

JACKSON HOLE AIRPORT RESOLUTION

CHAPTER I. GENERAL

SECTION 1. TITLE

This resolution shall be known as the Jackson Hole Airport Regulations of Teton County, Wyoming. Chapters 2 through 4 of this resolution shall be known as the Jackson Hole Airport Height Regulations. Chapter 5 of this resolution shall be known as the Jackson Hole Airport Noise Regulations.

SECTION 2. AUTHORITY

The Jackson Hole Airport Regulations of Teton County, Wyoming are authorized by Sections 10-5-301, 18-5-201 through 18-5-207, Wyoming Statutes, 1977, as amended.

SECTION 3. PURPOSES

This resolution is enacted to protect and promote the public health, safety and welfare by avoiding obstructions to aircraft at the Jackson Hole Airport. It is hereby found that an obstruction has the potential for endangering the lives and property of users of Jackson Hole Airport and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums of Jackson Hole Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of Jackson Hole Airport and the public investment therein. Accordingly, it is declared:

- A. That the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by Jackson Hole Airport;
- B. That it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented;
- C. That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation; and
- D. That the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds acquire land or interest in land. This resolution is also intended

to protect and promote the public health and general welfare by notification to affected persons of the existence of noise from airport operations, and by the recommendations of measures, which may be undertaken, to reduce the impact of that noise on persons living in the proximity of the airport.

SECTION 4. JURISDICTION

The territorial jurisdiction of the height regulations of the Jackson Hole Airport Resolution shall include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Jackson Hole Airport. Such zones are shown on Jackson Hole Airport Zoning Map consisting of one sheet, prepared by Barnard Dunkelberg Company, Inc. dated July 1986, which is attached to this resolution and made a part hereof. The territorial jurisdiction of the noise regulations shall include all lands within 65 and 70 ldn contours as depicted on the Noise Exposure Map of the Jackson Hole Airport as recorded in the real property records in the office of the Clerk of Teton County.

SECTION 5. INTERPRETATION

In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements. No provision of this resolution is intended to repeal, abrogate, annul, impair, or interfere with any existing resolution of the County, provided that where any provision of this resolution imposes more stringent regulations, requirements, or limitations than is imposed by any other resolution of Teton County or any statute of the State of Wyoming, then the provisions of this resolution shall govern.

SECTION 6. DEFINITIONS

For the purposes of this resolution, certain words and terms are defined in this section. Words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Where a word is not defined in this section, the definitions contained in Chapter I, Section 7 of the Land Use and Development Regulations Resolution, in Chapter I, Section 10 of the Subdivision Regulations Resolution, or in Chapter I, Section 6 of the Highway Master Plan Resolution of Teton County, Wyoming shall apply.

Airport – for the purposes of this resolution, "airport" shall mean the Jackson Hole Airport.

Approach surface – a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Chapter II, Section 2 of this resolution. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

Conical surface – a surface extending outward and upward from the periphery of the horizontal

surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Hazard to air navigation – an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height, airport zones – the vertical dimension of a building, structure, or object of natural growth near the Jackson Hole Airport; the datum shall be mean sea level elevation unless otherwise specified.

Horizontal surface – a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Nonconforming use, airport zones – any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this resolution or an amendment thereto.

Nonprecision instrument runway – a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

Obstruction – any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Chapter II, Section 2 of this resolution.

Person – an individual firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or similar representative of any of them.

Precision instrument runway – a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), Microwave Landing System (MLS), or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved Jackson Hole Airport layout plan or any other planning document.

Primary surface – a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is set forth in Chapter II, Section 1 of this resolution. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway – a defined area on an airport prepared for landing and take-off of aircraft along its length. Structure, airport zones. An object, including a mobile object, constructed or installed by man, including but without limitation buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

Transitional surfaces – these surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven feet (7') horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

Tree, airport zones – any object of natural growth.

Utility runway – a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

Visual runway – a runway intended solely for the operation of aircraft using visual approach procedures.

CHAPTER II. AIRPORT ZONES AND HEIGHT AND USE LIMITATIONS

SECTION 1. AIRPORT ZONES

In order to carry out the provisions of this resolution, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Jackson Hole Airport. Such zones are shown on Jackson Hole Airport Zoning Map consisting of one sheet, prepared by Barnard Dunkelberg and Company, Inc., dated July, 1986, which is attached to this resolution and made a part hereof. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are defined as follows:

- A. Precision Instrument Runway Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway. Although the Approach Zone is established by a point 50,000 feet beyond the primary surface, this resolution in no way attempts to impose restrictions beyond a point six miles (31,680 feet) from the end of the runway.
- B. Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Nonprecision Instrument Approach Zone. The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of

10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

- C. Transition Zones. Transition zones are hereby established adjacent to each instrument and non-instrument runway and approach zone as indicated on the zoning maps.
- D. Horizontal Zone For Instrument and Non-instrument Runway. This zone is hereby established by swinging arcs of 5,000 feet radii for all non-instrument runways and 10,000 feet for all instrument runways from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
- E. Conical Zone For Instrument And Non-instrument Runway. This zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward a horizontal distance of 4,000 feet. The conical zone does not include the instrument and non-instrument approach zones and transition zones and horizontal zone.

SECTION 2. AIRPORT ZONE HEIGHT LIMITATIONS

Except as otherwise provided in this resolution, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this resolution to a height in excess of the applicable height herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. Precision Instrument Runway Approach Zone. Slopes fifty (50) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.
- B. Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Nonprecision Instrument Approach Zone. Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- C. Transition Zone. Slopes seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface, and extending to a height of one hundred fifty (150) feet above the airport elevation of 6,451 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Further, where the precision instrument runway approach zone projects through and beyond the conical zone, there are established height limits sloping seven (7) feet outward for each

foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of five thousand (5,000) feet from the edge of the instrument approach zone measured at right angles to the extended runway centerline.

- D. Horizontal Zone. Established at one hundred fifty (150) feet above the established airport elevation of 6,451 feet above mean sea level.
- E. Conical Zone. Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal and at one hundred fifty (150) feet above the airport elevation and extending to a height of three hundred fifty (350) feet above the airport elevation.
- F. Excepted Height Limitation. Nothing in this resolution shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface of the land. The Land Use and Development Resolution Chapter IV Section 21. Maximum Building Height further restricts primary and accessory building heights.

SECTION 3. USE RESTRICTION

Notwithstanding any other provisions of this resolution, no use may be made of land or water within any zone established by this resolution in such a manner as to create electrical interference with navigational signals or radio communications between the Jackson Hole Airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the Jackson Hole Airport, impair visibility in the vicinity of the Airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the Airport.

SECTION 4. NONCONFORMING USES

The regulations prescribed in this resolution shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this resolution or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this resolution, and is diligently pursued.

Marking and Lighting. Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance hereon of such markers and lights as shall be deemed necessary by the Airport Board to indicate to the operators of aircraft in the vicinity of the Airport the presence of such Airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the Board.

Nonconforming Uses Abandoned or Destroyed. Whenever the Board of County Commissioners

determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

CHAPTER III. BUILDING PERMITS

SECTION 1. PERMIT REQUIRED

Except as specifically provided in Section 4a, b, and c of this chapter, no material change shall be made in the use of land, no structure shall be erected or otherwise established and no tree shall be planted in any zone hereby created unless a building permit therefore shall have been applied for and granted.

SECTION 2. APPLICATION FOR A PERMIT

Applications for permits shall be made to the Board of County Commissioners upon a building permit application. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. Application for action by the Board of County Commissioners shall be forthwith transmitted to the Airport Board by the Administrator of Planning Services.

SECTION 3. ISSUANCE OF A PERMIT

Following a review of the permit application, the Administrator of Planning Services shall recommend that the Board of County Commissioners approve the application and grant the permit, grant the permit subject to modifications and conditions, or deny the permit. Upon approval of the application by the County Commissioners, the Administrator shall issue the permit. No permit for a use inconsistent with the height provisions of this resolution shall be granted unless a variance has been approved in accordance with Chapter IV Section 1 of this resolution.

No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this resolution or any amendments thereto or than it is when the application for a permit is made.

Obstruction Marking and Lighting. Any permit granted may, if such action is deemed advisable to effectuate the purpose of this resolution and be reasonable in the circumstances, be so

conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and light as may be necessary. If deemed proper by the Board of County Commissioners, this condition may be modified to require the owner to permit Teton County, at its own expense, to install, operate, and maintain the necessary markings and lights.

SECTION 4. EXCEPTIONS

Nothing contained in any of the following exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this resolution except as set forth in Chapter II Section 2f.

- A. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
- B. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.
- C. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.

CHAPTER IV. HEIGHT VARIANCES AND ADMINISTRATION

SECTION 1. VARIANCES

Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property not in accordance with the regulations prescribed in this resolution may apply to the Board of County Commissioners for a variance from such regulations.

Applications for variances shall be made upon a form published for that purpose. Variance applications 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. Such variances shall be allowed where it is duly found that 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 the resolution. In addition, the administrative sections of the variance provisions in Land Use and Development Regulations Resolution, Chapter XI Sections 4 through 11, shall apply.

Additionally, no applications for variance to the requirements of this resolution may be considered by the Board of County Commissioners unless a copy of the application has been furnished to the Airport Board by the Administrator of Planning Services for advice as to the aeronautical effects of the variance. If the Airport Board does not respond to the application within thirty (30) days after receipt, the Board of County Commissioners may act on its own to grant or deny said application.

Obstruction Marking and Lighting. Any variance granted may, if such action is deemed advisable to effectuate the purpose of this resolution and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Board of County Commissioners, this condition may be modified to require the owner to permit Teton County, at its own expense, to install, operate, and maintain the necessary markings and lights.

SECTION 2. ENFORCEMENT

The Board of County Commissioners, through the County and Prosecuting Attorney or other duly authorized enforcement official, shall enforce the provisions of this resolution.

- A. All officials, departments, and employees of the County vested with the authority or duty to issue permits shall comply with the provisions of this resolution and shall issue no permit which conflicts with the provisions of this resolution. Any permit issued in conflict with the provisions of this resolution shall be null and void. Any person, owner, agent, etc., against whom the County's violation enforcement procedure has commenced for a violation of this resolution shall not be permitted to apply for a permit to construct or a variance related to the alleged violation until the violation enforcement proceedings have been finally determined by the proper authority.
- B. The County shall have the authority to inspect any site and review the construction or maintenance of improvements to ensure conformance with the regulations of this resolution, provided that such inspections be conducted during weekday working hours.
- C. Whoever, being the owner or the agent of the owner of any land located within the unincorporated area of Teton County develops or uses such land in violation of any of the provisions of this resolution, or any amendment thereto, shall be fined not more than one hundred dollars (\$100) for each offense. Each day's continuance of any violation is a

separate offense.

- D. This resolution shall be enforceable by the County by injunctive action, in addition to all other remedies at law or in equity.

SECTION 3. VALIDITY

- A. If any provision of this resolution is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that:
 - 1. The effect of such decision shall be limited to that provision or those provisions which are expressly stated in the decision to be invalid; and
 - 2. Such decision shall not affect, impair, or nullify this resolution as a whole or any other part thereof, but the rest of this resolution shall continue in full force and effect.

- B. If the application of any provision of this resolution to any area, property or site is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that:
 - 1. The effect of such decision shall be limited to that area, property or site immediately involved in the controversy, action, or proceeding in which the judgment or decree of invalidity was rendered; and
 - 2. Such decision shall not affect, impair, or nullify this resolution as a whole or the application of any provision thereof to any other area, property or site.

SECTION 4. BURDEN OF PROOF

The applicant for any permit required by the Jackson Hole Airport Resolution shall have the burden of proving to the Planning Commission and to the Board of County Commissioners that the proposed use or development complies with all applicable requirements established by the Jackson Hole Airport Resolution.

SECTION 5. EFFECTIVE DATE

This resolution shall be in full force and effect from the effective date of adoption by the Board of County Commissioners in compliance with applicable state law.

CHAPTER V. AIRPORT NOISE EXPOSURE

SECTION 1. INTERPRETATION

The provisions of this chapter dealing with noise are separate and not affected by the requirements of Chapters 2 through 4 dealing with airport height restrictions.

SECTION 2. PURPOSE

In order to promote the design of developments in such a way as to minimize the adverse effects of noise from airport traffic, the following regulations and guidelines shall be used for development located within the 65 and 70 ldn contours (as depicted on the Noise Exposure Map for Jackson Hole Airport, submitted in accordance with FAR part 150), and to provide public notice of noise impacts to be expected within such contours.

SECTION 3. NOISE EXPOSURE MAP

The Noise Exposure Map for the Jackson Hole Airport, depicting the 65 and 70 ldn contours, and any updates thereof, shall be recorded in the real property records of the office of the Clerk of Teton County. The airport manager shall file the noise exposure map.

SECTION 4. SUBDIVISION PLATS

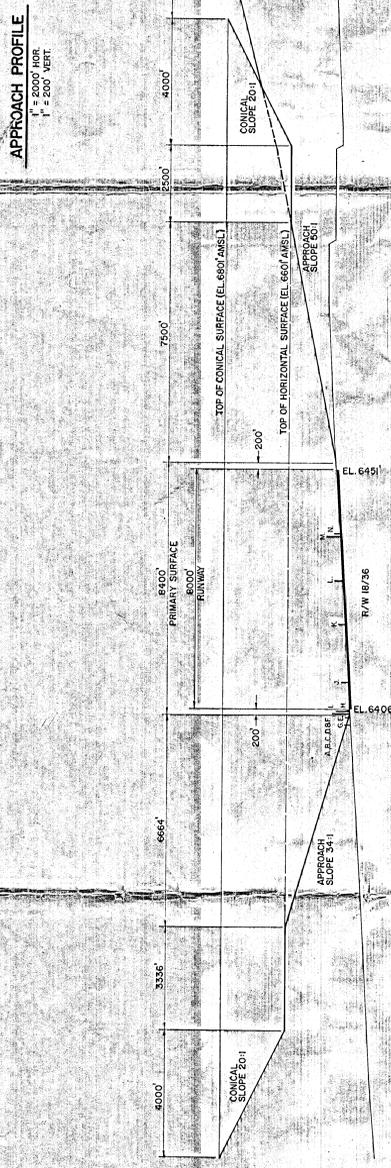
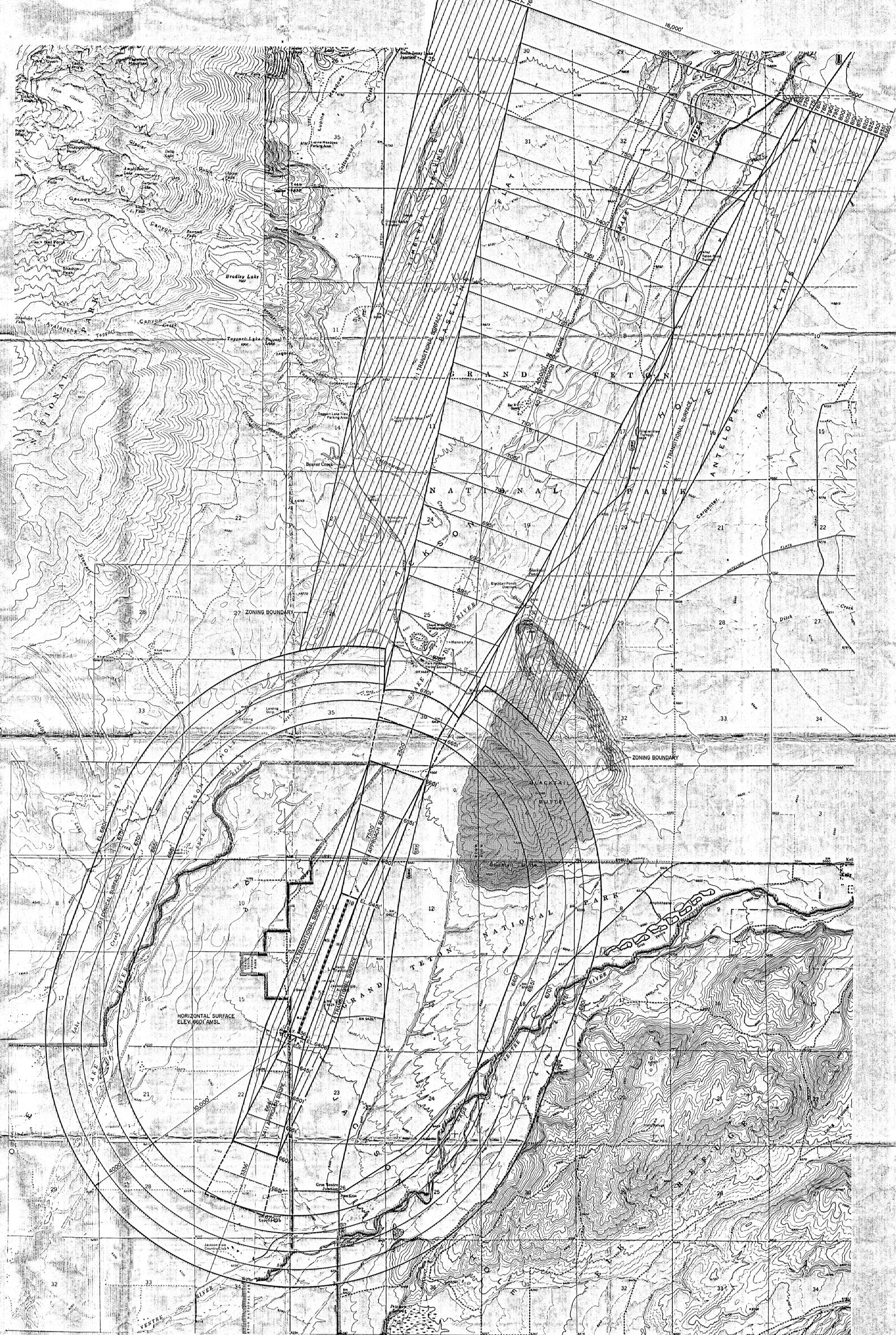
Where any part of a subdivision is to be located within 2 miles of the centerline of the runway of the Airport, subdivision plats, as defined in the Teton County Subdivision Resolution, shall be annotated to indicate the immediate proximity to the Airport.

SECTION 5. RECOMMENDED NOISE REDUCTION MEASURES

Structures shall be constructed to all the applicable codes enforced by the County at the time of construction. In addition measures are recommended to achieve a 25db noise reduction. Such measures may include the following:

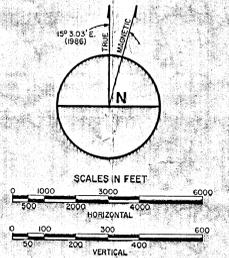
- A. Minimum 1/2 inch plywood or gypsum sheathing applied continuously to the exterior side of wood studding;
- B. All operable windows be hinged-type sash or double-hung sash;
- C. Roof sheathing be a minimum 1/2 inch thick continuous plywood or gypsum board; roof sheathing be covered with overlapping and airtight building paper;
- D. Mechanical ventilation be provided of a type and design to provide adequate environmental comfort with all doors and windows closed during all seasons; window and through the wall ventilation are not to be used; and

- E. Vent ducts connecting the interior space to the outdoors or attic space should contain at least a five-foot internal duct lining plus one lined 90 degree elbow. Duct lining should be one inch minimum coated glass fiber duct liner.



NOTES: 1. All imaginary surfaces are taken from Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" as revised effective August 1977.
 2. There is a violation of F.A.R. Part 77.
 3. A slope, such as 20:1, expresses the horizontal distance of 20' to the vertical distance of 1'.
 4. The base map (ground top) is taken from the U.S. Geological Survey.
 5. The Airport Elevation is 6451 Above Mean Sea Level.
 6. Precision Instrument Runway 18 Approach Slope is 50:1 for inner 10,000' and 40:1 for an additional 40,000' horizontally.
 7. Non-Precision Runway 36 visibility minimums greater than 3/4 mile. Approach slope is 34:1 for 10,000' horizontally.

A. TREES - 6450'
 B. TREE - 6455'
 C. TREE - 6459'
 D. TREE - 6477'
 E. ROAD - 6416'
 F. SIGN - 6415'
 G. DME ANTENNA - 6418'
 H. SIGN - 6415'
 I. TREE - 6442'
 J. WINDSOCK - 6431'
 K. WINDSOCK - 6444'
 L. ROD ON VOR - 6452'
 M. WINDSOCK - 6456'
 N. ROD ON CSI ANTENNA - 6481'
 O. BLACKTAIL BUTTE - 6601'



**JACKSON HOLE AIRPORT
 JACKSON, WYOMING**

AIRPORT ZONING MAP

BARNARD DUNKELBERG & COMPANY
 June, 1986