



AIRPORT ZONING ACT,
ACT 23 OF 1950
NEXT STEPS...



PURPOSE OF AIRPORT ZONING RECAP



- Michigan Airport Zoning Act, Act 23 of 1950 – Promulgate, adopt, establish, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property in the vicinity of publicly owned airports
- Purpose – Defines Airport Hazard Area; Airport Hazard declared nuisance; utilizes the Airport Approach Plan, adopted by the Michigan Aeronautics Commission – approved on 7/19/2001 and updated on 4/10/2007



Three Methods to Establish your Zoning Board



- **Section 13** – This section allow any political subdivision containing all or part of an airport hazard area within its boundaries, to zone the part it controls. In this case, the controlling body becomes the zoning board
- **Section 14** – When an airport hazard area includes two or more jurisdictions, the political subdivisions involved may create a joint airport zoning board under this section. Each political subdivision should appoint two (2) members to the board, and that board shall elect another member.
- **Section 17** – This section allows the state to define the hazard area and certify such determinations to the county or counties within which the hazard area is located.
 - This board is constituted by three (3) members appointed by each County Board of Commissioners involved, one (1) from the operating agency and one (1) by the Michigan Aeronautics Commission. Two (2) of the three (3) appointed by the county shall be from a township (or townships within the hazard area) and the third from a township outside the hazard area.



Steps for Establishment of Airport Zoning Ordinance, Sec 17



Step 1 – Informal meetings will be held with Michigan Department of Transportation, Office of Aeronautics staff to discuss the actual hazard area, formulation of plans, etc.

Step 2 – The Michigan Aeronautics Commission will declare an “Airport Hazard Area” and request the Airport Operating Agency and the County Board of Commissioners to make appointments to the Zoning Board.

Step 3 – Within 90 days of Step 2, the County Board of Commissioners must appoint three (3) members of the Joint Airport Zoning Board (two members within the hazard area and one outside – however, still residing within the county they represent), the Operating Agency must appoint one (1) member, the Michigan Aeronautics Commission must appoint one (1) member.

Step 4 – Within 120 days of Step 3, the Joint Airport Zoning Board must meet and organize.



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Step 5 – The Joint Airport Zoning Board appoints an Airport Zoning Commissioner. The Zoning Commission makes recommendations for the ordinance (Section 20).

Step 6 – The Airport Zoning Commission and, if possible, members of the Zoning Board meet with the Office of Aeronautics and recommend the boundaries of the various zones to be established and the regulations to be adopted then the Zoning Commission will hold a public hearing and submit a report to the Joint Airport Zoning Board.

Step 7 – Joint Airport Zoning Board holds public hearing after a public hearing held by the Airport Zoning Commission.

Step 8 – Joint Airport Zoning Board adopts the Airport Zoning Ordinance and sets an effective date (pursuant to Section 30, the date shall be no sooner than 30 days after the adoption date).



Steps for Establishment of Airport Zoning Ordinance, Sec 17



Step 9 – Airport Zoning Commission is dismissed after adoption of Airport Zoning Ordinance.

Step 10 – Joint Airport Zoning Board creates an Administrative Agency, which will hear and decide permits and will be the body to enforce the Airport Zoning Ordinance.

Step 11 – Joint Airport Zoning Board creates a Board of Appeals which will hear and decide appeals from any order, requirements, decision or determination made by the Administrative Agency; to hear and decide any special exceptions to the terms of the Airport Zoning Regulations; to hear and decide specific variances.



Duties of the Zoning Board



- The Joint Zoning Board shall organize itself, elect a chairman, a vice chairman, and a secretary.
- The joint board shall decide its own meeting times, except for an annual meeting which shall be held jointly with the appeal board and the administrative agency.
- It shall appoint an airport zoning commission for the purpose of recommending an initial zoning ordinance.
- It shall listen to the zoning commission's preliminary report.
- It shall accept the final report of the zoning commission when they believe it is acceptable.



Duties of the Zoning Board cont...



- It shall accept the final report of the zoning commission when they believe it is acceptable.
- It shall advertise and hold a final hearing on the proposed ordinance.
- It shall adopt the final ordinance when finalized.
- It shall appoint (if the governing body has not already done so) an appeal board consisting of five (5) members each for a term of three (3) years, which shall rotate.
- It shall meet annually with the administrative agency and the Board of Appeals to review the activity and adequacy of the ordinance.
- Its members shall seek to maintain open communications with other area zoning boards and governmental agencies regarding the concerns of the airport and zoning issues.



List of Section 17 Airports

Associated City	Airport
Alma	Gratiot Community Airport
Benton Harbor	Southwest Regional Airport
Cadillac	Wexford County Airport
Flint	Bishop International Airport
Ionia	Ionia County Airport
Jackson	Jackson County - Reynolds Field
Kalamazoo	Kalamazoo/Battle Creek International Airport
Lakeview	Lakeview Airport
Lansing	Capital Region International Airport
Muskegon	Muskegon County Airport
Niles	Jerry Tyler Memorial Airport
Pontiac	Oakland County Airport
Saginaw	MBS International Airport, Saginaw HB, Bay City Airport, Midland Airport
Three Rivers	Three Rivers Municipal
West Branch	West Branch Community Airport
Willow Run	Willow Run Airprt





Questions

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