The following guidance has been prepared to help you complete the portion of the New York State Airport Capital Project Application pertaining to Smart Growth. The form is being sent to all eligible airports along with the application form. The Smart Growth form is also available for download at https://www.dot.ny.gov/aviationgrants.

Each Smart Growth question corresponds to one of the requirements identified in the Smart Growth Act, and should be answered as Yes, No or N/A. Answers of No or N/A shall require further explanation be provided in the space provided to answer each question (you may attach additional sheets, if necessary). What follows is a statement of the individual Smart Growth criterion followed by a brief analysis of that criterion’s applicability to airport projects, and recommended guidance. The analysis and guidance contained here is presented as the Aviation Bureau’s best interpretation of the requirements - as they apply to aviation projects - and does not constitute legal opinion. If you disagree with the guidance, please answer each requirement as necessary and provide reasons and documentation as needed.

A. To advance projects for the use, maintenance or improvement of existing infrastructure

This criterion will apply to many aviation grant projects aimed at maintaining existing infrastructure such as pavement maintenance on runways and taxiways, new pavement markings, replacement of existing hangars, etc. In its broadest sense, all airport projects subject to Smart Growth analysis could fall under this category since the construction of new airports with State aviation grant money is not likely in the foreseeable future. In general, aviation capital projects will comply with this criterion.

GUIDANCE: Answer “YES” unless the application is for completely new infrastructure. If you are building new infrastructure, answer “NO” and provide justification that explains the need to build new infrastructure instead of using or improving existing infrastructure.

B. To advance projects located in municipal centers

A Municipal Center is an area of concentrated and mixed land use that serves as a center for various activities, including but not limited to, central business districts, main streets, downtowns, Brownfield Opportunity Areas, downtown areas within Local Waterfront Revitalization Program Areas, transit oriented developments, Environmental Justice Areas and Hardship Areas. By their very nature and perceived negative attributes of airports (noise, perception of possibility of accidents, etc.), airports are generally not located in municipal centers. This criterion would not be generally applicable to aviation grant projects.

GUIDANCE: Unless your airport is located within a municipal center, answer “N/A” and explain the location of your airport relative to the nearest municipal center (downtown).

C. To advance projects in developed areas or areas designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or Brownfield opportunity area plan

The definition for “developed area” is the same as municipal center. Areas designated for concentrated “infill development” would include new development on vacant, bypassed, and underutilized land within built up areas of existing communities, where infrastructure is already in place.
Regarding airport projects, some of the points made in B apply here as well. This criterion has little or no application to aviation grant projects.

GUIDANCE: Answer “N/A” and explain the location of your airport and the reasons it cannot be located as described in this criterion.

D. To protect, preserve and enhance the State’s resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources

This criterion closely parallels the requirements of SEQRA. In most cases, stating that the proposed project is subject to the provisions of SEQRA and will receive the appropriate environmental scrutiny should be sufficient.

GUIDANCE: Answer as appropriate and provide any additional relevant information.

E. To foster mixed land uses and compact development, downtown revitalization, Brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income and age groups

In order for projects to qualify for aviation grants, airports must have an approved Airport Layout Plan (ALP). The ALP serves as the primary planning tool to document the ultimate build out of the airport. It is necessary to ensure that any projects undertaken with grant money are consistent with the ALP. Airports owned by municipalities may have more involved planning processes which include public participation, such as periodically updated master plans. Individual ALPs seldom offer comprehensive land uses in the surrounding community, and that level of planning is not generally appropriate for privately owned public use airports.

GUIDANCE: Answer “N/A” and explain how the scope of the proposed project is limited and does not have the potential to impact land uses of the surrounding communities, nor affect the socio-economic parameters specifically identified in this criterion. EXCEPTION: for any projects that involve construction or reconstruction of airport facilities (e.g. airport parking lots, airport boundary fences) that are visible from or adjoin public spaces, and with regard to the part of the criterion that focuses on enhancement of beauty in public spaces, factors to consider include:

- Is the project design sensitive to or compatible with surrounding land uses and/or the airport environment’s unique character?
- Does the project minimize the public’s view of parking by using natural barriers (trees, plantings) or locating parking spaces behind buildings?

F. To provide mobility through transportation choices including improved public transportation and reduced automobile dependency

Aviation provides an alternate mode of transportation to the automobile, especially commercial aviation. Business aviation is often justified in terms of flexibility and speed of travel, enhancing a business’s competitive edge. By their nature, any airport project that enhances the traveler’s ability to use aviation as a means of transportation is assumed to provide the public with an additional choice which reduces automobile dependency. A parallel argument could be constructed to offer another choice regarding shipment of cargo, and reduced dependency on trucking.

GUIDANCE: Answer “YES” unless you deem your project as not providing mobility through transportation choices and/or not reducing automobile dependency.
G. To coordinate between state and local government and inter-municipal and regional planning

The Smart Growth legislation requires the Department, as a state infrastructure agency, to “solicit input from and consult with various representatives of affected communities and organizations within those communities…” and “…give consideration to the local and environmental interests affected by the activities of the agency or projects planned, approved or financed through such agency” (Section 6-0109). To comply with this requirement, the Department intends to solicit input from potential affected parties (local representatives) based on information provided by the applicant.

Applicants may assist the Department in the outreach effort by providing evidence of coordination and outreach with local government bodies which participate in inter-municipal and regional planning. Evidence of outreach may include:

- A resolution from the county or municipality supporting the application (as long as the resolution is discussed in a public forum)
- A recent airport master plan which discusses the project being applied for and which has been discussed publicly
- An approved Airport Layout Plan (ALP) which includes the project being applied for
- Letters of support for the project from the communities with an interest in the project
- Evidence of publication of the project application in a local newspaper with wide circulation

While this evidence of outreach is not a requirement for applying, the applicant is encouraged to implement outreach efforts. If outreach efforts are conducted, applicant should also submit, at the time of application, copies of any responses received from the local government bodies.

To facilitate outreach efforts by the Department, however, the applicant must provide the Department with a list that includes the names and contact information of local representatives (local government), so the Department can solicit input from them and comply with this requirement.

GUIDANCE: If you have conducted outreach efforts, answer “YES” and provide evidence of the outreach and any responses received. If no outreach efforts were conducted, answer “NO” and explain that you are providing a list of local contacts for the Department to implement the coordination required by this section of the law. In either case your application must include the required list of local contacts with their contact information (name, mailing address, e-mail address, phone number).

H. To participate in community based planning and collaboration

Section 6-0109, as detailed in the previous section, applies to outreach to local organizations as well. As with the previous criterion, applicants may assist the Department in the outreach effort by providing evidence of coordination and outreach with local organizations with an interest in the project. This outreach can be considered part of community-based planning and collaboration. Evidence of outreach may include:

- Letters sent by the applicant to local organizations asking for project review and input
- Letters or other evidence of support for the project from the local organizations with an interest in the project
- Minutes of meetings held by local organizations where the project is discussed

While this evidence of outreach is not a requirement for applying, the applicant is encouraged to implement outreach efforts. If outreach efforts are conducted, applicant should also submit copies of any responses received from the community groups and organizations - at the time of application.

To facilitate outreach efforts by the Department, however, the applicant must provide the Department with a list that includes the names and contact information of local organizations, so the Department can solicit input from them and comply with this requirement.
GUIDANCE: If you have conducted outreach efforts, answer “YES” and provide evidence of the outreach and any responses received. If no outreach efforts were conducted, answer “NO” and explain that you are providing a list of local contacts for the Department to implement the coordination required by this section of the law. In either case your application must include the required list of local contacts with their contact information (name, mailing address, e-mail address, phone number).

I. To ensure predictability in building and land use codes

Building and land use codes are usually regulated by local government. State aviation grants are not likely to have any impact on these codes; the sponsor’s only responsibility will be to ensure that building codes are observed. It is unlikely that an aviation grant project will be of the magnitude to effect changes in the local ordinances. Also, because State Aviation Capital Grant Program funds are for projects on airport property, local land use codes would not be affected.

GUIDANCE: Answer “N/A” and explain why this criterion does not apply to the proposed grant project.

J. To promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation

This criterion is aimed at community level planning, incorporating “green” projects to promote sustainability. As previously stated, only airports with commercial service and perhaps some municipally owned (county) airports would appropriately employ this level of planning. Even then, airport projects would be peripheral to planning efforts related to creating new communities which reduce greenhouse gas emissions, etc. Limited application for airport projects may include “green” projects at commercial service airports. Even with these caveats, airport sponsors can still evaluate projects against sustainability, public involvement, and reduction of greenhouse gas goals for the community.

GUIDANCE: Answer “YES”, “NO”, or “N/A” as appropriate depending on whether your project promotes sustainability, encourages broad based public involvement, and/or reduces greenhouse gases.