

**City of High Point
Airport Overlay District
Summary of Requirements**

Effective Date of District

The City of High Point Airport Overlay District was adopted by the High Point City Council on August 7, 2003. On March 5, 2012, the City Council adopted revisions to the district, in response to the Piedmont Triad International Airport’s (PTIA) *Part 150 Airport Noise Compatibility* Study, which expanded the district to the east and west based upon aircraft flight patterns. The city’s Airport Overlay District applies only to property within the High Point corporate limits. As property is annexed into the city, the district goes into effect upon the date of annexation.

Purpose of District

The Airport Overlay District of the city’s Development Ordinance is applied as an overlay zoning district onto underlying zoning districts. The underlying zoning district determines the general use and development standards for land development. The Airport Overlay District is intended to facilitate orderly development within the vicinity of the Piedmont Triad International Airport, ensure land use compatibility by protecting noise sensitive land uses from objectionable aircraft noise impacts, mitigate noise impacts from aircraft overflights, and contribute to the safe operation of the airport. Therefore, the overlay district prohibits certain land uses and establishes specific standards to ensure potential aircraft noise is mitigated.

District Requirements By Zone

The district is divided into 4 different zones that have different noise mitigation standards. A description of each zone follows.

Zone	Notification	Waiver of Claim	Prohibited Uses	NLR Design Standards (30dB NLR)
1	X	X	X	
2	X	X	X	
3	X	X	X	X
4	X	X		

Zone 1: The intent of Zone 1 is to prevent the development of land uses sensitive to objectionable noise resulting from daytime and nighttime aircraft flights. No new residences are allowed, new daytime noise sensitive uses like schools are prohibited, and certain uses presenting safety concerns are barred. Notification of potential aircraft over-flight noise is required.

Zone 2: The intent of Zone 2 is to prevent the development of land uses sensitive to objectionable noise resulting from nighttime aircraft flights. No new residences are allowed. Notification of potential aircraft over-flight noise is required.

Zone 3: The intent of Zone 3 is to protect residents by reducing the interior level of objectionable noise resulting from nighttime aircraft flights. New residences within new subdivisions are required to meet design standards that reduce interior sound levels by 30 dB. Notification of potential aircraft over-flight noise is required.

Zone 4: The intent of Zone 4, along with the other three zones, is to provide public notification of potential night time aircraft noise impacts.

Applicability of Requirements

The Airport Overlay District does not prohibit the continuance, expansion or reestablishment of any existing land use; instead, the underlying zoning district governs such matters.

The noise level reduction (NLR) design standards and the waiver of claim agreements apply only to new subdivisions. The noise level reduction design standards and waiver of claim provisions do not apply to:

- a. Expansions or additions;
- b. Lots of record created prior to the effective date of the district;
- c. Lots created by a valid preliminary subdivision plat that was approved to the effective date of the district; or
- d. Residential uses depicted on a valid site plan or group development plan that was approved prior to the effective date of the district.

Public Notification of Potential Aircraft Noise Impacts

Notification of potential aircraft noise impacts associated with aircraft utilizing the Piedmont Triad International Airport is required to be given to property owners and to prospective purchasers of property within the Airport Overlay District as follows:

Initial Notice: The City of High Point provides initial notification of potential aircraft noise impacts to the owners of property located within the Airport Overlay District. First class mailed notice is provided to property owners within the district, as listed on the Guilford County tax abstracts. As property is incorporated into High Point and into the Airport Overlay District, the city gives notice to the property owner of record once by first class mail.

Residential Property: In accordance with the N.C. Residential Property Disclosure Act (NCGS 47E), residential property owners within the district are required to provide notification of potential noise impacts to all prospective purchasers through a written disclosure statement. NCGS applies to transfers of residential real property consisting of not less than one nor more than four dwelling units.

Subdivisions: All subdivisions of land within the district created after the effective date of the district, whether the subdivided lots are for a residential, commercial, industrial or other purpose, are required to have a notification statement placed on the recorded final plat of the subdivision that gives notice of potential aircraft noise impacts. The district requires that the subdivision owner provide written notice to all prospective lot purchasers through a disclosure statement.

Notification Statement: Where public notification statements on potential noise impacts are required or provided to the public for property within the district, the following statement shall be used: *“This property is located within the City of High Point Airport Overlay District and is subject to aircraft overflights and to aircraft noise that may be objectionable dependent upon the use and location of the property. Please refer to the city’s Airport Overlay District regulations and the Planning & Development Department for more information on potential noise impacts.”* Additional information to prospective purchasers is encouraged, such as the property’s zonal location within the district, whether noise-reduction design standards were utilized in the construction of the building, and whether any land uses are prohibited on the property by the district regulations.

Waiver of Claim Agreement Required for All New Subdivisions

A waiver of claim agreement is required for all subdivisions of land within the Airport Overlay District. The waiver is executed by the owner(s) of the property for the benefit of the city, and it waives all existing and future owners’ right to any claim or cause of action against the city in connection with adverse aircraft noise impacts or other consequences of the district’s noise mitigation requirements. The waiver statement is executed on the final subdivision plat before the plat is approved and recorded.

Noise Level Reduction Design Required for New Residential Dwellings in Zone 3

Within Zones 3 of the Airport Overlay District, all residential dwellings constructed in subdivisions or group development approved after the effective date of the district are required to meet specific noise level reduction design standards. Existing residential dwellings and additions and dwellings in developments approved prior to the effective date are exempt from this requirement.

30 db Noise Level Reduction (NLR) Standard: In Zone 3, new residential uses shall be designed to achieve an outside to inside noise reduction level of at least 30 decibels (dB). This performance measure may be achieved by any suitable combination of building design, building materials and construction standards so as to reduce the interior noise levels from overhead aircraft flights. Prior to the issuance of a building permit for a residential use, a qualified acoustical professional satisfactory to the Planning & Development Department shall certify that the design standards, construction methods and materials used to construct the residential dwelling will achieve at least a 30 dB noise level reduction.

Noise & Safety Sensitive Land Uses are Prohibited

The Airport Overlay District prohibits the establishment of specific land uses that have been determined to be inappropriate in particular zones of the district based upon potential aircraft noise impacts and potential safety hazards certain uses may have when located in the vicinity of an airport. Any use of land prohibited by the district but legally existed the effective date of the district upon the property is exempt from the prohibition requirement. Such use may be expanded or re-established on the property subject to the underlying zoning district requirements.

Airport Overlay District Prohibited Land Uses By Zone

DESCRIPTION	SIC GROUP	ZONE 1	ZONE 2	ZONE 3
RESIDENTIAL USES				
Boarding and Rooming Houses	7021	X	X	
Congregate Care Facilities	0000	X	X	
Family Care Homes	0000	X	X	
Group Care Facilities	0000	X	X	
Manufactured Dwellings (Class AA)	0000	X	X	X
Multifamily Dwellings (including Condominiums)	0000	X	X	
Private Dormitories	0000	X	X	
Shelters for the Homeless	0000	X	X	
Shelters, Temporary	0000	X	X	
Single Family Detached Dwellings	0000	X	X	
Townhouse Dwellings	0000	X	X	
Two Family Dwellings (Twin Homes or Duplexes)	0000	X	X	
Accessory Dwelling Units	0000	X	X	
Caretaker Dwellings	0000	X	X	
Migrant Labor Housing	0000	X	X	
RECREATIONAL USES				
Amusement or Water Parks, Fairgrounds	7996	X		
EDUCATION AND INSTITUTIONAL USES				
Auditoriums, Coliseums or Stadiums	0000	X		
Churches	8661	X		
Colleges or Universities	8220	X	X	
Correctional Institutions	9223	X		
Day Care Centers, Adult	8322	X		
Day Care Centers, Child	8351	X		
Day Care Homes, Adult	8322	X		
Day Care Homes, Child	8351	X		
Elementary or Secondary Schools	8211	X		
Fraternities or Sororities (Univ. or College)	0000	X	X	
Hospitals	8062	X	X	
Libraries	8231	X		
Museums or Art Galleries	8412	X		
Nursing and Convalescent Homes	8050	X	X	
Orphanages	8361	X	X	
Psychiatric Hospitals	8063	X	X	

Retreat Centers	0000	X	X	
Specialty Hospitals	8069	X	X	
BUSINESS, PROFESSIONAL & PERSONAL SERVICES				
Hotel or Motels	7011	X		
Theaters, Outdoor	7833	X		
Theaters, Indoor	7832	X		
WHOLESALE TRADE				
Petroleum Bulk Stations and Terminals	5171	X		
TRANSPORTATION, WAREHOUSING AND UTILITIES				
Hazardous & Radioactive Waste transportation, storage and disposal	0000	X		
Solid Waste Disposal (nonhazardous)	4953	X		
MANUFACTURING AND INDUSTRIAL USES				
Mining & Quarrying	1000	X		

This is a summary of the Airport Overlay District requirements and is not intended to replace the district regulations. The City of High Point Planning & Development Department maintains and provides district regulations and information depicting potential aircraft noise impacts, which is available to the public and other interested parties.

For additional information on the city's Airport Overlay District, contact the Planning & Development Department at 336-883-3328 or go to www.highpointnc.gov/plan/

For information on aircraft operations and noise, contact the Piedmont Triad International Airport (PTIA) at 336-665-5600 or at noise@gsoair.org.

For information on PTIA's Part 150 study, go to www.ptipart150.com/.