

What are JLUS Strategies?

JLUS strategies constitute a variety of actions local governments, military installations, agencies and other stakeholders can take to promote compatible land use planning. When these strategies are implemented, existing and potential compatibility issues arising from the civilian / military interface can be removed or significantly reduced. As such, the recommended strategies function as the heart of the JLUS document and are the culmination of the planning process.

The strategy types presented within this brochure constitute a “toolbox” of the types of actions that can be taken to address the range of compatibility issues identified during the planning process. This document is intended to start the discussion of the development of specific strategies applicable to the study area. For each strategy type, a brief overview is provided to assist in a general understanding of the range of strategies that may be appropriate. It will be up to each individual stakeholder to determine the best assortment of tools/strategies for use within their communities.

It is important to note that once the JLUS process is completed, the final document is not an adopted plan, but rather, a recommended set of strategies that must be implemented by the plan participants.

The Strategy “Toolbox”

- ◆ **Acquisition**
- ◆ **Air Installations Compatible Use Zones (AICUZ)**
- ◆ **Airport Master Plans / Airspace Study**
- ◆ **Aviation Easement**
- ◆ **Base Planning**
- ◆ **Bird/Wildlife Strike Hazard (BASH)**
- ◆ **Building Codes / Construction Standards**
- ◆ **Capital Improvement Program (CIP)**
- ◆ **Cluster Development**
- ◆ **Code Enforcement**
- ◆ **Communication/Coordination**
- ◆ **Comprehensive / General / Master Plan**
- ◆ **Deed Restrictions / Covenants**
- ◆ **Habitat Conservation Tools**
- ◆ **Hazard Mitigation Plans**
- ◆ **Legislative Tools**
- ◆ **Memorandum of Understanding (MOU)**
- ◆ **Military Influence Areas (MIA)**
- ◆ **National Environmental Policy Act (NEPA)**
- ◆ **Partnership with Non-Governmental Organizations**
- ◆ **Real Estate Disclosures**
- ◆ **Zoning Ordinance / Subdivision Regulations**

Acquisition

As a land use planning tool, property rights can be acquired through donation, easement, or the outright purchase of property for public purposes. The purpose of acquisition tools is to eliminate land use incompatibilities through market transactions and the local development process. Acquisition tools are particularly effective because they advance the complementary goals of shifting future growth away from military installations and preserving community assets such as agriculture, open space, rural character, or sensitive natural habitats.

Air Installation Compatible Use Zone

The Air Installation Compatible Use Zone (AICUZ) program is an Air Force planning program developed in response to incompatible urban development and land use conflicts around military airfields. The AICUZ program seeks to provide information on compatibility, develop a cooperative relationship between communities and military bases, and provide land use compatibility guidelines that protect public health and safety while maintaining military readiness.

Airport Master Plan / Airspace Planning

An Airport Master Plan provides the guidelines for future long-term airport development which will satisfy aviation demand in a financially feasible manner, while at the same time resolving the aviation, environmental, and socioeconomic issues existing in a community. The Airport Master Plan process is guided by the FAA and ultimately results in projections of future growth and an Airport Layout Plan (ALP). All development at federally obligated airports must be done in accordance with and FAA-approved ALP.

For compatibility planning, airspace planning deals with a coordinated approach to the designation of special use airspace.

Avigation Easement

An easement is a non-possessory right to use land owned by another party. An avigation easement is an easement that grants the holder one or more of the following rights: the right of flight; the right to cause noise, dust, or other impacts related to aircraft flight; the right to restrict or prohibit certain lights, electromagnetic signals, and bird-attracting land uses; the right to unobstructed airspace over the property above a specified height; and, the right of ingress or egress upon the land to exercise those rights.

Base Planning

Similar to a local jurisdiction, military installations maintain a long-range plan, such as general plans and master plans. The installation's general/master plan is the primary document that is used to guide the development and use of physical assets and the protection of resources. The general/master plan is used to ensure an installation maintains the land use areas and infrastructure needed to respond to installation's development and future mission potential.

Bird/Wildlife Aircraft Strike Hazard

The Bird/Wildlife Strike Hazard (BASH) program is aimed at reducing the potential for collisions between military aircraft and birds and other wildlife. Knowledge of where birds travel, nest, and feed helps the military avoid problem areas, and therefore save lives and avoid the destruction of valuable aircraft. The program also looks to work with local stakeholders to avoid actions that would increase BASH incidents. The BASH program considers not only birds/wildlife within the confines of the airfield, but also in neighboring areas.

Building Codes / Construction Standards

Building codes and construction standards are ordinances and regulations controlling the design, construction processes, materials, alteration, and occupancy of any structure to safeguard human safety and welfare. They include both technical and functional standards and generally address structural safety, fire safety, health requirements, and accessibility. Noise attenuation requires, as an example, is typically covered under this category.

Capital Improvements Program

A Capital Improvement Program (CIP) is a detailed planning document used to plan and direct a jurisdiction's or agency's investment in public facilities, including infrastructure. The CIP lays out the public facilities plans and programs of the jurisdiction or agency and provides details on expenditures that can be incorporated into the jurisdiction's or agency's annual budgeting process. Most CIPs cover multiple years in order to plan for major expenditures and projects.

Cluster Development

Cluster development is the planning of residential, commercial, or industrial development in a fashion that clusters development on a portion of the overall site as opposed to more spread out. This type of development allows open space areas that can be used as recreation, habitat protection, safety setbacks, or agricultural uses.

Code Enforcement

The purpose of a code enforcement program is to promote and maintain a safe and desirable living and working environment. Related to land use compatibility, code enforcement is a tool used by a community to ensure its rules are enforced.

Communication and Coordination

In any planning effort, plans can only move toward successful implementation if frequent ongoing communication is maintained among local jurisdictions, the military, state and federal agencies, Native American tribal groups, landowners, and the public. Enhanced communication and coordination is an integral component to successful compatibility planning in support of the military's existing and potential future mission(s).

Comprehensive / General / Master Plans

These are a long range plans that outlines goals and polices to guide the physical development in a county or city. Comprehensive plans are designed to serve as the jurisdiction's blueprint for future decisions concerning physical development, including land use, infrastructure, public services, and resource conservation. Most comprehensive plans consist of written text discussing the community's goals, objectives, policies, and programs for the distribution of land use as well as one or more diagrams illustrating the general location of existing and future land uses, roadways, public facilities and parks and open space.

Deed Restrictions / Covenants

Deed restrictions, or covenants, are written agreements that restrict or limit some of the rights associated with property ownership. These restrictions are recorded with the deed for the property and are attached to the property when it is sold to a new owner (i.e., remain in effect). Deed restrictions are private agreements or contracts executed between a motivated buyer and a willing seller.

Habitat Conservation Tools

The primary objective of habitat conservation tools is the conservation and protection of sensitive natural habitats and the species that occupy them. An example of this is the federal Endangered Species Act (ESA) which allows for the development of Habitat Conservation Plans (HCPs). An HCP identifies and provides for the regional or area-wide protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity. The primary objective of the HCP program is to conserve natural communities at the ecosystem level while accommodating compatible land use.

Hazard Mitigation Plans

Hazard mitigation is defined as any sustained, cost-effective action taken to reduce or eliminate long-term risk to people, property, and the environment from natural and man-made hazards and their effects. Hazard Mitigation Plans include actions that have a positive impact over an extended period of time. This distinguishes them from emergency planning or emergency services, which are associated with preparedness for immediate response to, and short-term recovery from, a specific event. Hazard mitigation actions, which can be used to eliminate or minimize the risk to life and property, fall into three categories: (1) those that keep the hazard away from people, property, and structures; (2) those that keep people, property, and structures away from the hazard; and (3) those that reduce the impact of the hazard.

Legislative Tools

Legislative tools, at the federal, state, or local level, are created to provide direction and to provide appropriate protections or enhancements.

Memorandum of Understanding

A Memorandum of Understanding (MOU) is a contract between two or more government entities. The governing bodies of the participating public agencies must take appropriate legal actions, often adoption of an ordinance or resolution, before such agreements become effective. The purpose of an MOU is to establish a formal framework for coordination and cooperation. These agreements may also assign roles and responsibilities for all of the agreement's signatories. These agreements are also known as Joint Powers Agreements or Inter-local Agreements.

Military Influence Areas

A Military Influence Area (MIA) is a formally designated geographic planning area where military operations may impact local communities, and conversely, where local activities may affect the military's ability to carry out its mission. An MIA is designated to promote an orderly transition between community and military land uses to ensure that they are compatible.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) is the federal law that established a national policy for the environment and requires federal agencies: (1) to become aware of the environmental ramifications of their proposed actions, (2) to fully disclose to the public proposed federal actions and provide a mechanism for public input to federal decision making, and (3) to prepare environmental impact statements for every major action that would significantly affect the quality of the human environment.

Partnership with Non-Governmental Organizations

Non-Governmental Organizations (NGOs) are recognized for their role in developing innovative initiatives and programs to address a variety of issues. Local governments and military installations can develop relationships with NGOs to provide additional resources to achieve joint goals. For example, under these partnerships, agreements can be reached to acquire real estate or property rights in the vicinity of military installations to protect military training, testing, operations, and readiness, while at the same time, achieving the objectives of the NGO, such as habitat protection.

Real Estate Disclosure

Prior to the transfer of real property to a new owner, real estate disclosure requires sellers and their agents to disclose certain specified facts related to the condition of the property. These facts could include noise or other proximity impacts associated with property near a military installation or operations area. The purpose of real estate disclosure is to protect the seller, buyer, and sales agent from potential litigation resulting from specified existing and/or anticipated conditions (i.e., hazard areas, existing easements). Disclosures provide a practical and cost effective land use compatibility tool as buyers are informed of the possible affects (noise, light, etc.) of military operations prior to purchase.

Zoning Ordinance / Subdivision Regulations

Zoning is the division of a jurisdiction into districts (zones) within which permissible uses are prescribed and restrictions on building height, bulk, layout, and other requirements are defined. The primary purpose of zoning is to protect the public health, safety, and welfare of the community by separating incompatible land uses and establishing design requirements. Effective zoning can also provide opportunities for the implementation of regulations supporting land use compatibility near military installations. For instance, zoning can address:

- ◆ Nuisances such as noise, vibration and air emissions,
- ◆ Land use type and intensities,
- ◆ Light and glare,
- ◆ Frequency spectrum and impedance,
- ◆ Height/vertical obstructions,
- ◆ Development incentives, and
- ◆ Development processes and procedures.

Land cannot be divided without local government approval. Subdivisions set forth the minimum requirements deemed necessary to protect the health, safety, and welfare of the public. Subdivision review allows local governments the opportunity to ensure that a new subdivision is properly served by needed services and a public or private agency is responsible for maintaining the subdivision improvements. These regulations can be effectively used for compatibility planning. For example, subdivision regulations might limit the division of land in areas with compatibility issues or locations without necessary services. Subdivision regulations and also be used to require open-space set asides.

QUESTIONS, COMMENTS, NEED MORE INFORMATION? PLEASE CONTACT:

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