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WHEREAS, the Airport Protection Overlay zone was created for operational airports licensed by the FAA pursuant to F.S. 333. The Bob Lee Flight Strip is no longer operational and has been officially decommissioned by the FAA, the Airport Protection Overlay no longer applies to certain properties within proximity of the former Bob Lee Flight Strip; and

WHEREAS, the suffix “A” will be removed from the official zoning map for properties previously located within the Airport Protection Overlay zone for the Bob Lee Flight Strip.

(Words in ~~strike-through~~ are deletions; words in underscore type are additions)

AIRPORT PROTECTION OVERLAY ZONE

- (a.) *Purpose.* The purpose of this section is to establish reasonable airport zoning regulations to implement the provisions of state and federal law relating to airport zoning; to provide for airspace protection and land use compatibility with airport operations; to protect the public health, safety and welfare in the vicinity of an airport by minimizing the exposure to hazards and noise levels generated by aircraft operations; to facilitate proper land use planning and to prohibit the location of incompatible land uses and structures in areas surrounding existing or future airports; to provide a process to issue or deny permits and enforcement thereof for airport obstructions; to provide for coordination and notification of airport protection permitting between municipalities and the county; and to provide for coordination of permit applications between the county and state.
- (b.) *Definitions.* In addition to the definitions contained in section 72-2, the following terms shall have the following meanings:

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(14) Public-use airport: An airport, licensed by the state, which is open for use by the public. For the purposes of this section, the public-use airports are: ~~Bob Lee Flight Strip (1J6)~~; Daytona Beach International Airport (DAB), DeLand Municipal Airport — Sidney H. Taylor Field (DED), New Smyrna Municipal Airport (EVB), Ormond Beach Municipal Airport (OMN), Pierson Municipal Airport (2J8), Orlando-Sanford International Airport (SFB), and Massey Ranch Airpark (X50).

...

(c.) *Airport protection overlay zone.* In order to carry out the provisions of this section, there are hereby created and established certain "protected surface zones" that include all lands, in the unincorporated portions of the county, lying beneath the primary, approach, transitional, horizontal, and conical surfaces as they apply to a particular public-use airport. An additional zone also includes the land surrounding an ASR-9 radar site. The boundaries of the airport protection overlay zone shall apply to all zoning classifications established in article II, division 7 of this chapter, and the official zoning map shall identify said overlay zone by adding the letter "A" as a suffix to the existing zoning classification.

...

SECTION II: SEVERABILITY - Should any word, phrase, sentence, subsection or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section so held shall be severed from this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION III: CONFLICTING ORDINANCES - All ordinances, or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

SECTION IV: EFFECTIVE DATE – A certified copy of this Ordinance shall be transmitted to the state land planning agency by the County Manager within ten (10) days after enactment by the County Council and this Ordinance shall take effect thirty-one (31) days after the state land planning agency notifies Volusia County that the plan amendment package is complete.

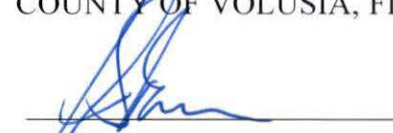
ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN
OPEN MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT
THE THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE,
DELAND, FLORIDA, THIS 1ST, DAY OF AUGUST, 2023.

ATTEST:



George Recktenwald
County Manager

COUNTY COUNCIL
COUNTY OF VOLUSIA, FLORIDA



Jeffrey S. Brower
County Chair

