

Land Use Controls and Tools to Consider Using



Plat and Subdivision Review and Land Use Zoning

- 1 Municipal planning authorities have a responsibility to review plat and subdivision plans to insure the proper compatible land use around airports.
- 1 History has shown that most airports will eventually find development encroaching on its boundaries. Wisconsin Statute 114.136 allows public airport owners to establish land use controls within 3 miles of the airport, superseding other zoning limits that might apply. Several publicly owned airports have used this land use control effectively to protect their community and their airport.

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Airport Layout Plans

- 1 An Airport Layout Plan is a 20-year plan for the airport and is initiated and updated by the airport owner. It should show any long-term plans for the airport.
- 1 It should be considered in any land use decision making.
- 1 It should be approved by the FAA so they can consider those plans when Notices of Proposed Construction are submitted to them for approval.

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Protecting Your Airport

Your Role and



Your Tools

You play a vital role in protecting your community airport from encroachment. Here are land use and regulatory tools you can use to protect the land and airspace around your airport.

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Height Limitation Zoning

Wisconsin Statute 114.136 provides public airport owners the authority to impose height limitations on structures within 3 miles of their airport. This zoning protects the community and airspace for air traffic to and from the airport.

Height Limitation Zoning:

- | Is adopted and enforced by the public airport owner and may extend beyond municipal boundaries (extraterritorial.)
- | Imposes height restrictions on TV towers, smokestacks, silos and buildings of all types to assure safe operations to and from the airport.
- | Helps protect your community and its pilots. Because it's so important for safety, it is also a condition for receiving airport improvement dollars.

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Reporting Construction or Alteration to the FAA

Proponents must notify the Federal Aviation Administration (FAA) of proposed construction or alteration to existing structures in or around a public use airport, if it meets certain criteria.

Proponents must submit an FAA Form 7460, Notice of Proposed Construction, to the FAA Great Lakes Regional Office at least 30 days prior to beginning

construction of a proposed structure that will be:

- | 200 feet above ground level.
- | Greater than 100 to 1 slope within 20,000 feet of a runway longer than 3,200 feet.
- | Greater than a 50 to 1 slope within 10,000 feet of a runway no longer than 3,200 feet.
- | Notification is mandatory for all towers and antennas that will transmit radio frequency energy. The FCC will not grant a transmitting license without an FAA determination.

The FAA Form 7460-1 is available online at www.dot.wisconsin.gov/business/engrserv/airports/documents/7460form.doc.

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Tall Structures

Wisconsin Statute 114.135 mandates that you apply for and receive a permit from the Wisconsin Department of Transportation if:

- | The structure's top will be more than 500 feet above the lowest point within 1 mile of a structure's base.
- | The structure is 150 feet or higher and exceeds a 40 to 1 slope from the nearest boundary of the closest public use airport.

Note: This statute does not apply in areas covered by Height Limitation Zoning Ordinances, unless there is a conflict.

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Airport Approach Protection

State law also supplements existing zoning procedures and land use criteria to protect the approaches to your airport.

Did you know:

- | Municipal maps must include publicly owned airports if the municipality is within the airport affected area (3 miles around the airport boundary.)
- | Local zoning authorities are required to notify the publicly owned airport of proposed zoning changes within the airport affected area.
- | Publicly owned airports may protest proposed zoning changes within affected areas verbally or in writing to the zoning authority

Thereafter, the proposed change requires approval by two-thirds of the members of the county or town board, village or city council. This assures full public review and that the change will occur only when there is extraordinary local support for the proposed land use.

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