



8 ANALYSIS OF EXISTING AND PROPOSED COMPATIBLE LAND USE MANAGEMENT MEASURES

The evaluation of land use management measures was undertaken in parallel with the noise abatement analyses summarized in the preceding section, at the same series of Advisory Committee meetings, with associated pre- and post-meeting working papers. Other potentially interested stakeholders could follow the process and provide input by reviewing and commenting on the working papers via the study website, and by participating in three public workshops. The evaluation included four principal steps, listed in the order that the Advisory Committee and other parties requested their consideration:

- Consider Part 150 land use alternative requirements. (Section 8.1)
- Analyze the implementation and effectiveness of the existing land use measures. (Section 8.2)
- Consider land use alternatives reviewed with Advisory Committee. (Section 8.3)
- Develop recommended wording to implement a new measure. (Section 8.5)

8.1 Consideration of Part 150 Land Use Alternative Requirements

As discussed in Section 7.5, Part 150 Section B150.7, “Analysis of program alternatives,” identifies seven specific categories of alternatives that the airport must consider, “subject to the constraints that the strategies are appropriate to the specific airport.” Two of those categories (1 and 2) specifically relate to land use alternatives and two others (6 and 7) may encompass them. The other three categories (3, 4, and 5) specifically relate to noise abatement measures:

- (1) Acquisition of land and interests therein, including, but not limited to air rights, easements, and development rights, to ensure the use of property for purposes which are compatible with airport operations.

[This overall chapter addresses this category in detail.]

- (2) The construction of barriers and acoustical shielding, including the soundproofing of public buildings.

[Sections 7.6.5 and 7.6.6 discuss barriers. Sections 7.4.6, 7.4.7, and 7.4.8 discuss ground noise issues for which barriers might be considered as an abatement option. Soundproofing of public buildings is not relevant, since, as discussed in Section 5.2, there are no noncompatible uses within the 65 dB DNL contour. Section 7.6.11 responds to a request for consideration of residential sound insulation.]

- (6) Other actions or combinations of actions which would have a beneficial noise control or abatement impact on the public.

[Section 7.6.11 discusses a proposal for residential sound insulation that a citizen raised in the public outreach process. No other land use actions were identified.]

- (7) Other actions recommended for analysis by the FAA for the specific airport.

[FAA Airport Traffic Control Tower staff representatives participated in the Advisory Committee meeting discussions of alternatives to consider, but did not specifically suggest any land use alternatives independent of those identified by the overall committee.]



8.1.1 Land Use Compatibility Guidelines

As discussed in Section 2.4, the Authority and surrounding jurisdictions adopted the FAA guidelines in both previous CAK Part 150 studies. Those guidelines consider all land uses compatible with aircraft noise exposure below 65 dB DNL; i.e., outside that contour.

In reviewing the existing guidelines, the Advisory Committee observed that the potential for annoyance with aircraft noise exposure does not end at the 65 dB DNL contour. However, given local precedent and federal policy, the potential for annoyance does not provide grounds for seeking to amend the compatibility table. Therefore, CAK will continue to use the FAA guidelines for determination of land use compatibility.

The committee did request, however, that this study present the 60 dB DNL contours, to provide a broader geographic basis for assessing potential benefits of noise abatement alternatives and for protecting the airport and local residents when considering land use development. The lead FAA contact for this Part 150 update, in the Detroit Airports District Office (ADO), agreed with that presentation, on the condition that the figures note that “the 60 dB DNL contour is presented for informational purposes only.” Figures throughout this document reflect that approach.

8.2 Analysis of the Implementation and Effectiveness of the Existing Land Use Measures

Land-use management measures typically fall into one of three (unofficial) categories:

- Corrective measures, which involve actions that “remedy” any existing noncompatible land use.
- Preventative measures, which block introduction of any new noncompatible land uses.
- Compensatory measures, which provide some form of payment for bearing the burden of ongoing noncompatible noise exposure that cannot be abated or corrected.

As discussed in Section 1, Appendix B presents the FAA’s 1998 Record of Approval (ROA) for the 1997 submission. That ROA approved all nine proposed land use measures. The measures fall into the corrective and preventative categories:

Table 39 FAA Approval of Previously Recommended Land Use Measures
Source: FAA, 1997

Type	#	Measure	FAA ROA Status
Corrective	LU-1	Acquire in fee simple 2 existing residential properties within the 65 DNL noise contour.	Approved. LU-2 will be implemented in conjunction with LU-3, if the homeowners do not wish their residences to be acquired. Acquisition must comply with the Uniform Relocation Assistance and Real Property Acquisitions Act to be eligible for Federal financial assistance.
	LU-2	Develop a sound insulation program.	Approved.
	LU-3	Develop and avigation easement program.	Approved.
Preventative	LU-4	Pursue overlay zoning for 1 vacant parcel in the City of Green.	Approved.
	LU-5	Acquire vacant residentially zoned property in the City of Green and Jackson Township.	Approved.
	LU-6	Develop subdivision regulations.	Approved.
	LU-7	Develop fair disclosure regulations.	Approved.
	LU-8	Comprehensive planning.	Approved.
	LU-9	Capital improvement planning.	Approved.



The lead FAA contact for this Part 150 update, in the Detroit ADO, requested that the Noise Compatibility Program documentation retain and build on the numbering of the existing program measures, as presented in the preceding table. In accordance with that guidance, the following sections discuss each approved land use measure, its implementation status, current relevance, Advisory Committee deliberations, and feedback received from other stakeholders.

To assist with this discussion, Figure 58 presents the 2014 Existing Conditions Noise Exposure Map contours overlaid on a base map that shows the parcels addressed in the 1997 ROA (labelled Areas “A” through “D”). The figure also shows the off-airport parcels that fall wholly or partially within the 2014 65 dB DNL contour, which might be candidates for new or revised land use actions (labelled Parcels “1” through “3”).

Sections 8.2.1 through 8.2.9 refer to Areas A through D as relevant.



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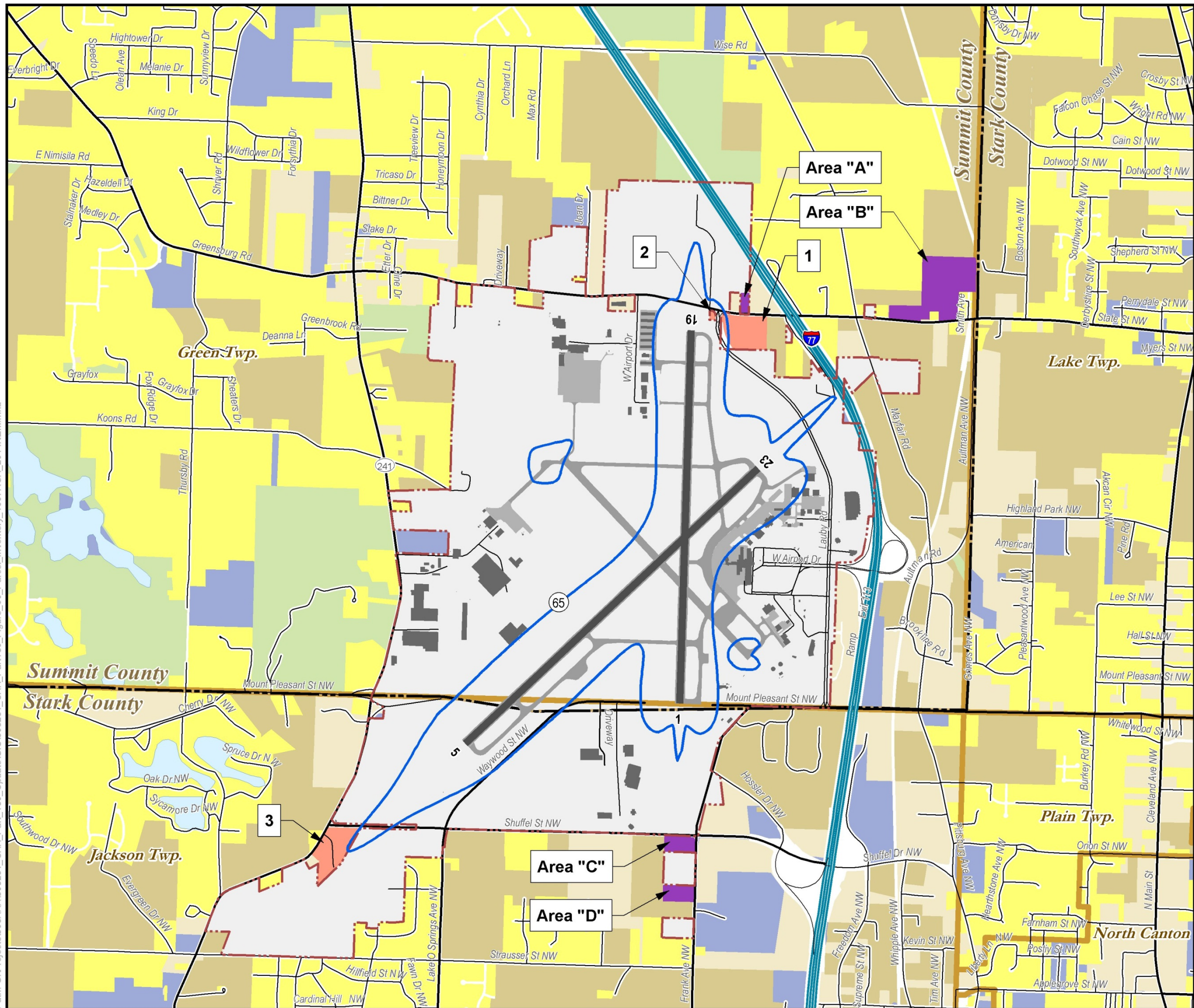
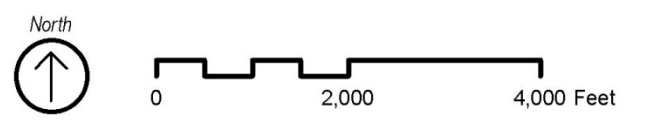


Figure 60
Parcels Addressed in the 1997 ROA and
Off-Airport Parcels Wholly or Partially
within the 2014 Existing Conditions
65 dB DNL Contour
14 CFR Part 150 Update

- 2014 DNL Contour (65 dB)
 - A-D: Parcels Addressed in the 1997 ROA
 - 1-3: Parcels within 2014 Existing Conditions 65 dB DNL Contour
 - Airport Property Boundary
 - Airport Runway
 - County Boundary
 - Township Boundary
- Land Use (Actual use, or zoned use where undeveloped.)
- Residential Use
 - Public Use
 - Commercial Use
 - Manufacturing and Production
 - Recreational and Open Space
 - Interstate Highways
 - Primary Roads
 - Local Roads
 - Water Bodies

Notes:
 Part 150 Sec. A150.101, Table 1 presents FAA land use compatibility guidelines as a function of yearly DNL. Under those guidelines, all land uses are considered compatible with noise exposure outside 65 DNL.
 Portable Noise Monitoring Site NM-2 (Not Shown) is located southwest 11,327' along runway 5 extended centerline, offset northwest 1,031'





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8.2.1 **Existing Measure LU-1: Acquire in Fee Simple Two Residential Properties within the 65 DNL Noise Contour**

The ROA approved implementation of this measure as follows:

The Akron-Canton Regional Airport Authority plans to acquire two residential properties in fee simple that lie within the 65 DNL noise contour. One parcel is located north of the airport in the city of Green, and the other parcel is located south of the airport in Jackson Township. The purchase of the parcel in Jackson Township was approved under the original NCP but was never purchased. Acquisition of the 2 parcels will eliminate all incompatible use of residential development within the 65 DNL noise contour. A voluntary acquisition program is proposed.

APPROVED LU-2 will be implemented in conjunction with LU-3, if the homeowners do not wish their residences to be acquired. Acquisition must comply with the Uniform Relocation Assistance and Real Property Acquisitions Act to be eligible for Federal financial assistance.

The two parcels that this measure addresses are labeled Area “A” and “C” on Figure 60.

Area “A” was a single residential parcel immediately northeast of the north end of Runway 1/19, on the north side of Greensburg Road, just west of Interstate 77. The 1997 NCP recommended acquisition of this parcel. The Authority purchased this property in April of 1999 and has demolished the residence, which protects the parcel’s compatibility.

Area “C” is a single residential parcel located immediately south of the airfield on the west side of Frank Avenue, under the approach to Runway 1. The parcel immediately south of Area C is airport property purchased as a result of the 1989 ROA for the 1988 Part 150. As shown on Figure 60, Area C is no longer within 65 dB DNL, so it is compatible with any land use. Therefore, it no longer is eligible for acquisition under Part 150.

Based on this information, the revised NCP should identify the status of LU-1 as “complete.” The Advisory Committee reached consensus to support this recommendation. Upon receipt of FAA approval of this recommendation, it would be appropriate for the Authority to notify the owners of the Area A and C parcels of this change in status.

8.2.2 **Existing Measure LU-2: Develop a Sound Insulation Program**

The ROA approved implementation of this measure as follows:

The Akron-Canton Airport Authority plans to institute a sound insulation program for the two homes described in Measure LU-1 if they do not desire to be acquired. The sound insulation of the structures on the two parcels would result in compatible development for the two parcels.

APPROVED

As discussed in Section 8.2.1, the two parcels addressed under LU-1 are compatible. Therefore, there is no reason to consider a sound insulation option for them. In addition, since there are no residential parcels within the 65 dB DNL contour for either 2014 or 2019, there are no other parcels to consider for sound insulation treatment.

Based on this information, revised NCP should eliminate measure LU-2 on the basis that it is no longer necessary. The Advisory Committee reached consensus to support this recommendation.

8.2.3 **Existing Measure LU-3: Develop and Avigation Easement Program**

The ROA approved implementation of this measure as follows:



The Akron-Canton Airport Authority plans to develop an aviation easement program to be used in conjunction with the sound insulation program for the two homes within the 65 dB noise contour described above if the owners elect to have their residences sound insulated. The aviation easements are meant to protect the airport's interest in the property in terms of right of overflight and right to remove obstructions in return for the offer of sound insulation.

This is a new measure. In conjunction with the sound insulation program, all incompatible existing residential development within the DNL 65 dB noise contour would be eliminated.

APPROVED

As discussed in Section 8.2.1, the two parcels addressed under LU-1 are compatible. Therefore, there is no reason to consider an aviation easement for them. In addition, since there are no residential parcels within the 65 dB DNL contour for either 2014 or 2019, there are no other parcels to consider for the combination of sound insulation treatment and aviation easements.

Based on this information, the revised NCP should eliminate measure LU-3 on the basis that it is no longer necessary. The Advisory Committee reached consensus to support this recommendation.

8.2.4 Existing Measure LU-4: Pursue Overlay Zoning for One Vacant Parcel in City of Green

The ROA approved implementation of this measure as follows:

The Akron-Canton Regional Airport Authority plans to create an overlay zoning area for one vacant parcel in the City of Green. Overlay zoning is used to manage development in areas impacted by aircraft noise. It creates a special zoning district that supplements, or overlays, the other existing zoning districts. This zoning could involve the prohibition of some or all of the noise-sensitive uses in the noise impact area. It may also be used to require additional sound insulation and to dedicate aviation easements.

The area described in this measure is currently designated for residential use, and is part of several larger parcels that include two residences which are outside of the 65 DNL noise contour. The Airport Authority recommends that the overlay zoning be used to prevent additional noise-sensitive uses from using these parcels. These zoning changes would prevent further incompatible land uses from developing. This is a new measure.

APPROVED

The vacant land in Green that this measure addresses is in Area "B" on Figure 60, northeast of the airport, north of Greensburg Road, east of Mayfair Road, under the approach to Runway 23. The 1997 study recommended the zoning overlay to prevent construction of future residential properties on the undeveloped portion of this area. At the time of the last study, Area B encompassed three parcels that included several residences, although none was located within the 65 dB DNL contour. As shown on Figure 60, Area B is no longer within 65 dB DNL, so it is compatible with any land use and adoption of an overlay zone is not necessary.

Based on this information, the revised NCP should eliminate measure LU-4 on the basis that it is no longer necessary. The Advisory Committee concurred with this recommendation.

As discussed in Section 8.3.2.2, the Authority and local jurisdictions recommend a new overlay notification measure to ensure the Authority has adequate notice of proposed land use actions. However, that form of overlay zone would be less restrictive than LU-4, and would not prohibit any type of development.



8.2.5 **Existing Measure LU-5: Acquire Vacant Residentially-Zoned Property in the City of Green and Jackson Township**

The ROA approved implementation of this measure as follows:

Should the City of Green or Jackson Township decide not to overlay rezone the existing residentially zoned areas, the Airport Authority plans to acquire the remaining existing residentially zoned properties within the 65 DNL noise contour. A voluntary acquisition program is proposed.

This is a new measure, and should be considered only if compatible use zoning or overlay zoning cannot be implemented.

APPROVED.

Action to carry out this measure is subject to a determination at the time of implementation that the purchase is necessary to prevent new noncompatible development because noncompatible development on the vacant land is highly likely and local land use controls will not prevent such development. If zoning is changed to provide for compatible development, acquisition of that land will not be required. The acquisitions must comply with the Uniform Relocation Assistance and Real Property Acquisition Act to be eligible for Federal financial assistance.

As discussed in Section 8.2, Figure 60 shows that the properties under consideration for overlay zoning under measure LU-4 or acquisition under this measure; i.e., Area B and Area D; are no longer within 65 dB DNL, so they are compatible with any land use and acquisition is not necessary.⁵⁸

Based on this information, the revised NCP should eliminate measure LU-5 on the basis that it is no longer necessary. The Advisory Committee reached consensus to support this recommendation.

8.2.6 **Existing Measure LU-6: Develop Subdivision Regulations**

The ROA approved implementation of this measure as follows:

The Akron-Canton Regional Airport Authority staff plans to consult with city and county planning, building, zoning, and legal personnel to explore the feasibility of enacting site plan and building code measures to minimize the potential for noise impacts.

Subdivision regulations associated with platting and site planning can be effective, inexpensive tools for enhancing compatibility, even where the designated land use and zoning are compatible with the projected noise level. In some jurisdictions, a note is placed on the plat referencing the Noise Exposure Map, the location within a noise exposure zone, the proximity of the airport, or any special height limitations. Such notes should reference an adopted zoning regulation or other legal document. Site planning techniques, especially the placement and orientation of structures on the property, can help enhance compatibility even when the proposed use is nonresidential.

In the case of Akron-Canton Regional Airport, the Part 150 Noise Exposure Maps could be used as the basis for an overlay zone within which the regulations apply. These regulations would be more effective if the zone created by the subdivision ordinance extended beyond the 65 DNL contour to the 60 DNL contour, and if the regulations were adopted by all the local governments with jurisdiction over development in the vicinity. The majority of undeveloped land around the airport is within the city of Green.

⁵⁸ The property owners of Parcel D provided verbal feedback to the study process that they had no interest in selling their property to the airport and would prefer that the NCP exclude any related recommendation.



Building code provisions requiring additional sound insulation for structures in noise impact zones are closely related to subdivision regulations. Since such measures can render construction more costly, efforts to modify building codes to incorporate noise attenuation requirements tend to encounter some opposition. If the city of Green were to adopt such measures, future compatibility could be enhanced, since most of the undeveloped areas are within the city's limits.

This may be a potential way to control new development proposed within the impact area of the 60 DNL contour. Changes in subdivision regulations for Stark and Summit Counties were recommended in the original Part 150 NCP, but never implemented.

This is a continuation of an existing measure.

APPROVED

Based on Advisory Committee discussions, and direct meetings and other communications with local land use control jurisdictions, the overlay notification zone discussed in Section 8.3.2.2 replaces this measure. The committee and jurisdictions agreed that it was no longer necessary. ***Based on this information, the revised NCP should eliminate measure LU-6 on the basis that it is no longer necessary.***

8.2.7 Existing Measure LU-7: Develop Fair Disclosure Regulations

The ROA approved implementation of this measure as follows:

Fair disclosure is used to inform potential residents of existing or potential noise levels before they make the decision to move into the area. The impact area is often defined by the 65 DNL noise contour, but could be defined as the area within the 60 DNL.

The Akron-Canton Regional Airport Authority plans to disseminate informational packages, conduct orientation sessions, and prepare ongoing updates for realtors, planning, and building officials for real estate sales within the 60 LDN contour.

Publication of the Noise Exposure Maps (NEMs) is the primary vehicle recommended for fair disclosure. Dissemination and explanation of the Airport Master Plan and NEMs to Realtors and local government staff are recommended to ensure potential residents are aware of the airport and its operations.

This is a continuation of an existing measure.

APPROVED

Based on Advisory Committee discussions, and direct meetings and other communications with local land use control jurisdictions, the overlay notification zone discussed in Section 8.3.2.2 replaces this measure. The committee and jurisdictions agreed that it was no longer necessary. ***Based on this information, the revised NCP should eliminate measure LU-7 on the basis that it is no longer necessary.***

8.2.8 Existing Measure LU-8: Comprehensive Planning

The ROA approved implementation of this measure as follows:

A comprehensive plan for a community establishes policies for its future development and growth. These plans usually take into account existing development and coordinate future developments, assuring compatibility between areas. With regard to an airport, a comprehensive plan must support the operation of the airport, discourage noise-sensitive and incompatible land



uses around the airport, and encourage development that is compatible with the use of the airport and surrounding area.

The Akron-Canton Regional Airport Authority will pursue comprehensive planning with local counties, municipalities, and realtors. The comprehensive plans of the 5 noise impacted communities of Summit County, Stark County, Lake Township, Jackson Township, and the City of Green will be updated for the development and growth of the various communities. All plans should discourage incompatible growth within the 60 LDN noise contour surrounding the airport.

Adoption of the original Part 150 study was only undertaken by Stark County. The Airport Authority will encourage the remaining communities to review and adopt the recommendations of the updated Part 150 study which urge that each planning jurisdiction consider the impacts of aircraft noise in any revisions to its development plans.

This is a continuation of an existing measure.

APPROVED

Based on Advisory Committee discussions, and meetings and communications with local land use jurisdictions, the overlay notification zone discussed in Section 8.3.2.2 replaces this measure. The committee and jurisdictions agreed that this measure is no longer necessary. ***Based on this information, the revised NCP should eliminate measure LU-8 on the basis that it is no longer necessary.***

8.2.9 ***Existing Measure LU-9: Capital Improvement Planning***

The ROA approved implementation of this measure as follows:

Similar to the option to control future subdivision or neighborhood development based on noise exposure, development can be stimulated for industrial/commercial uses or discouraged for noise-sensitive uses through the control and planning of the infrastructure network. This network includes roads and utilities such as power, gas, water, and sewer. Other services such as police and fire and community facilities such as schools and libraries tend to promote development. Capital improvements should be programmed to allow infrastructure, facilities, and services that tend to support industrial and commercial uses in areas where they would be compatible. Capital improvement planning can be used in areas with large vacant tracts of land that hold a potential for development. It can be used to discourage growth in areas that are incompatible with airport noise and to encourage growth in compatible areas.

The Akron-Canton Regional Airport Authority plans to pursue capital improvement planning with local counties and municipalities. The airport staff will consult with city and county planning, building, zoning, and legal staffs to explore the feasibility of planning for capital improvements that encourage industrial/commercial uses and discourage residential use within the 60 DNL noise contour surrounding the airport. This would not affect existing development, but only vacant tracts of land with the potential for noise-sensitive development.

This is the continuation of an existing measure.

APPROVED

Based on Advisory Committee discussions, and direct meetings and other communications with local land use control jurisdictions, the overlay notification zone discussed in Section 8.3.2.2 replaces this measure. The committee and jurisdictions agreed that it was no longer necessary. ***Based on this information, the revised NCP should eliminate measure LU-8 on the basis that it is no longer necessary.***



8.3 Land Use Alternatives Reviewed with the Advisory Committee and Local Jurisdictions

The Advisory Committee process and consultation with local land use jurisdictions addressed land use alternatives within the 65 dB DNL and then 60 dB DNL contours.

8.3.1 Assessment within 65 dB DNL Contour

As shown on Figure 60, the 2014 Existing Conditions 65 dB DNL contour only extends off on airport property over all or a portion of the three parcels labelled Parcel 1, 2, and 3.⁵⁹

The Advisory Committee reviewed these parcels with regard to their current and potential future uses, to determine if their use warranted any corrective or preventative measures. CAK staff and consultant representatives also communicated with local jurisdictions to discuss these parcels.

The result of these deliberations and consultations was consensus among all parties that the revised Noise Compatibility Program did not require any specific land use action focused on these individual parcels. Section 8.3.2.2 discusses a recommended land use measure that encompasses these parcels, but does not single them out.

Table 40 provides summary information.

Table 40 Information on Off-Airport Parcels Wholly or Partially within the 2014 60-65 dB DNL Contours

Source: CHA, 2014

Parcel	Location / Information	Current Land Use	Current Zoning	Incompatible Permitted or Conditional Uses	Consensus Reached with Advisory Committee and Jurisdictions
1	City of Green, Summit County, 3066 Greensburg Road Parcel Number: 2815991 Owner: Canton Air, LLC	Commercial (portion within contour is vacant) ⁶⁰	General Industrial (I-1)	funeral homes, schools, hospitals, day care centers, cemeteries, churches	None required (Portion of parcel within contour is very small, current land use is compatible)
2	City of Green, Summit County, Greensburg Road Parcel number: 2809041 Owner: County of Summit	Public / Utility (utility pump station)	Airport Commerce (B-5)	funeral homes, hotels/motels, theaters, schools, hospitals, libraries, day care centers, cemeteries, churches	None required (Parcel is county-owned, current land use is compatible)
3	Jackson Township, Stark County, 8182 Wales Avenue NW Parcel Number: 1615530 Owner: Kenmore Construction Company	Industrial / Manufacturing (sand and gravel facility)	Commercial Business (B-3)	libraries, museums	None required (Airport already owns avigation easement, portion of parcel within contour is very small, and current land use is compatible)

⁵⁹ The 2019 65 dB DNL contour is very slightly smaller near these parcels; for all intents and purposes, their noise / land use compatibility situation is identical in both years.

⁶⁰ The eastern portion of this parcel, which is outside the contour, contains a maintenance facility and additional storage for an RV dealer located across the street.



8.3.2 **Assessment within 60 dB DNL Contour**

As discussed in Section 2.4, the Authority and surrounding land use control jurisdictions adopted the FAA guidelines in both preceding CAK Part 150 studies. Under those guidelines, FAA considers all land uses compatible outside of 65 DNL. Consistent with FAA policy, this study has continued to use those guidelines for determination of land use compatibility. However, because of the very limited extent of the 65 dB DNL contours at CAK, this study has also depicted the 60 DNL noise contours and discussed the encompassed land uses, “for informational purposes” (with FAA approval, as noted in Section 8.1.1).

Working through the Advisory Committee process and consultation with local land use jurisdictions, two land use alternatives were considered that would address land within the 60 dB DNL contours (with a buffer in the second case).

8.3.2.1 *Alternative 1: Officially Adopt 60 dB DNL as Compatibility Threshold*

A small number of airports across the U.S. and their surrounding jurisdictions have adopted “substitute” land use compatibility tables for Part 150 purposes. In most cases, the substitute tables simply adjust the land use compatibility guidelines (presented in Table 3) to extend the “65-70” criteria out to 60 dB (e.g., the table is reworked so that the lowest compatibility criteria apply to the 60-70 dB DNL contour interval).

Legal precedent has established that for FAA to accept this approach for Part 150 purposes, the local land use jurisdictions must officially adopt the revised guidelines as standards and revise local ordinance, plans, regulations, etc., to prevent the introduction of any new noncompatible land uses within the 60 dB DNL contour. For example new residential and public use development within the 60 dB DNL contour would be restricted to the conditions set forth in Table 3 for the 65-70 dB contour interval.

If local jurisdictions undertook this formal step and demonstrated to FAA’s satisfaction that the more stringent standards were being enforced, the FAA would consider approving noise abatement measures (in particular based on the 60 dB DNL contours). In practice, airports have found it very difficult for local jurisdictions to adopt and implement the level of regulation and enforcement that the FAA requires to recognize the 60 dB DNL standard. Most jurisdictions are concerned about the legal, political, property right, and economic issues that pursuit of this option would entail.

The Advisory Committee reached consensus that these types of implementation and enforcement issues made it unlikely that and local jurisdictions would adopt the 60 dB DNL standard in a formal enough manner for FAA to recognize it at CAK. CAK and consulting staff received the same response through direct consultation with local jurisdiction officials.

Therefore, this measure was dropped from consideration.

8.3.2.2 *Alternative 2: Airport Overlay Zone*

The second alternative considered with the Advisory Committee and local jurisdictions received essentially universal support. This alternative involves adding a new measure land use measure: “LU-10, Multi-Jurisdictional Airport Overlay Zone for Notification Purposes.”

Airport Overlay Zones (AOZs) are typically supplemental to local zoning ordinances, with the objective of promoting compatible land uses within the zones, which generally include a buffer outside the 65 dB DNL contour.



The Part 150 related purpose of the proposed multi-jurisdictional AOZ for notification purposes is to ensure proper local attention to potential noise exposure when considering siting of future noise-sensitive uses. In simple terms, the AOZ defines an area within which the local jurisdictions will provide the Authority staff with notice of potential changes in land use, subdivision, zoning, or other planning and development related actions. The purpose of the notification is to ensure that the Authority staff have the opportunity to comment on the potential changes, so that local land use boards and officials, and landowners and developers can consider that input in making planning and development decisions. The AOZ will not represent any formal land use control or limitation. Rather, it will help ensure early identification of potential noise-related issues, including compatibility concerns within the 65 dB DNL contour and potential annoyance or noise disturbance concerns over a broader area.

The Authority prepared this Part 150 update in coordination with a master plan update, which provided the forecasts used in preparing the noise contours, for example. To address a master plan related purpose, the proposed AOZ also will serve to ensure local attention to the height of new development. For any development plans or proposals within the AOZ, the Authority staff could identify potential height-related issues, so that the local jurisdictions might consider including additional provisions to protect the CAK airspace, to ensure that the heights of structures within the AOZ are compatible with airport operations, and comply with FAA regulations.

The Authority staff and consultants reviewed four options for the AOZ's potential geographic coverage with the Advisory Committee and local jurisdiction representatives:

- Option 1: 60 dB DNL

Jurisdictions: Summit County, Stark County, City of Green, Jackson Township, Lake Township.

The option was the smallest AOZ geographic coverage considered. The Advisory Committee and local jurisdiction representatives felt it would not provide an opportunity for broad enough notification and feedback on potential noise concerns of the type raised by local residents, nor on FAA-defined height-related regulations.

- Option 2: Part 77 "Horizontal Surface" Airspace Protection

Jurisdictions: Summit County, Stark County, City of Green, Jackson Township, Lake Township, Plain Township

The FAA, through Federal Aviation Regulation (FAR) Part 77, defines areas ("imaginary surfaces") that should be free from penetration by obstructions in order to maintain sufficient protection of the airspace around airports. Part 77, in effect, identifies the maximum height at which a structure would be considered an obstacle at any given point around the Airport.

This option considered the maximum extent of the Part 77 surfaces (essentially 10,000 feet from each runway end). The primary benefit of this option is that it offers the most protection for the airport. However, both the Advisory Committee members and local jurisdiction representatives felt that it extended too far beyond the 60 dB DNL contours to be considered for noise-related purposes that it would impose too great an administrative burden on the Authority and local jurisdictions for noise or realistic height-related purposes.

- Option 3: Part 77 "Transitional and Approach Surface" Airspace Protection

Jurisdictions: Summit County, Stark County, City of Green, Jackson Township, Lake Township

This option uses the most critical (and geographically limited) elements of the Part 77 airspace surfaces to form the boundaries of the AOZ, and extends up to 150 feet above the highest airport elevation. It fully encompasses the 60 dB DNL contours.



- Option 4: Part 77 “Transitional and Approach Surface” Airspace Protection with Block Rounding
Jurisdictions: Summit County, Stark County, City of Green, Jackson Township, Lake Township

This option simply extends the Option 3 boundary to follow property lines, neighborhood borders, major roads, or other practical community boundaries, to “rationalize” its border.

8.3.3 **Advisory Committee Consensus**

The Advisory Committee reached consensus on three primary items related to land use management strategies:

- First, the “Airport Overlay Zone” (AOZ) concept is the most appropriate alternative to pursue for implementation in the revised Part 150 Noise Compatibility Program.
- Second, the fourth border option (“Part 77 “Transitional and Approach Surface” Airspace Protection with Block Rounding”) is the most appropriate to pursue.
- Third, it would be valuable for CAK and consultant team staff to meet with individual land use jurisdictions and planning officials to discuss the AOZ proposal and other alternatives, and to seek their input. These briefings were conducted on July 29 and 30, 2014, as summarized below.

8.3.4 **Local Jurisdiction Briefings**

A memorandum summarizing the AOZ proposal was mailed to appropriate representatives of the surrounding jurisdictions – Summit County, Stark County, City of Green, Jackson Township, Lake Township, City of North Canton, and Plain Township. Follow-up phone calls were made to seek meetings to discuss the recommendation further.

On July 29 and 30, 2014, Airport Authority and consulting team representatives met with representatives from the Stark County Regional Planning Commission, Stark Development Board, City of Green, Jackson Township, and Lake Township. Representatives from the City of North Canton, Plain Township, and Summit County declined to participate. Their response is understandable given that the proposed AOZ does not extend into Plain Township, North Canton, or any portion of Summit County outside of the City of Green.

In each meeting, the CAK representatives provided an overview of the Authority’s objectives, the Part 150 process, the land use compatibility alternative analyses, and the Advisory Committee’s consensus regarding pursuit of the AOZ.

Overall, the local officials provided positive feedback regarding the AOZ proposal and the concept of integrating it into local comprehensive plans and / or zoning regulations, as each jurisdiction feels is most appropriate. The officials felt the AOZ could be implemented when those materials are next updated, since land use compatibility issues are not a sufficiently urgent to require special amendments. The local officials also recommended adjustments to the AOZ boundary to reflect their perspectives on local land use issues. In every case, they suggested changes that slightly enlarged the boundary.

Appendix H presents follow-up correspondence with the local officials confirming the results of the discussions.

Figure 61 and Figure 62 depict the proposed AOZ with the 2014 and 2019 noise contours, respectively. In each case, the figures show contours for the existing noise abatement program and for the revised program that includes the proposed nighttime preferential runway program discussed in Section 7.3.2, which the Authority recommends in the revised Noise Compatibility Program, as discussed in Section 10.



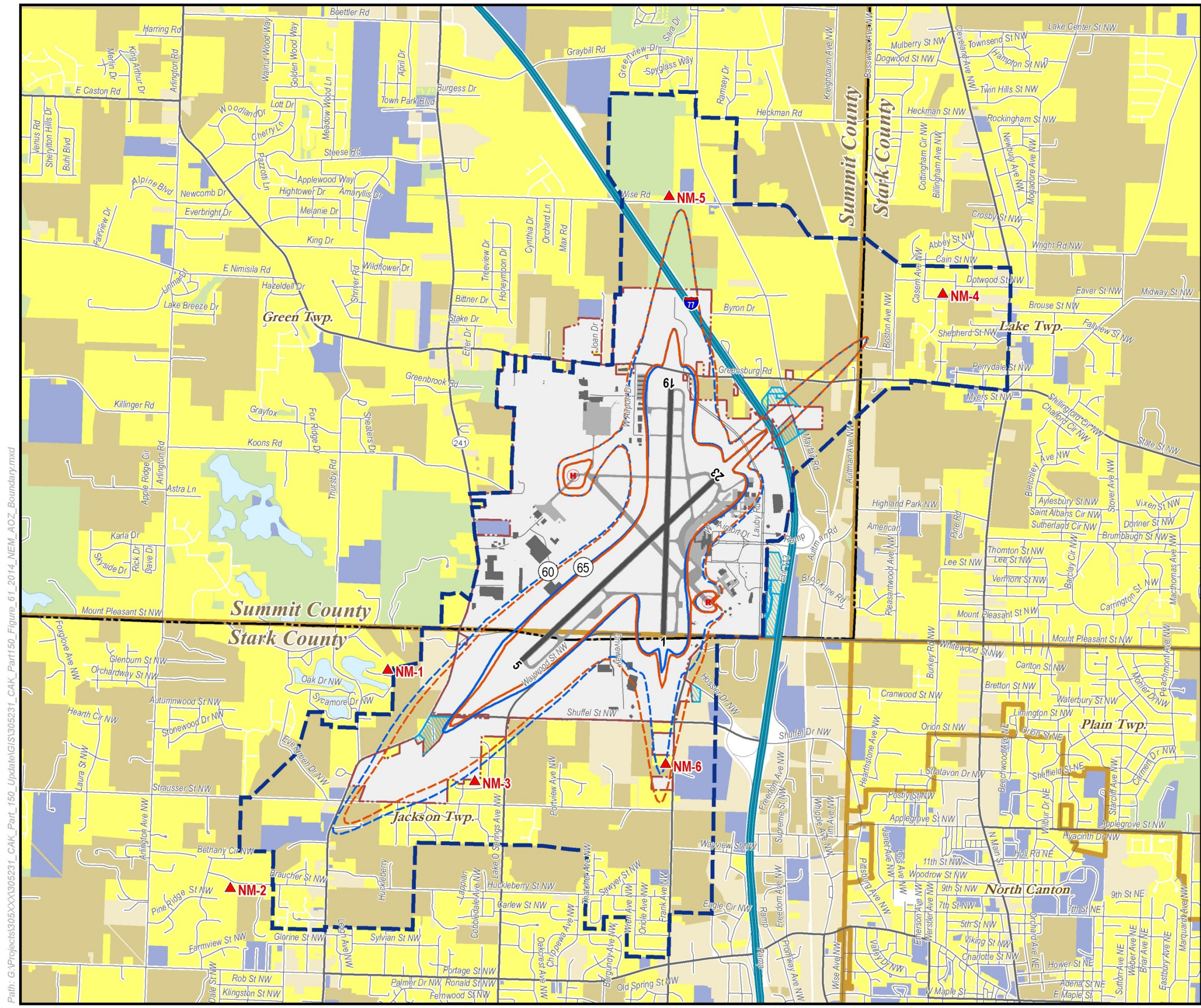
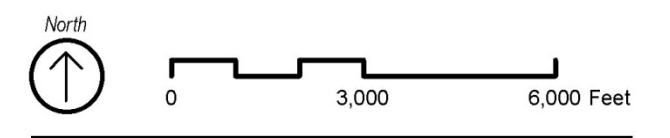
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Figure 61
2014 Noise Exposure Map with and without
Proposed Nighttime Preferential Runway Use,
and Showing Proposed Airport Overlay Zone
14 CFR Part 150 Update

- Proposed Airport Overlay Zone (AOZ) Boundary
 - 2014 Preferential Runway DNL Contour (65 dB)
 - 2014 Preferential Runway DNL Contour (60 dB, for informational purposes only)
 - 2014 Existing Conditions DNL Contour (65 dB)
 - 2014 Existing Conditions DNL Contour (60 dB, for informational purposes only)
 - Airport Property Boundary
 - Avigation Easement
 - Airport Runway
 - ▲ NM-# Portable Noise Monitoring Sites
 - OANG Helipad
 - Designated Runup Location
 - County Boundary
 - Township Boundary
- Land Use (Actual use, or zoned use where undeveloped.)
- Residential Use
 - Public Use
 - Commercial Use
 - Manufacturing and Production
 - Recreational and Open Space
 - Interstate Highways
 - Primary Roads
 - Local Roads
 - Water Bodies

Notes:
 Part 150 Sec. A150.101, Table 1 presents FAA land use compatibility guidelines as a function of yearly DNL. Under those guidelines, all land uses are considered compatible with noise exposure outside 65 DNL.



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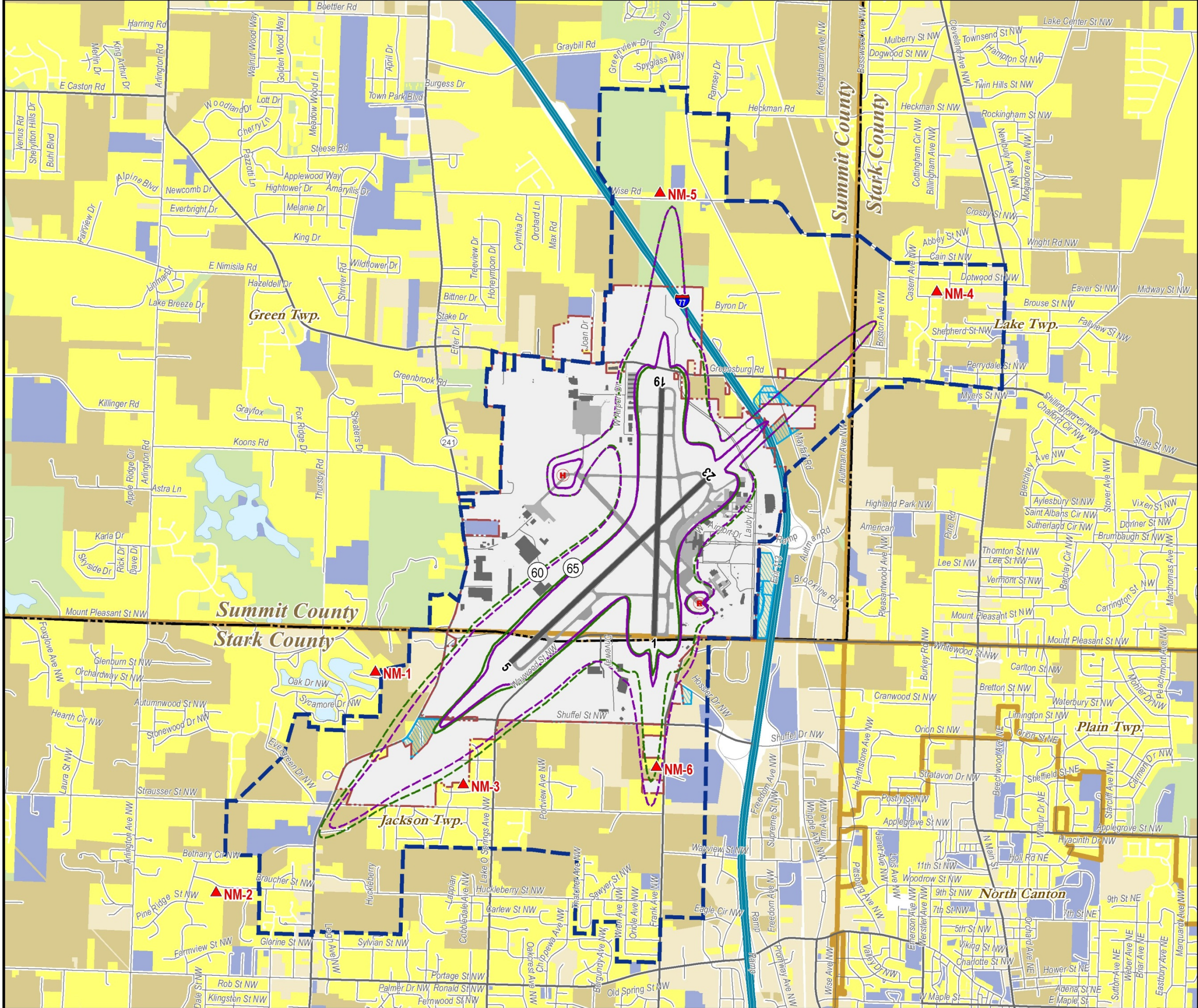
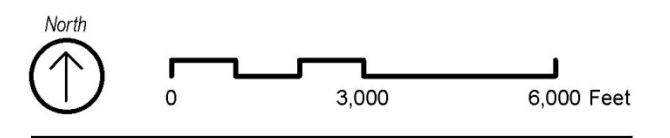
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Figure 62
2019 Noise Exposure Map with and without
Proposed Nighttime Preferential Runway Use,
and Showing Proposed Airport Overlay Zone
 14 CFR Part 150 Update

- Proposed Airport Overlay Zone (AOZ) Boundary
 - 2019 Preferential Runway DNL Contour (65 dB)
 - 2019 Preferential Runway DNL Contour (60 dB, for informational purposes only)
 - 2019 Existing Conditions DNL Contour (65 dB)
 - 2019 Existing Conditions DNL Contour (60 dB, for informational purposes only)
 - Airport Property Boundary
 - Avigation Easement
 - Airport Runway
 - ▲ NM-# Portable Noise Monitoring Sites
 - (H) OANG Helipad
 - (R) Designated Runup Location
 - County Boundary
 - Township Boundary
- Land Use (Actual use, or zoned use where undeveloped.)
- Residential Use
 - Public Use
 - Commercial Use
 - Manufacturing and Production
 - Recreational and Open Space
 - Interstate Highways
 - Primary Roads
 - Local Roads
 - Water Bodies

Notes:
 Part 150 Sec. A150.101, Table 1 presents FAA land use compatibility guidelines as a function of yearly DNL. Under those guidelines, all land uses are considered compatible with noise exposure outside 65 DNL.



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8.4 Summary of Land Use Management Recommendations

Based on the preceding analyses and consultation, the President and CEO of the Airport Authority presented recommendations for the revised Noise Compatibility Program in a letter to the Advisory Committee in advance of its sixth meeting. Appendix I presents a full copy of that letter.

In the letter, he notified the Advisory Committee of his intention to recommend addition of a new measure (LU-10, “Airport Overlay Zone”) as follows:

The Authority will work with local land use control jurisdictions to implement an Airport Overlay Zone (LU-10). Local jurisdictions will notify the Authority regarding proposed subdivisions, new development, and changes in land use, zoning, or other land use actions within the zone, to ensure the Authority has the opportunity to identify and comment on any potential noise compatibility issues. An ancillary benefit of this measure is that it will provide the Authority with opportunity to comment on potential airspace obstructions.

Since there is no noncompatible land within the noise contours, there is no basis for further corrective measures proposed in prior studies, such as residential acquisition, sound insulation, or easements, or outright acquisition (LU-1, LU-2, and LU-3). LU-1 (acquisition of two Acquire in fee simple 2 existing residential properties within the 65 DNL noise contour.

Analysis of new measure LU-10 and related consultation with surrounding jurisdictions reveal that it eliminates the need for previously proposed preventive measures, including zoning, subdivision, and fair disclosure regulations (LU-4, LU-6 and LU-7), comprehensive planning and capital improvement planning measures (LU-8 and LU-9), and acquisition of undeveloped residentially zoned parcels (LU-5).

The Advisory Committee reached consensus to support these recommendations, which the Authority staff and consultants presented to other stakeholders through the third public workshop, final public hearing, and posting on the study website.

Section 10 summarizes the recommendations for the overall revised Noise Compatibility Program, with revisions based on the analyses of existing measures and of proposed alternatives in the noise abatement, compatible land use, and program management categories.

8.5 Implementation of Proposed LU-10, “Airport Overlay Zone”

Figure 63 presents draft text of language for the Authority to share with local jurisdictions to consider using as a model for implementation of the Aoz for notification purposes.

**Figure 63 Draft Language for Implementation of Airport Overlay Zone for Notification Purposes**

Source: CHA, 2014

AKRON-CANTON AIRPORT (CAK) AIRPORT OVERLAY ZONE**Section 1: Purpose**

The purpose of this ordinance is to implement a multi-jurisdictional Airport Overlay Zone (AOZ) in the vicinity of the Akron-Canton Airport (CAK) to meet the following objectives:

- 1) To create a process for evaluating land use changes and new developments for airport compatibility;
- 2) To limit future or additional aircraft noise exposure to noise-sensitive land uses;
- 3) To protect and preserve safe aircraft operation;
- 4) To promote public health and safety in the vicinity of aircraft operation areas; and
- 5) To prevent the long-term encroachment of incompatible land uses.

Section 2: Applicability

- 1) The AOZ applies to property surrounding the Akron-Canton Airport, within the boundaries shown on Attachment A.
- 2) New developments or expansion of existing developments within the AOZ shall be subject to review by the Akron-Canton Airport Authority. Depending on the type of development and the potential concerns surrounding it (e.g. noise, height), a review could also involve Airport staff or an on-call consultant.
- 3) Actions that would require Authority review include but are not limited to:
 - i) Site plan reviews;
 - ii) Tentative subdivision maps;
 - iii) General plan amendments;
 - iv) Zoning changes;
 - v) Variances; and
 - vi) Conditional use permits.
- 4) The AOZ does not modify the boundaries or regulations of any underlying zoning districts. The notification requirement applied by this ordinance is supplemental to the regulations of the zoning district.

Section 3: Procedure

- 1) Upon receipt of an application for a building permit or development permit in an area within the AOZ, a planning representative from the municipality will provide a notice of the proposed permit to the Airport Authority. Likewise, when a zoning change or general plan amendment is proposed, the Airport Authority will be included on the distribution list for review and comment.
- 2) Depending on the type of development and the location of the proposed action in relation to the Airport, additional resources may be requested by the Authority, such as:
 - i) Property location data (assessor's parcel number, street address, subdivision name, lot number).
 - ii) A scaled map depicting the project site location in relationship to the airport runways and property line.
 - iii) A description of proposed use(s), current zoning designations, and type of land use action being sought from the municipality (e.g. zoning variance, conditional use permit, site plan review, building permit).
 - iv) A detailed site plan and supporting data showing: site boundaries and size, location of existing and proposed structures, ground elevations, and highest elevation of structures.
 - v) Identification of features, during or following construction that would increase the attraction of birds or cause other wildlife hazards to aircraft operations on the Airport or in its environs. Such features include, but are not limited to the following:
 - (a) Open water areas.
 - (b) Sediment ponds, retention basins.
 - (c) Detention basins that hold water for more than 48 hours.
 - (d) Artificial wetlands.
 - (e) Conservation areas.
 - vi) Identification of characteristics that could create electrical interference, confusing bright lights, glare, smoke, or other visual hazards to aircraft flight.
- 3) The municipality shall provide the Authority with no less than 15 days to review and comment.