



Iowa Airport Land Use Guidebook



CHAPTER 6 RESOURCES





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6.0 Resources

This Guidebook provides information that can be used to address a host of land use issues on and around airports. It is not meant to be an exhaustive resource or a complete guide to address all land use concerns related to airport land use management. It is intended to provide a solid foundation from which individual airports and their local communities can build land use plan to address airport and community needs. Cooperation between airport sponsors and community groups is necessary to preserve and develop land use plans compatible with airport environs. It is the responsibility of each individual community to identify and mitigate existing incompatible land uses, as well as prevent future incompatible land use development.

This chapter contains resource information that can be used to assist airport sponsors, local communities, elected officials, and planners to address land use issues related to airports including:

- Iowa Department of Transportation airport land use survey
- Existing land use controls
- Resource agency contacts
- State of Iowa regulations relating to land use
- Federal regulations relating to land use
- State of Iowa case law
- Federal case law

6.1 Iowa Airport Land Use Survey

In an effort to assess existing land uses in the vicinity of airports within the state, the Office of Aviation conducted the *Iowa Airport Land Use Survey* in 2005. The objective of the survey was to determine what types of land uses currently exist around airports in Iowa. This survey provides a benchmark of existing land uses. The tools and techniques discussed within the Guidebook can be used in conjunction with the survey results to assist airport sponsors and local officials develop land use compatibility plans, master plans, and comprehensive plans.



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The survey was distributed to airport managers and sponsors at public use airports in Iowa. A total of 106 out of 111 (95%) publicly-owned airports responded.

Airports were asked to identify what types of land uses are on airport property, within one mile, within three miles, and within five miles of the airport. Respondents were asked to identify if any of the following land use types existed around their airport:

- Residential land uses
 - Single and multi-family housing
- Agricultural land uses
 - Farm structures, crops, and pastures
- Recreational land uses
 - Golf courses, playgrounds, parks, campgrounds, and ball fields
- Open water land uses
 - Ponds, rivers, streams, ditches, water retention ponds, and wetlands
- Noise sensitive land uses
 - Schools, hospitals, places of worship, day care facilities, and amphitheaters
- Other land uses
 - High density commercial, significant light emissions, telecommunications towers, wind turbines, ethanol plants, cultural resources, endangered threatened species, landfills, and sand and gravel pits

Table 6-1 through **Table 6-6** indicates the percent of airports responding that reported the specific types of land uses on airport property, within one mile of the airport, and within three miles of the airport. Airport managers and sponsors reported the existence of these land uses and not whether these land uses are problematic. These results illustrate the fact that many incompatible land uses currently exist in relative close proximity to airports and indicate a need to address compatible land use. Detailed responses for each airport responding are included in **Appendix K**.



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Table 6-1 Percent of Airports Reporting Residential Land Use

Land Use	On Airport Property	Adjacent to Airport	Within 3 Miles of Airport
Single Family	15%	61%	77%
Multi-Family			
Condominiums	None	2%	38%
Apartments	None	4%	65%
Manufactured Housing Parks	None	5%	43%

Source: Iowa Land Use Survey 2005

Table 6-2 Percent of Airports Reporting Agricultural Land Use

Land Use	On Airport Property	Adjacent to Airport	Within 3 Miles of Airport
Farm Structures	3%	43%	70%
Crops	63%	73%	65%
Pastures	16%	37%	51%

Source: Iowa Land Use Survey 2005

Table 6-3 Percent of Airports Reporting Recreational Land Use

Land Use	On Airport Property	Adjacent to Airport	Within 3 Miles of Airport
Golf Courses	None	7%	55%
Playgrounds	None	4%	68%
Parks and Campgrounds	1%	5%	61%
Ball Fields	3%	7%	61%

Source: Iowa Land Use Survey 2005



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Table 6-4 Percent of Airports Reporting Open Water Land Uses

Land Use	On Airport Property	Adjacent to Airport	Within 3 Miles of Airport
Ponds and Lakes	8%	26%	58%
River, Streams, and Ditches	16%	41%	65%
Water Retention Ponds	6%	20%	40%
Wetlands	3%	7%	12%

Source: Iowa Land Use Survey 2005

Table 6-5 Percent of Airports Reporting Noise Sensitive Land Uses

Land Use	On Airport Property	Adjacent to Airport	Within 3 Miles of Airport
Schools	None	4%	60%
Hospitals	None	3%	40%
Places of Worship (Churches)	None	4%	63%
Day Care Facilities	None	3%	58%
Amphitheaters	None	1%	8%

Source: Iowa Land Use Survey 2005



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Table 6-6 Percent of Airports Reporting Other Land Uses

Land Use	On Airport Property	Adjacent to Airport	Within 3 Miles of Airport
High Density Commercial	None	None	13%
Significant Light Emissions	2%	5%	33%
Telecommunications Towers	1%	1%	57%
Wind Turbines	None	None	5%
Ethanol Plants	None	None	4%
Cultural Resources	1%	None	23%
Endangered or Threatened Species	None	Approximately 2%	Approximately 2%
Landfills	None	1%	8%
Sand and Gravel Pits	Approximately 2%	Approximately 2%	21%

Source: Iowa Land Use Survey 2005

6.2 Existing Land Use Controls

As airports and local communities address the issue of land use compatibility, it is important to understand what zoning and airport planning may already be in place. The Iowa Airport Land Use Survey found that just over half of the airports responding had some form of airport zoning, and only one-third of the airports responding indicated that the zoning included compatible land use. Of those that responded:

- 58 airports currently have airport zoning in place
- 58 airports have zoning that includes tall structure zoning
- 33 airports indicated that they have zoning in place that includes zoning for land use controls near their airport

Airports and communities without land use controls should consider adopting such measures to protect their local airport and community interests.

Over half the airports in Iowa have some form of airport zoning but only a third include compatible land use.



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6.3 Resource Contacts

Various state and federal agencies, as well as regional planning agencies and associations, have an interest in compatible land use planning around airports. The resources identified in this chapter may not be all inclusive, but will provide a foundation for obtaining information and assistance in land use questions. The Iowa Department of Transportation's Office of Aviation is recommended as the initial resource for information, and can help identify other appropriate resources as needed. **Appendix L** contains contact information for various agencies and associations.

6.3.a. State of Iowa Agencies

The Iowa Department of Transportation's Office of Aviation is the primary point of contact for aviation related issues in Iowa. Additional state agencies, planning organizations, and associations may also be important resources when specific land use issues need to be addressed.

- **Iowa Department of Transportation (DOT) Office of Aviation**

The Iowa DOT Office of Aviation is charged with promoting, planning and assisting in the development of an aviation system that meets the needs of the aviation system users in Iowa. The Office of Aviation provides various resource materials to help local communities recognize the important role that airports play in everyday life. Compatible land use resources are available, as well as assistance in identifying federal agencies to contact regarding land use issues.

www.iawings.com

- **Iowa State University (ISU) Extension Service**

Iowa State University Extension Service, through the Department of Community and Regional Planning, provides assistance to communities and counties in the areas of land use, comprehensive planning, and zoning. The ISU Extension Service develops resource tools and conducts workshops to help planning and zoning officials understand Iowa law and assists in the overall planning process.

www.design.iastate.edu/extension/planning.php



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- **Iowa Department of Natural Resources (DNR)**

Iowa DNR is responsible for protecting and enhancing the natural resources in Iowa. Cooperation between the DNR and airports is important when land use issues arise. The DNR may need to be consulted for assistance with land use issues regarding wetlands, waterways, timber, and natural prairies. The DNR can also assist in mitigation for wildlife on airport property.

www.iowadnr.com
- **Iowa Department of Agriculture and Land Stewardship**

Iowa Department of Agriculture and Land Stewardship sponsors several programs to recreate wetlands in watershed areas. Coordination between airports and the agency is important to ensure that wildlife attractants are not created near airport safety areas.

www.agriculture.state.ia.us
- **Iowa Department of Economic Development**

Iowa Department of Economic Development provides resources for businesses looking to expand, relocate, or startup and provides tools and assistance to help meet the needs of communities and businesses. Coordination can help ensure that airports can meet the needs of economic development.

www.iowalifechanging.com/community/
- **Iowa State Historical Society (SHSI)**

The State Historical Society of Iowa (SHSI) has a dual mission of preservation and education. SHSI records, collects, preserves, manages and provides access to Iowa's historical resources. This resource is available when a historical review of past land uses is needed.

www.state.ia.us/government/dca/shsi/



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6.3.b. Regional Planning Affiliations (RPA) and Metropolitan Planning Organizations (MPO)

Iowa's Regional Planning Affiliations (RPA) and Metropolitan Planning Organizations (MPO) share responsibility for transportation planning with local governments and the Iowa Department of Transportation to maintain a comprehensive and coordinated approach to local, regional, and state transportation planning. The MPOs and RPAs are associations of local governments with goals of strengthening and promoting intergovernmental cooperation. They provide assistance to local governments related to transportation planning, economic development, zoning, human services, and environmental concerns. The Iowa DOT Office of Aviation encourages airport sponsors to coordinate with local MPOs and RPAs in all aspects of transportation planning. A list of Iowa's RPAs and MPOs is provided in **Appendix L**.

6.3.c. Federal Resources

The primary federal point of contact regarding airports and land use compatibility is the Federal Aviation Administration. Other federal agencies may also be involved with airport land use compatibility concerns. **Appendix L** includes contact information for federal resource agencies described in this section.

- **Federal Aviation Administration (FAA)**

The FAA is the primary federal point of contact regarding airports and airport land use compatibility concerns. The FAA's Central Region Airport Division located in Kansas City and is the primary contact for airports in Iowa pertaining to planning, land use, and environmental processes. Many resources relating to planning, environmental process, wildlife attractants, and construction on or off airports are available at the FAA Central Region web site. www.faa.gov/airports_airtraffic/airports/



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FAA Airports Division also provides environmental oversight by providing guidance and assistance to airports in implementing the National Environmental Policy Act (NEPA) and other federal environmental laws and regulations. The FAA Central Region environmental web site provides links to various FAA resources.

www.faa.gov/airports_airtraffic/airports/regional_guidance/central/environmental/

The FAA also has an *Airport Noise Compatibility Planning* toolkit to assist airport sponsors and their communities to plan and manage land use compatibility and associated airport noise concerns.

www.faa.gov/about/office_org/headquarters_offices/aep/planning_toolkit

FAA Air Traffic Division - Obstruction Evaluation Service

The process to submit potential construction projects to FAA for airspace evaluation can be found on the FAA Web site:

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

- **United States Army Corps of Engineers**

The US Army Corps of Engineers provides protection to the Nation's aquatic resources, including wetlands. The Army Corps of Engineers should be contacted for assistance when siting a new airport or expanding an airport that may impact wetlands or water bodies.

www.mvd.usace.army.mil/

- **United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services Division (USDA APHIS WS)**

The USDA APHIS WS can provide guidance on wildlife and waterfowl issues affecting an airport. A description of services provided by WS can be found in Chapter 5, as well as the following web site.

www.aphis.usda.gov/wildlife_damage/protecting_health_safety.shtml

- **United States Department of Agriculture Farm Service Agency (USDA)**

The USDA Farm Service Agency provides a variety of programs and resources for land owners to restore wetlands and wildlife habitat.

www.fsa.usda.gov/FSA/webapp?area=home&subject=landing&topic=landing



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- **United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS)**

The USDA NRCS provides programs and resources for land related issues, including the restoration of wetlands.

www.ia.nrcs.usda.gov/

- **United States Department of Housing and Urban Development (HUD)**

HUD ensures fair and equal housing opportunities for all citizens through an array of civil rights laws, executive orders, and regulations. This agency typically becomes involved in aviation related issues when land acquisition or significant noise concerns arise.

www.hud.gov

- **United States Environmental Protection Agency (EPA)**

The EPA is focused on protecting human health and the environment. EPA is responsible for researching and setting national standards for a variety of environmental programs that implement environmental laws enacted by Congress. EPA delegates to states and tribes the responsibility for issuing permits, monitoring and enforcing compliance. Where national standards are not met, EPA can issue sanctions and take other steps to assist the states and tribes in reaching the desired levels of environmental quality. Coordination with the local regional office is recommended if environmental issues are of concern.

www.epa.gov/region7

- **United States Fish and Wildlife Service**

The US Fish and Wildlife Service is a bureau within the Department of the Interior that works to conserve, protect and enhance fish, wildlife, plants and their habitats for the continuous benefit of the American people. The US Fish and Wildlife Service connection to airport land use compatibility is focused on wildlife issues. Coordination with the local office of the US Fish and Wildlife Service is recommended when evaluating issues such as wetland and floodplains impacts, wildlife concerns and attractants, and migration issues.

www.fws.gov/midwest/Chicago/



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6.3.d. Associations

Various state and national aviation and planning associations also have an interest and resources related to compatible land use. National aviation associations such as the Aircraft Owners and Pilots Association (AOPA) have developed resources to assist airports with land use issues. Contact information for these various state and federal associations concerning information related to land use issues are identified in **Appendix L**.

6.4 Iowa Regulations Relating to Land Use

Iowa laws and policies related to planning, environmental, and land acquisition issues are found in a wide range of state administrative codes and statutes. Specific guidance can be found in Chapter 329 *Airport Zoning*, Chapter 335 *County Planning and Zoning*, and Chapter 414 *Municipal Planning and Zoning*. A summary of the primary regulations can be found in **Appendix M**. Complete text of the legislation can be found on the Iowa Legislature web site at:

www.legis.state.ia.us/IowaLaw.html

6.5 Federal Regulations Relating to Land Use

FAA Advisory Circulars (ACs) and the Code of Federal Regulations (CFRs) provide the primary legislation and policies to control incompatible land uses near airports. These resources create the foundation for development and implementation of airports and compatible land use planning. Many of these regulations have already been discussed in Chapters 2 and 4 of the Guidebook.

The regulations included in **Appendix N** are not an all inclusive list of resources that relate to compatible land use planning, but represent a significant number of the most often referenced regulations.



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6.6 State and Federal Case Law

Local zoning and land use controls are effective tools, which can be used to protect airports from incompatible development and many state governments grant local jurisdictions the authority to impose such land use controls. However, to protect property owner's rights, the United States Constitution imposes certain limitations on the extent to which regulations can be used.

Government regulations often restrict to some extent the uses to which property can be utilized and may reduce property values. Most decreases in value are accepted as the price of living in an orderly society and a tradeoff for the overall public good. Challenges to regulations have occurred in both state and federal courts, and the court cases provide precedents that support the utilization of land use controls for the preservation of the public good. **Appendix O** and **P** contain a sample of various state and federal cases regarding land use and zoning related issues.