

**SUMMARY OF  
AIRPORT HAZARD ZONING ORDINANCE**

***NOTE: This document is a summary of the above-referenced Ordinance and is not intended to represent all provisions of the Ordinance. For a complete copy of the Ordinance, please contact the Texas Gulf Coast Regional Airport.***

**Authority for Ordinance:** Pursuant to the Airport Zoning Act, Texas Local Government Code chapter 241, local governmental entities may adopt, administer, and enforce “airport hazard area” zoning regulations in areas surrounding airports.

**Purpose of Ordinance:** The Ordinance regulates the use of land around the Texas Gulf Coast Regional Airport (the “Airport”) to prevent structures and objects of natural growth from obstructing flight operations and air navigation in the interest of public health, public safety, and general welfare.

**Airport Zones:** The Ordinance creates the following zones, which include all of the land beneath the surface of such zone: Approach Zones, Transition Zones, Horizontal Zone, and Conical Zone. A map of the zones is attached to this Summary as Attachment 1.

**Height Limitations:** Except as otherwise provided, no structure or object of natural growth may be erected, altered, maintained, or allowed to grow in an Airport Zone to a height in excess of the applicable height limitations described below. However, the Ordinance does not prohibit the growth, construction, or maintenance of any natural object or structure up to 50 feet above the surface of the land.

1. Approach Zones

- a. Runway 17: One foot in height for each 50 feet beginning at the end of the primary surface and extending to 10,200 feet from the end of the runway. Then, rising one foot in height for each 40 feet and extending to 40,000 feet from the end of the runway.
- b. Runway 35: One foot in height for each 34 feet beginning at the end of the primary surface and extending to 10,200 feet from the end of the runway.

2. Transition Zones

- a. Runway 17: One foot in height for every 7 feet outward beginning at the sides of the primary surface and extending to a height of 150 feet above

the Airport elevation. In addition, one foot for every 7 feet outward beginning at the sides of the approach surface and extending to the intersection of the conical surface. Further, where the precision instrument runway approach zone projects beyond the Conical Zone, one foot in height for every 7 feet outward beginning at the sides of approach surface and extending to a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

- b. Runway 35: One foot in height for every 7 feet outward beginning at the sides of the primary surface and extending to a height of 150 feet above the Airport elevation.
3. Horizontal Zone: 150 feet above the Airport elevation.
4. Conical Zone: One foot in height for each 20 feet outward beginning at the periphery of the Horizontal Zone and at 150 feet above the Airport elevation and extending to a height of 350 feet above the Airport elevation.

**Use Restrictions:** In addition to the Height Limitations, the Ordinance **prohibits** the following uses within any zone created by the Ordinance:

1. Any use that would create electrical interference with navigational signals or radio communications between the Airport and aircraft.
2. Any use that would make it difficult for pilots to distinguish between Airport lights and other lights, result in glare in the eyes of pilots using the Airport, impair visibility in the vicinity of the Airport, create bird strike hazards, or otherwise endanger or interfere with the operation of aircraft using the Airport.

**Joint Airport Zoning Board:** Brazoria County, the City of Angleton, and the City of Lake Jackson each appoint two members to serve on the Joint Airport Zoning Board. The six members appointed by the above governmental entities appoint a seventh member of the Zoning Board. The Joint Airport Zoning Board has the authority to adopt, administer, and enforce airport hazard area zoning regulations or airport compatible land use zoning regulations.

**Board of Adjustment:** The Joint Airport Zoning Board appoints a Board of Adjustment consisting of five members to serve a term of two years. The Board of Adjustment has the authority to hear and decide (1) appeals from any order, requirement, decision, or determination made by the Brazoria County Commissioners Court related to the enforcement of this Ordinance,

(2) special exceptions to the terms of the Ordinance that the Board of Adjustment is required to pass, and (3) applications for variances.

**Permit Requirements:** A permit must be granted before a material change may be made in the use of land, a structure is erected or otherwise established, or any object of natural growth is planted in any zone. A permit application must state the purpose for which it is desired with sufficient particularity to determine whether the resulting use, structure, and/or object of natural growth would conform to the Ordinance. No permit for a use inconsistent with the Ordinance will be granted unless the applicant receives a variance. In addition, the granting of a permit may be conditioned on the owner of the structure or object of natural growth allowing Brazoria County to install, operate, and maintain markings and lights as may be necessary.

**Exceptions to Permit Requirements:** The following uses do not require permits:

1. In the Horizontal and Conical Zones, no permit is required for any structure or object of natural growth less than 75 feet in height above the ground, unless, because of terrain, land contour, or topographic features, such structure or object of natural growth would extend above the Height Limitations for such zone.
2. In the Approach Zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit is required for any structure or object of natural growth less than 75 feet in height above the ground, unless such structure or object of natural growth would extend above the Height Limitations for the Approach Zones.
3. In the Transition Zones beyond the perimeter of the Horizontal Zone, no permit is required for any structure or object of natural growth less than 75 feet in height above the ground, unless, because of terrain, land contour, or topographic features, such structure or object of natural growth would extend above the Height Limitations for the Transition Zones.

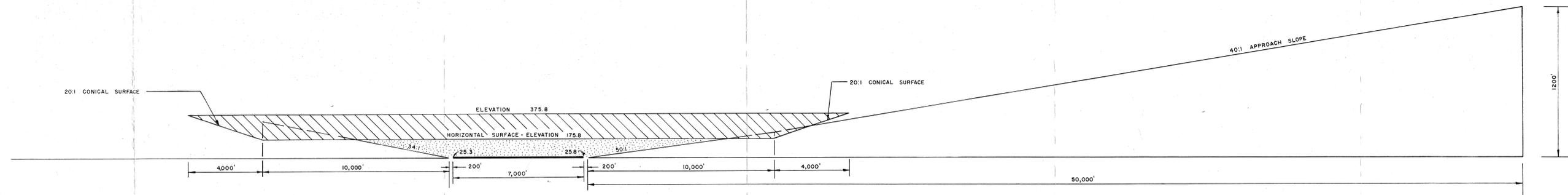
**Permit Application and Appeal Procedures:** Permit applications are submitted to the Brazoria County Commissioners Court. Permit applications are either granted or denied by Commissioners Court. Any person aggrieved (or any taxpayer affected) by a decision of Commissioners Court with respect to its administration of the Ordinance may file an appeal to the Board of Adjustment. All notices of appeal must be filed with Commissioners Court, which will provide the notice to the Board of Adjustment. The Board of Adjustment will provide the person an opportunity for a hearing. The Board of Adjustment may reverse, affirm, or modify, in whole or in part, any decision appealed, and may make any such order or decision as may be

appropriate. Any person aggrieved (or any taxpayer affected) may appeal any decision of the Board of Adjustment to a court of record.

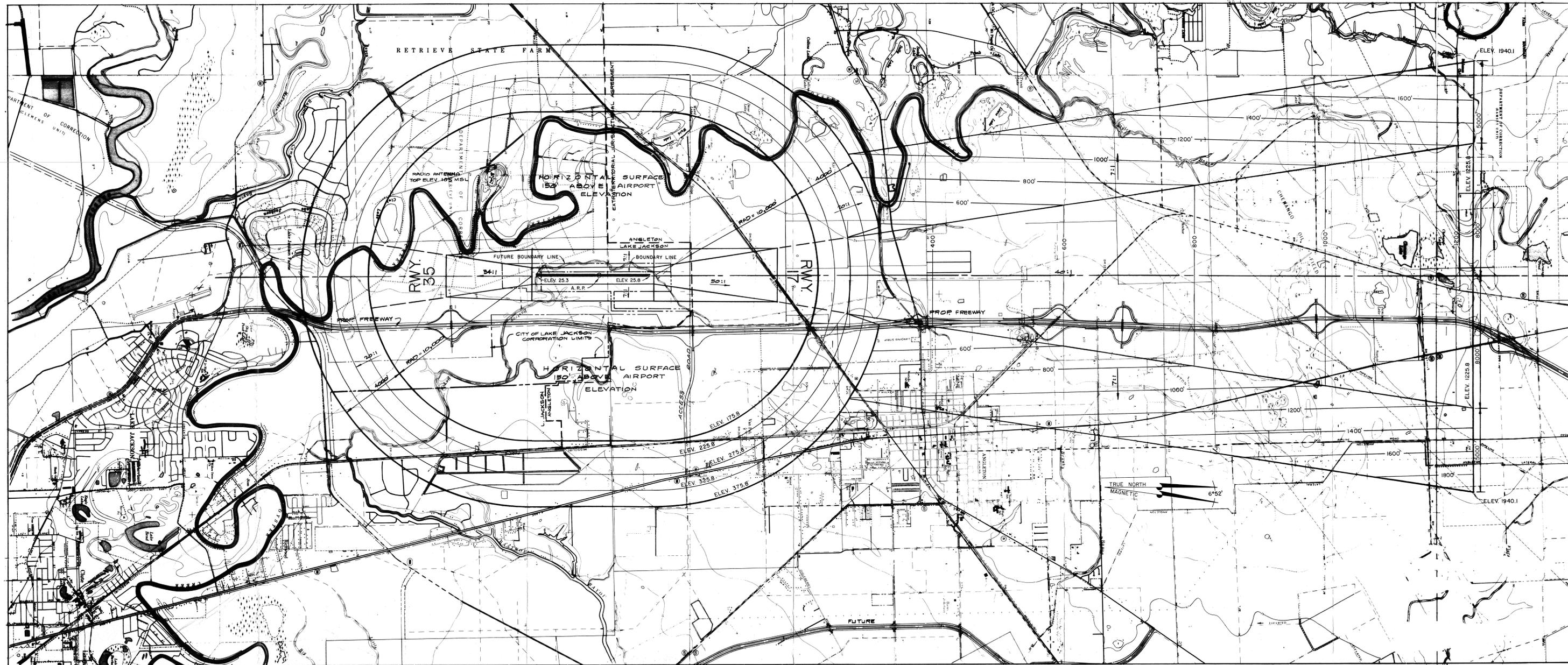
**Variations:** A person desiring to erect or increase the height of any structure, or permit the growth of any natural object, or otherwise use property in violation of the Ordinance may apply for a variance from the Board of Adjustment. Variance applications must be filed with the Brazoria County Commissioners Court, which will provide such applications to the Board of Adjustment. Variance applications must be accompanied by a determination from the Federal Aviation Administration as to the impact of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Variations are only allowed where the Board of Adjustment finds that the application or enforcement of the Ordinance will result in “unnecessary hardship and the relief granted would not be contrary to public interest but do substantial justice and be in accordance with the spirit of th[e] Ordinance.” A copy of all variance applications also must be provided to the Joint Airport Zoning Board for advice as to the aeronautical effects of the variance.

# **ATTACHMENT**

**“1”**



SECTION THROUGH RUNWAY AT 17-35 LOOKING WEST  
SCALE VERTICAL 1"=300' HORIZONTAL 1"=2000'

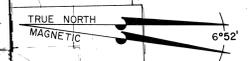
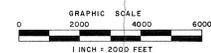


NOTES

1. THE AERIAL CONTOURS ILLUSTRATE THE HEIGHT LIMITATIONS WITHIN EACH ZONE.
2. A SLOPE, SUCH AS 20:1, EXPRESSES THE HORIZONTAL DISTANCE OF 20 FEET TO THE VERTICAL DISTANCE OF 1 FEET.
3. EXISTING TOPOGRAPHIC SYMBOLS ARE THOSE USED BY THE U.S. GEOLOGICAL SURVEY.
4. THE AIRPORT REFERENCE POINT (A.R.P.) IS LOCATED AT LATITUDE 29°06'35" N, LONGITUDE 95°27'45" W.

LEGEND

- ULTIMATE RUNWAY
- AIRPORT BOUNDARY
- ZONE BOUNDARIES
- TOPOGRAPHIC CONTOURS
- AERIAL CONTOURS



BRAZORIA COUNTY  
AND  
CITIES OF  
ANGLETON AND LAKE JACKSON  
JOINT ZONING BOARD  
—BRAZORIA COUNTY AIRPORT—  
AIRPORT HAZARD ZONING MAP

BAKER & LAWSON  
CONSULTING ENGINEERS  
ANGLETON, TEXAS

CERTIFIED CORRECT: *Joe A. Ward, Jr.*  
JOE A. WARD, JR., REG. PROF. ENGR.  
LICENSE NO. 32536



DATE APRIL 3, 1979.  
DRAWN BY M. MCCORD, CHECKED BY J. WARD  
SCALE: 1" = 2000' T.A.C.#