

MEMORANDUM

TO: Ingrid M. Turner, Chair, Prince George's County Council

FROM: Howard Stone, Chairman, Joint Base Andrews Joint Land Use Study (JLUS) Implementation Committee

SUBJECT: Joint Base Andrews JLUS Implementation Committee Annual Report

The Joint Base Andrews Joint Land Use Study (JLUS) Implementation Committee is pleased to transmit to the County Council the first Annual Report on the committee's activities over the past year. Established under CR-30-2010 and CR-52-2010, the committee has been meeting monthly since September 2010 to oversee, direct, and assist in obtaining resources to implement the recommendations of the *2009 Joint Base Andrews Naval Air Facility Washington Joint Land Use Study* (JLUS).

The JLUS was initiated in 2008 to bring together the base, county and community to address issues of encroachment identified in the recently updated Air Installation Compatible Use Zone (AICUZ) study. The goal of the AICUZ is to protect the mission of base by promoting compatible land development in areas subject to aircraft noise and accident potential in proximity to military air installations. Under the AICUZ program, the Department of Defense (DOD) examines noise levels, existing land uses, and building heights near air bases, and makes recommendations that will minimize base impacts on civilian areas and promote compatible public and private land uses in the vicinity of the air base. The 2007 AICUZ identified a need for certain land use and development controls that would protect the ability of Joint Base Andrews (JBA) to conduct its full mission as well as promote compatible land development. DOD created the Joint Land Use Study Program as a vehicle for planning better compatibility between the base and surrounding community.

In response to a request from Joint Base Andrews, the Council directed the Planning Department to prepare the Joint Land Use Study. As envisioned by the JLUS program, the planning process involved a policy committee established by the council, a technical committee, and an extensive community outreach and participation effort. The council reviewed and endorsed the completed JLUS in 2009. It recommends measures that will balance the needs of the base with the long-term development plans and economic viability of the surrounding community. Primary concern is dedicated to the compatibility of uses off the Base with the ongoing Base mission. Development in the neighboring properties could encroach on JBA through excessive height or uses that created animal or visibility hazards. JLUS was developed to address existing encroachments and avoid future encroachments, especially those that affect the base's ability to fulfill its complete mission.

The JLUS Implementation Committee has worked for the past year to fulfill JLUS recommendations that include strategies for mitigating base area noise impacts, resolving potential building height conflicts, addressing land use encroachments, promoting base area economic development, and protecting environmental and historic assets. One of the highlights of the past year's activities was to collaborate with the Prince George's County Association of Realtors (PGCAR), to develop a notification procedure for purchasers of residential property to alert them to the property's proximity to JBA. The committee is

continuing to work with both residential and commercial real estate professionals, as well as commercial property owners, to develop a legislative package on notification for presentation to the Council early next year. The attached report provides a chronological summary of the committee's activities as carried out in monthly meetings, a description of implementation activities to date, and a glimpse of pending issues and activities to be tackled in the upcoming year.

cc: Council Members
 County Executive
 Planning Board
 Committee Members

JLUS Implementation Committee Annual Report

January 2012

Introduction and Background

The Joint Base Andrews Joint Land Use Study (JLUS) Implementation Committee was established under CR-30-2010 and CR-52-2010 to oversee, direct, and assist in obtaining resources to implement the recommendations of the *December 2009 Joint Base Andrews Naval Air Facility Washington Joint Land Use Study*. Established for a five year term, the committee's 17 members were brought together to represent elected officials, business organizations, development industries, and residents in the JLUS study area. Staff assistance is provided by the Community Planning South Division of the Prince George's County Planning Department.

The JLUS was initiated in 2008 as partnership between the base, Prince George's County, and the local community to address the encroachment issues brought on by development around the base and the impact of airport activity on surround property. The JLUS recommended strategies seek to address incompatibilities between operations on the base and land uses in the immediate vicinity of the base. The JLUS recommended creation of the committee to ensure that progress is made on recommendations and to provide a forum for public input and discussion of these recommendations and their potential impacts. This report highlights the activities of the committee over the past year.

The AICUZ Program

Recognizing increasing development pressures around many of its military installations, the United States Department of Defense created programs to address incompatibilities between military bases and adjacent communities. These include the Air Installation Compatible Use Zones (AICUZ) and the JLUS programs, both of which began as measures to help bases work cooperatively with their nearby communities and local government to establish and implement land use policies and noise restrictions that minimize conflicts between the community and base operations and balance base missions and community needs.

Established in 1973, the Air Installation Compatible Use Zone (AICUZ) program "promotes compatible land development in areas subject to aircraft noise and accident potential."¹ This program is the fundamental basis for a JLUS study of air bases and the studies provide key technical information to local officials when they prepare land use and development plans for areas surrounding military installations. Under the program, the Department of Defense performs these studies for all military air installations, focusing on areas near base runways and aircraft accident potential zones. AICUZ studies examine noise levels, existing community land uses, and building heights near air bases, and makes recommendations that will minimize base impacts on civilian areas and promote compatible public and private land uses in the vicinity of an air base. Each AICUZ study is periodically updated (approximately every 10 years) to account for changes in military technology and aircraft operations that may have new impacts on nearby communities.

Five AICUZ studies have been prepared for Joint Base Andres since the program's inception in 1973; the most current one was prepared in 2007. Each study provides updated technical information and recommendations when appropriate. New AICUZ data reflect changes to air base operations including the use of different aircraft types, numbers of flights, modifications to flight tracks. Technical improvements to the noise model used in determining the extent of noise exposure areas may also impact AICUZ data.

The Air Force's AICUZ program designates three safety zones: CZ (Clear Zone), APZ (Accident Potential Zone) I and APZ II. CZ has the highest potential for accidents, since it is closest to the runways and takeoff and landing operations. AICUZ recommends that these areas remain clear of any use or structure. These areas are generally located wholly on base property. APZ I has less accident potential than CZ, though it is

¹ *Air Installation Compatible Use Zone Study: Andrews Air Force Base, Maryland* (December 2007), p. 1-1.

still fairly significant. AICUZ promotes land uses in APZ I that do not attract high concentrations of people such as warehousing, transportation and light industrial and discourages all residential land uses and places of assembly. APZ II is less critical than APZ I, though there is still some accident potential. Compatible land uses include single family dwellings (at a low density) and low intensity retail and commercial uses. High intensity uses such as theatres, churches, schools and restaurants are not considered appropriate in this zone. A JLUS typically relies on data generated for an AICUZ report as a basis for many of its recommendations. The land use guidelines in the 2007 AICUZ report served as a starting point for the JLUS.

The Joint Land Use Study (JLUS) Program

In 1985, the Department of Defense initiated the Joint Land Use Study Program (JLUS) to encourage cooperative planning between military installations and local governments. The JLUS program is a regionally coordinated effort between the Department of Defense's Office of Economic Adjustment (OEA); state, county, and municipal officials; and local citizens and business leaders to help resolve existing incompatibilities that have developed over time between military installations and surrounding communities and to avoid future conflicts. The primary objectives of the JLUS program are to:

- a. Encourage cooperative land use planning between military installations and the surrounding community.
- b. Seek ways to reduce the operational impacts of military bases on adjacent land.

The JLUS program has a broader focus than the AICUZ program. Whereas the Department of Defense develops AICUZ studies internally and provides them to local jurisdictions, a JLUS is a joint planning effort that builds on data generated for an AICUZ report as a basis for many of its recommendations. A Joint Land Use Study proposes to regulate land uses and development in areas exposed to above average accident potential. The Air Force addresses safety issues through land use planning and local zoning regulations.

Joint Base Andrews Joint Land Use Study

The Joint Base Andrews Naval Air Facility Washington Joint Land Use Study was initiated in 2008 in a cooperative effort to address encroachment issues that impacted the base and the communities surrounding the base and to identify strategies that balance the needs of the base with long-term development plans and the economic viability of the surrounding communities.

Goals of the JBA JLUS include:

1. Ensuring local land use controls promote development that is compatible with the base mission and air operations.
2. Addressing encroachment issues including noise, traffic, pollution, and impacts on environmental and cultural resources.
3. Identifying opportunities for economic and community revitalization around the base.
4. Identifying needed traffic and transportation improvements.
5. Increasing communication and strengthening relationships between the base, the county, and surrounding communities.

The Prince George's County Planning Department convened two advisory bodies, the Technical Committee and the Policy Committee, to assist in the preparation of the JLUS document. Representatives from federal,

state, and local governments with the base's military and civilian leadership, and representatives of the local residential and business communities formed a Policy Committee. This committee oversaw the JLUS process, reviewed draft reports, evaluated proposed policies and recommended the final JLUS to those state, local and military officials responsible for its implementation. The Technical Committee was comprised of technical and professional staff from M-NCPPC, Prince George's County government agencies, and Joint Base Andrews.

Key recommendations of the JLUS are:

- Acquire all the property and relocate businesses located in the Clear Zone on the north side of the base. The study recommends that acquisition costs be borne by the federal government and gives the highest priority to this task since the zone has the highest potential for an aircraft accident.
- Explore interim measures to address development in the Clear Zone. To avoid new development on properties in the Clear Zone while a Military Installation Overlay Zone is considered, an interim measure such as a moratorium should be explored and developed.
- Establish a Military Installation Overlay Zone that regulates land use and density. The overlay zone would prohibit certain uses that typically attract high densities of people and are generally considered incompatible with base aircraft operations.
- Retain all existing zoning except when rezoning is pursued comprehensively within an impacted area.
- Document and standardize noise attenuation requirements.
- Establish height limits that recognize the JBA flight patterns.
- Create a JLUS Implementation Committee.

Given the fact that most land around the base is currently developed and is located in visible areas near key transportation routes, including the Capital Beltway, a strict application of the AICUZ land use guidelines was determined to be infeasible in most areas around the base. The APZ I and APZ II land use guidelines recommend the prohibition of land uses that:

- Promote the concentration of large gatherings of people on a regular basis, such as theaters, community centers, hospitals, schools, churches, and government office uses.
- Specifically cater to people who may not be able to respond to an emergency situation such as children, the elderly, the disabled, and those requiring medical attention.
- Create a potential hazard to the public by involving the storage or use of explosive, flammable or toxic material in outdoor above ground storage tanks.

In addition to prohibiting specific uses in APZ I and APZ II, the JLUS recommends setting density limits on most allowable land uses in order to reduce the number of people that regularly congregate in the safety zones. The JLUS does not make any specific recommendations to change any zoning in the APZ or CZ zones.

2010 Implementation Committee Highlights

The Implementation Committee held its orientation meeting on September 29, 2010, which was followed by a bus tour in October of Joint Base Andrews and the surrounding areas most impacted by base operations. (A current member roster is attached in Appendix A) From November, the committee has worked to fulfill several JLUS short term recommendations that include strategies for the mitigation of base area noise impacts, resolving potential building height conflicts, and promoting base area economic development. The individual meeting topics are attached as Appendix B.

The brief outline below identifies achievements in the broad JLUS recommendations. Specific status of tasks that have been undertaken over the past year is included in the Status of Implementation Matrix attached as Appendix C.

Figure 1 - JLUS Achievements 2012

| Implementation Leadership | |
|--|---|
| | <ul style="list-style-type: none"> • Committee created |
| Land Use | |
| | <ul style="list-style-type: none"> • Military Installation Overlay Zone in progress • Outreach to notify property owners • JBA and Development Review coordination • JBA study of Clear Zone properties • JLUS Recommendation Status |
| Transportation | |
| | <ul style="list-style-type: none"> • Defense Access Roads funding • Construction of Pedestrian Gate • K12 Metro route stop |
| Economic and Community Development | |
| | <ul style="list-style-type: none"> • Formation of the Andrews Working Group • Small Business Summit • Inclusion in Central Branch and Green Line Plans • Research and cataloging economic incentives |
| Environmental and Natural Resources | |
| | <ul style="list-style-type: none"> • Oil/water Separator on Piscataway Creek • Update to Arbor Plan • ICEMAP funding • Cap on Landfill 5 |
| Historic and Cultural Resources | |
| | <ul style="list-style-type: none"> • Belle Chance Restoration • Tree Survey • Cultural Resources Management Plan |

One of the highlights of the past year's activities was to collaborate with the Prince George's County Association of Realtors (PGCAR), to develop a voluntary notification procedure for purchases of residential property, alerting them to potential impacts due to the property's proximity to JBA. The committee is continuing to work with both residential and commercial real estate professionals, as well as commercial property owners, to develop a legislative package for presentation to the Council early next year that will codify the notification requirement for both residential and commercial properties. The Committee has also developed noise and height standards to be implemented through the MIOZ.

Future Implementation Issues.

Over the course of the coming year the Implementation Committee will work to accomplish the following:

Public Outreach - On the instruction of the Committee, staff has developed a public outreach program. This program has been developed to expand and extend the public notification process that accompanies legislation. This proposal will have three parts:

Education - Staff will plan and hold several public information sessions in the impacted areas around JBA to allow citizens, business owners, and stakeholders to develop an understanding of the issues. The Committee will work through entities represented in the group to reach out to homeowners associations and professional groups to answer questions and inform the community.

Feedback - Attendees, stakeholders, and elected officials will provide perspective on the impact of the regulations on their life and work. This feedback will be brought back to the Committee to focus issues for further consideration and follow up. These things also open doors to new groups of people to bring into the conversation. Such would be expected here.

Notification - The legal requirements for notifying property owners of imminent zoning changes, including physical mailings and outreach through registered groups. This would be undertaken at several points in the process.

Proposed Legislation - Based on recommendations from JLUS, the Committee will be presenting a legislative package for consideration by the Council for a Military Installation Overlay Zone (MIOZ). Without changing underlying zoning, the MIOZ will apply the bulk, use, and density regulations per JLUS recommendations onto nearby properties. These will apply within the areas shown to be impacted by safety, noise and height issues. The overlay process is established by the zoning ordinance, and will come before the Council as legislation.

Long Range Implementation - JLUS is, first and foremost, a joint effort of the federal facility and the jurisdiction that surrounds it. As such, a number of recommendations in JLUS are not within the power or authority of the Committee to implement. This is recognized in the study by assigning tasks to different organizations and agencies.

The most challenging recommendation in JLUS is to remove all existing development in the Clear Zone and to avoid future development. This task is assigned to Joint Base Andrews and the Department of Defense. Removing all development from this area is outside of the power of zoning; therefore the Committee is limited in accomplishing this task. The Committee will seek to implement the recommendations of JLUS to regulate development in these areas. The issues between zoning and acquisition are complex. The Committee will continue to work within its established authority to implement the related JLUS regulations.