



OFFICE MEMORANDUM

DATE: August 11, 2011

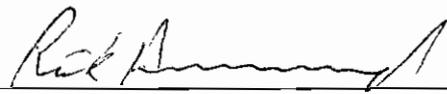
TO: David Baker
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FROM: Rick Hammond, Airports Division Administrator

SUBJECT: Runway Protection Zones

Sponsor control of Runway Protection Zones (RPZs) at airports is of prime concern to the protection of people and property as well as to maintain full utility of the airport facilities. The attached guidelines should be used by Aeronautics staff in providing guidance and recommendation to federally obligated airport sponsors to that end. It should be noted that this guidance is intended to aid staff and airport sponsors in determining a plan to control property within the RPZ by the best method possible. The requirement of federally obligated airport sponsors is to employ the best means practical to ensure that sufficient control of both land uses and obstructions exist within the RPZ.

In utilizing this guidance to airport sponsors, every effort should be made to control the RPZ through option one. That is to control RPZ lands by fee acquisition. Where Aeronautics staff is convinced that fee acquisition is not practical, then option two (easement acquisition) may be utilized. Likewise if neither of those options is determined to be practical, option 3 may be the best option for the sponsor to maintain some level of control over RPZ lands. In each case, careful consideration should be made to exercise the best, most practical means given the conditions at that specific location. Also, in each case staff should determine, in conjunction with the sponsor, a timeline to implement controls over lands within the RPZ.



Division Administrator

Attachment

RH:lw

Airport Property and the RPZ

Under FAA design criteria, federally obligated airport owners must have sufficient interest in the Runway Protection Zones to protect the Runway Protection Zones from **both** obstructions and incompatible land use.

Additionally, the airport owner must strive to attain compatible zoning around the airport in order to prevent incompatible land uses that:

- May endanger people on the ground
- Could cause sufficient conflict that endangers the airport
- Cause it to be closed or
- Require substantial remedial investment to purchase conflicting developed property.

Sponsor may attain sufficient interest in the Runway Protection Zones in three primary ways.

- 1) The first and the preferred method is for the airport to purchase the RPZ in fee. This includes the central portion and the controlled activity area of the RPZ. Ownership in fee is preferred because it provides maximum control for the airport.
- 2) The second is through purchase of an easement (or a combination of easement and zoning).
- 3) The third alternative is to rely upon adequate zoning which should be enacted even if fee or easement ownership is in place.

FAA Advisory Circular 150/5300-13 addresses ownership policy as follow:

Chapter 2, paragraph 201 states: “All ... existing and planned airport elements including the following should be on airport property. (A) Object Free areas, (B) **Runway Protection Zones**, (C) Areas under ... Part 77 ... imaginary surfaces out where the surfaces obtain a height of at least 35 feet above the primary surface; and (D) Areas, other than those which can be adequately controlled by zoning, easements, or other means to mitigate potential incompatible uses ... Paragraph 21 states, in part: Such control includes clearing RPZ areas (and maintaining them clear) of incompatible uses and activities.”

Through experience we have learned that, in many cases, due to increased time and potential legal fees, it is less expensive in the long run to acquire the RPZ in fee rather than acquiring an easement.

Compatible Land Use

Compatible land use within the RPZ is generally restricted to such land uses as agricultural, golf course, and similar uses that do not involve congregations of people or construction of buildings or other improvements that may be obstructions.

AC 150/5300-13, Chapter 2 paragraph 212 states: “The following land use criteria apply within the RPZ: (A) While it is desirable to clear all objects from the RPZ, some uses are permitted, provided they do not attract wildlife, are outside the Runway OFA, and do not interfere with navigational aids. Automobile parking facilities, although discouraged, may be permitted, provided the parking facilities and any associated appurtenances, in addition to meeting all of the preceding conditions, are located outside of the central portion of the RPZ. Fuel storage facilities may not be located in the RPZ. **(B) Land uses prohibited from the RPZ are: residences and places of public assembly. (Churches, schools, hospitals, office buildings, shopping centers, and other uses with similar concentrations of persons typify places of public assembly.) Fuel storage facilities may not be located in the RPZ.**”

“Where it is determined to be impractical for the airport owner to acquire and plan the land uses within the entire RPZ, the RPZ land use standards have recommendation status for the portion of the RPZ not controlled by the airport owner.”

Where such land is vacant, it is rarely impractical to acquire the land in the RPZ. Even if the cost of the land seems to be prohibitive the airport owner is expected to exercise sufficient control through zoning or easements to prevent prohibited land uses.

Recommendation

Airports that do not own the entire RPZ should consider the need to acquire such land if there is any possibility that incompatible land uses could occur within the RPZ. Airport owners should also review any easements to ensure that sufficient control of both land uses and obstructions exist. All public use airports in Michigan have either an Airport Zoning Plan or an Approach Protection Plan to provide height and land use guidance. Airport owners should take steps to ensure that these plans have been properly incorporated into local zoning plans in order to prevent future incompatible use. Airport owners and managers should review the Airport Layout Plan for conformity with this policy. Airport layout plans should be revised if necessary to show such future land acquisition so that it is eligible under the Airport Improvement Program. An airport can acquire such land and be reimbursed at a later date from a future AIP grant, if funds become available, such land acquisition is shown on an approved ALP, and MDOT Office of Aeronautics determines that such land is eligible.