

Clear Zones (CZ) and Accident Potential Zones (APZ)

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Promote compatible land uses around civil airports and military airfields	Section 2 of the Housing Act of 1949 as amended, 42 U.S.C 1331, affirmed by Section 2 of the Housing and Urban Development Act of 1969, P.L. No 90-448; Section 7(d) of the Dept HUD Act of 1965, 42 U.S.C. 3535 (d).	24 CFR Part 51 Subpart D 32 CFR Part 256

1. Does the project include new construction, major rehabilitation, or any other activity which significantly prolongs the physical or economic life of existing facilities?

No: STOP here. The project is not subject to the regulations. Record a description of your project and your determination.

Yes: PROCEED to #2

2. Is the Project located within 3000 feet of a civil airport or within 15,000 feet of a military airfield?

The regulations only apply to military and civil primary and commercial service airports. The Federal Aviation Administration updates the list of applicable airports annually:
http://www.faa.gov/airports_airtraffic/airports/planning_capacity/passenger_allcargo_stats/passenger

No: STOP here. The project is not within a Clear Zone (also known as Runway Protection Zone) or Accident Potential Zone. Maintain a list of airports considered and the distance from your project to the covered airport. Record your determination.

Yes: PROCEED to #3

3. Is the Project in the Clear Zone or Accident Potential Zone?

Contact the airport operator and obtain written documentation of the Clear Zone (also known as Runway Protection Zone) and for military airfields, the Accident Potential Zone, and a determination of whether your project is in the APZ or CZ.

No: STOP here. Maintain the written documentation from the airport operator. Identify the location of your project in relation to the clear zone. Record your determination that the project is not in a CZ or APZ.

Yes Project is in an Accident Potential Zone: PROCEED TO #4

Yes Project is in a Clear Zone: PROCEED TO #5

4. For Accident Potential Zones at Military Airfields, does the project change the use of a facility so that it becomes one which is no longer acceptable in accordance with Department of Defense standards (Please see 32 CFR Part 256 for *Land Use Compatibility Guidelines for Accident Potential Zones*), significantly increase the density or number of people at the site, or introduces explosive, flammable or toxic materials to the area?

No: STOP here. Record your determination that the project fits under the DoD Land Use Compatibility Guidelines. Include any correspondence with the Military Airfield.

Yes: **The project cannot be assisted with HUD funds. STOP HERE.**

5. For Airport Clear Zones, will the project frequently be used or occupied by people?

Yes: **The project cannot be assisted with HUD funds. STOP HERE.**

No: Obtain written assurance from the airport operator to the effect that there are no plans to purchase the land involved with the project as a portion of a Runway Clear Zone or Clear Zone acquisition program. Maintain copies of all of the documents you have used to make your determination

DISCLAIMER: This document is intended as a tool to help Region X HUD grantees and HUD staff complete environmental requirements. This document is subject to change. This is not a policy statement. Legislation and Regulations take precedence over any information found in this document.