

# 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. Is the Project located within 3,000 feet of the runway at a civil airport or within 2.7 miles of the runway of a military airfield?

Maintain, in your ERR, a map from topozone.com or other site that identifies airports. The list of civil airports is attached-note it is updated annually.

- No: STOP here. The project is not within a CZ or APZ. Document the reason for your determination.
- Yes: Contact the airport operator and obtain written documentation of the CZ and APZ and a determination if your project is in the APZ or CZ. PROCEED to #2

### 2. Is the Project in the CZ or APZ?

- No: STOP here. Document the reason for your determination.
- Yes: PROCEED TO #3

### 3. Is the activity for new construction, major rehabilitation\*, or any other activity which significantly prolongs the physical or economic life of existing facilities located in the CZ. In an APZ does the project change the use of a facility so that it becomes one which is no longer acceptable in accordance with DoD standards; (note in APZ 2 single family residences with up to 2 units per acre is permitted), significantly increase the density or number of people at the site; or introduces explosive, flammable or toxic materials to the area?

- No: STOP here. The project is not subject to the policies. Document the reason your determination (Note- you must complete Section 2 of the Other Requirement form as required at sec.58.6 and maintain documentation as necessary).
- Yes: PROCEED to #4

### 4. Will the project frequently be used or occupied by people?

- 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. Only the certifying officer may approve actions in the Runway Clear Zone, Clear Zone, or Accident Potential Zone (sec.51.304). (Note- Complete Section 2 of the Other Requirement form as required at sec.58.6 and maintain documentation as necessary).
- Yes: **The project cannot be assisted with HUD funds. STOP HERE.**

- Rehabilitation is Major when when it exceeds the thresholds for categorical exclusion, according to sec. 58.35(a)(3).