



# COLORADO

## Aeronautical Board

April 19, 2019

El Paso County Board of County Commissioners  
2880 International Cir # 110  
Colorado Springs, CO 80910

### **Re: Proposed Development Near the Meadow Lake Airport**

Dear Commissioners:

In 1991, the Colorado Legislature created the Colorado Aeronautical Board (CAB), recognizing the need to “promote the safe operation and accessibility of general aviation and intrastate commercial aviation in this state; [and] that improvement of general aviation and intrastate commercial aviation transportation facilities will promote diversified economic development across the state...” (C.R.S. 43-10-101).

The CAB has become aware that the El Paso County Board of County Commissioners may soon be reviewing as many as seven development proposals for areas surrounding the Meadow Lake Airport. The Meadow Lake Airport is one of Colorado’s busiest general aviation airports, and one of just three Federal Aviation Administration (FAA) designated reliever airports in Colorado. It is an airport that plays an important role in the regional and statewide aviation system. The airport’s importance to the local community and statewide aviation system is also articulated in the most recent Colorado Aviation Economic Impact Study completed in 2013. According to that study, the Meadow Lake Airport supports 126 jobs and generates \$9,864,000 of economic output, making it a clear contributor to the community’s economic vitality.<sup>1</sup>

The CAB recognizes that these proposals may modify presently existing airport influence areas, the modification of which could affect the health, safety and welfare of El Paso County citizens as well as the air traveling public. Although the CAB recognizes that El Paso County is responsible for its own land use planning, zoning, building code enforcement and regulation, airports such as Meadow Lake Airport are an important component of our state’s general aviation system. In supporting that system, the CAB is responsible for funding public airport needs through discretionary grants, which provide for maintaining and improving airport infrastructure. The CAB has recently approved grants totaling \$2.6 million for airfield improvements at the Meadow Lake Airport, and with this investment, the CAB is compelled to weigh in on the compatibility of potential development around the Meadow Lake Airport.

<sup>1</sup> 2013 Colorado Department of Transportation Aviation Economic Impact Study- <https://bit.ly/2luaHJM>

The CAB understands that new housing demands in El Paso County have generated the desire of developers to meet those demands in the open areas which surround airports like Meadow Lake Airport. However, this increased demand for housing and increased population is one of the contributing factors to incompatible land uses. Incompatible land uses around airports jeopardizes the efficiency of flying activities, and the quality of life of the community residents. With extensive residential development, the development of additional incompatible land uses such as schools, community centers, libraries and commercial support for the residences come to fruition. When the developments are too close to airports, noise incompatibility, potential bodily injury and death to persons on the ground and aircraft occupants as well as other unintended consequences come into play.

The CAB also understands that El Paso County may be confronted with the need and desire to expand their tax base by increasing residential development, versus a plan that will ensure safety of the public. There are a wide variety of citizens affected by airport activity, including those who travel through airports; those who work at airports; those who have or will have property interests near airports; as well as those impacted by airport and airport activities, particularly aircraft noise. Residential development, particularly high-density development on airport arrival or departure corridors, is not compatible with airport operations due to aircraft noise impacts and for safety reasons in the event an aircraft experiences difficulty on takeoff or landing.

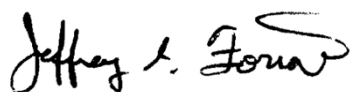
The CAB suggests the preparation and adoption of a comprehensive development plan as a critical and effective part of the process of ensuring land use compatibility. If a comprehensive development plan that addresses zoning and land-use standards reflective of state and federal law requirements has not been created prior to development, citizens may be placed in harm's way. Any rezoning for development purposes that jeopardizes public health, safety and welfare, or the vibrancy of the Meadow Airport should be thoughtfully considered with a vision towards long term impacts.

For your convenience, excerpts of applicable State and Federal Legislation are attached. The purpose of the attached legislation requires the development of acceptable and consistent compatible land use standards.

The CAB appreciates the opportunity to provide this input, and again strongly encourages the El Paso County Commissioners to ensure that development around the Meadow Lake Airport be consistent with providing a safe environment to El Paso County residents.

We appreciate your consideration of our input. If you have any questions or need additional information, please contact me at (303) 615-1194, or Aeronautics Director David Ulane at (303) 512-5254.

Sincerely,

A handwritten signature in black ink, reading "Jeffrey L. Forrest". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Forrest" clearly legible.

Dr. Jeffrey Forrest, Ph.D.  
Chair, Colorado Aeronautical Board

## State Legislation

**C.R.S. 43-1-113. Safe operating areas around airports-establishment.** (1) The general assembly hereby declares commercial service airports, public airports, reliever airports, as defined in 49 U.S.C. sec. 47102, and the land areas surrounding such airports, as defined in 14 CFR part 77, to be a matter of state interest as provided in article 65.1 of title 24, C.R.S.

(2) Governmental entities with zoning and building permit authority shall adopt and enforce, at a minimum, rules and regulations to protect the land areas defined in 14 CFR part 77.

**C.R.S. 24-65.1-202. Criteria for administration of areas of state interest.** (4) The following criteria shall be applicable to areas around key facilities:

(a) If the operation of a key facility may cause a danger to public health and safety or to property, as determined by local government, the area around the key facility shall be designated and administered so as to minimize danger; and

(b) Areas around key facilities shall be developed in a manner that will discourage traffic congestion, incompatible uses, and expansion of the demand for government services beyond the reasonable capacity of the community or region to provide such services as determined by local government. Compatibility with non-motorized traffic shall be encouraged. A development that imposes burdens or deprivation on the communities of a region cannot be justified on the basis of local benefit alone.

(5) In addition to the criteria described in section (4) of this section, the following criteria shall be applicable to areas around particular key facilities:

(a) Areas around airports shall be administered so as to:

(I) Encourage land use patterns for housing and other local government needs that will separate uncontrollable noise sources from residential and other noise-sensitive areas; and

(II) Avoid danger to public safety and health or to property due to aircraft crashes.

## Federal Legislation

### Airport Noise Compatibility Planning

**14 CFR Part 150.1 Scope and Purpose.** This part describes the procedures, standards, and methodology governing the development, submission, and review of airport noise... compatibility programs, including the process for evaluating and approving or disapproving those programs. It prescribes single systems for - (a) measuring noise at airports and surrounding areas that generally provides a highly reliable relationship between projected noise exposure and surveyed reaction of people to noise; and (b) determining exposure of individuals to noise that results from operation of an airport. This part identifies those land uses which are normally compatible with various levels of exposure to noise by individuals. It provides technical assistance to airport operators in conjunction with other local, State, and federal authorities, to prepare and execute appropriate noise compatibility planning and implementation programs.

**150.11 Identification of land uses.** ... Determination of land use must be based on professional planning criteria and procedures utilizing comprehensive, or master, land use

planning, zoning, and building and site designing as appropriate. If more than one current or future land use is permissible, determination of compatibility must be based on that use most adversely affected by noise.

#### **14 CFR Part 77 Safe, Efficient Use, and Preservation of the Navigable Airspace.**

**77.15 Scope (a)** This subpart describes standards used to determine obstructions to air navigation that may affect the safe and efficient use of navigable airspace and the operation of planned or existing air navigation and communication facilities. Such facilities include air navigation aids, communication equipment, airports, Federal airways, instrument approach or departure procedures, and approved off-airway routes.

**77.27 Initiation of studies.** The FAA will conduct an aeronautical study when:

(a) Requested by the sponsor of any proposed construction or alteration for which notice is submitted; or (b) The FAA determines a study is necessary.

#### **77.29 Evaluating aeronautical effect.**

(a) The FAA conducts an aeronautical study to determine the impact of a proposed structure... an alteration of an existing structure on aeronautical operations, procedures, and the safety of flight. These studies include evaluating:

- (1) The impact on arrival, departure, and enroute procedures for aircraft operating under visual flight rules;
- (2) The impact on arrival, departure, and enroute procedures under instrument flight rules;
- (3) The impact on existing and planned public use airports;
- (4) Airport traffic capacity of existing public use airports and public use airport development plans received before the issuance of final determination....