

ATTACHMENT D

Osceola County JLUS (2012)

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Osceola County, Florida



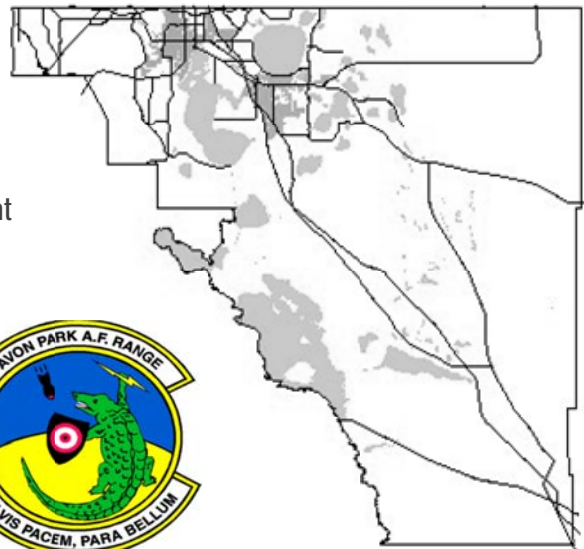
Osceola County JLUS (2012) Avon Park Air Force Range (Implementation Strategies)

Approved by Board of County Commissioners on August 20, 2012

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EXECUTIVE SUMMARY

Purpose:

The JLUS program encourages cooperative land use planning between military installations and the adjacent communities so future community growth and development are compatible with the training and operational missions of the installation. It is more inclusive in scope than just a noise and accident potential study. The JLUS is a cooperative land use planning effort between Osceola County, the public, the agricultural & ranching community, and the Avon Park Air Force Range (APAFR). Under this arrangement, there is a greater assurance that effective recommendations are presented to ensure compatibility with military operations.

The JLUS Recommendations included in the Osceola County JLUS 2012 are summarized in the following table. Each recommendation is implemented in different ways, including amendments to the Osceola County Comprehensive Plan (CP); updates to the Osceola County Land Development Code (LDC), which are ongoing throughout 2012 and; provision of policy guidance and/or educational materials and outreach (P/E). Based on the details included in the JLUS 2012, each recommendation may be implemented through existing adopted Military Operation Areas (MOAs), which are areas where the APAFR currently conducts their military operations and training and/or the adoption and implementation of Military Blast Zone noise-impacted areas (MBZ), which are areas where military blast noise may reach up to 130 db. For each recommendation the County has established a time frame for the implementation of the recommendation—the time frame is identified in the Term.

JLUS 2012 RECOMMENDATION	Comp. Plan (CP)	Land Development Code (LDC)	Policy or Education (P/E)	MOA	MBZ	TERM
1. Identify Military Operation Areas and High Noise Zones						Immediate
a) Update Military Operations Areas (MOA), including Restricted Airspace (R2901E) information on Transportation Element Map Series.	✓			✓		Immediate
b) Define MBZ-130 as the area where military blast noise may reach up to 130 db. Adopt MBZ-130 on the Transportation Element Map Series.	✓				✓	Immediate
2. Lighting Standards						Future
Amend the Land Development Code, Osceola County Lighting Standards to include street lighting standards for new subdivisions within the MOA's.		✓		✓		Mid-Term
3. Height Standards						Future
Amend the Land Development Code, to include height restrictions in the MOAs and Restricted Air Space consistent with the airspace floor of each area.						
a) Maximum Height allowed shall be up to 100' below the Floor of the MOA or the restricted airspace, whichever is more restrictive.		✓		✓		Mid-Term
b) Height requested in excess of the maximum permitted shall be subject to FAA Determination of No Hazard to Navigation (Letter of authorization from FAA).		✓		✓		Mid-Term

JLUS 2012 RECOMMENDATION		CP	LDC	P/E	MOA	MBZ	TERM
4. Implement Public Awareness & Disclosure Measures							Ongoing & Future
a)	Update LDC to require new subdivisions, which are proposed within the MBZ-130, to provide a noise disclosure statement on their plat regarding explosive impulse blast noise; or require disclosure to be included within the covenants conditions and restrictions as part of the plat.		✓			✓	Mid-Term
b)	Establish and maintain an email notification list for property owners who desire to be informed of JLUS information and updates.			✓			Ongoing
c)	Create a webpage identifying the MOAs and noise levels expected to be generated by activities at APAFR in order to educate area residents and visitors about APAFR and its mission.			✓	✓	✓	Mid-Term
d)	Post the Osceola County JLUS 2012, Power Points, Data, and maps on the County Website.			✓			Mid-Term
e)	Provide link to APAFR website from the Osceola County website.			✓			Mid-Term
f)	Make available to local Real Estate Associations, HOAs, and other organizations the links to the adopted Osceola County JLUS 2012 and other educational materials.			✓			Mid-Term
5. Support Military Readiness through Environmental Conservation							Ongoing & Future
a)	Support efforts by APAFR to participate and coordinate in State and Federal land conservation programs, and funding opportunities, including the purchase of development rights in areas encroached upon by military activities.			✓			Ongoing
b)	Update the Transfer of Development Rights Ordinance, as part of on-going LDC Amendments, to include MBZ-130 as a "sending area".		✓			✓	Mid-Term
6. Intergovernmental Coordination							Ongoing & Future
a)	Coordinate with APAFR as a non-voting member of the Osceola County Planning Commission (Interim Policy with LDC Update to be effective Spring 2012).		✓	✓			Ongoing
b)	Osceola County should be an active participant throughout the Comprehensive Noise Study currently being conducted for Highlands County. (CFRPC's estimated completion fall 2012).			✓			Ongoing
c)	Osceola County should actively participate in planning, development, and public meetings for future APAFR Rang/Air Installation Compatibility Use Zone studies.			✓			Future
7. Revise Conditional Use Site Standards (CUSS) to be compatible with MOA's							Future
	Amend the Land Development Code, CUSS, to require notice to the APAFR Commander and demonstration of compatibility with MOA and Restricted Airspace operations for new landfills, wind farms, and landing fields within a MOA and/or Restricted Airspace.		✓		✓		Mid-Term

ACKNOWLEDGMENTS

The following staff from the Osceola County Community Development Department contributed to the community meetings, data analysis, and preparation of this study. These team members represent Long Range Planning, Community Resources, Extension Services, and GIS Mapping. Throughout this endeavor we've received much support from Economic Development, the Osceola County Lobbyist, and Commissioner Fred Hawkins, Jr. (District 5).

Dave Tomek, Director of Community Development
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Ashley Fluke
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Carlton Ward Jr (Photographs of APAFR) (03/07/12 email)

- FloridaWildlifeCorridor.org
- CarltonWard.com



It is also important to acknowledge the many committed citizens, property owners, and ranchers who provided valuable community input over the past three (3) plus years.



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1.0 INTRODUCTION/BACKGROUND

Osceola County participated in the initial Joint Land Use Study (JLUS) process coordinated by the Central Florida Regional Planning Council (CFRPC). This initial process ran from 2008 until the CFRPC printed their final “August 2010 JLUS”. Through the process, Osceola County submitted two letters and had a number of teleconferences that identified concerns related to the August 2010 recommendations. After the CFRPC printed the August 2010 JLUS, Osceola County began evaluating different implementation approaches that would ensure compatibility between the strategic mission of the base, public safety, and the economic vitality associated with the base’s operations, while also respecting private property rights and not being unduly restrictive on those rights. In order to accomplish this goal in a manner that would be more specific to and appropriate for Osceola County, the August 2010 JLUS was evaluated, the data and analysis contained therein was utilized, and then this document was created, the “Osceola County Joint Land Use Study 2012” (JLUS 2012). This Osceola County JLUS 2012 was created through collaborative efforts between the public, the APAFR, and Osceola County staff. This collaborative effort was conducted through a number of stakeholder meetings and public hearings identified and summarized within **Appendix E**.

Program Goals and Actions:

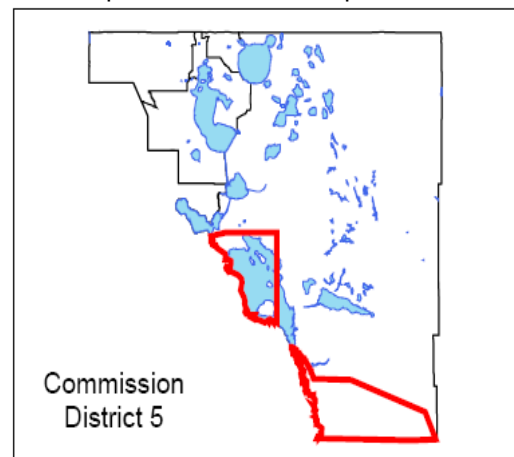
The Osceola County JLUS 2012 has the following goals:

- Collaborate with the Avon Park Air Force Range (APAFR), the public, and the ranching community to conduct the Study,
- Protect the health, safety and welfare of the civilian and military communities,
- Identify appropriate regulatory and non-regulatory measures to ensure compatibility between existing and future land uses,
- Increase communication and cooperation between APAFR and Osceola County,
- Protect and promote the operational capabilities of APAFR, and
- Protect and preserve private property rights in a manner that promotes compatibility with the military operations, including and pursuant to Section 823.14 of the Florida Statutes (FS) Florida Right to Farm Act.

This report in conjunction with the data and analysis from the August 2010 JLUS contained within **Appendix F** identifies the existing environment in the study area, current conflicts between land uses and range operations, and potential future impacts. The report also presents strategies to minimize current problems, encourage compatible future development and prevent incompatible future development. There are also responsibilities assigned to the APAFR in this report.

Affected Area:

The affected areas of the County are located in the southwest portion of the county. The eastern boundary is generally west of the Florida Turnpike, its northern boundary is between the northern shore of Lake Kissimmee and southern shore of Lake Hatchineha, and the western and southern boundaries extend to the County’s jurisdictional lines. See Military Operations Areas (MOA’s), Restricted Airspace R 2901 E, and Military Blast Zone noise-impacted areas (MBZ) shown in **Appendix A** for the areas affected.



Florida Statutes:

To ensure compatibility with the training and operational missions of the Avon Park Air Force Range, military installation, pursuant to FS163.3175 and FS163.3177, the County identified a number of Statutory requirements which are included within **Appendix B**. Osceola County has provided detailed recommendations and implementation information in Section 2.0.

Comprehensive Plan and Land Development Code:

The County identified a number of existing Comprehensive Plan policies and Land Development Code (LDC) regulations that facilitate compatibility with military installations. There are also a number of proposed modifications to the Osceola County Comprehensive Plan, as well as general recommended revisions to the LDC. The existing and proposed modifications to the Comprehensive Plan and LDC can be found in **Appendix C** and **Appendix D** respectively.

Approach:

The approach to this report is intended to first utilize the August 2010 JLUS as data and analysis, which described and analyzed the issues pertaining to existing and future conditions; second analyze stated data and analysis as it pertains specifically to Osceola County to develop strategies; and finally to make Osceola County specific recommendations within this Osceola County JLUS 2012.

Data Analyzed:

As part of the Osceola County JLUS 2012, Geographic Information System (GIS) data inventory was gathered and analyzed, including the following data sets that were developed as part of the August 2010 JLUS and provided by the CFRPC:

- APAFR Boundaries
- Range Inventory including:
 - Active Range Boundaries
 - Military Operations in Urban Terrain (MOUT) Targets
 - Machine Gun Firing Points
 - Range Towers
 - Firing Points
 - Bivouac (military camp) Locations
 - Observation Points
 - Emergency Phones
 - Helicopter Landing Zones
 - Tank Trails
 - Assault Strips
 - Parachute Drop Zones
 - High Explosive Target Areas
 - Airfield
 - Cantonment Area
 - Multiple Launch Rocket Systems (MLRS) Maneuver Areas
 - Impact Areas
- Military Approach/Departure Height Thresholds
- Military Training Routes
- Restricted Airspace
- Military Operations Areas (MOA's)
- Low Level Training Areas
- Blast Noise Contours aka Military Blast Zones (MBZ's)

Issues Identified:

Based on information gathered from the August 2010 JLUS and discussions with the APAFR Commander, general topics of analysis were identified with respect to compatibility with the APAFR. These are identified below.

- Military Operations Areas (MOA)
- Low Level Flight Areas within the MOA's and Restricted Airspace
- Blast noise
- Outdoor Lighting – Night Vision Training Areas
- Bird / Aircraft Strike Hazards (BASH)
 - Although most strikes occur on the airport environment, over 1,300 bird strikes involving civil aircraft at heights above 5,000 feet above ground level were reported from 1990 to 2003. The highest reported bird strike was 37,000 feet. (Source: USAF Auxiliary Civil Air Patrol, Bird Strike Awareness, Florida Wing Safety Briefing June 2009)
- Conservation Resources
- Transportation Interchanges and/or Corridors
- Public Access
- General Aviation and Military Aircraft Conflicts

The Osceola County JLUS 2012 study includes a number of recommendations specific to Osceola County. These recommendations contain general implementation and compatibility background, as well as specific county tasks for implementation. The tasks for implementation are a suggested to-do list broken down into short-term (to be addressed soon after JLUS adoption), mid-term (to be addressed in the near future after JLUS adoption), and ongoing goals.



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2.0 RECOMMENDATIONS/IMPLEMENTATION

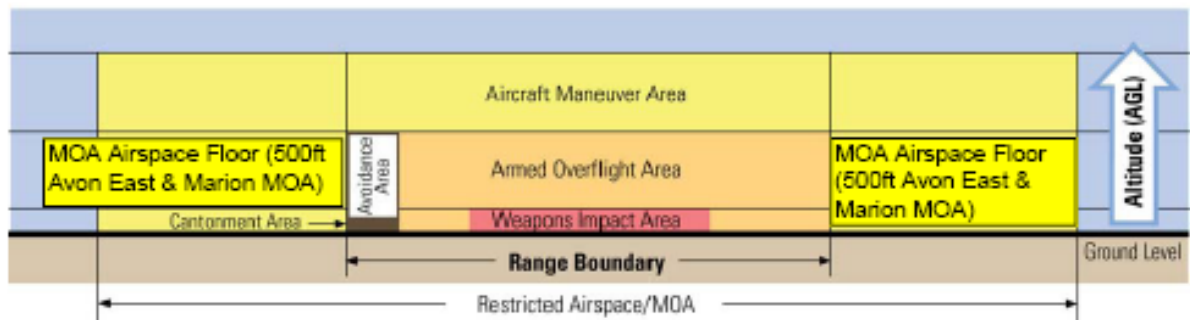
The existing Osceola County Future Land Use, Zoning, and Existing Uses within this area are compatible with the Avon Park Air Force Range Military operations. Osceola County is not proposing to change any uses with the JLUS 2012, and is only recommending implementation of military compatibility. Based on the issues identified by Osceola County, the data and analysis from the August 2010 JLUS, as well as the revised analysis provide in the introduction/background and appendices, new Osceola County-Specific recommendations are presented herein. These recommendations focus on addressing requirements of Florida Statutes, while addressing each issue or combination of issues that have been identified. It is the intent of these revised recommendations to provide appropriate and applicable guidance to the County on land use and related land use policies and procedures relating to compatibility with military installations, specifically the Avon Park Air Force Range (APAFR). The detailed recommendations below include implementation steps and/or examples for the County's use to ensure continued compatibility with the Avon Park Air Force Range (APAFR). These suggestions are not intended to be prescriptive but offer guidance to the County in implementing the Comprehensive Plan and the Land Development Code related to compatibility with military operations.

1. Identify Military Operation Areas and High Noise Zones (Immediate)

- a) Update Military Operations Areas (MOA), including Restricted Airspace (R 2901 E) information on Transportation Element Map TRN10: Air Transportation Facilities & Special Planning Areas – 2025. (short-term/Comp Plan)
- b) Define MBZ-130 as the area where military blast noise may reach up to 130 db. Adopt MBZ-130 on the Transportation Element Map TRN10: Air Transportation Facilities & Special Planning Areas – 2025. (short-term/Comp Plan)

The APAFR operates aircraft at heights in excess of 500' in the Osceola County MOA's and Restricted Airspace. Osceola County has adopted the recommended Military Operation Areas as part of Transportation Element Map TRN10: Air Transportation Facilities & Special Planning Areas – 2025. In the course of the Osceola County JLUS 2012, it was determined that the Lake Placid MOA, which has an airspace floor of 7,000', also covers a small portion of southwest Osceola County north of Lake Kissimmee. The MOA data will be updated on Map TRN 10. The individual MOA's are further described below.

Example Cross Section of a MOA or Restricted Airspace



Cross Section provided in APAFR Proof of Concept

Osceola County residents may also hear blast noise from base operations as illustrated in Military Blast Zone noise-impacted areas (MBZ), which are identified on Maps 1 through 4 in **Appendix A**.

Residents within MBZ – 130 may hear noise ranging from 115-130db. The MBZ's are based on noise contours described in the 2008 Land Use Compatibility Proof of Concept Working Paper which are unweight levels exceeded only 10% of the time. Residents outside that area may hear blast noise up to 115 db and will have low risk of noise complaints.

Establishing MOA's, Restricted Airspace, and the MBZ as geographic planning areas will help Osceola County to integrate the local military's presence and missions with the comprehensive picture of the community's future. The MOA's, Restricted Airspace, and the MBZ recognize the existence and mission of the APAFR and are meant to help protect the health, safety, and welfare of the public; maintain the installation's mission(s); promote an orderly transition and rational organization of land uses; more accurately identify areas affected by military operations; and create a compatible mix of land uses. Below is a list of the MOA's, Restricted Airspace, and MBZ, as well as the compatibility issues that the Osceola County JLUS 2012 has taken into consideration. See **Table 2-1** for a summary description of the potential impacts of the MOA's and MBZ's.

Table 2-1: Military Operations Areas (MOA's), Restricted Airspace (R2901E), & Military Blast Zone (MBZ) Impacts

(MOA's) (R2901E) and (MBZs)	Geographic Vicinity				
	Contains Military Training Routes	Low Level Flight Training Areas (under 4,000 MSL)	Night Vision Training Areas	Contains Areas of Moderate Risk of Blast Noise Complaints 115-130 db. Peak	Contains Areas of Low Risk of Blast Noise Complaints <115 db. Peak
Lake Placid MOA	◆				
Avon North MOA	◆		◆		
(R 2901 E)	◆	◆	◆		
Avon East MOA		◆	◆		
Marian MOA		◆	◆		
MBZ – 130db.				◆	
Blast Noise up to 115 db.					◆

The different MOA and MBZ designations proposed are summarized as follows and are illustrated on maps 1 through 4 of **Appendix A**:

Lake Placid MOA. Is shown in **Appendix A** with horizontal green hatching and has an airspace floor of 7,000 feet above mean sea level. It is one of the Military Operations Areas that contains the following activities: Military Training Routes. Some of the issues this area is faced with regarding Military operations include Airspace Controls, Bird / Aircraft Strike Hazards (BASH), and Lighting described and analyzed in more detail within Section 6.2 and 6.3 **Appendix F**. This is an existing MOA, that was not previously identified in the Osceola County Comprehensive Plan, but which covers Osceola County.

The Lake Placid MOA in Osceola County affects a total of 830 acres. All properties have a compatible Future Land Use Map (FLUM) designation of Rural/Agricultural and Zoning designation of Agricultural & Conservation. **Table 2-2** shows the breakdown of the Future Land Use within the Lake Placid MOA and **Table 2-3** provides the breakdown of the Zoning for the same area.

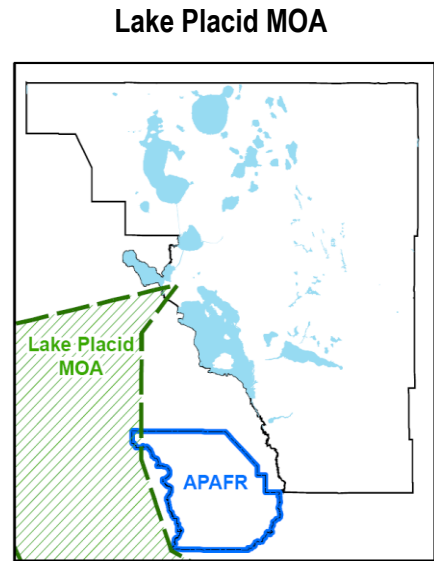


Table 2-2: FLUM Designation for Lake Placid MOA.

Future Land Use	Acreage
Rural/Agricultural	830
Total	830

Table 2-3: Zoning Map Designation for Lake Placid MOA.

Zoning	Acreage
Agricultural & Conservation	830
Total	830

Avon North MOA. Is shown in **Appendix A** with horizontal green hatching and has an airspace floor of 4,000 feet above mean sea level. It is one of the Military Operations Areas that contains the following activities: Military Training Routes and aircraft pilot Night Vision Training. Some of the issues this area is faced with regarding Military operations include Airspace Controls, Bird / Aircraft Strike Hazards (BASH), and Lighting described and analyzed in more detail within Section 6.2 and 6.3 **Appendix F**. This is an existing MOA identified in the Osceola County Comprehensive Plan Transportation Element Map Series, Map TRN 10: Air Transportation Facilities & Special Planning Areas – 2025.



Photo provided in APAFR Proof of Concept

Avon North MOA also contains **Restricted Airspace (R 2901 E)**, which is shown in **Appendix A** with vertical red hatching and is an area that restricts air traffic between 1,000 and 4,000 feet to military aircraft only. The airspace floor within R 2901 E is 1,000 feet above mean sea level. This is an existing restricted airspace, that was not previously identified in the Osceola County Comprehensive Plan, but which covers Osceola County.

The Avon North MOA & R 2901 E in Osceola County affects a total of 11,539 acres. All properties have a compatible Future Land Use Map designation of Rural/Agricultural. Of these properties, 99% have a compatible Zoning of Agricultural and Conservation. There also exists approximately 165 acres of land that have existing Planned Development zoning designation. Areas with active PD's and vested rights should maintain such rights, until such a time the applicable PD expires; at which time the uses will be re-evaluated through the process outlined in the Land Development Code. **Table 2-4** shows the breakdown of the Future Land Use within the Avon North MOA and **Table 2-5** provides the breakdown of the Zoning for the same area.

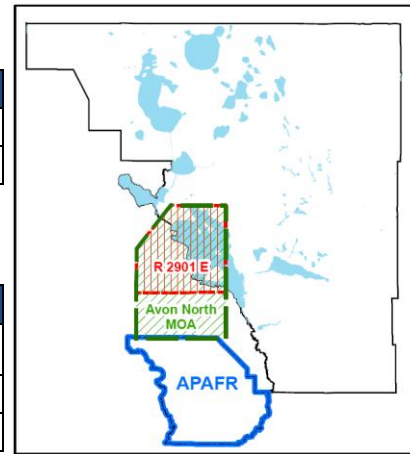
Avon North MOA & R2901E

Table 2-4: FLUM Designation for Avon North MOA & R2901E.

Future Land Use	Acreage
Rural/Agricultural	11,539
Total	11,539

Table 2-5: Zoning Map Designation for Avon North MOA & R2901E.

Zoning	Acreage
Agricultural & Conservation	11,374
Planned Development	165
Total	11,539



Avon East MOA. Is shown in **Appendix A** with horizontal green hatching and has an airspace floor of 500 feet above ground level. It is one of the Military Operations Areas that contains the following activities: Low Level Overflight and aircraft pilot Night Vision Training. Some of the issues this area is faced with regarding Military operations include Airspace Controls, Low Level Flight Areas, Bird / Aircraft Strike Hazards (BASH), and Lighting described and analyzed in more detail within Section 6.2 and 6.3 **Appendix F**. This is an existing MOA identified in the Osceola County Comprehensive Plan Transportation Element Map Series, Map TRN 10: Air Transportation Facilities & Special Planning Areas – 2025.

The Avon East MOA in Osceola County affects a total of 7,799 acres. All properties have a compatible Future Land Use designation of Rural/Agricultural and Conservation as well as a Zoning designation of Agricultural & Conservation. **Table 2-6** shows the breakdown of the Future Land Uses within the Avon East MOA and **Table 2-7** provides the breakdown of the Zoning for the same area.

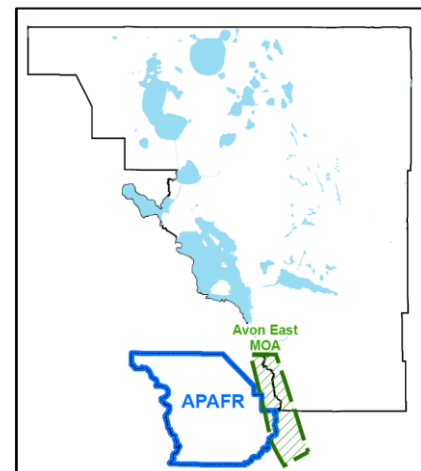
Avon East MOA

Table 2-6: FLUM Designation for Avon East MOA.

Future Land Use	Acreage
Conservation	3,566
Rural/Agricultural	4,233
Total	7,799

Table 2-7: Zoning Map Designation for Avon East MOA.

Zoning	Acreage
Agricultural & Conservation	7,799
Total	7,799



Marion MOA. Is shown in **Appendix A** with horizontal green hatching and has an airspace floor of 500 feet above ground level. It is one of the Military Operations Areas that contains the following activities: Low Level Overflight and aircraft pilot Night Vision Training. Some of the issues this area is faced with regarding Military operations include Airspace Controls, Low Level Flight Areas, Bird / Aircraft Strike Hazards (BASH), and Lighting described and analyzed in more detail within Section 6.2 and 6.3 **Appendix F**. This is an existing MOA identified in the Osceola County Comprehensive Plan Transportation Element Map Series, Map TRN 10: Air Transportation Facilities & Special Planning Areas – 2025.

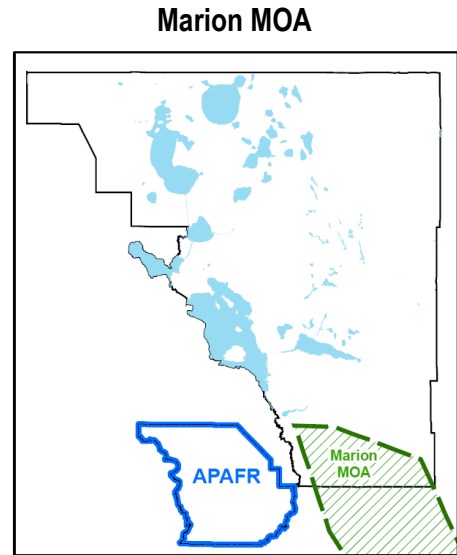
The Marion MOA in Osceola County affects a total of 50,561 acres. All properties have a compatible Future Land Use designation of Rural/Agricultural and Zoning designation of Agricultural & Conservation. **Table 2-8** shows the breakdown of the Future Land Use within the Marion MOA and **Table 2-9** provides the breakdown of the Zoning for the same area.

Table 2-8: FLUM Designation for Marion MOA.

Future Land Use	Acreege
Rural/Agricultural	50,561
Total	50,561

Table 2-9: Zoning Map Designation for Marion MOA.

Zoning	Acreege
Agricultural & Conservation	50,561
Total	50,561



MBZ – 130. Is shown in **Appendix A** with darker tan shading and is a Military Blast Zone noise-impacted area (MBZ) that contains a moderate risk of blast noise complaints and peak noise levels between 115 and 130 decibels described and analyzed in more detail within Section 6.2 and 6.3 **Appendix F**.

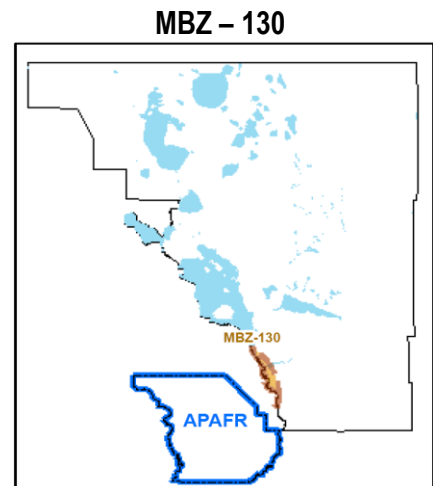
The MBZ – 130 in Osceola County affects a total of 3,881 acres. All properties have a compatible Future Land Use designation of Rural/Agricultural and Conservation as well as a Zoning designation of Agricultural & Conservation. **Table 2-10** shows the breakdown of the Future Land Uses within the MBZ-130 and **Table 2-11** provides the breakdown of the Zoning for the same area.

Table 2-10: FLUM Designation for MBZ – 130.

Future Land Use	Acreege
Conservation	2,336
Rural/Agricultural	1,545
Total	3,881

Table 2-11: Zoning Map Designation for MBZ – 130.

Zoning	Acreege
Agricultural & Conservation	3,881
Total	3,881



Blast Noise up to 115 db. Is shown in **Appendix A** with light tan shading, however is not recommended to be a Military Blast Zone as it only represents a low risk of blast noise complaints with peak noise levels up to 115 decibels. It is described and analyzed in more detail within Section 6.2 and 6.3 **Appendix F**.

The area with a blast noise up to 115 decibels in Osceola County affects a total of 134,188 acres, which contains properties with a more than 99% compatible Future Land Use designation of Rural/Agricultural and Conservation. The remaining less than 1% of the area is a very small pocket of existing Commercial and Rural Settlement within an area affected only by a low risk of blast noise complaints. **Table 2-12** shows the breakdown of the Future Land Uses within the area experiencing blast noise up to 115 decibels and **Table 2-13** provides the breakdown of the Zoning for the same area.

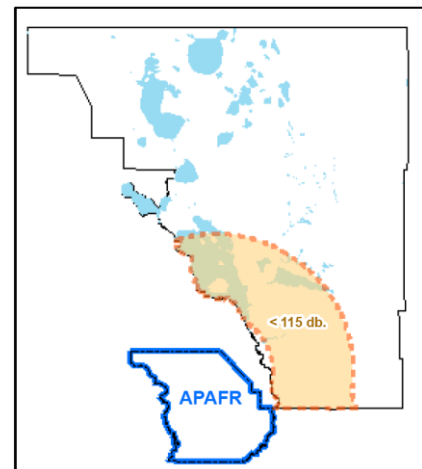
Table 2-12: FLUM Designation for Blast Noise < 115 db.

Future Land Use	Acreage
Conservation	22,934
Rural/Agricultural	111,048
Rural Settlement	203
Commercial	3
Total	134,188

Table 2-13: Zoning Map Designation for Blast Noise < 115 db.

Zoning	Acreage
Agricultural & Conservation	134,055
Commercial Restricted	3
Public Institutional	3
Planned Development	3
Residential Manufactured Housing	124
Total	134,188

Blast Noise up to 115 db.



There are a total of 855 parcels affected by the MOA and MBZ areas containing a total of 175,397 acres. There are many instances where there are parcels or portions thereof affected by more than one MOA or MBZ, areas where some of the acreages overlap, as well as parcels that may have only a small portion of the property that is overlapped by a MOA or MBZ. The acreage calculations in the above tables represent only the area affected by that particular (MOA/MBZ)'s Future Land Use and/or Zoning designations.

2. Lighting Standards (future)

Amend the Land Development Code, Osceola County Lighting Standards to include street lighting standards for new subdivisions within the MOA's, including coordination with the Air Force Human Factors Expert. (mid-term/LDC)

This recommendation is not intended to require street lighting in subdivisions, but only to restrict the type of lighting should street lighting be proposed.

In the interim, Osceola County should continue to enforce the current Land Development Code (LDC) Lighting Ordinance, with the intent of eliminating or reducing glare and reflection that could interfere with range operations. Excerpts from the current LDC are found in **Appendix D**.

Compatibility with military night vision training operations may include LDC standards that reduce ground lighting, glare, and/or reflection to prevent interference with an aviator's vision or with night vision instrumentation or equipment. Pilots sometimes claim that subdivision street lighting resembles airfield approach flight patterns or that they can be mistaken for a false horizon. Outdoor lighting should not contribute to pilot confusion. Lighting standards should promote compatibility with aircraft operations within the MOA's and night vision training areas.

3. Height Standards (future)

Amend the Land Development Code, to include height restrictions in the MOA's and Restricted Air Space consistent with the airspace floor of each area. (mid-term/LDC)

- a) Maximum Height allowed shall be up to 100' below the Airspace Floor of the MOA or the restricted airspace, whichever is more restrictive.
- b) Height requested in excess of the maximum permitted shall be subject to FAA Determination of No Hazard to Navigation (Letter of authorization from FAA).

The Federal Aviation Administration (FAA) currently reviews all new development in Osceola County that request heights in excess of 200'. The FAA coordinates the review of development to ensure that it does not create a hazard to navigation within the Military Operation Areas that service the Avon Park Air Force Range, general aviation airspace, as well as areas surrounding local and international airports. See maps 1 through 4 in **Appendix A** for illustration of the MOAs and their associated Airspace Floor.

4. Implement Public Awareness & Disclosure Measures (ongoing/future)

- a) As part of ongoing LDC Amendments, include language requiring new subdivisions, which are proposed within the MBZ-130, to provide a noise disclosure statement on their plat regarding explosive impulse blast noise; or require disclosure to be included within the covenants conditions and restrictions as part of the plat. (mid-term/LDC)
- b) Establish and maintain an email notification list for property owners who desire to be informed of JLUS information and updates. (ongoing/policy)
- c) Create a webpage identifying the MOAs and noise levels expected to be generated by activities at APAFR in order to educate area residents and visitors about APAFR and its mission. (mid-term/educational)
- d) Post the Osceola County JLUS 2012, Power Points, Data, and maps on the County Website. (mid-term/educational)
- e) Provide link to APAFR website from the Osceola County website. (mid-term/educational)
- f) Make available to local Real Estate Associations,



HOAs, and other organizations the links to the adopted Osceola County JLUS 2012 and other educational materials. (mid-term/educational)

Through a variety of information vehicles, the public can be made aware of APAFR and its operations over Osceola County, including the community impacts both from physical and economic perspectives. Osceola County will continue to support APAFR efforts to post signage in areas proximate to airfields and other military operations. The intent of this recommendation serves to notify residents, visitors, prospective homeowners or renters of the presence of aircraft and related noise, high intensity impulse noise, and/or low flying aircrafts typically found near the APAFR. Trees, vegetation, or terrain are utilized to screen airfields from many areas surrounding the airfields in the jurisdictions immediately adjacent to APAFR. This is not applicable to Osceola County. Military operations are not always in effect 24 hours a day, 7 days a week; therefore, proactive public awareness campaigns ensure the greatest opportunity to ensure informed residents and guests. The County has established a working relationship with affected property owners and the APAFR commander. Continued cooperation and coordination is essential to ongoing public awareness and education efforts.

Expansion of facilities or increases in intensity at which the range is used, require an Environmental Impact Assessment, which shall be coordinated with Osceola County to ensure that the increased impacts, if any, are appropriately reconciled with property owners to ensure compatibility with existing uses established in the County. Osceola County shall continue to coordinate with property owners keeping them apprised of any new base information provided by the APAFR, the State Land Planning Agency, or Regional Planning Council(s).

In addition, the disclosure of aircraft noise, low level aircraft, and explosive impulse blast noise is a preventive strategy and important tool informing and forewarning prospective buyers or tenants of the expected impacts of the range's interaction with neighboring communities. Both voluntary and mandatory disclosure will help to ensure that prospective homebuyers are knowledgeable about the military operations and its potential impact on the community, subsequently reducing frustration and antimilitary sentiment by those not adequately informed prior to entering into their purchase agreement. This recommendation includes developing more effective disclosure procedures and defines the geographic area where disclosure should be required on the plat. The intensity of impact correlates to the level of disclosure—the highest intensity of blast noise should have the greatest opportunity for disclosure. Areas with the least impact should encourage voluntary disclosure through educational outreach opportunities, including those identified above.

5. Support Military Readiness through Environmental Conservation (ongoing/future)

- a) Support efforts by APAFR to participate and coordinate in State and Federal land conservation programs, and funding opportunities, including the purchase of development rights in areas encroached upon by military activities. (ongoing/policy)
- b) Update the Transfer of Development Rights Ordinance, as part of on-going LDC Amendments, to include MBZ-130 as a "sending area". (mid-term / LDC)

The proposed implementation steps contained herein provide the opportunity to continue ongoing efforts to protect critical areas that support both military readiness and environmental conservation. The partnering and/or support opportunities include the USAF, The Nature Conservancy, South Florida Water Management District, Florida Department of Environmental Protection, Florida Forever, Florida

Defense Alliance and federal agencies to purchase conservation lands. As part of this program, potential funding sources may be identified and alternative mechanisms to fee simple purchase explored such as restrictive use easements, aviation easements, land exchanges, and transfer of development rights.

The work coordinated by the Florida Forever program and The Nature Conservancy may be leveraged as part of future plans. For example, The Nature Conservancy recently prepared an assessment of lands around APAFR called Areas of Conservation Significance (ACS). This was a broad based ecological assessment of the natural resources surrounding APAFR. There were 10 areas of Conservation Significance identified near APAFR that could be looked into further should such an undertaking occur. The areas near APAFR are shown in Figure 6-17 within **Appendix F**.

6. Intergovernmental Coordination (ongoing/future)

- a) Ongoing coordination with APAFR as a non-voting member of the Planning Commission (Ordinance 12-06 approved by the Board of County Commissioners on March 12, 2012) (ongoing/policy)
- b) Osceola County should be an active participant throughout the Comprehensive Noise Study currently being conducted for Highlands County. CFRPC's estimated completion date of this study funded through a Defense Infrastructure Grant in coordination with Enterprise Florida is fall 2012. (ongoing/policy)
- c) Osceola County should actively participate in the planning, development, and public meetings as part of any future APAFR Range / Air Installation Compatibility Use Zone (R/AICUZ) studies. (future/policy)



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7. Revise Conditional Use Site Standards (CUSS) to be compatible with MOA's (future)

Amend the Land Development Code, CUSS, to require notice to the APAFR Commander and demonstration of compatibility with the MOA and Restricted Airspace operations for new landfills, wind farms, or landing fields locating within a MOA and/or Restricted Airspace. (mid-term/LDC)

This recommendation was added as a result of concerns raised by the APAFR Commander in an email received on June 4, 2012. The County's response letter addressed most of the Commander's concerns, but after further review and coordination, it was determined that County's review of landfills, wind farms, and landing fields should ensure notice to the APAFR and address compatibility with military operations on a case-by-case bases with each new application.

Landfills: Landfills and Bird Aircraft Strike Hazards (BASH) are addressed in Section 3 of the JLUS. Conditional Use Site Standards have been included in **Appendix D**. The 2010 JLUS Data identified Bird Aircraft Strike Hazards (BASH) as the predominate concern for landfill use. Currently there are none of these facilities within the MOAs. Additionally, the current LDC requires Landfills to undergo Conditional Use Approval, which includes siting requirements and a public hearing before the Planning Commission. Should a landfill be proposed within a MOA, it should be reviewed closely to ensure bird control methods are explored, and that the most effective methods in preventing BASH are utilized. Therefore it is recommended that the LDC be amended to include a Conditional Use Site Standard for new landfills locating within a MOA and/or Restricted Airspace to ensure notice to and compatibility with APAFR and the associated MOAs and/or restricted airspace.

Wind farms: Wind farms, if any proposed, should be addressed on a case-by case basis through the current zoning and FAA review processes. If any wind farms are proposed in Osceola County they will have to meet the height standards outlined in the JLUS, which puts their maximum height at 100' below the floor of any MOA or restricted airspace, whichever is more restrictive. Additionally, any wind turbine in excess of 200' would require FAA approval to ensure compatibility with any and all aviation operations, including that of the APAFR. Data has not been presented to clarify specific types of impacts other than height that may impact military operations. Depending on the location of a wind farm within the MOA, the use may have no impact on APAFR operations; therefore, it is appropriate to address these on a case-by-case basis through the existing zoning and FAA processes, when or if one is submitted. To ensure coordination with the APAFR, it is however recommended that the LDC be amended to include a Conditional Use Site Standard for new wind farms locating within a MOA and/or Restricted Airspace to ensure notice to and compatibility with APAFR and the associated MOAs and/or restricted airspace.





Class I & II Landing Fields: Class I and Class II landing fields, if any proposed, should be addressed on a case-by case basis through the current zoning and FAA review processes. Land Development Code, Section 14.6 B(21) - Class I aircraft landing fields are defined as private landing field (small planes). These are common in the agricultural communities to facilitate crop dusters and other ranching activities. As such, these are allowed as a permitted use subject to Conditional Use Site Standards (CUSS) and

require FAA Approval. FAA approval will further ensure compatibility with any and all aviation operations, including that of the APAFR. Depending on the size, specific type, and location within the MOA, the use may have no impact on APAFR operations; therefore, it is appropriate to address these on a case-by-case basis through the existing zoning and FAA processes, when or if one is submitted.

Land Development Code, Section 14.6 C(26) - Class II aircraft landing fields are defined as small planes for public or private use. These can be slightly larger than the Class I landing field and therefore are allowed only as a Conditional Use, subject to Conditional Use Site Standards (CUSS), and require FAA Approval. FAA approval will further ensure compatibility with any and all aviation operations, including that of the APAFR. The Conditional Use process, as defined today, requires CUs to go before the Planning Commission for approval. The base commander will have opportunity to provide comment on an airfield via the Planning Commission process and through the FAA approval; therefore, if there are any concerns related to military operations they can be addressed at that time. Again, depending on the size, specific type, and location within the MOA, the use may have no impact on APAFR operations; therefore, it is more appropriate to address these on a case-by-case basis through the existing zoning and FAA processes, when or if one is submitted. Conditional Use Site Standards have been included in **Appendix D**. To ensure coordination with the APAFR, it is however recommended that the LDC be amended to include a Conditional Use Site Standard for new Class I or Class II landing fields locating within a MOA and/or Restricted Airspace to ensure notice to and compatibility with APAFR and the associated MOAs and/or restricted airspace—these will continue to be addressed on a case-by case basis through the current zoning and FAA review processes.

Through our continued coordination efforts with the APAFR, Osceola County determined that adding notice and compatibility analysis requirements for these three uses as part of the Conditional Use Site Standards of the LDC would provide an additional level of assurance that compatibility would be maintained with the APAFR's MOA's and Restricted Airspace, while not being unduly restrictive on the rights of the underlying property owners. This recommendation does not prohibit any of these uses, but only adds an extra level of County review to help ensure continued coordination and compatibility with ongoing military operations within the APAFR MOA's and Restricted Airspace. These uses will continue to be permitted and addressed on a case-by-case basis through the zoning and FAA review processes.

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3.0 ANALYSIS OF AUGUST 2010 JLUS

Through analysis of the August 2010 JLUS data and analysis, discussions with the APAFR Commander, and input from the local residents and ranching community, the 2010 strategies were analyzed and assessed. The following analysis includes the general intent of the original 2010 recommendations and illustrates how Osceola County is achieving the objectives and recommendations for each.

1. **Coordination with the Federal Aviation Administration (FAA):** “Continue Ongoing Coordination with the Federal Aviation Administration (FAA) Regarding Airspace Controls and Usage Including Coordination and Planning Efforts for All Airports and Airstrips Within APAFR MOAs.”
 - a. Currently being addressed by Osceola County through continued coordination with the FAA as required in the Comprehensive Plan Transportation Element Objective 1.10: Planning and Access for Airports and Related Facilities.
 - b. Currently being addressed by Osceola County through the continuing internal policy and practice of requiring that any structure over 200' in height obtain a FAA Determination of No Hazard to Navigation.
 - c. *Osceola County recommendation number 3: Height Standards further facilitates this implementation strategy.*
2. **Identify Low Level Aircraft Zones and High Noise Zones:** “Identify Low Level Aircraft Approach Zones and High Noise Zones on County Maps and Reports and Require Developers To Identify Same Information on All Proposed Project Maps and Reports.”
 - a. *Currently, MOA's, Airports, and Airport Clear Zones are identified on the TRN 10: Air Transportation Facilities & Special Planning Areas - 2025*
 - b. *Osceola County is in the process of adopting all applicable MOA's and Restricted Airspace into the Comprehensive Plan and Land Development Code.*
 - c. *Osceola County recommendation number 1: Identify Military Operation Areas and High Noise Zones further facilitates this implementation strategy.*
3. **Implement Public Awareness Measures:** “Implement Public Awareness Measures Such as Public Signage, Website Links, Educational Handouts, etc.”
 - a. *Polk and Highlands Counties, as well as APAFR should address public awareness in and around areas immediately surrounding the range.*
 - b. *Ongoing coordination with APAFR keeps opportunities available and communication open for public awareness as may be needed.*
 - c. *Osceola County recommendation number 4: Implement Public Awareness & Disclosure Measures further facilitates this implementation strategy.*
4. **Effective Disclosure Measures:** “Implement Effective Disclosure Measures Notifying Buyers and Lessees that Property is Near a Military Installation Subject to High Aircraft Noise, Low Level Aircraft, Explosive Impulse Blast Noises, Prescribed Burns, and/or Other Military-Related Issues Identified.” Based on data in the 2010 JLUS, Osceola County is only minimally impacted by range operations;

Therefore disclosure is only minimally necessary and limited to areas with blast noise between 115 and 130 dbas.

- a. *Osceola County recommendation number 4: Implement Public Awareness & Disclosure Measures facilitates this implementation strategy.*

5. Lighting Standards: “Implement the Osceola County Land Development Code Lighting Standards intended to Avoid Glare and Reflection within the MOA Boundaries.”

- a. *Currently the Osceola County Land Development Code addresses site lighting glare and prevents the direct view of light source.*
- b. *Osceola County recommendation number 2: Lighting Standards further facilitates this implementation strategy.*

Lighting from developments may affect military night vision training, flight corridors, and maneuver areas. To increase compatibility with military operations, the APAFR encourages the following measures to not only reduce light encroachment on APAFR flight corridors and maneuver areas, but also to avoid light trespass on neighboring property, reduce dangerous glare to motorists, and save energy. These may include:

- Turn-off unneeded lights, e.g. unused parking lots, ball fields
- Use appropriate levels of illumination
- Prevent illumination of unintended areas by using full-cutoff fixtures (luminaries which prevent illumination above the horizontal plane)

Additional guidelines encouraged by APAFR include:

- Avoid light patterns common to military aviation
- Avoid lights that create sky glow (except when used for safety, security, and utility)
- Provide the minimal illumination necessary
- Allow parking lot light poles that are fully shielded and which may include height restrictions
- Encourage Military / Dark Sky Lighting as provided in **Appendix F**.

6. Manage Public Access: In order to Manage Public Access to APAFR or Critical APAFR Areas to Avoid Encroachment on Military Missions, coordinate with the APAFR Commander at such a time that opportunities for connections to the Florida National Scenic Trail become available.

- a. Immediate public access is only available in Polk and Highland Counties, but general coordination is currently being addressed by Osceola County through the continuing coordination with the APAFR Commander.
- b. *Osceola County recommendation number 4:*



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Implement Public Awareness & Disclosure Measures and recommendation number 6: Intergovernmental Coordination further facilitates this implementation strategy.

APAFR's 82,000 acres of land open for public access for hiking, hunting, fishing, camping, and other related activities are a tremendous asset for the nearby communities. The Air Force's ability to balance this aspect of the Range with ongoing mission activities is crucial to the vitality of the Range in future years. Military exercises can restrict public access to areas of the Range or can close the entire Range to the public. If the public breaches the restrictions, whether intentional or not, it can cause the military exercise to be scrubbed or entirely canceled. There are opportunities to improve managing public access to APAFR that include signage, public information, public notification, and similar actions. This strategy focuses on APAFR coordinating the current policies to advertise access information with local jurisdictions, and to determine how this information can be disseminated in a more efficient and comprehensive manner. Part of this coordination should include APAFR's assessment of closure areas and procedures to ensure all necessary national security measures are covered with respect to the public's access to the Range. Based on the distance of the range from Osceola County, the location of the Florida Trail (**Map 1 Appendix A**), there are limited opportunities for immediate public access from Osceola County to range-owned land. Although no official public connection exists for immediate public access to the range, the County will continue to support an open line of communication to facilitate the free-flow of information to and from the range as necessary to ensure the safety of the public during military operations.

- 7. Protect Critical Areas for Military Readiness and Environmental Conservation:** "Continue Supporting the Protection of Critical Areas that Support Military Readiness and/or Environmental Conservation through existing programs such as the USAF, The Nature Conservancy, Florida Forever, Florida Defense Alliance, and other such programs."

- a. *Osceola County recommendation number 5: Support Military Readiness through Environmental Conservation facilitates this implementation strategy.*



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- 8. Ongoing Environmental Stewardship Programs:** "Collaborate With Ongoing APAFR Environmental Stewardship Programs."
- a. Currently being addressed by Osceola County through continuing participation with the APAFR, ranching community, South Florida Water Management District, Florida Community Trust, Florida Fish and Wildlife Conservation Commission and programs mentioned below to help facilitate Environmental Stewardship.
- b. *Osceola County recommendation number 5: Support Military Readiness through Environmental Conservation further facilitates this implementation strategy.*

Osceola County should support the APAFR through participation and cooperation with programs such as the Everglades Headwaters Conservation Partnership, Northern Everglades and Estuaries Protection Program as well as the Readiness and Environmental Protection Initiative (REPI) that allow limited economically viable agricultural uses within conservation easements as well as maintaining military compatibility.

The United States Fish and Wildlife Service (USFWS) in coordination with the Everglades Headwaters Conservation Partnership have developed the Land Protection and Environmental Assessment for the Proposed Establishment of the Everglades Headwaters National Wildlife Refuge and Conservation Area (LPP/EA). The Everglades Headwaters Conservation Partnership consists of the State of Florida, other federal agencies, tribal governments, local agencies, conservation organizations, and the general public. The USFWS believes the proposed 150,000-acre Everglades Headwaters National Wildlife Refuge and Conservation Area could use a combination of refuge lands and conservation easements to connect existing conservation lands. The goal is to create wildlife corridors, protect rare species, restore wetlands, and provide outdoor recreation, while supporting working ranchers. (Source: <http://www.fws.gov/southeast/evergladesheadwaters/>)



In addition, the Northern Everglades and Estuaries Protection Program was established to underscore the state's commitment to Greater Everglades ecosystems restoration. In 2007 the Lake Okeechobee Protection Act was expanded to include the Northern Everglades. Some of the projects that are approved as part of this program are those that will increase water storage on local ranches in the Northern Everglades while improving water quality for the greater Everglades ecosystem. "Over 10 years, the South Florida Water Management District will invest \$7 million in the projects to provide more than 4,800 acre-feet of water retention volume on the ranches." (Source: <http://my.sfwmd.gov>)

According to the Department of Defense Environment, Safety and Occupational Health Network and Information Exchange, "the Readiness and Environmental Protection Initiative (REPI) supports cost-sharing partnerships authorized by Congress (10 U.S.C. § 2684a), between the military services, private conservation groups, and state and local governments to protect military test and training capabilities and conserve land. These win-win partnerships acquire easements or other interests in land from willing sellers to preserve compatible land uses and sustain wildlife habitat near installations and ranges where the military operates, tests, and trains. REPI is the Department of Defense's (DoD) core effort aimed at using the authority provided by Congress to protect military readiness by preventing incompatible development and preserving habitat through buffer projects, supportive education, engagement, and regional planning." (Source: <http://www.denix.osd.mil/sri/repil/>)

These programs have helped in the creation of the area's existing Conservation Resources in and around the APAFR. As described in Section 6.2.8 of **Appendix F**, the 96,000 acres used for cattle grazing on the range, the 35,000 acres of forest management areas within the range boundaries, as well as the approximate 4,032 acre Kissimmee River Water Management Area creates an effective existing natural buffer between range military activity and the existing private agricultural uses. As a

result, Osceola County has determined that providing additional recommendations for a mandatory physical perimeter buffer around the range boundary is not necessary, and that the compatibility issues could be addressed within the Military Operations Areas (MOA's) and Military Blast Zones (MBZ's) respectively. However, Osceola County does support voluntary conservation efforts to support anti-encroachment, including REPI, or other similar programs.

9. Coordination with Highlands County Noise Study: "Coordinate with the Central Florida Regional Planning Council's (CFRPC) Comprehensive Noise Study being conducted for Highlands County."

- a. *Osceola County recommendation number 6: Intergovernmental Coordination facilitates this implementation strategy.*

10. Supplement JLUS with Noise Study Findings as Applicable: "Supplement Final Osceola County APAFR JLUS 2012 Document with Findings of Noise Study as applicable (see 9 above)."

- a. *Osceola County recommendation number 6: Intergovernmental Coordination facilitates this implementation strategy.*

11. Bird Aircraft Strike Hazards (BASH): "Coordinate with the APAFR, Commander as outlined in the Future Land Use Policy 1.7.3 of the Comprehensive Plan to Explore Methods of Controlling Bird and Bird Attractors near APAFR through proper land use controls."

- a. *Osceola County recommendation number 6: Intergovernmental Coordination facilitates this implementation strategy.*

Natural lands and conservation land, while being bird attractors, have been identified as symbiotic and compatible uses with the APAFR. Presently, no manmade Bird Aircraft Strike Hazards (BASH) conditions exist in the Osceola County MOA or MBZ areas. In order to prevent BASH, landfills within the MOA's should continue to require a conditional use review. Should a landfill be proposed within a MOA, it should be reviewed closely to ensure bird control methods are explored, and that the most effective methods in preventing BASH are utilized. The APAFR Commander, as outlined in the LDC, will also have the opportunity to address any BASH or other potential new bird-attracting land uses brought forward for consideration. There are also opportunities to encourage societies/groups and/or individual bird watchers to help participate in the monitoring for this program as an environmental stewardship effort.

12. Land Use at Transportation Intersections: "Monitor Land Use at Transportation Intersections or Interchanges and Transportation Changes of New or Expanding Corridors and/or Hubs."

- a. Currently being addressed by Osceola County through the continued enforcement of the Osceola County Comprehensive Plan.
- b. *Osceola County recommendation number 6: Intergovernmental Coordination further facilitates this implementation strategy.*

No major intersections or interchanges are located within any of the proposed MOA or MBZ areas, nor are there plans to add corridors or hubs to that area. The areas proximate to the APAFR are located

outside of the County's Urban Growth Boundary (UGB); therefore, adding new transportation facilities in the vicinity of the APAFR area would not be likely since the Osceola Comprehensive Plan, prioritizes transportation facilities to serve infill development within the UGB. However, there are some existing local intersections within the area with blast noise up to 115 db. In addition, the Yeehaw Transportation Distribution Center along with a Turnpike interchange, are located approximately one-half mile north east of the Marian MOA boundary (See **Appendix A**). Osceola County is currently working on a transportation funding study, which identifies a number of transportation improvements all within the Urban Growth Boundary. As part of the transportation study, there will be recommended revisions to Osceola County Comprehensive Plan Transportation Element. This Comprehensive Plan Amendment revising the text of the Transportation Element is anticipated to be complete in fall 2012.

As outlined in the Land Development Code and the Comprehensive Plan, the APAFR Commander will have the opportunity to review and provide comment on the long range plans of the Osceola County Comprehensive Plan as well as new Planning Commission applications. The Transportation Map Series, as well as new Developments of Regional Impact (DRI) and Developments of County Impact (DCI), which the APAFR Commander will have the opportunity to comment on, will identify any future planned roadway networks.

13. Cross-Jurisdictional Collaboration and Coordination: “Formalize Policy to Implement Cross-Jurisdictional Collaboration and Coordination In Development Review and Planning Process Including Implementing the JLUS Recommendations.”

- a. Currently being addressed by Osceola County through the continuing coordination with the APAFR Commander as an ex-officio member of the Planning Commission.
- b. Currently being addressed by Osceola County through the continuing coordination and open working relationship between the County, Property Owners, and the APAFR.
- c. *Osceola County recommendation number 6: Intergovernmental Coordination further facilitates this implementation strategy.*

The 2010 recommendations required a formalized policy to include military participation in the development review and planning process, including a formal communication process with APAFR for Osceola County to ensure appropriate parties are engaged in reviewing information pertaining to proposed developments and redevelopment. This requires working with developers and community leaders from their initial contact with planning staff regarding their prospective plans through to presentations to policy makers such as the Planning Commission and the Board of County Commissioners. A key component of this strategy is ensuring there are ongoing opportunities for Osceola County and APAFR to communicate amongst themselves.

To facilitate the cross communication of Osceola County with APAFR, it is recommended the JLUS Technical Committee remain active and communicate development activities and planning efforts across jurisdictions to the JLUS Policy Committee, which should also remain active. The Technical Committee should include active participation from each jurisdiction and appropriate representatives from APAFR including those responsible for coordinating activities associated with tenants of APAFR.

Updates of Capital Improvement Projects should be a recurring activity to create a comprehensive understanding of where new projects are being proposed with respect to any potential impact on APAFR missions.

Policy makers should stress not only the importance of APAFR to the local region but also to the state itself because of the importance of APAFR to the overall missions of Florida-based military (MacDill AFB, Florida Guard, etc.). Monitoring state legislation pertaining to compatibility planning and the issues addressed in the Osceola County JLUS 2012 should be the responsibility of this collaborative group.

14. Participate in Future R/AICUZ Study: “Actively Participate and Promote Osceola County and the Public’s Participation in future APAFR Range / Air Installation Compatibility Use Zone (R/ AICUZ) Studies.”

- a. *Osceola County recommendation number 6: Intergovernmental Coordination facilitates this implementation strategy.*

In addition to the Osceola County JLUS 2012, another useful tool that can help to ensure military compatibility is the Air Installation Compatibility Use Zone (AICUZ) program. As of the date of the Osceola County JLUS 2012, no AICUZ has been conducted. This program is a DoD discretionary program designed to promote compatible land use around military airfields. The military services maintain an AICUZ program in an effort to protect the operational integrity of their flying mission. DoD Instruction 4165.57 establishes the AICUZ program which is similar to the Federal Aviation Administration’s Federal Aviation Regulation Part 150 program for civil airports. Other installations have utilized a very similar approach for ground activities and included the Range aspect of the installation to create a Range/Air Installation Compatibility Use Zone (R/AICUZ) Study. It’s important to recognize the R/AICUZ program as a land use planning program not a land acquisition or land management program. The purpose is twofold: 1) to promote the public health and safety through the local adoption of compatible land use controls and 2) to protect the operational capability of the air installation. Although, this program does not allow for the purchase of land where the military installation causes excessive impacts, there are other programs such as the DoD Conservation Partnering Initiative that does allow the military services to acquire less than fee simple interest in private property surrounding a range.

The basic R/AICUZ report provides background information on the R/AICUZ program including the purpose, need, process and procedures involved. It also explains the installation’s mission, flying activities and the economic impact that the installation has on the community. The core of the report describes actions the installation has taken to minimize the noise effects of their aircraft operations. It also provides recommendations for achieving land use compatibility with respect to aircraft accident potential, noise, height restrictions and any additional local considerations. It includes graphics showing noise contours and Accident Potential Zones (APZs) overlaid on a vicinity map. It addresses the relationship between noise exposure and accident potential to existing land use, zoning, and projected future land use, and analyzes potential incompatibilities. The report would include appendices providing more detailed discussions about the R/AICUZ concept, program, methodology and policies plus more technical explanations of the APZs, the noise environment, and height and obstruction criteria. The R/AICUZ also contains references to guidelines for reducing noise levels in buildings. In addition to the

R/AICUZ report, the installation normally prepares a Citizen's Brochure summarizing key points of the study and showing the noise contours and APZs along with generalized land use recommendations.

As part of the R/AICUZ program, it is desired for the local community to actively participate in the planning, development, and public meetings as part of the drafting of potential future APAFR R/AICUZ programs. This strategy focuses on the need for local jurisdictions to promote the importance of the R/AICUZ, the reason an R/AICUZ is needed, and to publicize the various public meetings taking place as part of the R/AICUZ.

To date, neither an AICUZ nor R/AICUZ has been prepared for APAFR. With the community embracing APAFR and the importance of APAFR to national security and training of our armed services, the development of the APAFR R/AICUZ would provide a key ingredient to long range compatible land use in the Central Florida Region. Osceola County will support future range efforts to conduct an R/AICUZ.

15. Update Comprehensive Plan and Land Development Code: "Update Comprehensive Plan and Land Development Code to Include Language Meeting State Requirements Designed to Strengthen Uses Compatible to APAFR's Missions on Proposed Developments, Land Use Amendments, and/or Other Related Change Requests."

- a. *Osceola County recommendation numbers 1 through 6 in Section 2.0 facilitate this implementation strategy.*

The current Osceola Comprehensive Plan includes policies related to Military Compatibility and meets the requirements of Florida Statutes Chapter 163.3175 and 163.3177. Modifications to the Osceola County Comprehensive Plan are recommended in **Appendix C**. While minor tweaks to the Land Development Code (LDC) are included herein, the existing Osceola County LDC meets the intent of providing compatibility with military operations. The recommended changes to the LDC are included in **Appendix D**

16. Establish MOA and Areas of Military Influence: "Establish and define Military Operations Areas (MOA's), Restricted Airspace R 2901 E, as well as the Military Blast Zone noise-impacted area (MBZ) within Osceola County. These include the Lake Placid MOA, Avon North MOA, Avon East MOA, Marion MOA, R 2901 E, and MBZ - 130, as described above in detail. This study also describes the area that experiences blast noise up to 115 decibels. They are based on identified compatibility issues summarized above and outlined in the August 2010 JLUS Data and Analysis contained in **Appendix F**."

- a. *MOA's are currently identified in the Osceola County Comprehensive Plan.*
- b. *Osceola County recommendation number 1: Identify Military Operation Areas and High Noise Zones facilitate this implementation strategy.*

The Osceola County JLUS 2012 Compatibility Chart, which is found in **Appendix D – Land Development Code** and titled Osceola County JLUS 2012 Permitted Land Uses has been created to identify existing permitted uses in Osceola County and the recommended compatibility standards. In an effort to ensure that the imposition of MOA's and MBZ's in Osceola County does not effectuate a taking of private property or impact the viable use of the property, this report evaluated uses

that are currently permitted or that may be permitted and further made recommendation for land uses appropriate to reduce the opportunity for inadvertently impacting property rights.

County Location/Aerial, Future Land Use, Zoning, and Overview maps are provided in **Appendix A** to illustrate the Military operations, the existing conditions within Osceola County, and how the compatibility issues mentioned in Section 1.0 as well as within the August 2010 JLUS in **Appendix F** are currently being addressed. This data was used to help determine areas where, even though the intent of military compatibility is currently being met with the existing LDC and Comprehensive Plan, there may be room for clarification through amendments to the Comprehensive Plan and ongoing LDC amendments.

17. Maintain Compatible Land Use Regulations: “Maintain Compatible Land Use Regulations within the MOA and MBZ areas defined through the current Osceola County Comprehensive Plan and ongoing Land Development Code modifications.”

- a. *Osceola County recommendation numbers 2-4 in Section 2.0 facilitate this implementation strategy.*

Compatible land uses will be accomplished through the existing Osceola County Comprehensive Plan and ongoing Land Development Code revisions. The APAFR Commander, as outlined in FLUE Policy 1.7.3, will have the opportunity to review and provide comment on the long range plans of the Osceola County Comprehensive Plan and future development. Existing uses or those previously approved in the PD process, as long as the PD remains active, should remain vested.

While minor tweaks to the Land Development Code (LDC) are included herein, the existing Osceola County LDC meets the intent of providing compatibility with military operations. The recommended changes to the LDC are included in **Appendix D**. (mid-term)

18. Noise Attenuation: “Implement Noise Attenuation Design and Construction Standards for New Construction in the MBZ – 130.”

- a. Currently being addressed by Osceola County through strict compliance of the Florida Building Code for all permitted new construction.
- b. *Osceola County recommendation number 6: Intergovernmental Coordination further facilitates this implementation strategy.*

19. Object Heights: “Limit Object Heights in the MOA’s to ensure Anti-Terrorism/Force Protection (AT/FP) Measures Are Met and Mitigate Vertical Obstructions in Established MOA’s.”

- a. *Current standards in the LDC and Comprehensive Plan facilitate compatible uses and heights.*
- b. *Osceola County recommendation number 3: Height Standards facilitates this implementation strategy.*

20. Acknowledge the JLUS Recommendations and Implementation: “Acknowledge completion of the August 2010 JLUS Recommendations and Implementation as supporting Data and Analysis; also approve the Osceola County JLUS 2012 Recommendations as referenced in the Future Land Use Element of the Osceola County Comprehensive Plan.”

- a. Currently being addressed by Osceola County through inclusion of the Osceola County JLUS 2012 in the Comprehensive Plan Future Land Use Element Data and Analysis as part of CPA12-0001.

21. Collaborate with APAFR: “Collaborate with APAFR in implementing the Osceola County JLUS 2012.”

- a. *Ongoing open line of communication, plus the APAFR Commander is an ex-officio member of the Planning Commission.*
- b. *Osceola County recommendation number 6: Intergovernmental Coordination facilitates this implementation strategy.*

Since the application to the Office of Economic Adjustment (OEA) for funding of the APAFR August 2010 JLUS, development of the APAFR August 2010 JLUS Policy Committee and Technical Advisory Committee, numerous public meetings and stakeholder meetings, and the creation of the August 2010 JLUS, constructive lines of communication have been established and a nice synergy has formed amongst the local communities and the APAFR on the importance and need to have a viable installation in APAFR while promoting compatible land use in our surrounding communities. This strategy focuses on the importance of continuing to implement the recommendations of the Osceola County JLUS 2012 through the established committees and alliances formed over the past few years.