AIRSPACE GOVERNANCE

Who Controls Where Aircraft Fly?

Modern aviation depends on a highly structured airspace system designed to separate aircraft, protect people and infrastructure on the ground, and support safe and efficient operations. Aircraft operate in three dimensions, often at high speeds and across long distances, which requires coordination between aircraft, airports, air traffic control, navigation systems, weather systems, and surrounding land uses.

The Federal Aviation Administration (FAA) manages this system through the National Airspace System (NAS). The FAA is responsible for airspace management, air traffic rules, flight procedures, and many of the operational standards that govern how aircraft move around airports, heliports, and other aviation facilities.

For local governments, one of the most important distinctions is that aircraft operations in navigable airspace are primarily federal responsibilities. Cities and counties generally do not regulate flight routes, flight altitudes, or air traffic procedures. Local governments do, however, influence many of the land-use and development decisions that surround aviation activity.

This distinction is especially important because some communities assume they can create local flight routes, low-altitude airspace systems, or aviation corridors. While local governments may influence where aviation infrastructure is located and how surrounding land is developed, the FAA remains responsible for managing navigable airspace, flight procedures, and operational access to that airspace.

This relationship between airspace and land use becomes increasingly important as communities begin evaluating:

- vertiports,
- heliports,
- airport expansion,
- drone logistics sites,
- emergency response operations,
- and other emerging aviation activities.

Part 71 | Airspace Classification

Title 14 CFR Part 71 establishes the structure of controlled airspace within the United States. This includes familiar airspace classifications such as:

- Class A
- Class B,
- Class C,

- Class D,
- Class E,
- and Class G airspace.

Airspace classifications help determine:

- what types of operations are allowed,
- what weather minimums apply,
- what communication requirements exist,
- and how aircraft are separated from one another.

For local governments, the practical takeaway is that aviation activity becomes more operationally complex around airports and higher-density airspace environments. Communities located near commercial airports, military operations, or busy aviation corridors may experience additional considerations related to:

- flight procedures,
- protected airspace,
- aviation compatibility,
- and future infrastructure siting.

Part 73 | Special Use Airspace

Title 14 CFR Part 73 addresses Special Use Airspace, which includes areas established for military activity, national defense, hazardous operations, or other specialized aviation uses.

Examples may include:

- restricted areas,
- military operations areas (MOAs),
- warning areas,
- and other specialized operating environments.

This can become relevant when evaluating sites for future aviation facilities or operations. A property that appears suitable from a land-use or development perspective may still face operational limitations if nearby airspace is heavily utilized for military training, restricted operations, or other specialized aviation activity.

Utah contains significant military aviation activity and military training airspace, particularly in portions of western and northern Utah. Communities evaluating future aviation infrastructure should remain aware of nearby military or special use airspace environments during long-range planning discussions.

Part 77 | Airspace Protection and Obstruction Evaluation

Title 14 CFR Part 77 focuses on protecting navigable airspace from physical obstructions. This section of federal regulation is especially relevant to planners, zoning officials, developers, airport sponsors, and local governments.

Part 77 establishes a framework for evaluating whether structures or objects may interfere with aviation operations. This includes:

- buildings,
- towers,
- cranes,
- energy infrastructure,
- and potential aviation facilities themselves.

Around airports and heliports, Part 77 establishes a series of protected airspace surfaces intended to preserve safe approach and departure environments.

For local governments, this is often where aviation and land-use planning intersect most directly.

Compatible land-use planning near aviation facilities may include:

- height restrictions,
- overlay zones,
- development review procedures,
- obstruction awareness,
- and long-range planning considerations around airports or heliports.

Part 77 does not automatically prohibit development. Instead, it establishes a framework for evaluating whether proposed construction may create hazards to aviation or negatively affect the National Airspace System.

Airspace Reviews and Aeronautical Studies

When certain aviation facilities or structures are proposed or modified, the FAA conducts an aeronautical study to evaluate impacts to navigable airspace and aviation operations.

These reviews commonly involve:

- FAA Form 7460-1,
- FAA Form 7480-1,
- Part 77 obstruction evaluation,
- and Part 157 notification processes.

Depending on the proposal, the FAA may issue:

- a determination of no objection,
- a determination of no objection with conditions,

- or an objectionable determination.

The FAA's role in these reviews is frequently misunderstood.

The FAA evaluates impacts to the National Airspace System and aviation safety. The FAA does not approve or deny local land use in the same way a city or county might approve a development application.

An FAA determination does not automatically require a local government to approve a project. Likewise, an FAA objection does not always automatically prohibit construction under local law. Additional state, local, airport sponsor, property ownership, zoning, environmental, and permitting considerations may still apply.

Utah's current aviation oversight structure can place additional importance on local understanding of these processes. In some states, airport, heliport, or vertiport development may pass through stronger state-level aviation licensing or review systems. In Utah, local governments may carry a greater share of the responsibility for evaluating compatibility, emergency access, land use, and community impacts associated with aviation facilities.

Responsible | Primary Regulatory or Operational Lead

FAA

The FAA is primarily responsible for:

- managing navigable airspace,
- classifying airspace,
- establishing flight procedures,
- conducting aeronautical studies,
- evaluating obstructions,
- and maintaining the safe and efficient operation of the National Airspace System.

Accountable | Primary Entity Responsible for Compliance or Implementation

Operators, Developers, Airport Sponsors, and Facility Proponents

Operators and developers are responsible for complying with applicable FAA operational requirements, airspace procedures, and notification requirements.

Airport sponsors are responsible for protecting airport operations, maintaining compliance with applicable grant obligations, and coordinating with the FAA where required.

Facility proponents are responsible for submitting appropriate notices, studies, or applications associated with proposed aviation facilities or structures.

Consulted | Organizations or Stakeholders Typically Engaged During Planning, Review, or Operations

Depending on the proposal, coordination may include:

- FAA,
- UDOT Aeronautics,
- airport sponsors or nearby airport managers,
- local planning and zoning staff,
- military airspace representatives, where relevant,
- operators or facility proponents,
- and affected property owners.

Informed | Stakeholders Commonly Affected, Notified, or Engaged

Stakeholders commonly informed or affected may include:

- elected officials,
- nearby residents,
- airport users,
- public safety agencies,
- transportation agencies,
- utility providers,
- community organizations,
- and the general public.

Important Distinctions

Local governments do not:

- regulate aircraft flight routes,
- establish minimum flight altitudes,
- manage air traffic,
- approve aircraft access to navigable airspace,
- or create local airspace systems.

Local governments may still play important roles related to:

- zoning,
- land-use compatibility,
- airport overlay districts,
- obstruction awareness,
- emergency planning,
- development review,
- public engagement,
- and coordination with FAA, airport sponsors, operators, and UDOT Aeronautics.

Key References

- 49 U.S.C. § 40103
- 14 CFR Part 71
- 14 CFR Part 73
- 14 CFR Part 77
- 14 CFR Part 157
- FAA Form 7460-1
- FAA Form 7480-1
- FAA Fact Sheet: State and Local Regulation of Unmanned Aircraft Systems (UAS)
- GAO-24-106451, Advanced Air Mobility: Legal Authorities and Issues to Consider for Operations
- FAA Advisory Circular 150/5190-4, A Model Zoning Ordinance to Limit Height of Objects Around Airports