) of the floor area.

**D. Doors**

1. Doors, other than as described in this section, shall have a laboratory sound transmission class rating of at least STC-28.
2. All exterior side-hinged doors shall be solid-core wood or insulated hollow metal at least 1 $\frac{3}{4}$  inches thick and shall be fully weatherstripped.
3. Exterior sliding doors shall be weather-stripped with an efficient airtight gasket system with performance as specified in Subsection C 4.
4. Glass in doors shall be sealed in an airtight non-hardening sealant or in a soft elastomer gasket, or glazing tape, or equivalent airtight adhesive.
5. The perimeter of door frames shall be sealed airtight to the exterior wall construction as described in Subsection C-6.

**E. Roofs**

1. Combined roof and ceiling construction other than as described in this and the following subsection shall have a laboratory sound transmission class rating of at least STC-39.
2. With an attic or rafter space at least 6 inches deep, and with a ceiling below, the roof shall consist of closely butted 1/2-inch composition board, plywood, or gypsumboard sheathing topped by roofing as required.

3. If the underside of the roof is exposed over a habitable room (as with a cathedral ceiling), or if the attic or rafter spacing is less than 6 inches, the roof construction shall have a surface weight of at least 25 pounds per square foot. Rafters, joists, or other framing may not be included in the surface weight calculation.

#### F. Ceilings

1. Gypsumboard or plaster ceilings at least 1/2 inch thick shall be provided where required. Ceilings shall be substantially airtight, with a minimum number of penetrations.
2. Glass fiber or mineral wool insulation at least 2 inches thick shall be provided above the ceiling between joists.
3. Skylights shall have a laboratory sound transmission class rating of at least STC-28.

#### G. Floors

Openings to any crawl spaces below the floor of the lowest occupied rooms shall not exceed two percent (2%) of the floor area of the occupied rooms.

#### H. Ventilation

1. A mechanical ventilation system shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms, as specified in the Ohio Basic Building Code (OBBC/CABO), without the need to open any windows, doors, or other openings to the exterior.
2. Gravity vent openings in attic shall not exceed code minimum in number and size.
3. If a fan is used for forced ventilation, the attic inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20-gauge steel, which shall be lined with one-inch-thick coated glass fiber, and shall be at least 5 feet long with at least one 90-degree bend.
4. All vent ducts connecting the interior space to the outdoors, excepting kitchen range exhaust ducts, shall contain at least a 5-foot length of internal sound-absorbing duct lining. Each duct shall be provided with a bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room opening cross-section.
5. Duct lining shall be coated glass fiber duct liner at least one inch thick.

6. Domestic range exhaust ducts connecting the interior space to the outdoors shall contain a baffle plate across the exterior termination which allows proper ventilation. The dimensions of the baffle plate should extend at least one diameter beyond the line-of-sight into the vent duct. The baffle plate shall be of the same material and thickness as the vent duct material.
7. Fireplaces shall be provided with well-fitted dampers.

**SECTION 4 BUILDING REQUIREMENTS FOR A MINIMUM SOUND LEVEL REDUCTION OF 30 dB.**

**A. General**

1. Brick veneer, masonry blocks, or stucco exterior walls shall be constructed airtight. All joints shall be grouted or caulked airtight, except weep holes for drainage.
2. At the penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar.
3. Window and/or through-the-wall ventilation units shall not be used.
4. Non-vented fireplaces are permitted without restriction. Operational vented fireplaces shall not be used unless the following requirements are met: The fireplace chimney must be fitted with a tight-fitting damper that prohibits air flow when closed. The fireplace opening into the room must be able to be sealed completely and must have glass fireplace doors incorporating 1/4-inch-thick laminated glass. A fresh-air inlet to provide combustion air must be supplied by means of a small vent containing at least one 90-degree bend to prevent line-of-sight to the exterior or adjacent spaces.
5. All sleeping spaces shall be provided with either a sound-absorbing ceiling or a carpeted floor.
6. Through-the-wall/door mailboxes and pet doors shall not be used.

7. Skylights shall not be used unless they meet the following requirements: All skylights must incorporate double glazing if fixed and triple glazing if operable. The skylight glazing shall conform to all requirements stated in Section C, for Windows, plus any supplemental sealing and flashing as required to meet weather exposure conditions.

**B. Exterior walls**

1. Exterior walls other than as described below shall have a laboratory sound transmission class rating of at least STC 44.
2. Masonry walls having a surface weight of at least 40 pounds per square foot do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered or painted with heavy "bridging" paint.
3. Stud walls shall be at least 4 inches in nominal depth and shall be finished on the outside with siding-on-sheathing, stucco, or brick veneer. For the purposes of this regulation, all forms of siding, whether wood, aluminum, or vinyl, are addressed by the term "siding". For the purposes of this regulation, brick or brick veneer must be at least 4½ inches thick. Otherwise, the guidance for siding structures applies.
  - a. Interior surface of the exterior walls shall be of gypsumboard or plaster at least 5/8 inch thick, installed on the studs. The gypsumboard or plaster may be fastened rigidly to the studs if the exterior is brick veneer or stucco. If the exterior is siding on sheathing, the interior gypsumboard or plaster must be fastened to the studs using resilient channels. An acceptable alternative is to use three (3) layers of gypsumboard (instead of one) mounted to the studs without requiring resilient channels.
  - b. Continuous composition board, plywood, or gypsumboard sheathing at least 1/2 inch thick shall cover the exterior side of the wall studs behind wood or metal siding. The sheathing and facing shall weigh at least 4 pounds per square foot. If vinyl siding is used, the sheathing must be at least 3/4 inch thick.
  - c. Sheathing panels shall be butted tightly and covered on the exterior with overlapping building paper. The building paper can be omitted provided the sheathing panels have tightly fitting tongue-and-groove or lap-and-gap joints. The top and bottom edges of the sheathing shall be sealed.
  - d. Insulation material at least to provide at least R-11 shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool.

### C. Windows

1. Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC 36 for stucco and brick homes and STC 40 for siding homes.
2. Operable windows shall be triple glazed with an operable sealed insulating glazed sash and an operable or fixed storm sash. The insulated sash shall consist of two panes, at least 1/8 inch thick separated by at least a 3/4-inch air space. The airspace between the insulated unit and the storm unit shall be at least 2 inches. At least one of the three panes shall be tempered or laminated.
3. Fixed sashes shall be double-glazed. Glass of double-glazed windows shall be at least 3/16 inch thick. Panes of glass shall be separated by a minimum 3 inches air space and should not be of equal thickness.
4. Glass of fixed-sash windows shall be sealed in an airtight manner with a non-hardening sealant, or a soft elastomer gasket or glazing tape, or equivalent airtight adhesive. The sash shall be rigid and weather-stripped with material so that air infiltration will not exceed 0.5 cubic foot per minute per foot of crack length in accordance with ASTM E-283-65-T.
5. The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following Federal Specifications: TT-S-00227, TT-S-00230, or TT-S-001 53.
6. The total area of glass of both windows and exterior doors in sleeping spaces shall not exceed 20 percent of the floor area.

### D. Doors

1. Doors, or door and storm composite assemblies, other than as described in this section shall have a laboratory sound transmission class rating of at least STC 35.
2. Double door construction is required for all door openings to the exterior. Openings fitted with side-hinged doors shall have one solid-core wood or insulated hollow metal core door at least 1 $\frac{3}{4}$  inch thick separated by an air space of at least 4 inches from another door, which can be a storm door. Both doors shall be tightly fitted and weatherstripped.

3. The glass of double-glazed sliding doors shall be separated by a minimum 4 inches air space. Each sliding frame shall be provided with an efficiently airtight weather-stripping material as specified in Section 4, C-4.
4. Glass of all doors shall be at least 3/16 inch thick. Glass of double sliding doors shall not be equal in thickness.
5. The perimeter of door frames shall be sealed airtight to the exterior wall construction as indicated in Section 4, C 6.
6. Glass of doors shall be set and sealed in an airtight non-hardening sealant, or a soft elastomer gasket or glazing tape, or equivalent airtight adhesive.

#### **E. Roofs**

1. Combined roof and ceiling construction other than described in this section shall have a laboratory sound transmission class rating of at least STC 44.
2. With an attic or rafter space at least 6 inches deep, and with a ceiling below, the roof shall consist of closely butted 1/2-inch composition board, plywood, or gypsumboard sheathing topped by roofing as required.
3. If the underside of the roof is exposed, or if the attic or rafter spacing is less than 6 inches, the roof construction shall have a surface weight of at least 40 pounds per square foot. Rafters, joists, or other framing may not be included in the surface weight calculation.

#### **F. Ceilings**

1. Gypsumboard or plaster ceilings at least 5/8 inch thick shall be provided where required by Section 4, E-2. Ceilings shall be substantially airtight, with a minimum number of penetrations.
2. Glass fiber or mineral wool insulation providing at least R-19 shall be provided above the ceiling between joists.

## G. Floors

The floor of the lowest occupied rooms shall be slab on fill, below grade, or over a fully enclosed basement or crawlspace. All door and window openings in the fully enclosed basement shall be tightly fitted. If the basement is used as a habitable living area (as a recreation area, study, or additional sleeping area, for example), the doors and windows shall conform to the requirements stated in this regulation.

## H. Ventilation

1. A mechanical ventilation system shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms as specified in the Ohio Building Code, without the need to open any windows, doors, or other openings to the exterior.
2. Gravity vent openings in attic shall not exceed code minimum in number and size. The openings shall be fitted with transfer ducts at least 3 feet in length containing internal sound-absorbing duct lining. Each duct shall have at least one lined 90-degree bend in the duct such that there is no direct line-of-sight from the exterior through the duct into the attic.
3. If a fan is used for forced ventilation, the attic inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20-gauge steel, which shall be lined with one-inch-thick coated glass fiber, and shall be at least 5 feet long with at least one 90-degree bend.
4. All vent ducts connecting the interior space to the outdoors shall contain at least a 10-foot length of internal sound-absorbing duct lining. Each duct shall have at least one lined 90-degree bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room opening cross-section.
5. Duct lining shall be coated glass fiber duct liner at least one inch thick.
6. Domestic range exhaust hoods should incorporate a filtered, air recirculation system rather than ducting to the exterior. Other kitchen exhaust ducts to the exterior shall contain a baffle plate across the exterior termination which allows proper ventilation. The dimensions of the baffle plate should extend at least one diameter beyond the line-of-sight into the vent duct. The baffle plate shall be of the same material and thickness as the bent duct material.

7. Building heating units with flues or combustion air vents shall be located in a closet, attached garage, or other room closed off from the occupied space by doors. There shall be no louvers communicating between the HVAC unit room and occupied spaces.
8. Doors between occupied space and attached garage or mechanical equipment areas shall be solid core wood or 20-gauge steel hollow metal at least 1¾ inches thick and shall be fully weatherstripped.

**SECTION 5 BUILDING REQUIREMENTS FOR A MINIMUM SOUND LEVEL  
REDUCTION OF 35 dB**

**NOTE: The specifications of this section are provided for the use of the Board of Appeals in the event that they grant a variance to the regulation which normally prohibits residential construction in the highest noise impact areas.**

**A. General**

1. Brick veneer, masonry blocks, or stucco exterior walls shall be constructed airtight. All joints shall be grouted or caulked airtight.
2. At the penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar.
3. Window and/or through-the-wall ventilation units shall not be used.
4. Operational vented fireplaces shall not be used. Non-vented fireplaces are not restricted by this regulation.
5. All sleeping spaces shall be provided with either a sound-absorbing ceiling or a carpeted floor.
6. Through-the-wall/door mailboxes or pet doors shall not be used.
7. No glass or plastic skylight shall be used.

**B. Exterior walls**

1. Exterior walls other than as described below shall have a laboratory sound transmission class rating of at least STC 49.
2. Masonry walls having a surface weight of at least 75 pounds per square foot do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered or painted with heavy "bridging" paint.
3. Stud walls shall be at least 4 inches in nominal depth and shall be finished on the outside with siding-on-sheathing, stucco, or brick veneer. For the purposes of this regulation, all forms of siding, whether wood, aluminum, or vinyl are addressed by the term "siding". For the purposes of this regulation, brick or brick veneer must be at least 4½ inches thick. Otherwise, the guidance for siding structures applies.
  - a. Interior surface of the exterior walls shall be of gypsumboard or plaster at least 1 inch thick, installed on studs. If the 1 inch thickness is achieved using more than one layer, these layers must be offset or staggered so the joints from one layer do not line up with the joints of the other layer(s). If the exterior is brick or brick veneer, the interior gypsumboard or plaster must be fastened to the studs using resilient channels. Using three (3) layers of gypsumboard in place of one is an acceptable alternative to resilient mounting. If the exterior is stucco or siding-on-sheathing, the gypsumboard or plaster must be fastened to staggered studs that are not rigidly connected to the exterior sheathing or the studs may be fastened to the sheathing using horizontal, resilient channels.
  - b. Continuous composition board, plywood, or gypsumboard sheathing at least 1/2 inch thick shall cover the exterior side of the wall studs behind wood or metal siding. The sheathing and facing shall weigh at least 4 pounds per square foot. In the case of vinyl siding, the sheathing must be at least 3/4 inch thick.
  - c. Sheathing panels shall be butted tightly and covered on the exterior with overlapping building paper. The top and bottom edges of the sheathing shall be sealed.
  - d. Insulation material providing at least R-11 shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool.

### C. Windows

1. Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC-40 for stucco or brick homes and STC-42 for sided homes.
2. Operable windows shall be triple glazed with an operable sealed insulating glazed sash and an operable or fixed storm sash. The insulated sash shall consist of two panes, at least 1/8 inch thick separated by at least a 3/4-inch air space. The airspace between the insulated unit and the storm unit shall be at least 2 inches. At least one of the three panes shall be tempered or laminated.
3. Fixed sashes shall be double-glazed windows. Glass of double-glazed windows shall be at least 1/4 inch thick. Panes of glass shall be separated by a minimum 3 inches air space and shall not be equal in thickness.
4. Glass of windows shall be sealed in an airtight manner with a non-hardening sealant, or a soft elastomer gasket, or glazing tape, or equivalent airtight adhesive. The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following Federal Specifications: TT-S-00227, TT-S-00230, or TT-S-00153.
5. The total area of glass of both windows and exterior doors in sleeping spaces shall not exceed 20 percent of the floor area.

### D. Doors

1. Doors, or door and storm composite assemblies, other than as described in this section shall have a laboratory sound transmission class rating of at least STC 38.
2. Double door construction is required for all door openings to the exterior. The door shall be side-hinged and shall be solid-core wood or insulated hollow metal, at least 1¾ inches thick, separated by at least 4 inches from the storm door. Both doors shall be tightly fitted and weatherstripped.
3. The perimeter of door frames shall be sealed airtight to the exterior wall construction as specified in Section 5, C-4.

### **E. Roofs**

1. Combined roof and ceiling construction other than described in this section shall have a laboratory sound transmission class rating of at least STC 49.
2. With an attic or rafter space at least 6 inches deep, and with a ceiling below, the roof shall consist of closely butted 1/2-inch composition board, plywood, or gypsumboard sheathing topped by roofing as required.
3. The underside of the roof shall not be exposed. If the attic or rafter spacing is less than 6 inches, the roof construction shall have a surface weight of at least 75 pounds per square foot. Rafters, joists, or other framing may not be included in the surface weight calculation.

### **F. Ceilings**

1. Gypsumboard or plaster ceilings at least 1 inch thick shall be provided. Ceilings shall be substantially airtight, with a minimum number of penetrations. The ceiling panels shall be mounted on resilient clips or channels. A non-hardening sealant shall be used to seal gaps between the ceiling and walls around the ceiling perimeter.
2. Glass fiber or mineral wool insulation providing at R-30 shall be provided above the ceiling between joists. If the space is less than 6 inches deep, R-11 shall be provided instead.

### **G. Floors**

The floor of the lowest occupied rooms shall be slab on fill, below grade, or over a fully enclosed basement or crawlspace. All door and window openings in the fully enclosed basement shall be tightly fitted. If the basement is used as a habitable living area (as a recreation area, study, or additional sleeping area, for example), the doors and windows shall conform to the requirements stated in this regulation.

## H. Ventilation

1. A mechanical ventilation system shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms, as specified in the Ohio Building Code, without need to open any windows, doors, or other openings to the exterior.
2. Gravity vent openings in attic shall not be used.
3. If a fan is used for forced ventilation, the attic inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20-gauge steel, which shall be lined with one-inch-thick coated glass fiber, and shall be at least 1 foot long with one 90-degree bend.
4. All vent ducts connecting the interior space to the outdoors shall contain at least a 10-foot length of internal sound-absorbing duct lining. Each duct shall be provided with a lined 90-degree bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section.
5. Duct lining shall be coated glass fiber duct liner at least one inch thick.
6. Domestic range exhaust ducts connecting the interior space to the outdoors shall not be used. Instead, range exhaust hoods must incorporate filtered, air recirculation systems. Other kitchen exhaust vents shall contain a baffle plate across the exterior termination which allows proper ventilation. The dimensions of the baffle plate should extend at least one diameter beyond the line-of-sight into the vent duct. The baffle plate shall be of the same material and thickness as the vent duct material. The duct shall be lined as described in note 4, above, and shall have at least one 90-degree bend.
7. Building heating units with flues or combustion air vents shall be located in a closet, attached garage, or other room closed off from the occupied space by doors.
8. Doors between occupied space and attached garage or mechanical equipment areas shall be solid-core wood or 20-gauge steel hollow metal at least 1¾ inches thick and shall be fully weatherstripped.



**CHAPTER FIVE  
AMENDMENTS TO REGULATIONS OR MAP**

**SECTION 1 AMENDMENTS TO REGULATIONS OR MAP**

The Airport Board may, on its own motion or upon application, after due notice and public hearing in accordance with the provisions of Section 3 of this Chapter, amend any of the provisions of these regulations or the Zoning District Map.

**SECTION 2 APPLICATION FOR AMENDMENT**

An application to amend the Regulations or Zoning District Map shall be filed with the Airport Board on forms to be provided by the Board. Such application shall contain or be accompanied by the following information:

- A. The name and address of the applicant, who shall be the owner or authorized agent of the affected property. If the applicant is not the owner, a statement as to the nature of the interest in the subject property.
- B. A statement explaining the proposed amendment and the reason for the change.
- C. Evidence that the change will not adversely affect the Mission Capacity Contour of Wright-Patterson Air Force Base, and will not allow uses which by their nature, constitute airport hazards, jeopardize the health and safety of persons occupying or using such areas nor the security of property located within such areas.
- D. Application for amendments to the Zoning District Map shall also include:
  1. A map clearly showing the proposed change in the District Boundary.
  2. Documentation justifying the change. This documentation must include evidence that the existing District Zoning Map does not accurately reflect the Mission Capacity Contours for Wright-Patterson Air Force Base. This evidence must be supported by correspondence from the Department of Defense and may require a revised Mission Capacity Contour based on the results of an updated AICUZ Study.

**SECTION 3 SET DATE OF HEARING**

Upon the adoption of a motion as described in Section 1 of this Chapter, or the filing of an application as described in Section 2 of this Chapter, the Airport Board shall set a date for a public hearing thereon. The date of the hearing shall not be less than thirty (30) days or more than forty (40) days from the adoption of such motion, or the date of filing such application.

#### **SECTION 4 NOTICE**

- A Notice of a public hearing to consider a proposed amendment to these Regulations or the Zoning District Map shall be issued in the manner hereinafter provided. All notices shall be published, posted, or mailed at least thirty (30) days prior to the date of the hearing and shall specify the time and place of the hearing, and give the street address or other designation of the property and an indication of the nature of the amendment sought by the applicant. If a map amendment is proposed, the notices shall state that the Airport Board may amend the map to any classification provided in these regulations, and is not limited by the proposed classification specified in the notice.
  
- B. If the hearing is in relation to an application filed pursuant to Section 2 of this Chapter.
  - 1. Notice shall be sent by first class mail to the property owners listed in the petition pursuant to Section 2 A of this Chapter, and to any Planning Commission, Zoning Commission, and Regional Planning Commission within the jurisdiction of which the property is located; and
  
  - 2. A notice of the hearing shall be published once in a newspaper of general circulation serving the area in which the property is located.

#### **SECTION 5 ACTION BY THE AIRPORT BOARD**

The Airport Board shall, at the meetings called to consider the proposed amendment, take such actions in regard to the granting or denial of the amendment as it deems necessary and appropriate and as authorized by law. The Airport Board may modify any proposed amendment to the map and/or text at its discretion in the interest of maintaining the viability of the Mission Capacity Contour of WPAFB.

## CHAPTER SIX HEIGHT REGULATIONS

### SECTION 1 HEIGHT REGULATIONS

Throughout the approach, transitional, inner horizontal, outer horizontal, and conical areas in the vicinity of Wright-Patterson Air Force Base, no building, structure, or object of natural growth shall be erected, extended, or allowed to grow beyond the maximum height established by the height district applicable to the lot on which the building, structure, or object of natural growth is located.

### SECTION 2 HEIGHT LIMITATION

- A. The maximum height of a building, structure, or object of natural growth shall be as established by the designated height district applicable to the lot in which the building, structure, or object of natural growth is located as shown on the Official Height Zoning Map.
- B. Nothing in this Chapter shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree, to a height up to fifty (50) feet above the surface of the land.

### SECTION 3 OFFICIAL HEIGHT ZONING MAP

The Official Height Zoning Map shall be based on the Part 77 Airspace Plan for Military Airports. A simplified representation of this map is given as Figure B-2 in Appendix B. However, the Official Height Zoning Map, plus limitations established for the Museum Runway, must be reviewed and used for a more accurate assessment of height restrictions.

In addition, minimal criteria are established for the approach into the museum runway 9-27. The height limit shall be as follows: within 3,000 feet of any part of the runway, the height limit shall be 50 feet above the established runway elevation of 825 feet or 50 feet above ground level, whichever is greater; between 3,000 feet and 6,000 feet from any part of the runway, the height limit shall be 100 feet above the established runway elevation of 825 feet or 100 feet above ground level, whichever is greater; and between 6,000 feet and 9,000 feet from any part of the runway, the height limit shall be 150 feet above the established runway elevation of 825 feet or 150 feet above ground level, whichever is greater.

### SECTION 4 OTHER REGULATING AGENCIES

Compliance with these regulations does not take the place of approval from the Federal Aviation Administration (FAA) or permit from the Ohio Department of Transportation (ODOT) Division of Aviation, which may also be required.

**ZONING REGULATION**

**APPENDIX A**

**Correlation With 1975 Zoning Districts**

**Summary Table A of Land-Use Compatibility Standards**

**WPAFB AIRPORT ZONING REGULATION**  
**Correlation With 1975 Zoning Districts.**

The new set of six (6) Revised Zoning Districts represents a consolidation of the original 1975 set of eleven (11) 1975 Zoning Districts. The following list explains the new district definitions compared to the old definitions.

- 1) Old District 1 is incorporated into Revised District 4.
- 2) Old District 2 is incorporated into Revised District 3.
- 3) Old District 3 is incorporated into Revised District 2.
- 4) Old District 4 is incorporated into Revised District 4.
- 5) Old District 5 is incorporated into Revised District 3.
- 6) Old District 6 is incorporated into Revised District 2.
- 7) Old District 7 is incorporated into Revised District 1.
- 8) Old District 8 is incorporated into Revised District 1.
- 9) Old District 9 is incorporated into Revised District 1.
- 10) Old District 10 is incorporated into Revised District 5.
- 11) Old District 11 is incorporated into Revised District 6.

**WPAFB AIRPORT ZONING REGULATION**

<b>TABLE A</b>					
<b>LAND-USE COMPATIBILITY STANDARDS</b>					
<b>SLUCM Code</b>	<b>Land-Use Name</b>	<b>Zoning Dist. 1 (RPZ)</b>	<b>Zoning Dist. 2 (75 dB DNL)</b>	<b>Zoning Dist. 3 (70 dB DNL)</b>	<b>Zoning Dist. 4 (65 dB DNL)</b>
<b>10</b>	<b>Residential</b>				
<b>11</b>	<b>Household Units</b>				
<b>11.11</b>	<b>Single Units - detached</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>11.12</b>	<b>Single Units - semi-detached</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>11.13</b>	<b>Single Units - attached row</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>11.21</b>	<b>Two Units - side-by-side</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>11.22</b>	<b>Two Units - over-under</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>11.31</b>	<b>Apartments - walk-up</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>11.32</b>	<b>Apartments - elevator</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>12</b>	<b>Group Quarters</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>13</b>	<b>Residential Hotels</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>
<b>14</b>	<b>Mobile Home Parks</b>				
	<b>Mobile Home/Mfg. HUD units</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>
<b>15</b>	<b>Transient Lodgings, Hotels, Motels</b>	<b>N</b>	<b>Y-3</b>	<b>Y-5</b>	<b>Y-2</b>
<b>16</b>	<b>Other Residential</b>	<b>N</b>	<b>N</b>	<b>Y-5</b>	<b>Y-4</b>

**WPAFB AIRPORT ZONING REGULATION**

<b>TABLE A (Continued)</b>					
<b>LAND-USE COMPATIBILITY STANDARDS</b>					
<b>SLUCM Code</b>	<b>Land-Use Name</b>	<b>Zoning Dist. 1 (RPZ)</b>	<b>Zoning Dist. 2 (75 dB DNL)</b>	<b>Zoning Dist. 3 (70 dB DNL)</b>	<b>Zoning Dist. 4 (65 dB DNL)</b>
<b>20</b>	<b>Manufacturing</b>				
<b>21</b>	<b>Food &amp; kindred products</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>22</b>	<b>Textile mill products</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>23</b>	<b>Apparel &amp; other finished products made from fabrics, leather, &amp; similar materials</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>24</b>	<b>Lumber &amp; wood products (except furniture)</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>25</b>	<b>Furniture &amp; fixtures</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>26</b>	<b>Paper &amp; allied products</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>27</b>	<b>Printing, publishing, &amp; allied industries</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>28</b>	<b>Chemicals &amp; allied products</b>	<b>N</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>29</b>	<b>Petroleum refining &amp; related ind.</b>	<b>N</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>31</b>	<b>Rubber &amp; miscellaneous plastic</b>	<b>N</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>32</b>	<b>Stone, clay, &amp; glass products</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>33</b>	<b>Primary metal industries</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>34</b>	<b>Fabricated &amp; metal products</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>35</b>	<b>Professional, scientific, &amp; controlling instruments; photographs &amp; optical goods; watches &amp; clocks</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>39</b>	<b>Miscellaneous manufacturing</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>

**WPAFB AIRPORT ZONING REGULATION**

<b>TABLE A (Continued)</b>					
<b>LAND-USE COMPATIBILITY STANDARDS</b>					
<b>SLUCM Code</b>	<b>Land-Use Name</b>	<b>Zoning Dist. 1 (RPZ)</b>	<b>Zoning Dist. 2 (75 dB DNL)</b>	<b>Zoning Dist. 3 (70 dB DNL)</b>	<b>Zoning Dist. 4 (65 dB DNL)</b>
40	Transportation, Communications, & Utilities	N	Y-3	Y-2	Y
41	Rail transportation	Y-3,7	Y-3	Y-2	Y
42	Motor vehicle transportation	Y-3,7	Y-3	Y-2	Y
43	Aircraft transportation	N	Y-3	Y-2	Y
44	Marine craft transportation	N	Y-3	Y-2	Y
47	Communication	Y-3,7	Y-3	Y-2	Y
48	Utilities	Y-3,7	Y-3	Y-2	Y
49	Other transportation, communications/utilities	Y-3,7	Y-3	Y-2	Y
50	Trade		Y-3	Y-2	Y
51	Wholesale trade	Y-3,7	Y-3	Y-2	Y
52	Retail trade - building materials, hardware, & farm equipment	Y-3,7	Y-3	Y-2	Y
53	Retail trade - gen'l merchandise	Y-3,7	Y-3	Y-2	Y
54	Retail trade - food	Y-3,7	Y-3	Y-2	Y
55	Retail trade - auto	Y-3,7	Y-3	Y-2	Y
56	Retail trade - apparel & accessories	Y-3,7	Y-3	Y-2	Y
57	Retail trade - furniture & home furnishings	Y-3,7	Y-3	Y-2	Y
58	Retail trade - eating/drinking establishments	N	Y-3	Y-2	Y
59	Other retail trade	Y-3,7	Y-3	Y-2	Y

**WPAFB AIRPORT ZONING REGULATION**

<b>TABLE A (Continued)</b>					
<b>LAND-USE COMPATIBILITY STANDARDS</b>					
<b>SLUCM Code</b>	<b>Land-Use Name</b>	<b>Zoning Dist. 1 (RPZ)</b>	<b>Zoning Dist. 2 (75 dB DNL)</b>	<b>Zoning Dist. 3 (70 dB DNL)</b>	<b>Zoning Dist. 4 (65 dB DNL)</b>
<b>60</b>	<b>Services</b>				
<b>61</b>	<b>Finance, insurance, &amp; real estate</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>62</b>	<b>Personal services</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>62.40</b>	<b>Cemeteries &amp; funeral services</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>63</b>	<b>Business services</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>64</b>	<b>Repair services</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>65</b>	<b>Professional services</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>65.10</b>	<b>Hospitals in-patient &amp; nursing homes</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>Y-3</b>
<b>65.10</b>	<b>Hospitals out-patient &amp; other medical facilities</b>	<b>N</b>	<b>N</b>	<b>Y-2</b>	<b>Y</b>
<b>66</b>	<b>Contract construction</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>67</b>	<b>Governmental office buildings</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>68</b>	<b>Education services &amp; schools</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>Y-2</b>
<b>69</b>	<b>Miscellaneous services</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>70</b>	<b>Cultural, Entertainment, &amp; Recreational</b>				
<b>71</b>	<b>Cultural activities (incl. churches)</b>	<b>N</b>	<b>N</b>	<b>Y-3</b>	<b>Y-2</b>
<b>71.20</b>	<b>Nature exhibits</b>	<b>N</b>	<b>Y-6</b>	<b>Y-2</b>	<b>Y</b>
<b>72</b>	<b>Public assembly</b>	<b>N</b>	<b>N</b>	<b>Y-3</b>	<b>Y-2</b>
<b>72.10</b>	<b>Auditoriums, concert halls</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>
<b>72.11</b>	<b>Outdoor music shells, amphitheaters</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>
<b>72.20</b>	<b>Outdoor sports arenas, spectator sports</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>Y</b>
<b>73</b>	<b>Amusements</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>Y</b>
<b>74</b>	<b>Recreational activities (including golf courses, riding stables, water recreation)</b>	<b>Y-3,7</b>	<b>Y-3</b>	<b>Y-2</b>	<b>Y</b>
<b>75</b>	<b>Resorts &amp; group camps</b>	<b>N</b>	<b>N</b>	<b>Y-2</b>	<b>Y</b>
<b>76</b>	<b>Parks</b>	<b>N</b>	<b>Y-6</b>	<b>Y</b>	<b>Y</b>
<b>79</b>	<b>Other cultural, entertainment, &amp; recreation</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>Y</b>

**WPAFB AIRPORT ZONING REGULATION**

**TABLE A (Continued)  
LAND-USE COMPATIBILITY STANDARDS**

SLUCM Code	Land-Use Name	Zoning Dist. 1 (RPZ)	Zoning Dist. 2 (75 dB DNL)	Zoning Dist. 3 (70 dB DNL)	Zoning Dist. 4 (65 dB DNL)
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**NOTES:**

- 1 Residential units may be built on residential lots recorded with the County Recorder prior to the effective date of these regulations.**
- 2 Measures to achieve SLR of 25 dB must be incorporated into the design and construction of portions of these buildings used by the public; office areas, sleeping areas, and noise-sensitive areas.**
- 3 Measures to achieve SLR of 30 dB must be incorporated into the design and construction of portions of these buildings used by the public, office areas, sleeping areas, and noise-sensitive areas.**
- 4 Residential buildings require an SLR of 25.**
- 5 Residential buildings require an SLR of 30.**
- 6 Land use compatible provided no buildings are erected with the exception of picnic shelters or restroom facilities.**
- 7 Land use compatible provided population density guidelines are met such that the average density is not greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time.**

**Key to Table of Land-Use Compatibility Standards**

**SLUCM** Standard Land Use Coding Manual, U.S. Urban Renewal Admin. and Bureau of Public Roads, 1965, 1977.

**Y (Yes)** Land use and related structures compatible with restrictions.

**N (No)** Land use and related structures are not compatible and are prohibited.

**SLR** Sound level reduction (SLR) measured as the difference between outdoor and indoor noise levels.

**Sources:** Subchapter I, Airports, of Title 14, of the CODE OF FEDERAL REGULATIONS. Federal Interagency Committee on Urban Noise, Guidelines for Considering Noise in Land Use Planning and Control, Washington, D.C.

**APPENDIX B**

**Figure B-1. Wright-Patterson Air Force Base Zoning District Map**

**Figure B-2. Wright-Patterson Air Force Base Height Zoning Map**