Naval Construction Battalion Center Gulfport and Special Areas Joint Land Use Study Implementation

Bay St. Louis Stennis International Airport Overlay District

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Introduction

The Naval Construction Battalion Center Gulfport and Special Areas Joint Land Use Study (JLUS), adopted in August 2017, was created in order to respond to the growth surrounding the Naval Construction Battalion Center and associated areas that the installation uses within the neighboring counties. The JLUS provides strategies and tools to reduce conflict between a military installation and the surrounding communities to ensure the continued mission of the military installation. The following report summarizes the recommendations regarding the creation of an overlay district for the area immediately surrounding Stennis International Airport to protect it from land use and compatibility issues.

Stennis International Airport

The Stennis International Airport (SIA) is a 585-acre general aviation airport owned and operated by the Hancock County Port and Harbor Commission (HCPHC). It is located on the eastern edge of the Stennis Space Center Buffer Zone, approximately 10 miles from the Space Center. The airport includes an 8,497-foot long, 150-foot wide, main runway with sufficient pavement strength to support passenger and cargo aircraft.

Training from all branches of the military takes place at SIA, including naval Special Warfare training and operations such as aircraft loading and equipment staging, military free fall and static line jumping, helicopter fast rope and rappelling, drop zone and convoy training. The training is conducted under an airport use agreement between the HCPHC, Hancock County Board of Supervisors, and the U.S. Government.

Plans are being designed to expand SIA to include a 125-acre site to be used exclusively as a military joint use heavy lift drop zone. The additional space would be used by Naval Special Warfare, the Air Force, and the Coast Guard. A 3,500 linear foot military joint use assault landing strip is also in the design stages and additional funding sources are being sought.

Land Use Compatibility

While SIA operates as a general-use airport, it also functions somewhat as a military installation due to its heavy use by the military. This use is planned to expand in the future. Development near SIA must be considered not only in terms of compatibility with the functions of the airport, but also with the functions of a military installation. Without guiding land use controls, growth in close proximity to a military installation can harm its mission by encroaching on the facility leading to reduced or restricted training, altered base missions, and ultimately base closure.

Due to the dynamic nature of military operations and training exercises, many different aspects of development qualify as encroachment. For example, the height of structures, whether they are residential or office high-rise buildings, cell towers, wind towers, or manufacturing plants, can interfere with flight training for military bases. Incompatible uses adjacent to military installations, particularly when located within noise contours or safety zones, include the following:

- Uses that concentrate people into small areas;
- Land Uses that house sensitive populations, such as hospitals, schools, or day cares;
- Uses that attract birds;
- Uses that emit electrical emissions;
- Uses that produce excessive lighting; and
- Uses that releases smoke, dust, steam.

Approximately half of the land contained within the overlay area around SIA is contained within the Stennis Space Center Buffer area. There are specific restrictions on the type and location of development within this buffer area. No residential development is allowed, and the predominant use is agriculture.

A small portion of the remaining overlay area covers part of Bay St. Louis. Residential development is located at the southern end of the overlay area The current use patterns of predominately compatible with the activities that take place at the airport. The majority of off-site impacts generated by the installation are noise from aircraft activities. Although there are no specific land uses, either currently or in the future, that could be identified as detrimental to the installation, there are compatibility concerns with some uses that should be considered when planning for future growth and military activity expansion.

Land Use Compatibility Recommendations

The JLUS developed the following recommendations concerning SIA to help ensure the continued mission of NCBC and Special Areas:

- Establish an Airport Overlay District which encompasses the entirety of the Stennis International Airport Study Area.
- Update impacted jurisdictions' Comprehensive Plans to incorporate the Airport Overlay District.
- Update impacted jurisdictions' zoning regulations to incorporate the Airport Overlay District.
- Create an Airport compatibility Element within the Comprehensive Plans of impacted jurisdictions.
- Develop and distribute property owner information to provide details on applicable regulations that govern development within he Airport Overlay District.
- Limit incompatible uses within the Airport Overlay District
- Control Land Use density and Intensity within the Airport overlay District.

Stennis International Airport Overlay District

The SIA Overlay District (AOD) corresponds to the Federal Aviation Administration Part 77 surfaces for SIA. The Part 77 surface, in effect, identifies the maximum height at which a structure would be considered an obstacle at any given point around an airport. The AOD includes five subdistricts within the Part 77 surfaces of varying height restrictions that correspond to different Part 77 surfaces. Please refer to Map 1: Location Map in Appendix A for the location of the proposed AOD.

Most current occupants of structures within the AOD have generally experienced the off-site impacts of the airport. However, there is the potential for further development and redevelopment within the AOD in the future. Creating an opportunity for greater input from the airport and the military and regulating the type and form of development within the AOD will serve to protect the mission at the installation.

The City's Land Development Regulations include an already-established AOD. The AOD within the City is composed of five sub-districts: the Instrument Approach zone, the Non-Instrument Approach Zone, the Transition Zone, the Horizontal Zone, and the Conical Zone. The following requirements are proposed for development within the AOD; underline portions show new language.

Obstruction Height Zone Requirements

622.3 HEIGHT LIMITATIONS

A. Except as otherwise provided in this section, no structure or tree shall be erected, altered or allowed to grow or be maintained in any zone created by this section to a height in excess of the height limit established for that zone. Such height limitations are established for each of the zones in the foregoing table. Where an area is covered by more than one height limitation, the more restrictive limitation shall apply.

B. Obstruction Height Zone. Zone height limitations and sizes established in this section conform to the standards for determining obstructions to air navigation of 14 Code of Federal Regulations Part 77, ss 77.21. For any object or structure with a top elevation in excess of an approach, transitional, horizontal, or conical surface, as specified in this section, any permit or variance granted shall, as a specific condition, require the owner to mark and light the structure to indicate to aircraft pilots the presence of an obstruction to air navigation. Such marking and lighting shall conform to the specific standards established by Federal Aviation Administration Advisory Circular 70/7460-1, as amended.

Existing structures not in compliance at the effective date of this regulation shall be required to comply whenever the existing marking requires refurbishment, whenever the existing lighting requires replacement, or within three (3) years of the effective date of this code, whichever occurs first.

An area located beneath more than one of the described surfaces is only affected by the surface with the more restrictive height limitation. No manmade or natural object or structure shall exceed the elevations defined by the various surfaces hereby established and defined as in the preceding table.

622.4 USE RESTRICTIONS

A. No use may be made of land within any zone established by Sec. 620 in such a manner as to:

1. ~~A.~~ Create electrical interference with radio communication between the airport and aircraft.

2. ~~B.~~ Make it difficult for flyers to distinguish between airport lights and other lights.

3. ~~C.~~ Result in glare in the eyes of flyers using the airport;

4. ~~D.~~ Impair visibility in the vicinity of the airport; or

5. ~~E.~~ Otherwise endanger the landing, taking off, or maneuvering of aircraft.

B. Airport Noise Zone. This zone is located under the Horizontal and Conical Zones. This zone shall serve as the means of providing notification of potential impact from aircraft operations. The area under this zone may be subject to noise levels associated with aircraft operations that may affect the use or enjoyment of the property.

C. In-Flight Visual or Electronic Interference Zone. The requirements shall apply to each permitted use within a 10,000-foot boundary of the airport site and shall be reviewed on a case-by-case situation. The boundary for this zone is found on Map XX.

1. Lighting. All lights and illumination used in conjunction with streets, parking, signs or uses of land and structures shall be arranged and operated in such manner that is not misleading to or obscure pilots' vision during critical take-off or landing stages of flight or be otherwise dangerous to aircraft occupants or flight operations at an airport covered in this Code.
2. Energy Transmission. No use of high-energy beam devices (e.g. x-rays, radar, lasers, etc.) is permitted where the energy transmission is not fully contained within a building or some type of absorbing or masking vessel.
3. Visual Obscurations. Except for prescribed burns authorized or permitted by the Mississippi Forest Commission, no operations from any type shall produce smoke, glare, or other visual obscuration within three miles of any usable runway at the John C. Stennis International Airport. For controlled burns within three miles of any usable runway at the airport and where authorized or permitted by the Mississippi Forest Commission, the name and phone number of the burn operator, and the location, duration, and other characteristics of the planned burn shall be submitted to the executive director of John C. Stennis International Airport no less than seven (7) days prior to the planned start of the burn. Burning must not occur within 500 yards of commercial airport property, private airfields, or marked off-runway aircraft approach corridors unless written approval to conduct burning is secured from the proper airport authority, owner, or operator. No burns shall be conducted that would reduce visibilities associated with aircraft approaches at John C. Stennis International Airport.
4. Electronic Interference. No operations from any type of use shall produce electronic interference with navigation signals or radio communication between aircraft, the airport, or an air traffic control facility.

E. Wildlife Attractant Hazard Zone. Waste disposal and other facilities which store, handle, or process organic or any other material that foster or harbor the growth of insects, rodents, amphibians, or other organisms will result in the presence of a significant bird population. Certain uses are incompatible if located within 10,000 feet of any existing or planned runway of the John C. Stennis International Airport. This zone is geographically represented as a 10,000 buffer around the airport (Map XX). These uses shall conform to the specific standards established by Federal Aviation Administration Advisory Circular 150/5200-33C, as amended. With exception of dry retention stormwater management facilities, the following regulations shall apply within this zone, and are encouraged within five miles of John C. Stennis International Airport's aircraft operations area.

1. With the exception of Construction and Demolition (C&D) landfills, landfills shall not be located within 10,000 feet of any existing or planned runway.

2. Stormwater management facilities may be permitted within 10,000 feet of any existing or planned runway provided that:

   a. Pond side slopes measure 2:1 and pond bank slopes measure a minimum of 4:1.

   b. Rip Rap, electrical fencing, and/or wire grid is placed around the perimeter of the ponds to keep birds out of the water where the depth is less than two (2) feet and to keep birds off the pond banks.

   c. Aquatic vegetation in ponds is eliminated and aquatic vegetation growth is prevented through a maintenance program.

3. Wildlife hazards arising from existing wetlands located within 10,000 feet of any existing or planned runway should be corrected with the cooperation of local, state, and Federal regulatory agencies. Mitigation for wetland disturbances shall be designed to not create a wildlife hazard. Mitigation activities are recommended to be placed more than 10,000 feet away from any existing or planned runway.

4. Proposals for new dredge spoil containment areas located within 10,000 feet of any existing or planned runways shall be reviewed in conjunction with the Airport Authority on a case-by-case basis to determine their potential for attracting wildlife.

5. Agricultural activities located within 10,000 feet of existing or planned runways are discouraged from certain wildlife-attracting activities. Farmers within this area should coordinate with a qualified Airport Wildlife Biologist to ensure that their activities will not create a wildlife hazard.

6. Existing golf courses located within 10,000 feet of existing or planned runways are encouraged to coordinate with a qualified Airport Wildlife Biologist to minimize hazardous wildlife attractions. The construction of new golf courses within 10,000 feet of existing or planned runways is discouraged.

Development Review Requirements

622.5 REGULATIONS TO BE CONSIDERED IN REVIEW OF ZONING APPLICATION AND APPROVAL OF APPLICATIONS

This section in its entirety shall be considered by the Building Official when reviewing applications for zoning development approvals. The applicant for a zoning development approval shall include and submit adequate information and detail necessary to ensure that the limitations of this section shall not be exceeded. Such information shall include, at a minimum, a completed Federal Aviation Administration (FAA) Form 7460-1, along with the comments submitted on the completed Form 7460-1 by the FAA.

A. Conditions on Variances

Except as provided in the succeeding sub-=section "application of Regulations to Preexisting Structures and Uses" of this Article any variance authorized to this overlay zone shall be so conditioned as to require the owner of structure or tree in question, at his/her own expense, to install, operate, and maintain such markers and lights as may be deemed necessary by the City Council upon the recommendation of the Planning and Zoning commission, acting with the advice and recommendation of the FAA.

B. Application to Pre-existing Structures and Uses

1. Except as provided in subsection 2 below, the regulations described by this section shall not be construed to require the removal, lowering, or other changes or alterations of any structure or tree not conforming to the regulations as of the date of the adoption of this Ordinance, or where applicable, as of the effective date of any subsequent amendment to these regulations.

   Nothing contained in this section shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to June 30, 2010, or where appliable, prior to the effective date of any subsequent amendment, and is diligently prosecuted.

2. The owner of any structure, tree, natural growth, or use that existed prior to 2010, or where appliable prior to the effective date of any subsequent amendment to the section, and which is inconsistent with or in violation of this section or an amendment, shall be required, as a condition of the continued maintenance of such structure, tree, or use permit the installation, operation, and maintenance of such markers and lights as deemed necessary by the FAA, in order to indicate the presences of such object or hazardous use operators of aircraft in the vicinity of the airport. Such markers and lights shall be installed, operated, and maintained at the expense of the applicant.

C. Exemption of Utility Structures

Structures of public utilities shall be excluded from the requirements of this division, provided that plans for such structures have been first reviewed and determined by the FAA to have no adverse affect on air navigation as provided in Part 77 of the FAA's regulations.

622.6 OBSTRUCTION EVALUATION/AIRPORT AIRSPACE ANALYSIS.

Aeronautical studies are required to be submitted to the Federal Aviation Administration (FAA) for construction or alteration projects within the vicinity of John C. Stennis International Airport. These studies are required to be submitted at least 45 days prior to start of construction. However, studies are encouraged to be submitted at least 60 days prior to construction. Submission of the study must be through FAA form 7460-1, Notice of Proposed Construction or Alteration, and FAA Form 7640-2, Notice of Actual Construction or Alteration.

A. The requirements for filing with the FAA for proposed structures varies based upon height, proximity to airport facilities, location, and frequencies emitted from the structure. Pursuant to 14 CFR Part 77.9, the following types of alteration or construction necessitate the filing of FAA Forms 7460-1 and 7460-2:

1. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

    a. 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest HSA runway to the project.

    b. 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway at HSA to the project.

2. Any highway, railroad, waterway, or other corridor for mobile objects whose height, if adjusted upward according to 14 CFR 77.9(c), would exceed the standards within 14 CFR 77.9(a) or 14 CFR 77.9(b).

3. Any structure that emits frequencies and does not meet the conditions of the FAA Co-location Policy.

4. Any structure that is in proximity to a navigation facility and may impact the assurance of navigation signal reception.

5. Any construction or alteration exceeding 200 feet above ground level, regardless of location.

6. Any construction or alteration located on an airport described in 14 CFR 77.9(d).

7. Any construction or alteration in which filing has been requested by the FAA.

To assist in determining whether a project needs to file a study with the FAA, a Notice Criteria Tool is available on the OE/AAA website. In addition to the tool, the FAA representative for John C. Stennis International Airport should be consulted.

B. Form submittal for projects not located on an airport may either be submitted electronically through the FAA's website or through the mail. Form submittal for projects located on an airport should be submitted electronically through the FAA's website (www.faa.gov/).

Appendix A
Overlay District

Zoning Ordinance Amendment

SECTION 622: AO, AIRPORT OVERLAY DISTRICT USES

622.1 GENERAL PURPOSE

The intention of this section is to regulate and restrict the height of structures and objects of natural growth and otherwise regulate the use of property in the vicinity of the John C. Stennis International Airport by creating certain airport zones within the zoned districts.

622.2 AIRPORT ZONES ESTABLISHED AND DEFINED

A. There is created within the City of Bay St. Louis certain zones that include all of the land lying within instrument approach zones, non-instrument approach zones, transition zones, horizontal zones, and conical zones, as defined. Such area and zones are shown on a map entitled "Zoning Overlay Map of the City of Bay St. Louis, Mississippi," and is adopted and made a part of this section by reference. This map shall be filed and kept as part of the official zoning map of the City.

B. Definitions:

ZONE	DEFINITION	HEIGHT
Instrument Approach Zone	An instrument approach zone at each end of the instrument runways for instrument landings and take-offs. The instrument approach zones shall have a width of one thousand (1,000) feet at a distance of fifty thousand two hundred (50,200) feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway.	One (1) foot in height for each fifty (50) feet in horizontal distance, beginning at a point two hundred (200) feet from and at the centerline location of the end of the instrument runway and extending to a distance of ten thousand two hundred (10,200) feet from the end of the runway; thence, one (1) foot in height for each forty (40) feet in horizontal distance to a point fifty thousand two hundred (50,200) feet from the end of the runway.
Non-Instrument Approach Zone	A non-instrument approach zone at each end of all non-instrument runways for non-instrument lands and take-offs. The non-instrument approach zone shall have a width for five hundred (500) feet at a distance of two hundred (200) feet beyond each end of the runway, widening uniformly to a width of two thousand five hundred (2,500) feet at a distance of ten	One (1) feet in height for each forty (40) feet in horizontal distance, beginning at a point two hundred (200) feet from and at the centerline elevation of the end of the non-instrument runway and extending to a point ten thousand two hundred (10,200) feet from the end of the runway.

	thousand two hundred (10,200) feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway.	
Transition Zone	Transition zones are adjacent to each instrument and non-instrument runway and approach zone, as indicated on the Airport Overlay Zoning Map. Transition zones symmetrically located on either side of runways have variable widths as shown on the Airport Zoning Overlay Map. Transition zones extend outward from a line two hundred and fifty feet on either side of the centerline of the non-instrument runway, for a length of such runway, plus two hundred (200) feet on each end, and are parallel and level at such runway centerlines. The transition zones along such runways slope upward and outward one (1) feet vertically for each seven (7) feet horizontally to the point where they intersect the surface of the horizontal zone. Further, transition zones have variable widths, as shown on the Airport Overlay Zoning Map. Such transition sones flare symmetrically with either side of the runway approach zones from the base of such zones and slope upward and outward at the rate of one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surfaces of the horizontal and conical zones. Furthermore, transition zones shall be adjacent to the instrument approach zones where it projects through and beyond the limits of the conical	One (1) foot in height for each seven (7) feet in horizontal distance, beginning at any point two hundred and fifty (250) feet normal to and at the elevation of the centerline of non-instrument runways, extending two hundred (200) feet beyond each end, and five hundred (500) feet normal to and at the elevation of the centerline of the instrument runway, extending two hundred (200) feet beyond each end, extending to a height of one hundred and fifty (150) feet above the airport elevation, which is one thousand one hundred and seventy-five (1,175) feet above mean sea level. In addition to the foregoing there shall be height limits of one (1) foot vertical height for each seven (7) feet horizontal distance measured from the edges of all approach zones for the entire length of the approach zones and extending upward and outward to the points where they intersect the horizontal or conical surfaces. Further, where the instrument approach zone projects through and beyond the conical zone, and height limit of one (1) foot for each seven (7) feet of horizontal distance shall be maintained beginning at the edge of the instrument approach zone and extending a distance of five thousand (5,000) feet from the edge of the instrument

	zone, extending a distance of five thousand (5,000) feet, measured horizontally from the edge of the instrument approach zones at right angles to the continuation of the centerline of the runway.	approach zone measured normal to the centerline of the runway extended.
Horizontal Zone	A horizontal zone shall be the area within a circle with its center at the airport reference point and having a radius of seven thousand (7,000) feet. The horizontal zone does not include the instrument and non-instrument approach zones and the transition zones.	One hundred and fifty (150) feet above the airport elevation.
Conical Zone	A conical zone shall be the area that commences at the periphery of the horizontal zone and extends outward there from a distance of five thousand (5,000) feet. The conical zone does not include the instrument approach zones and transition zones.	One (1) foot in height for each twenty (20) feet of horizontal distance beginning at the periphery of the horizontal zone, extending to a height of four hundred (400) feet above the airport elevation.

622.3 HEIGHT LIMITATIONS

A. Except as otherwise provided in this section, no structure or tree shall be erected, altered or allowed to grow or be maintained in any zone created by this section to a height in excess of the height limit established for that zone. Such height limitations are established for each of the zones in the foregoing table. Where an area is covered by more than one height limitation, the more restrictive limitation shall apply.

B. Obstruction Height Zone. Zone height limitations and sizes established in this section conform to the standards for determining obstructions to air navigation of 14 Code of Federal Regulations Part 77, ss 77.21. For any object or structure with a top elevation in excess of an approach, transitional, horizontal, or conical surface, as specified in this section, any permit or variance granted shall, as a specific condition, require the owner to mark and light the structure to indicate to aircraft pilots the presence of an obstruction to air navigation. Such marking and lighting shall conform to the specific standards established by Federal Aviation Administration Advisory Circular 70/7460-1, as amended.

Existing structures not in compliance at the effective date of this regulation shall be required to comply whenever the existing marking requires refurbishment, whenever the existing lighting requires replacement, or within three (3) years of the effective date of this code, whichever occurs first.

An area located beneath more than one of the described surfaces is only affected by the surface with the more restrictive height limitation. No manmade or natural object or structure shall exceed the elevations defined by the various surfaces hereby established and defined as in the preceding table.

622.4 USE RESTRICTIONS

A. No use may be made of land within any zone established by Sec. 620 in such a manner as to:

1. ~~A.~~ Create electrical interference with radio communication between the airport and aircraft.

2. ~~B.~~ Make it difficult for flyers to distinguish between airport lights and other lights.

3. ~~C.~~ Result in glare in the eyes of flyers using the airport;

4. ~~D.~~ Impair visibility in the vicinity of the airport; or

5. ~~E.~~ Otherwise endanger the landing, taking off, or maneuvering of aircraft.

B. Airport Noise Zone. This zone is located under the Horizontal and Conical Zones. This zone shall serve as the means of providing notification of potential impact from aircraft operations. The area under this zone may be subject to noise levels associated with aircraft operations that may affect the use or enjoyment of the property.

C. In-Flight Visual or Electronic Interference Zone. The requirements shall apply to each permitted use within a 10,000-foot boundary of the airport site and shall be reviewed on a case-by-case situation. The boundary for this zone is found on Map XX.

1. Lighting. All lights and illumination used in conjunction with streets, parking, signs or uses of land and structures shall be arranged and operated in such manner that is not misleading to or obscure pilots' vision during critical take-off or landing stages of flight or be otherwise dangerous to aircraft occupants or flight operations at an airport covered in this Code.
2. Energy Transmission. No use of high-energy beam devices (e.g. x-rays, radar, lasers, etc.) is permitted where the energy transmission is not fully contained within a building or some type of absorbing or masking vessel.
3. Visual Obscurations. Except for prescribed burns authorized or permitted by the Mississippi Forest Commission, no operations from any type shall produce smoke, glare, or other visual obscuration within three miles of any usable runway at the John C. Stennis International Airport. For controlled burns within three miles of any usable runway at the airport and where authorized or permitted by the Mississippi Forest Commission, the name and phone number of the burn operator, and the location, duration, and other characteristics of the planned burn shall be submitted to the executive director of John C. Stennis International Airport no less than seven (7) days prior to the planned start of the burn. Burning must not occur within 500 yards of commercial airport property, private airfields, or marked off-runway aircraft approach

corridors unless written approval to conduct burning is secured from the proper airport authority, owner, or operator. No burns shall be conducted that would reduce visibilities associated with aircraft approaches at John C. Stennis International Airport.

4. Electronic Interference. No operations from any type of use shall produce electronic interference with navigation signals or radio communication between aircraft, the airport, or an air traffic control facility.

E. Wildlife Attractant Hazard Zone. Waste disposal and other facilities which store, handle, or process organic or any other material that foster or harbor the growth of insects, rodents, amphibians, or other organisms will result in the presence of a significant bird population. Certain uses are incompatible if located within 10,000 feet of any existing or planned runway of the John C. Stennis International Airport. This zone is geographically represented as a 10,000 buffer around the airport (Map XX). These uses shall conform to the specific standards established by Federal Aviation Administration Advisory Circular 150/5200-33C, as amended. With exception of dry retention stormwater management facilities, the following regulations shall apply within this zone, and are encouraged within five miles of John C. Stennis International Airport's aircraft operations area.

1. With the exception of Construction and Demolition (C&D) landfills, landfills shall not be located within 10,000 feet of any existing or planned runway.

2. Stormwater management facilities may be permitted within 10,000 feet of any existing or planned runway provided that:

   a. Pond side slopes measure 2:1 and pond bank slopes measure a minimum of 4:1.

   b. Rip Rap, electrical fencing, and/or wire grid is placed around the perimeter of the ponds to keep birds out of the water where the depth is less than two (2) feet and to keep birds off the pond banks.

   c. Aquatic vegetation in ponds is eliminated and aquatic vegetation growth is prevented through a maintenance program.

3. Wildlife hazards arising from existing wetlands located within 10,000 feet of any existing or planned runway should be corrected with the cooperation of local, state, and Federal regulatory agencies. Mitigation for wetland disturbances shall be designed to not create a wildlife hazard. Mitigation activities are recommended to be placed more than 10,000 feet away from any existing or planned runway.

4. Proposals for new dredge spoil containment areas located within 10,000 feet of any existing or planned runways shall be reviewed in conjunction with the Airport Authority on a case-by-case basis to determine their potential for attracting wildlife.

5. Agricultural activities located within 10,000 feet of existing or planned runways are discouraged from certain wildlife-attracting activities. Farmers within this area should coordinate with a qualified Airport Wildlife Biologist to ensure that their activities will not create a wildlife hazard.

6. Existing golf courses located within 10,000 feet of existing or planned runways are encouraged to coordinate with a qualified Airport Wildlife Biologist to minimize hazardous wildlife attractions. The construction of new golf courses within 10,000 feet of existing or planned runways is discouraged.

622.5 REGULATIONS TO BE CONSIDERED IN REVIEW OF ZONING APPLICATION AND APPROVAL OF APPLICATIONS

This section in its entirety shall be considered by the Building Official when reviewing applications for zoning development approvals. The applicant for a zoning development approval shall include and submit adequate information and detail necessary to ensure that the limitations of this section shall not be exceeded. Such information shall include, at a minimum, a completed Federal Aviation Administration (FAA) Form 7460-1, along with the comments submitted on the completed Form 7460-1 by the FAA.

A. Conditions on Variances

Except as provided in the succeeding sub-=section "application of Regulations to Preexisting Structures and Uses" of this Article any variance authorized to this overlay zone shall be so conditioned as to require the owner of structure or tree in question, at his/her own expense, to install, operate, and maintain such markers and lights as may be deemed necessary by the City Council upon the recommendation of the Planning and Zoning commission, acting with the advice and recommendation of the FAA.

B. Application to Pre-existing Structures and Uses

1. Except as provided in subsection 2 below, the regulations described by this section shall not be construed to require the removal, lowering, or other changes or alterations of any structure or tree not conforming to the regulations as of the date of the adoption of this Ordinance, or where applicable, as of the effective date of any subsequent amendment to these regulations.

   Nothing contained in this section shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to June 30, 2010, or where appliable, prior to the effective date of any subsequent amendment, and is diligently prosecuted.

2. The owner of any structure, tree, natural growth, or use that existed prior to 2010, or where appliable prior to the effective date of any subsequent amendment to the section, and which is inconsistent with or in violation of this section or an amendment, shall be required, as a condition of the continued maintenance of such structure, tree, or use permit the installation, operation, and maintenance of such markers and lights as deemed necessary by the FAA, in order to indicate the presences of such object or hazardous use operators of aircraft in the vicinity of the airport. Such markers and lights shall be installed, operated, and maintained at the expense of the applicant.

C. Exemption of Utility Structures

Structures of public utilities shall be excluded from the requirements of this division, provided that plans for such structures have been first reviewed and determined by the FAA to have no adverse affect on air navigation as provided in Part 77 of the FAA's regulations.

622.6 OBSTRUCTION EVALUATION/AIRPORT AIRSPACE ANALYSIS.

Aeronautical studies are required to be submitted to the Federal Aviation Administration (FAA) for construction or alteration projects within the vicinity of John C. Stennis International Airport. These studies are required to be submitted at least 45 days prior to start of construction. However, studies are encouraged to be submitted at least 60 days prior to construction. Submission of the study must be through FAA form 7460-1, Notice of Proposed Construction or Alteration, and FAA Form 7640-2, Notice of Actual Construction or Alteration.

A. The requirements for filing with the FAA for proposed structures varies based upon height, proximity to airport facilities, location, and frequencies emitted from the structure. Pursuant to 14 CFR Part 77.9, the following types of alteration or construction necessitate the filing of FAA Forms 7460-1 and 7460-2:

1. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

   a. 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest HSA runway to the project.

   b. 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway at HSA to the project.

2. Any highway, railroad, waterway, or other corridor for mobile objects whose height, if adjusted upward according to 14 CFR 77.9(c), would exceed the standards within 14 CFR 77.9(a) or 14 CFR 77.9(b).

3. Any structure that emits frequencies and does not meet the conditions of the FAA Co-location Policy.

4. Any structure that is in proximity to a navigation facility and may impact the assurance of navigation signal reception.

5. Any construction or alteration exceeding 200 feet above ground level, regardless of location.

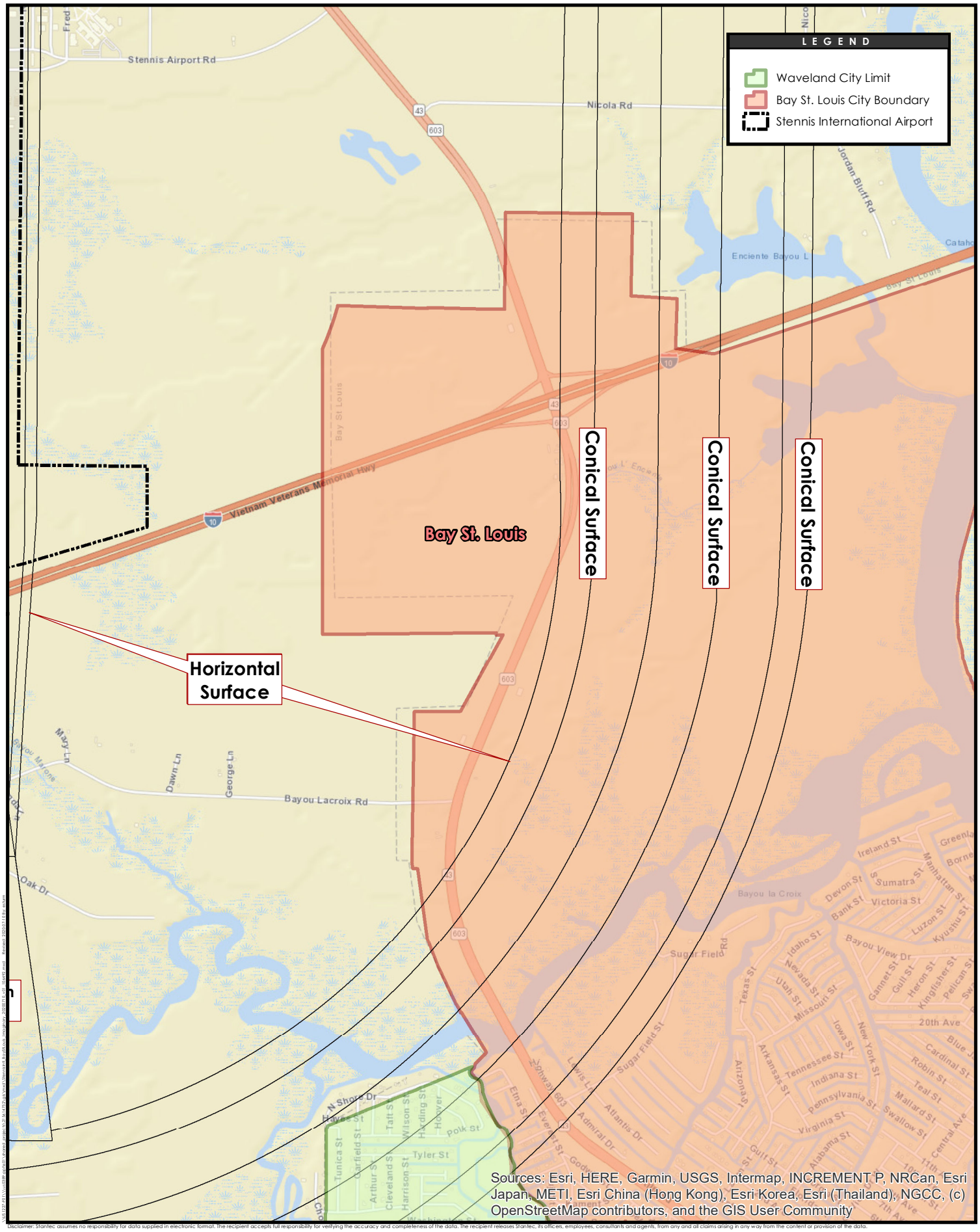
6. Any construction or alteration located on an airport described in 14 CFR 77.9(d).

7. Any construction or alteration in which filing has been requested by the FAA.

To assist in determining whether a project needs to file a study with the FAA, a Notice Criteria Tool is available on the OE/AAA website. In addition to the tool, the FAA representative for John C. Stennis International Airport should be consulted.

B. Form submittal for projects not located on an airport may either be submitted electronically through the FAA's website or through the mail. Form submittal for projects located on an airport should be submitted electronically through the FAA's website (www.faa.gov/).

Appendix B
Maps



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Stennis International Airport
Bay St Louis Imaginary Surfaces Map

July 2020

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0 1,000 2,000 Feet