

# Action Plan for Implementing Airport Hazard Zoning Ordinances – Summary



Bureau of Aviation



# Plan Summary

## OVERVIEW:

A safe and reliable network of public-use airports is essential to the economic stability of this Commonwealth. However, a substantial number of Pennsylvania municipalities located near airports have not utilized land use and zoning ordinances to preserve and protect these transportation resources. Furthermore, many have not complied with Pennsylvania’s Airport Hazard Zoning law, Act 164, which requires those municipalities that fall within an airport hazard area to adopt, administer, and enforce airport zoning regulations (ordinances).

## GOAL:

The goal of this project was to facilitate the development of airport hazard zoning ordinances by applicable municipalities to “significantly” increase statewide compliance with Pennsylvania’s Airport Hazard Zoning law, Act 164.

To achieve this goal, a number of tasks were established. The objective of these tasks were to research and evaluate zoning information to develop new model ordinance language, facilitation & negotiation methods, presentation and educational tools, and a statewide strategy for facilitating the establishment of ordinances as defined by Act 164.



## PROJECT TASKS AND OUTCOMES:

The following tasks were developed at the outset of the project to quantify the methods used to satisfy the plan objectives. As plan development proceeded and more information was collected on municipal successes and challenges, some of the tasks were refined to ensure successful outcomes. The key tasks & outcomes included:

### TASK 1 – RESEARCH TOPIC INFORMATION TO DEVELOP TOOLS TO FACILITATE ACT 164 COMPLIANCE.

**Outcomes:** Available data on airport hazard zoning and municipal land-use regulations was evaluated to gain sufficient understanding so that tools developed would assist and make it attractive for municipalities to meet Act 164 mandates. Efforts resulted in the development of a new airport district overlay ordinance model; surface area overlay maps; and a workshop presentation. An action plan on how best to deliver these tools was also developed.

### TASK 2 – EVALUATE THE EFFECTIVENESS OF TASK 1 ZONING TOOLS AND PROVIDE MUNICIPAL PLANNING CODE (MPC) RECOMMENDATIONS

**Evaluation Outcomes:** To ensure the zoning tools and delivery approach would be effective, feedback from both airport and municipal representatives was obtained. This included collaboration with state and local government organizations familiar with both law and practice of municipal zoning. The PA Departments of Transportation and Community and Economic Development provided legal and municipal program support; and representatives from Pennsylvania Township Supervisor and Borough organizations (PSATS/PSAB) provided insight on zoning best practices.

Following this evaluation, the zoning tools were compiled for delivery through a series of workshops. Two trial workshops were conducted to test the material effectiveness and delivery efficiency. One was delivered to a group with varying degrees of knowledge on the topic and the other to a group from the target audience (Airports/County/Municipal/MPO representatives).

**MPC Recommendation Outcomes:** Research and feedback throughout the project lead to the presentation of several considerations for integrating Act 164 with the MPC. The findings, however, suggested that the challenges of pursuing a modification to the MPC outweighed any perceived benefits, especially since airport hazard zoning awareness could be accomplished through a number of existing land-use and planning guidance documents.

### TASK 3 – ACTION PLAN IMPLEMENTATION

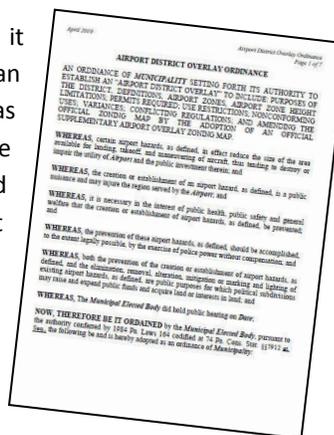
**Outcomes:** The action plan implementation focused on “how” the zoning tools would be delivered. It was laid out to provide an opportunity for each impacted municipality to attend a workshop and have access to the tools developed to help them understand and comply with Act 164. The training was conducted at twenty-one (21) onsite locations across the Commonwealth. Development of a workshop training brochure and official invitations were used to reach the target audience. Professional Continuing Education credits were established as a way to encourage participation. A final Web-based presentation was also delivered and recorded for municipalities unable to attend an onsite workshop. In all, over 550 individuals were provided the necessary training and tools to assist in getting airport hazard zoning ordinances in place. This is one of the most significant accomplishments in this regard since Act 164 was enacted in 1984.

### ZONING TOOLS

Development of the following zoning tools was instrumental in the successful accomplishments of the goals of this project.

### AIRPORT DISTRICT OVERLAY ORDINANCE MODEL

The model ordinance was written in an ‘overlay’ format so it would be easy to use by local government agencies. As an overlay it could be developed to regulate height in the areas surrounding an airport without disturbing existing land use zones. The model also minimized aviation terms and provided for a consultation with aviation experts to aid in permit evaluation and ordinance administration. Finally, it underwent a legal review to ensure the new language met the provisions of the Airport Hazard Zoning law, Act 164. The flexibility this provides local government was shown to be very attractive to municipalities during zoning workshops.

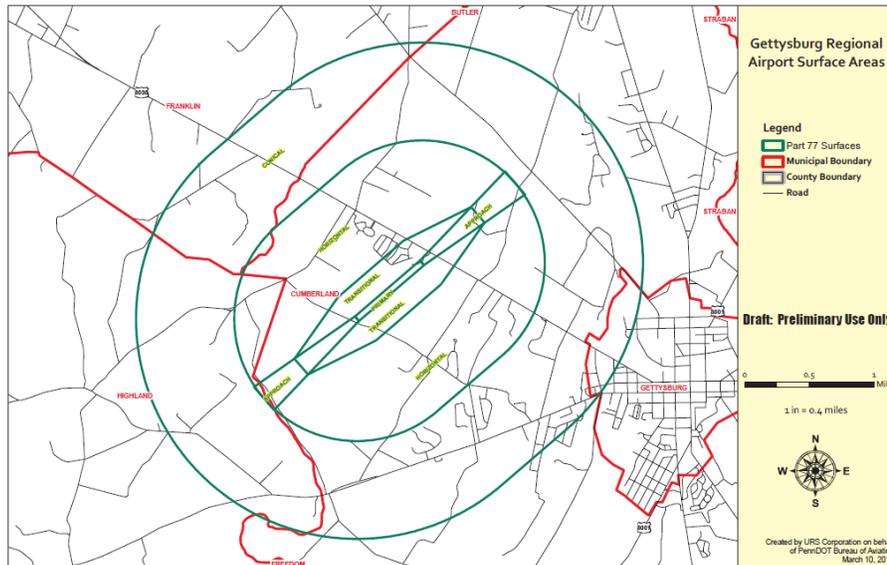


### LEGAL FREQUENTLY ASKED QUESTIONS (FAQS)

A list of Act 164 FAQs was developed to answer commonly asked legal questions and resolve misconceptions that often made municipalities reluctant to develop airport hazard zoning. Local government officials and solicitors were surveyed and given an opportunity to submit legal questions they had regarding Act 164. These questions along with the corresponding PENNDOT responses were made available to all municipalities in advance of the workshops.

AIRPORT SURFACE AREA MAPS WITH ACCOMPANYING GIS ELECTRONIC FILES

- ➔ Airport Hazard Zoning Surface Area Maps were developed to not only depict the area to be protected around a public use airport but also to show how the area corresponds to the underlying municipal boundaries and road network. These maps were used to identify impacted municipalities, explain the five (5) components of each surface area during the workshops, and to serve as a resource for municipalities as they develop their airport hazard zoning ordinance. An example of the surface area map is shown below. It illustrates the airport hazard area surrounding Gettysburg Regional Airport.



- ➔ These maps were developed in CAD and later converted into Geographic Information System (GIS) shape files. The shape files were imported by PENNDOT's GIS Unit who assisted in making them available for download through an online mapping site, PASDA (Pennsylvania Spatial Data Access). Municipalities are now able to download and integrate these files with existing land use mapping.

## AIRPORT HAZARD ZONING WORKSHOP PRESENTATION

Each of the twenty-one workshops held across Pennsylvania were well attended and received very favorable evaluations. The materials presented during the workshops were split into two sections – the first section dealt with the legal implications of Airport Hazard Zoning on municipalities and the second section reviewed



the intricacies of the model overlay ordinance and how to manage it as part of a



local government office. All of the workshop materials were developed to be an ongoing resource for zoning administrators. For this reason, a binder with all of the workshop information was provided to each participant. URS, Inc. also conducted a condensed version of the workshop and recorded it for use as needed in the future. Lastly, the workshop information was divided into sections for easy access and posted to the Bureau of Aviation’s website ([www.dot.state.pa.us](http://www.dot.state.pa.us)).

## FUNDING OPTIONS

The Bureau of Aviation presented an option for “airport sponsors” to access Aviation Development Program funds to assist their municipalities implement an airport hazard zoning ordinance. Special conditions such as development of an airport–municipal cooperative agreement were established to ensure ordinances were officially adopted.

## ZONING STATUS

This project provided a number of valuable resources not only to municipalities trying to bring their zoning ordinance into agreement with Act 164, but to the Bureau of Aviation as well. It effectively set the stage for a “significant increase in statewide compliance with Pennsylvania’s Airport Hazard Zoning law, Act 164”. More specifically, the progress towards this goal can be seen below.

<u>Milestone</u>	<u>Act 164 Compliance Rate</u>
• Pre-Workshop (March 2010)	25%
• Post Workshop (March 2011)	30%
• <i>Anticipated Progress by March 2012</i>	<i>50% or greater</i>

The Bureau of Aviation is committed to working with airports and municipalities to achieve statewide compliance. They will continue to provide technical assistance, and track the status of zoning compliance within the Commonwealth. An Airport Hazard Zoning Status report will be available through the BOA website.

For additional information contact the Bureau of Aviation at 717-705-1260.