



## CASTROVILLE-MEDINA COUNTY JOINT AIRPORT ZONING BOARD Land Use Compatibility and Airport Hazard Regulations

### Article I – Land Use Compatibility and Airport Hazards

**Section 1. Short title.** These regulations shall be known and may be cited as the “Castroville Municipal Airport Zoning Regulations”.

**Section 2. Purpose.** The purpose of this article is to provide compatible land use regulations for the airport by establishing development standards that will protect property and occupants of land in the vicinity of the airport from airport hazards and protect the airport from incompatible development. The regulations and districts herein have been established in accordance with V.T.C.A., Local Government Code chs. 241 (Airport Zoning Act).

**Section 3. Compliance.** No structure or land within the airport jurisdictional area shall hereafter be located, altered, or have its use changed without full compliance with the terms of this article and any other applicable regulations.

**Section 4. Definitions.** The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Administrative Agency* - The appropriate person or office of a political subdivision which is responsible for the administration and enforcement of the regulations prescribed herein. The administrative agency is set forth in Section 17 of these regulations.

*Airport* means the Castroville Municipal Airport, Castroville, Texas; including the ultimate development of that facility.

*Airport board of adjustment* means a board consisting of five members appointed by the Castroville-Medina County joint airport zoning board, as provided by V.T.C.A., Local Government Code § 241.032.

*Airport elevation* means the established elevation of the highest point on the usable landing area measured in feet from mean sea level, which is 772 feet above mean sea level located on the runway centerline at the end of runway 16 at the municipal airport.

*Airport hazard* means any structure or tree or use of land which obstructs the airspace required for the flights of aircraft or which obstructs or interferes with the control or tracking and/or data acquisition in the landing, taking off or flight of aircraft at an airport, or at any installation or facility

relating to flight, and tracking and/or data acquisition of the flight craft; is hazardous, interferes with or obstructs such landing, taking off or flight of aircraft or which is hazardous to or interferes with tracking and/or data acquisition pertaining to flight and flight vehicles.

*Airport hazard area* means any area of land or water, as described in the Castroville Municipal Airport Hazard Zoning Map (figure 1), upon which an airport hazard might be established if not prevented as provided in this article.

*Airport Jurisdictional Area* means the combined area encompassed by the established airport hazard zones and airport overlay zones as shown on the Castroville Municipal Airport Hazard Zoning Map (Figure 1) and Castroville Municipal Airport Compatible Land Use Zoning Map (Figure 2).

*Airport manager* means the Airport Manager of the Castroville Municipal Airport or his/her designee.

*Airport reference point* means the point established as the approximate geographic center of the airport landing area and so designated. The coordinates of the municipal airport reference point are north latitude 29 degrees, 20 minutes, 32.0 seconds; west longitude 98 degrees, 51 minutes, 02.9 seconds.

*Approach surface* means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the ends of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 6 *Height limitations*. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

*Approach, transitional, horizontal, and conical zones.* These zones are set forth in Section 5 *Zones established*.

*Compatible land use* means Any use of land adjacent to or in the immediate vicinity of the airport that does not endanger the health, safety, and welfare of the owners, occupants, or users of the land because of levels of noise or vibrations or the risk of personal injury or property damage created by the operations of the airport, including the taking off or landing of aircraft.

*Conical surface* means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to one for a horizontal distance of 4,000 feet extending to a height of 350 feet above the airport elevation.

*Controlled compatible land use area* means An area of land located outside the boundaries of the Castroville Municipal Airport and within a rectangle bounded by lines located no farther than 1½ statute miles from the centerline and lines no farther than 5 statute miles from each end of Runway 16-34.

*Dwelling unit* means One or more rooms, designed or intended for use by an individual or family in which culinary and sanitary convenience are provided for the exclusive use of such individual or family.

*Hazard to air navigation* means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace within the zoning boundaries as set forth in this article.

*Hazardous facilities* means those occupancies or structures housing or supporting toxic or explosive chemicals or substances and any nonbuilding structures housing, supporting or containing quantities of toxic or explosive substances. Fuel tanks installed underground at a sufficient depth shall not be considered hazardous facilities.

*Height.* For the purpose of determining the height limits in all zones set forth in this article and shown on the Castroville Municipal Airport Hazard Zoning Map, the datum shall be height above mean sea level elevation.

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

*Joint airport zoning board* means the Castroville-Medina County Joint Airport Zoning Board.

*Landing area* means the surface area of the airport used for landing, takeoff or taxiing of aircraft.

*Nonconforming use* means any preexisting structure, object of natural growth, or use of land which is inconsistent with the provisions of this article or an amendment thereto.

*Nonprecision instrument runway* means a runway having an existing instrument approach procedure utilizing air navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

*Obstruction* means any structure which exceeds a height limit as set forth in Section 6 *Height limitations*.

*Person* means an individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

*Primary surface* means 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 of the runway will be that width prescribed in part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of the runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is 500 feet for a utility runway having a nonprecision instrument approach on one end and a visual approach on the other end.

*Runway* means a defined area at the airport prepared for landing and takeoff of aircraft along its length.

*Structure* means an object constructed or installed by man, including, but not limited to, buildings, towers, cranes, smokestacks, overhead transmission lines, earth formations and any objects of natural growth.

*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 horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal surface.

*Tree* means any object of natural growth.

*Utility runway* means a runway that is constructed for and intended to be used by an aircraft of 12,500 pounds maximum gross weight and less.

*Visual runway* means a runway that is intended solely for the operation of aircraft using visual approach procedures.

## **Section 5. Zones established.**

- a) Hazard Zones. In order to carry out the provisions of this article, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces,

transitional surfaces, horizontal surface and conical surface as they apply to the airport. Such zones for height limitations are shown on Castroville Municipal Airport Hazard Zoning Map (Figure 1). The various zones are hereby established and defined as follows:

- i) *Approach zones.*
    - (1) Runway 34. Approach zone is established beneath the approach surface at the end of runway 34 on the airport for nonprecision instrument landings and takeoffs. The inner edge of the approach zone shall have a width of 500 feet, which coincides with the width of the primary surface at a distance of 200 feet beyond the end of the runway, widening thereafter uniformly to a width of 3,500 feet at a horizontal distance of 5,000 feet beyond the end of the primary surface, its centerline being the continuation of the centerline of the runway.
    - (2) Runway 16. Approach zone is established beneath the approach surface at the end of runway 16 on the airport for visual landings and takeoffs. The inner edge of the approach zone shall have a width of 500 feet, which coincides with the width of the primary surface at a distance of 200 feet beyond the end of the runway, widening thereafter uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet beyond the end of the primary surface, its centerline being the continuation of the centerline of the runway.
  - ii) *Transitional Zones.* Transitional zones are hereby established beneath the transitional surface adjacent to the runway and approach surfaces as indicated on the Castroville Municipal Airport Hazard Zoning Map (Figure 1). Transitional surfaces, symmetrically located on either side of the runway, have variable widths as shown on the zoning map. Transitional surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of seven to one from the sides of the primary surface and from the sides of the approach surfaces.
  - iii) *Horizontal Zone.* The horizontal zone is hereby established as that area beneath a horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of runway 16-34 and connecting the adjacent arcs by lines tangent to those arcs.
  - iv) *Conical Zone.* The conical zone is hereby established as that area beneath the conical surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to one for a horizontal distance of 4,000 feet.
- b) *Airport Overlay Zones.* In order to carry out the provisions of these regulations, there are hereby created and established certain airport overlay zones for the purposes of regulating and developing uses of land within each zone that do not endanger the health, safety, and general welfare of the owners, occupants, or users of the land because of noise or vibrations or the risk of personal injury or property damage created by the operations of the airport, including the taking off and landing of aircraft. The controlled compatible land use area is hereby divided into 6 zones, shown on the Castroville Municipal Airport Compatible Land Use Zoning Map (Figure 2), which is attached to and made part of these regulations. The airport overlay zones are hereby established as follows:
- ~~i) —A. This Zone encompasses areas overflown at low altitudes, typically 200 or less above Airport Elevation.~~
  - ~~ii) —B1. This Zone encompasses areas overflown at low altitudes, typically 200 to 400 feet above Airport elevation.~~

- ~~iii) B2. This Zone encompasses areas overflown at low altitudes, typically 200 to 400 feet above Airport elevation.~~
- ~~iv) C1. This zone encompasses areas often overflown at altitudes greater than 400 feet above ground level (AGL)~~
- ~~v) C2. This zone encompasses areas often overflown at altitudes greater than 400 feet above ground level (AGL)~~
- ~~vi) C3. This zone encompasses areas often overflown at altitudes greater than 400 feet above ground level (AGL)~~
- i) A. This Zone encompasses areas overflown at low altitudes, typically 200 or less above Airport Elevation, with the northern boundary at Hwy 90, turning southeast at Hwy 471.**
- ii) A1. This is the same east and west boundaries as Zone A, and extends north of Hwy 90 and south of Medina River.**
- iii) B1. This Zone encompasses areas overflown at low altitudes, typically 200 to 400 feet above Airport elevation.**
- iv) C1. This zone encompasses areas often overflown at altitudes greater than 400 feet above ground level (AGL)**

**Section 6. Height limitations.**

- a) Except as otherwise provided in this article, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow, in any zone created by this article to a height in excess of the applicable height limit established in this section for such zone. 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 following maximum height limitations shall apply:
  - i) *Approach Zones.* Runway 16-34: One foot (1') in height for each twenty feet (20') in horizontal distance beginning at the end of and at the elevation of the primary surface and extending to a point 5,000 feet from the end of the primary surface.
  - ii) *Transitional Zones.* Slopes seven feet (7') outward for each one foot (1') upward beginning at the sides of and at the same elevation as the primary surface and the approach surfaces, and extending to a height of 150 feet above the airport elevation.
  - iii) *Horizontal Zone.* Established at 150 feet above the airport elevation.
  - iv) *Conical Zone.* Slopes twenty feet (20') outward for each one foot (1') upward 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.
- b) Excepted height limitations. Nothing in this division shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 50 feet above the surface of the land.
- c) Pursuant to Title 14 CFR Part 77, proposed structures within the established zones are subject to a FAA height hazard survey. To see if the proposed structure requires FAA paperwork to be filed, FAA provides an online interactive tool named Obstruction Evaluation/Airport Airspace Analysis.

**Section 7. Interference prohibited.**

- a) Notwithstanding any other provisions of this division, no use may be made of land or water within any zone established by this division in such a manner as to create electrical interference with navigational signals or radio communication between the 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 airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the airport.
- b) Solar Panels. Solar panels installed within the airport hazard zones, as identified on the Castroville Municipal Airport Hazard Zoning Map (Figure 1), shall have a low glare finish and installed in such a manner as to not result in glare in the eyes of pilots using the airport.

**Section 8. *Nonconforming uses and structures.***

- a) *Regulations are not retroactive.* The regulations prescribed by this article 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 article, or to otherwise interfere with the continuance of any nonconforming use. Nothing contained in this article 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 passing of the this article.
- b) *Marking and lighting.* Notwithstanding the preceding provisions of this section, the owner of any nonconforming structure or tree is hereby required to give permission for the installation, operation, and maintenance of markers and lights that are deemed necessary by the Airport Manager or his/her designee to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the Airport.

**Section 9. *Land use restrictions.***

- a) The following table specifies uses allowed (conforming land use) and those that are not allowed unless they were established prior to the effective date of this article (non-conforming land use). The airport overlay zones depicted in the Castroville Municipal Airport Compatible Land Use Zoning Map (Figure 2), are in addition to the underlying zoning standards when located within the city limits. When the regulations contained herein are in conflict with any city regulation, the more stringent regulation shall control. The following restrictions do not eliminate an allowable use or reduce the allowable residential density as specified in the zoning district, approved permit or development agreement on the affected property at the passing of this article.

## Airport Overlay Zone Land Use Compatibility Table

Zone	Maximum Densities & Intensities		Additional Criteria	
	Dwelling Units Per Acre <sup>1</sup>	Maximum Non-residential Intensity <sup>2</sup>	Prohibited Uses <sup>3</sup>	Other Development Conditions <sup>4</sup>
A	1 d.u. per acre	250 persons per acre	<ul style="list-style-type: none"> <li>Residential, except for very low density residential</li> <li>Hazards to flight<sup>5</sup></li> <li>Petroleum refining and storage<sup>6</sup></li> <li>Natural gas &amp; petroleum pipelines<sup>7</sup></li> <li>Children's schools, day care centers, libraries</li> <li>Hospitals, nursing homes</li> <li>Places of worship</li> <li>Schools</li> <li>Theaters, auditoriums, &amp; stadiums</li> <li>Dumps or landfills, other than those consisting entirely of earth and rock.</li> <li>Waterways that create a bird hazard, does not include flood control, detention ponds or stock tanks</li> <li>Sports facilities</li> </ul>	<ul style="list-style-type: none"> <li><del>Avigation easement dedication</del></li> <li>Within reason, locate structures maximum distance from extended runway centerline</li> <li>FAA airspace review if required by Federal Code of Regulations, Title 14: Aeronautics and Space, Part 77 Subpart D</li> <li>Airport disclosure statement<sup>4</sup></li> </ul>
B1	4 d.u. per acre	No limit	<ul style="list-style-type: none"> <li>Hazards to flight<sup>5</sup></li> <li><del>Theaters, auditoriums, &amp; stadiums</del></li> <li>Dumps or landfills, other than those consisting entirely of earth and rock.</li> <li><del>Waterways that create a bird hazard, does not include flood control, detention ponds or stock tanks</del></li> <li><del>Children's schools, day care centers, libraries</del></li> <li><del>Hospitals, nursing homes</del></li> </ul>	<ul style="list-style-type: none"> <li><del>Avigation easement dedication</del></li> <li>FAA airspace review if required by Federal Code of Regulations, Title 14: Aeronautics and Space, Part 77 Subpart D</li> <li>Airport disclosure statement<sup>4</sup></li> </ul>
B2	4 d.u. per acre	No limit	<ul style="list-style-type: none"> <li>Hazards to flight<sup>5</sup></li> <li>Theaters, auditoriums, &amp; stadiums</li> <li>Dumps or landfills, other than those consisting entirely of earth and rock.</li> <li>Waterways that create a bird hazard, does not include flood control, detention ponds or stock tanks</li> <li>Children's schools, day care centers, libraries</li> <li>Hospitals, nursing homes</li> </ul>	<ul style="list-style-type: none"> <li>Avigation easement dedication</li> <li>FAA airspace review if required by Federal Code of Regulations, Title 14: Aeronautics and Space, Part 77 Subpart D</li> <li>Airport disclosure statement<sup>4</sup></li> </ul>
C1	No limit	No limit	No limit	<ul style="list-style-type: none"> <li>Airport disclosure statement<sup>4</sup></li> </ul>
C2	No limit	No limit	No limit	<ul style="list-style-type: none"> <li>Airport disclosure statement<sup>4</sup></li> </ul>
C3	No limit	No limit	No limit	<ul style="list-style-type: none"> <li>Airport disclosure statement<sup>4</sup></li> </ul>

**Notes:**

- Residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre (d.u./ac). Clustering of units is encouraged. Gross acreage includes the property at issue plus a share of adjacent public or private roads and any adjacent, permanently dedicated, open lands.
- Usage intensity calculations shall include all people (e.g., employees, customers/visitors, etc.) who may be on the property at a single point in time, whether indoors or outside.
- The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other non-residential uses will not be permitted in the respective compatibility zones when they do not meet the usage intensity criteria.
- As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within the Airport Overlay Zones); information regarding Airport proximity and the existence of aircraft overflights must be disclosed. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new and redevelopment if approval is required.
- Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is prohibited.
- Does not include storage tanks associated with well heads.
- Natural gas & petroleum pipelines less than 36 inches below the surface.

- b) *Plat note.* A plat note shall be added to all subdivision plats located within the overlay zones indicating that the subdivision is subject to the airport hazard and land use compatibility zoning regulations.

**Section 10. Construction methods and materials.**

- a) All newly constructed occupied structures within the A, B1, and B2 airport overlay zones constructed after the effective date of this article are to be constructed to achieve a minimum 25 decibel sound level reduction from the exterior to the interior of the structure. Structures excluded from these standards include hangars, warehouses, barns and other similar structures and additions to existing occupied structures.

**Section 11. Lighting requirements.** All exterior or outdoor lighting installed on property within the A, B1, B2, C1, C2, and C3 airport overlay zones and constructed after the effective date of this article shall conform with the following standards:

- a) Lighting must be hooded, shielded, aimed downward and have a cutoff angle of 90 degrees or less.
- b) The hood or shield must mask the direct horizontal surface of the light source. The light must be aimed so as to ensure that the illumination is only pointing downward onto the ground surface or into the building. No illumination may spill onto adjacent property.
- c) Outdoor lighting shall be designed to provide the minimum lighting necessary to ensure adequate safety, night vision, and comfort, and not create or cause excessive glare onto adjacent properties and public street rights of way.
- d) Spot lights and upward facing lighting are prohibited.
- e) No outdoor lighting shall cause visual interference in accordance with Section 7 *Interference prohibited.*

**Section 12. Airport disclosure statement.** As part of certain real estate transactions involving residential property within the A, B1, B2, C1, C2, and C3 airport overlay zones; information regarding Airport proximity and the existence of aircraft overflights must be disclosed.

**Section 13. Permits required.**

- a) A permit shall be required for the following items when located within any established airport hazard or airport overlay zone (see Figure 1 and Figure 2):
  - i) the placement, construction, or alteration of a building or structure
  - ii) the placement, construction, or alteration of an exterior/outdoor lighting fixture
  - iii) the establishment of a new land use or substantial change to an existing land use
- b) A permit shall not be granted if the proposed work or land use allows for:
  - i) the establishment of an airport hazard;
  - ii) A nonconforming use to be made;



iii) a nonconforming structure or object of natural growth to become higher than it was at the time of the adoption of the airport zoning regulations relating to the structure or object of natural growth or at the time of the application for the permit; or

iv) a nonconforming structure, object of natural growth, or use to become a greater hazard to air navigation than it was at the time of the adoption of the airport zoning regulations relating to the structure, object of natural growth, or use or at the time of the application for the permit.

**c) Applications for permit shall be applied to and issued by the administrative agency (City of Castroville).**

**Section 14. Variances.** Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property, in violation of the regulations prescribed in this article may apply to the airport board of adjustment for a variance from such regulations in question. The application for variance 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 variance shall be allowed where it is duly found that a literal application or enforcement of such regulations will result in unnecessary hardship and the relief granted would not be contrary to the public interest, but would do substantial justice and be in accordance with the spirit of the regulation in this article. The airport board of adjustment may impose any reasonable conditions on the variance it considers necessary to accomplish the purposes of this article. Additionally, a copy of the variance application shall be provided to the Airport Manager or his/her designee for advice as to the aeronautical effects of the variance.

**Section 15. Appeals.**

- a) A decision of the administrative agency made in its administration of this article may be appealed to the airport board of adjustment by:
  - i) a person who is aggrieved by the decision;
  - ii) a taxpayer who is affected by the decision; or
  - iii) the governing body of a political subdivision or a joint airport zoning board that believes the decision is an improper application of the airport zoning regulation.
- b) The appellant must file with the airport board of adjustment and the administrative agency a notice of appeal specifying the grounds for the appeal. The appeal must be filed within a reasonable time as determined by the rules of the board. On receiving the notice, the administrative agency shall immediately transmit to the airport board of adjustment all the papers constituting the record of the action that is appealed.
- c) An appeal stays all proceedings in furtherance of the action that is appealed unless the administrative agency certifies in writing to the airport board of adjustment facts supporting the agency's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by an order of the airport board of adjustment, after notice to the administrative agency, if due cause is shown.
- d) The airport board of adjustment shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the

appeal hearing in person or by agent or attorney. The airport board of adjustment shall decide the appeal within a reasonable time.

- e) The airport board of adjustment may reverse or affirm, in whole or in part, or modify the administrative agency's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the airport board of adjustment has the same authority as the administrative agency.

**Section 16. Airport Board of Adjustment (ABOA).**

- a) The airport board of adjustment shall be comprised of five (5) members appointed for terms of two years by the Castroville-Medina County Joint Airport Zoning Board. The Castroville-Medina County Joint Airport Zoning Board may remove a board member for cause on a written charge after a public hearing. A vacancy on the board shall be filled for the unexpired term.
- b) The ABOA shall adopt rules for its governance and procedure in harmony with the provisions of these regulations. Meetings of the ABOA shall be held at the call of the chairman and at such times as the ABOA may determine. The chairman, or in his/her absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the board of adjustment shall be public. The ABOA shall keep minutes of its proceedings showing the vote of each member upon each question or if any member is absent or fails to vote, indicating such fact and shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately be filed in the office of the ABOA. All such records shall be public records.
- c) Authority of the airport board of adjustment. The airport board of adjustment shall:
  - i) hear and decide an appeal, as provided by Section 15 *Appeals*, from an order, requirement, decision, or determination made by the administrative agency in the enforcement of an airport zoning regulation;
  - ii) hear and decide special exceptions to the terms of an airport zoning regulation when the regulation requires the board to do so; and
  - iii) hear and decide specific variances under Section 14 *Variances*.
- d) The airport board of adjustment shall make written findings of fact and conclusions of law stating the facts upon which it relied when making its legal conclusions in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of these regulations.
- e) The concurring vote of four (4) members of the airport board of adjustment shall be necessary to reverse any order, requirement, decision, or determination of the administrative agency, to decide in favor of the applicant on any matter upon which it is required to pass under these regulations, or to effect any variance to these regulations.
- f) *Judicial review of board decisions.* A person who is aggrieved or a taxpayer who is affected by a decision of the airport board of adjustment, or the City of Castroville, Texas, or Medina County, Texas, or the Castroville-Medina County joint airport zoning board that believes a decision of the airport board of adjustment is illegal, may present to a court of record a verified petition stating that the decision of the airport board of adjustment is illegal in whole or in part and specifying the grounds of the illegality. The petition must be presented within 10 days after the date the decision is filed in the board's office.

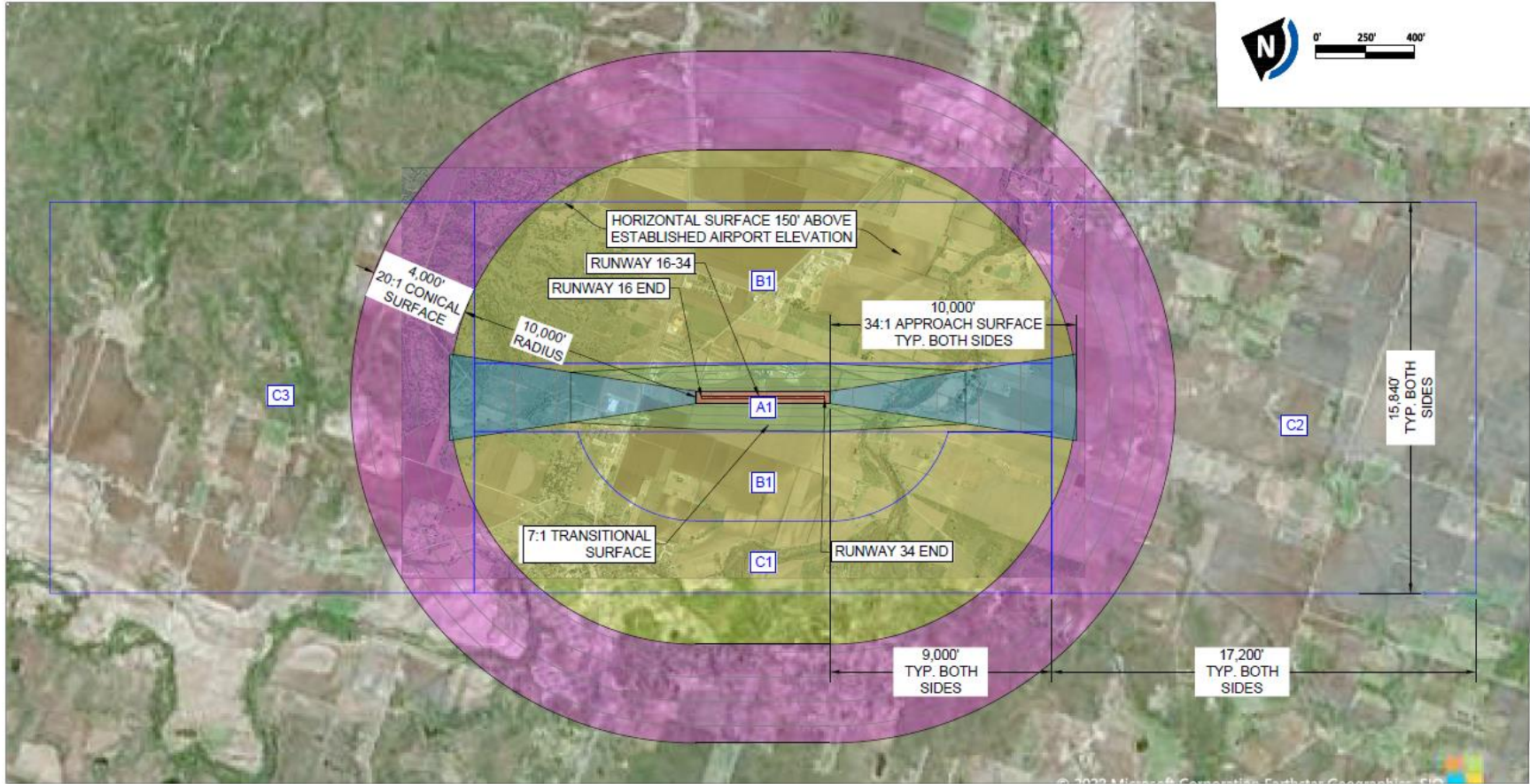
**Section 17. Administration.** It shall be the duty of the City of Castroville, through the City Manager or his/her designee, to administer and enforce the regulations prescribed herein and is hereby designated as the administrative agency.

**Section 18. Conflicting regulations.** Where there exists a conflict between any of the regulations or limitations prescribed herein and any other regulation applicable to the same area, whether the conflict be with respect to the use of land, or any other matter, the more stringent limitation or requirement shall control.

**Section 19. Enforcement, violations, penalties and remedies.**

- a) Any person, firm, or corporation who shall violate any of the provisions of this article, or fails to comply therewith, or who shall violate or fail to comply with any order or regulation made hereunder, or who shall build any project or facility in violation of any detailed statement of specification or plans submitted and approved hereunder, or any certificate or permit issued hereunder, shall, for each and every violation and noncompliance respectively be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed two thousand dollars (\$2,000) or the appropriate legal maximum as determined by statute. Each and every day that such violation and/or noncompliance shall exist shall be deemed a separate offense.
- b) In case any person, firm, or corporation violates any of the provisions of this article or fails to comply therewith, the governing bodies of the City of Castroville, Texas, or Medina County, Texas, or the Castroville-Medina County Joint Airport Zoning Board may institute in a court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of these regulations or of any order or ruling made in connection with their administration or enforcement including, but not limited to, an action for injunctive relief. This shall not preclude the City of Castroville, Texas, or Medina County, Texas, or the Castroville-Medina County Joint Airport Zoning Board from invoking the civil remedies given it by law in such cases, but same shall be cumulative of and in addition to the penalties prescribed for such violation.

**Figure 1 –Castroville Municipal Airport Hazard Zoning Map**  
**Figure 2 –Municipal Airport Compatible Land Use Zoning Map**



**Exhibit 1 - AIRSPACE DRAWING**

