

## EXECUTIVE SUMMARY

Meeting Date: September 11, 2006 Public Hearing  
Agenda Item: Tampa: Plan Amendment PA06-29 Tampa/MacDill Joint Land Use Study (JLUS) Recommended Map and Text Changes

## SUMMARY

The Planning Commission will be reviewing and making a recommendation to Tampa City Council on amendments to the Future Land Use Element and Future Land Use Map. The recommended changes stem from a year long Joint Land Use Study conducted by the City of Tampa and MacDill Air Force Base.

## BACKGROUND

The Planning Commission is required to make recommendations to the Tampa City Council on all proposed changes to the *Tampa Comprehensive Plan* pursuant to Chapter 163, Part II, Florida Statutes and Chapter 97-351 Laws of Florida, as amended.

A *Joint Land Use Study* (JLUS) has been conducted by the City of Tampa and MacDill Air Force Base over the past year which included citizen representation by residents, area neighborhood associations and members of the local business community via neighborhood and public meetings. The Study's recommended changes to the Comprehensive Plan are proposed to ensure that compatibility between adjacent or closely proximate lands and military installations is achieved in accordance with state law, Chapter 163, Florida Statutes (163.3175, 163.3177, 163.3187 and 163.3191).

The proposed changes include: the creation and application of a new land use category, Military Installation-Airport Compatibility (MI-AP) to the Future Land Use Map; the addition of several new definitions and supporting policies to the Future Land Use Element. Affected properties are located south of Gandy Boulevard within the Clear Zone, Accident Potential Zones I and II, and properties that lie south of the aforementioned zones in close proximity to Tampa Bay and MacDill Air Force Base.

The proposed changes are consistent with and further one of the basic tenets of the *Tampa Comprehensive Plan*, to protect the general public health, safety and welfare of its Citizens.

## RECOMMENDATION

It is recommended that the Planning Commission approve the attached resolution finding the proposed changes to the Comprehensive Plan stemming from the Joint Land Use Study CONSISTENT with the *Tampa Comprehensive Plan*, and that this resolution be forwarded to Tampa City Council.

**RESOLUTION**

**ITEM:** PA06-29 - Tampa/MacDill Joint Land Use Study (JLUS)

Recommended Text and Map Changes

Bruce P. Cury  
*Chair*  
 Jerry M. King  
*Vice-Chair*  
 Terry G. Cobb  
*Member-at-Large*  
  
 Seth S. Boots  
 Deven W. Carty  
 David H. Foster  
 Edward F. Giunta, II  
 Vivian M. Kitchen  
 Christine Malzone  
 Jacqueline R. Wilson  
  
 Robert B. Hunter, FAICP  
 Executive Director

AYE	NAY	ABSENT	DATE: September 11, 2006
			Bruce P. Cury, Chair
			Robert B. Hunter, Executive Director
On motion of _____ Seconded by _____.			
The following resolution was adopted:			

WHEREAS, the Hillsborough County City-County Planning Commission, in accordance with Laws of Florida, has developed a Comprehensive Plan for the City of Tampa entitled Tampa Comprehensive Plan, pursuant to the provisions of Chapter 163.3161, Florida Statutes, which was adopted by Tampa City Council on January 29, 1998; and;

WHEREAS, the City of Tampa has initiated a request proposing revisions to the *City of Tampa Comprehensive Plan* stemming from a Joint Land Use Study (JLUS) conducted by the City and MacDill Air Force Base in accordance with state law (F.S. 163.3175), to ensure compatibility between adjacent or closely proximate lands and military installations; and

WHEREAS, the proposed JLUS recommendations as outlined below include: the creation of a new land use category, Military Installation-Airport Compatibility (**MI-AP**); application of said category to the Future Land Use Map; the addition of new definitions and text; modification or deletion of existing policies and the creation of new policies to the Future Land Use Element;

## **DEFINITIONS - Future Land Use Element**

### **Accident Potential Zone I (APZ I)**

This zone extends from the Clear Zone an additional 5,000 feet. It includes an area of reduced accident potential. Ten percent of the accidents studied of all Air Force mishaps occurred in this area, which is 3,000 feet wide and 5,000 feet long beginning 3,000 feet from the runway endpoint along and centered on the extended runway centerline.

### **Accident Potential Zone II (APZ II)**

This zone extends from the outer end of APZ 1 an additional 7,000 feet. This is an area of even further reduced accident potential. Five percent of the accidents studied of all Air Force mishaps occurred in this area, which is 3,000 feet wide and 7,000 feet long beginning 8,000 feet from the runway endpoint along and centered on the extended runway centerline.

### **Catastrophic Event:**

An overwhelming, unpreventable event caused exclusively by forces of nature, such as a hurricane, flood, tornado, earthquake, and including all natural phenomena that are exceptional and inevitable, the effects of which could not be prevented or avoided by the exercise of due care or foresight, excluding individual health related scenarios.

### **Clear Zone**

This zone starts at the end of the runway and extends outward 3,000 feet and is 3,000 feet wide (1,500 feet to either side of the runway centerline). It has the highest accident potential of the three zones as 27% of the accidents studied of all Air Force mishaps occurred in this area.

### **Noise Contour**

Noise contours show areas exposed to specified noise levels over a given period of time. The contours are prepared using a computer noise model and are then overlaid onto a base map

## **Future Land Use Element**

### **MacDill Air Force Base**

Florida Senate Bill 1604, amending F.S. 163-3177(6)(a), (effective date May 25, 2004) required local jurisdictions to consider compatibility of lands adjacent to or in close proximity to military installations. Said Bill further required that the future land use element of the comprehensive plan shall include criteria to be used to achieve such compatibility. Therefore, the City of Tampa, in

PA06-29 Tampa/MacDill Joint Land Use Study  
Plan Amendment Recommendations  
September 11, 2006

cooperation with MacDill Air Force Base, completed a Joint Land Use Study (JLUS) on July 31, 2006, which recommended revisions to the applicable Tampa Comprehensive Plan goals, objectives, and policies, that would set reasonable limits for intensity, density, and use of land adjacent to MacDill Air Force Base. The policies below are intended to manage land use and future development encroachment, in order to support the viability of military operations as well as to protect persons and property surrounding the Base from potential accidents and loss of life.

**Objective A-3:** The City shall support and strengthen the role of Tampa International Airport and MacDill Air Force Base by requiring that adjacent development be compatible with airport related activities. (In addition to the policies listed below, the Transportation Element ~~has~~ has adopted goals, objectives and policies addressing airport related activities).

**Policy A-3.1: MacDill AFB Joint Land Use Study related changes**

~~After the effective date of this provision, all new residential development within the MacDill Air Force base flight path, also known as the accident potential zones on the future land use map, shall be limited to 10 dwelling units per acre.~~

Create and implement the Military Installation-Airport (MI-AP) Compatibility Plan Category to identify and protect lands that are most affected by military aircraft traffic and potential accident hazard adjacent to MacDill Air Force Base. At a minimum, the MI-AP designated area shall include the Clear Zone, the Accident Potential Zone I (APZ 1), the Accident Potential Zone II (APZ II) but may include any other areas representing a logical extension of any of the aforementioned areas or areas lying in close proximity to the Base. The MI-AP area shall be adopted on the Future Land Use Plan Map for the City of Tampa.

**Policy A-3.1.1:**

Establish zoning districts, MI-AP-1 through 5 to implement the intent of the MI-AP Compatibility Plan Category by regulating allowable uses, area, height, bulk and placement of those uses to minimize population concentration and eliminate hazards to aircraft operations for the general protection and safety of Tampa's citizens and Base personnel.

**Policy A-3.1.2**

Include MacDill Air Force Base and Hillsborough County Aviation Authority in the Development Review Committee to maintain open communication channels between City staff and these entities regarding all petitions for rezoning and special use. Furthermore, include a designated MacDill Air

PA06-29 Tampa/MacDill Joint Land Use Study  
Plan Amendment Recommendations  
September 11, 2006

Force Base representative to participate in the comprehensive plan amendment and land development regulation change processes, including membership on the Planning Commission as an ex-officio, non-voting member.

**Policy A-3.1.3**

~~Prohibit future “noise sensitive” development such as residences, schools, hospitals, etc. which do not provide the required noise attenuation features within those noise contour areas adjacent to MacDill Air Force Base which may pose health hazards~~

New developments within the noise contour areas adjacent to MacDill Air Force Base, as referenced on the adopted Future Land Use Plan Map, shall be required to provide the noise attenuation features. The City shall require, through building code requirements, sound attenuation for new buildings with the level of sound protection based on noise exposure within noise contours of 65 dB DNL and higher. Consistent with Air Force Instruction 32-7063, the City shall require a noise level reduction of at least 25 dB for development located between the 65 and 70 dB DNL noise contours and 30 dB for development located between the 70 and 75 dB DNL noise contours. The City shall not grant a variance or waiver from these requirements.

**Policy A-3.1.4**

The City should require the use of real estate disclosure via use of a Military Influence Area Notice Acknowledgement (MIANA) for all listing agreements and rentals greater than three months for properties with an MI-AP land use designation.

**Policy A-3.1.5**

The City shall require the dedication of an avigation easement for all new development and redevelopment having a land use designation of MI-AP.

**Policy A-3.1.6**

Any parcel of land, as recorded by plat or deed, in existence prior to February 5, 2007 that met the minimum dimensional requirements of the RS-50 zoning classification but does not meet the minimum dimensional requirements of the MI-AP zoning districts shall be considered conforming and shall be developed according to City of Tampa Code of Ordinances, Chapter 27-79, Tables 4-4 and 4-5.

**Policy A-3.1.7:**

Any use of land existing as of February 5, 2007 which would otherwise not be permitted within the MI-AP zoning district in which it lies, shall be

PA06-29 Tampa/MacDill Joint Land Use Study

Plan Amendment Recommendations

September 11, 2006

considered conforming; however, any of the following changes to the use shall require full compliance with the MI-AP land use category and zoning district regulations as though it were a new use:

1. A one-time enlargement of existing multi-family, commercial, or industrial structures by five percent (5%) of the floor area or 150 square feet, whichever is less;
2. If the use has ceased operation for one hundred eighty (180) consecutive days; except for catastrophic events, in which case it shall be one year from the date of the event.
3. When there is a change in use or new use added to the existing use or uses.

**Policy A-3.4: (reserved)**

~~Prohibit future "noise sensitive" development such as residences, schools, hospitals, etc. which do not provide the required noise attenuation features within those noise contour areas adjacent to MacDill AFB which may pose health hazards.~~

**Future Land Use Element – New Land Use Category****Military Installation Airport Compatibility (MI-AP)**

Purpose: To promote the appropriate type and intensity of development of land uses surrounding MacDill Air Force Base. The purpose of designating lands that are most affected by military aircraft traffic and potential accident hazard adjacent to the MacDill Air Force Base runway, is to minimize population, eliminate hazards to aircraft operations and protect the general welfare and safety of citizens within these areas. This category at a minimum shall be applied to military installation airport Clear Zone and Accident Potential Zones I and II (APZ I and II), shall be designated on the adopted Future Land Use Plan Map, and may include any other areas representing a logical extension of any of the aforementioned areas or lying in close proximity to the base. Said zones were established pursuant to the Air Installation Compatibility Use Zone Study (AICUZ).

Allowable Uses: Residential and non-residential uses are generally described in the 'Allowable Use Table' below. Said uses are subject to further specificity and regulation, defined in each MI-AP zoning district, as described in the City of Tampa's zoning code. As depicted on the Future Land Use Plan Map,

**RESOLUTION**

PA06-29 Tampa/MacDill Joint Land Use Study

Plan Amendment Recommendations

September 11, 2006

those lands generally lying south of the APZ I shall follow the requirements of the APZ I column in the 'Allowable Use Table' below. Furthermore, those lands generally lying north of the APZ I and east of the APZ II shall follow the requirements of the APZ II column.

**Allowable Use Table ('X' is allowable; 'Blank' is prohibited):**

<b>Zone:</b>	<b>Clear Zone</b>	<b>APZ I</b>	<b>APZ II</b>
<b>Use:</b>			
Cemetery	X	X	X
Congregate living facilities ( 6 or fewer)		X	X
Dwelling, single-family, detached		X	X
Dwelling, single-family, semi-detached, attached, two-family			X
Place of religious assembly			X
Day care and nursery facility (limited to 35 children)			X
Day care and nursery facility (numbers limited to 10 children)		X	X
Nursing [care facility], convalescent and extended care facility			X
Office, business & medical		X	X
Parking, off-street		X	X
Place of assembly			X
Printing, light		X	X
Public cultural, use, & service facilities		X	X
Recreation facility, commercial or private			X
Restaurant		X	X
Retail, general		X	X
Vehicle repair, minor		X	X
Warehousing, non-hazardous materials	X		

PA06-29 Tampa/MacDill Joint Land Use Study  
Plan Amendment Recommendations  
September 11, 2006

Non-residential development is limited to direct access onto MacDill Avenue, Dale Mabry Highway, Interbay Boulevard (West of Bayshore Boulevard), and Bayshore Boulevard (North of Interbay Boulevard) through the MI-AP-5 site plan rezoning process.

**Density/Intensity:** A range from 0-6.0 dwelling units per acre. A 0.5 floor area ratio (FAR) maximum may be considered in this land use designation within the appropriate zoning districts.

**Prohibited Uses:** Specific uses are prohibited in the 'Allowable Use Table' above, and further restricted per each MI-AP zoning district as defined in the City of Tampa's zoning code. All new development is prohibited in the Clear Zone, unless specifically defined in this plan category.

WHEREAS, the Planning Commission has reviewed the proposed plan amendment changes for their relationship and consistency with the *Tampa Comprehensive Plan*, and has made the determination that the proposed amendments are consistent with the plan, and specifically with the following Goals, Objectives and Policies of the *Tampa Comprehensive Plan*:

#### ***Future Land Use Element***

***Objective A-3:*** *The City shall support and strengthen the role of Tampa International Airport and MacDill Air Force Base by requiring that adjacent development be compatible with airport related activities. (In addition to the policies listed below, the Transportation Element has also adopted goals, objectives and policies addressing airport related activities).*

#### ***Policy A-3.3:***

*Prohibit new construction and redevelopment which inhibits the safe and efficient operation of airport facilities within the accident potential zones for MacDill AFB and the runway protection zones for Tampa International and Peter O'Knight Airports.*

#### ***Policy A-3.4:***

*Prohibit future "noise sensitive" development such as residences, schools, hospitals, etc. which do not provide the required noise attenuation features within those noise contour areas adjacent to MacDill AFB which may pose health hazards.*

#### ***Policy A-3.6:***

*New development shall not obstruct aircraft operations by intersecting the airport's clear zones, approach zones, transition surface, horizontal surface, and conical surfaces.*

PA06-29 Tampa/MacDill Joint Land Use Study  
Plan Amendment Recommendations  
September 11, 2006

***Policy A-3.7:***

*All building regulations (floor area ratios (FAR) and height) shall be promoted to guarantee the continued efficient operation of the airport and ensure public safety.*

**Transportation Element**

**Airport Compatibility**

**Objective 9.5:** New development shall not adversely affect aircraft operating procedures as defined in the "Airport Zoning Regulations" relating to approach surface, transition surface, horizontal surface and conical surfaces.

**Policy 9.5.1:**

The City shall coordinate land planning outside airport boundaries and shall protect airports from the development of incompatible uses (e.g., excessive structure height, intense development, high density development, noise sensitive uses).

**Policy 9.5.2:**

The City of Tampa shall review existing airport zoning districts, determine their appropriateness and eliminate or replace them with the new or updated airport compatible districts, based upon updated master plans and airport operational needs.

**Policy 9.5.3:**

The City shall utilize the most current noise exposure study based upon airport Master Plans to reassess the appropriate location of compatible and incompatible land uses.

**MacDill Air Force Base**

**Objective 9.6:** City of Tampa shall ensure that new development will not obstruct military aircraft operations by penetrating the air force base's clear zones and Accident Potential Zones by coordinating growth and development in and around the air force base to ensure compatibility with air force base plans.

**Policy 9.6.1:**

MacDill Air Force Base representatives shall be included in the review of all proposed rezonings and plan amendments within the Accident Potential and Approach Zones.

**Policy 9.6.2:**

The City of Tampa shall consult MacDill Air Force Base Air Installation Compatibility Use Zone Report (AICUZ)/Compatibility Use District (CUD)

PA06-29 Tampa/MacDill Joint Land Use Study

Plan Amendment Recommendations

September 11, 2006

recommendations when addressing proposed land use changes within the APZ I and APZ II areas.

**Policy 9.6.3:**

The City of Tampa shall promote compatible development within the Accident Potential Zones and flight paths through maintenance of reduced densities.

**Policy 9.6.4:**

The City of Tampa and the Planning Commission shall continue to review the impacts of development, their visibility characteristics and penetration of airspace within the MacDill Air Force Base's approach zones.

**Policy 9.6.5:**

Prohibit the construction of communication towers and antennas in the APZ I and II zones.

**Policy 9.6.6:**

The City of Tampa shall protect all access roads (Bayshore Boulevard, Dale Mabry Highway, Manhattan Avenue, and MacDill Avenue) leading to and from the base from private interest road closures in conjunction with established national defense access roads and military evacuation routes.

NOW, THEREFORE, BE IT RESOLVED, that the Hillsborough County City-County Planning Commission finds the proposed plan amendment changes to the Future Land Use Map and Future Land Use Element, establishing the creation and application of the Military Installation Airport Compatibility land use category (MI-AP) along with new definitions and supporting policies CONSISTENT with the *Tampa Comprehensive Plan*.

# Tampa Comprehensive Plan Amendment 06-29

## Tampa/MacDill Joint Land Use Study (JLUS) Recommended Text and Map Changes August 2006

### I. Proposed Comprehensive Plan Amendments

**Request:** The proposed plan amendment changes, initiated by the City of Tampa, are the result of recommendations stemming from the Joint Land Use Study conducted by the City of Tampa and MacDill Air Force base in accordance with Florida Law, specifically sections of Chapter 163, Florida Statutes 163.3175, 163.3177 and 163.3187. The request includes: the addition of several new definitions and policies within the Future Land Use Element; the creation of the Military Installation Airport Compatibility Plan Category, (MI-AP) and related change to the Future Land Use Map.

**Location:** The site of the proposed map amendment change is located in the south Tampa area, south of Gandy Boulevard, east of Manhattan Avenue and west of Hillsborough Bay encompassing an area of approximately 1,108 acres. The area lies within the neighborhood associations of Ballast Point, Sun Bay South and Interbay.

**Impact:** The creation of the new land use category and application of the category to the area will change the residential land use density to six (6) dwelling units per acre. The area is currently capped at 10 dwelling units to the acre in accordance with Future Land Use Element Policy A-3.1.

The proposed plan amendment change to the Future Land Use Map would change the land use plan designation of the 1,108 acre area from: Residential-6, Residential-10 Residential-20 Residential-35, Residential-50, Recreation/Open Space, Public/Quasi Public, Light Industrial and Community Mixed Use-35 to Military Installation Airport Compatibility.

## **II. Context/Summary of Long Term Development Trends**

Approximately 6,700 individual parcels of land lie within the study area bounded by Gandy Boulevard to the north, Hillsborough Bay to the east, Manhattan Avenue to the west and MacDill Air Force Base to the south. This area of south Tampa has historically experienced different periods of development and most recently redevelopment efforts. Existing uses on these parcels include but are not limited to, residential, commercial, industrial, and public parks and recreation. The dominant existing land use represented in the area is single family detached residential homes. Commercial activity within the area is primarily found along MacDill Avenue and Interbay Boulevard, consisting mostly of low density office and neighborhood serving uses.

Development activity in the study area and its immediate vicinity occurred during the 1940's and 1950's with a second development period during the 1980's. This surge subsided during the 1990's; however, development interests have increased in this area and a number of new developments have been completed since 2000. The recent redevelopment activity adjacent to the base and in the study area in general over the last several years has primarily been single family residential detached homes, due to the area's prime location adjacent to Hillsborough Bay and short commuting distance to the Central Business District in Downtown Tampa. Residential redevelopment opportunities continue to be the primary development interest in the area.

MacDill Air Force Base is comprised of 5,767 acres and is located in the southern portion of the City at the end of the Interbay Peninsula. Established in the early 1940's the base employs a total of 19,000 people (12,000 military personnel and 7,000 civilians). According to the "Economic Resource Impact Statement (1 October 2001 - 30 September 2002)," published as part of the MacDill AFB 6th Comptroller Squadron Financial Analysis, the Base contributes over \$5.5 billion to the Greater Tampa Bay Area. This economic impact is further categorized as \$2.7 billion in annual payroll, \$1.2 billion in annual expenditures, and \$1.6 billion in value of indirect jobs created. MacDill's strategic location and flightline capabilities gives the base the unique distinction to be America's premier mobility team providing world-class air refueling, responsive airlift and airbase support for Headquarters U.S. Central Command and Headquarters U.S. Special Operations Command.

## **III. Relationship of Request to the Tampa Comprehensive Plan**

Plan policies were recently adopted into the Future Land Use Element of the *Tampa Comprehensive Plan* by Tampa City Council, in accordance with State Law, to include criteria to be used to achieve the compatibility of adjacent or closely proximate lands to military installations. The criteria was required to be

submitted by June 30 of 2006. The criteria, in the form of new policies, was submitted as part of the August 2005 cycle of Plan Amendments. The newly adopted policies state the following:

**Policy A-3.8**

*Include MacDill AFB and Hillsborough County Aviation Authority in the Development Review Committee to maintain open communication channels between City staff and these entities regarding all petitions for rezoning and special use.*

**Policy A-3.9**

*The City shall complete a Joint Land Use Study to identify strategies that will achieve the compatibility of adjacent or closely proximate lands with MacDill Air Force Base.*

In accordance with State Law (163.3177(6)(a)), to achieve the compatibility of adjacent or closely proximate lands with military installations, the City of Tampa and MacDill Air Force Base, with the assistance of the Planning Commission, has conducted a year long Joint Land Use Study (JLUS) with involvement by neighborhood associations, business groups, property owners and residents of the area. Some of the actions that stem from the year long study involve recommendations that include changes to the Future Land Use Element of the Tampa Comprehensive Plan and Future Land Use Map.

The JLUS fulfills the need for a systematic evaluation of a larger study area of the properties affected by and located adjacent to a military establishment, in this case, MacDill Air Force Base. The JLUS involves a comprehensive study that offers regulatory and non-regulatory recommendations concerning the development and redevelopment of the identified study area.

The primary purpose of JLUS is to:

- Foster cooperative land use planning discussions between the City of Tampa and MacDill Air Force Base.
- Provide a policy framework of compatible development measures designed to prevent urban encroachment, safeguard the military mission and protect the public health, safety and welfare uses away from incompatible or unsuitable locations to protect the public from nuisance and potential harm.

## IV. Analysis of the Tampa Comprehensive Plan Guiding Principles and Their Relationship to This Plan Amendment Request

In order to comply with the new legislative requirements adopted by the Florida Legislature, the City of Tampa submitted proposed plan amendment changes to the *Tampa Comprehensive Plan* based on the JLUS recommendations. Additional modifications to the proposed text changes have been recommended by the Florida Department of Community Affairs as a result of their preliminary review of the JLUS. Staff for the Planning Commission and the City of Tampa have continued ongoing discussions with the State for the implicit purpose of facilitating an expedited review by the State.

The following includes the proposed text changes to the Future Land Use Element of the *Tampa Comprehensive Plan* (~~strikeouts~~ are deletions and underlines are additions):

### City of Tampa Future Land Use Element--Definitions

#### **Accident Potential Zone I (APZ I)**

This zone extends from the Clear Zone an additional 5,000 feet. It includes an area of reduced accident potential. Ten percent of the accidents studied of all Air Force mishaps occurred in this area, which is 3,000 feet wide and 5,000 feet long beginning 3,000 feet from the runway endpoint along and centered on the extended runway centerline.

#### **Accident Potential Zone II (APZ II)**

This zone extends from the outer end of APZ 1 an additional 7,000 feet. This is an area of even further reduced accident potential. Five percent of the accidents studied of all Air Force mishaps occurred in this area, which is 3,000 feet wide and 7,000 feet long beginning 8,000 feet from the runway endpoint along and centered on the extended runway centerline.

#### **Catastrophic Event:**

An overwhelming, unpreventable event caused exclusively by forces of nature, such as a hurricane, flood, tornado, earthquake, and including all natural phenomena that are exceptional and inevitable, the effects of which could not be prevented or avoided by the exercise of due care or foresight, excluding individual health related scenarios.

### **Clear Zone**

This zone starts at the end of the runway and extends outward 3,000 feet and is 3,000 feet wide (1,500 feet to either side of the runway centerline). It has the highest accident potential of the three zones as 27% of the accidents studied of all Air Force mishaps occurred in this area.

### **Noise Contour**

Noise contours show areas exposed to specified noise levels over a given period of time. The contours are prepared using a computer noise model and are then overlaid onto a base map.

### **Future Land Use Element – Tampa International Airport and MacDill Air Force Base - additional text**

The reader should note that there is a separate aviation component located within the Transportation Element that contains additional policy direction.

### **MacDill Air Force Base**

Florida Senate Bill 1604, amending F.S. 163-3177(6)(a), (effective date May 25, 2004) required local jurisdictions to consider compatibility of lands adjacent to or in close proximity to military installations. Said Bill further required that the future land use element of the comprehensive plan shall include criteria to be used to achieve such compatibility. Therefore, the City of Tampa, in cooperation with MacDill Air Force Base, completed a Joint Land Use Study (JLUS) on July 31, 2006, which recommended revisions to the applicable Tampa Comprehensive Plan goals, objectives, and policies, that would set reasonable limits for intensity, density, and use of land adjacent to MacDill Air Force Base. The policies below are intended to manage land use and future development encroachment, in order to support the viability of military operations as well as to protect persons and property surrounding the Base from potential accidents and loss of life.

### **Future Land Use Element – Policies, New and Amended**

**Objective A-3:** The City shall support and strengthen the role of Tampa International Airport and MacDill Air Force Base by requiring that adjacent development be compatible with airport related activities. (In addition to the policies listed below, the Transportation Element ~~has~~ also has adopted goals, objectives and policies addressing airport related activities).

### **Policy A-3.1: MacDill AFB Joint Land Use Study related changes**

~~After the effective date of this provision, all new residential development within the MacDill Air Force base flight path, also known as the accident potential zones on the future land use map, shall be limited to 10 dwelling units per acre.~~

Create and implement the Military Installation-Airport (MI-AP) Compatibility Plan Category to identify and protect lands that are most affected by military aircraft traffic and potential accident hazard adjacent to MacDill Air Force Base. At a minimum, the MI-AP designated area shall include the Clear Zone, the Accident Potential Zone I (APZ 1), the Accident Potential Zone II (APZ II) but may include any other areas representing a logical extension of any of the aforementioned areas or areas lying in close proximity to the Base. The MI-AP area shall be adopted on the Future Land Use Plan Map for the City of Tampa.

**Policy A-3.1.1:**

Establish zoning districts, MI-AP-1 through 5 to implement the intent of the MI-AP Compatibility Plan Category by regulating allowable uses, area, height, bulk and placement of those uses to minimize population concentration and eliminate hazards to aircraft operations for the general protection and safety of Tampa's citizens and Base personnel.

**Policy A-3.1.2**

Include MacDill Air Force Base and Hillsborough County Aviation Authority in the Development Review Committee to maintain open communication channels between City staff and these entities regarding all petitions for rezoning and special use. Furthermore, include a designated MacDill Air Force Base representative to participate in the comprehensive plan amendment and land development regulation change processes, including membership on the Planning Commission as an ex-officio, non-voting member.

**Policy A-3.1.3**

~~Prohibit future "noise sensitive" development such as residences, schools, hospitals, etc. which do not provide the required noise attenuation features within those noise contour areas adjacent to MacDill Air Force Base which may pose health hazards~~

New developments within the noise contour areas adjacent to MacDill Air Force Base, as referenced on the adopted Future Land Use Plan Map, shall be required to provide the noise attenuation

features. The City shall require, through building code requirements, sound attenuation for new buildings with the level of sound protection based on noise exposure within noise contours of 65 dB DNL and higher. Consistent with Air Force Instruction 32-7063, the City shall require a noise level reduction of at least 25 dB for development located between the 65 and 70 dB DNL noise contours and 30 dB for development located between the 70 and 75 dB DNL noise contours. The City shall not grant a variance or waiver from these requirements.

**Policy A-3.1.4**

The City should require the use of real estate disclosure via use of a Military Influence Area Notice Acknowledgement (MIANA) for all listing agreements and rentals greater than three months for properties with an MI-AP land use designation.

**Policy A-3.1.5**

The City shall require the dedication of an avigation easement for all new development and redevelopment having a land use designation of MI-AP.

**Policy A-3.1.6**

Any parcel of land, as recorded by plat or deed, in existence prior to February 5, 2007 that met the minimum dimensional requirements of the RS-50 zoning classification but does not meet the minimum dimensional requirements of the MI-AP zoning districts shall be considered conforming and shall be developed according to City of Tampa Code of Ordinances, Chapter 27-79, Tables 4-4 and 4-5.

**Policy A-3.1.7:**

Any use of land existing as of February 5, 2007 which would otherwise not be permitted within the MI-AP zoning district in which it lies, shall be considered conforming; however, any of the following changes to the use shall require full compliance with the MI-AP land use category and zoning district regulations as though it were a new use:

1. A one-time enlargement of existing multi-family, commercial, or industrial structures by five percent (5%) of the floor area or 150 square feet, whichever is less;

2. If the use has ceased operation for one hundred eighty (180) consecutive days; except for catastrophic events, in which case it shall be one year from the date of the event.
3. When there is a change in use or new use added to the existing use or uses.

**Policy A-3.2:**

Maintain the lower density and/or intensity of development permitted by the M-AP (Municipal Airport Compatibility) plan category for those properties located within or in proximity to Tampa International Airport, as shown on the adopted land use map.

**Policy A-3.3:**

Prohibit new construction and redevelopment which inhibits the safe and efficient operation of airport facilities within the accident potential zones for MacDill AFB and the runway protection zones for Tampa International and Peter O'Knight Airports.

**Policy A-3.4: (reserved)**

~~Prohibit future "noise sensitive" development such as residences, schools, hospitals, etc. which do not provide the required noise attenuation features within those noise contour areas adjacent to MacDill AFB which may pose health hazards.~~

**Policy A-3.5:**

To promote and protect the utility of Tampa International Airport, the City shall support uses compatible with aircraft operation through the Municipal Airport Compatibility land use plan category.

**Policy A-3.6:**

New development shall not obstruct aircraft operations by intersecting the airport's clear zones, approach zones, transition surface, horizontal surface, and conical surfaces.

**Policy A-3.7:**

All building regulations (floor area ratios (FAR) and height) shall be promoted to guarantee the continued efficient operation of the airport and ensure public safety.

**Future Land Use Element – New Land Use Category**

**Military Installation Airport Compatibility (MI-AP)**

**Purpose:** To promote the appropriate type and intensity of development of land uses surrounding MacDill Air Force Base. The purpose of designating lands that are most affected by military aircraft traffic and potential accident hazard adjacent to the MacDill Air Force Base runway, is to minimize population, eliminate hazards to aircraft operations and protect the general welfare and safety of citizens within these areas. This category at a minimum shall be applied to military installation airport Clear Zone and Accident Potential Zones I and II (APZ I and II), shall be designated on the adopted Future Land Use Plan Map, and may include any other areas representing a logical extension of any of the aforementioned areas or lying in close proximity to the base. Said zones were established pursuant to the Air Installation Compatibility Use Zone Study (AICUZ).

**Allowable Uses:** Residential and non-residential uses are generally described in the 'Allowable Use Table' below. Said uses are subject to further specificity and regulation, defined in each MI-AP zoning district, as described in the City of Tampa's zoning code. As depicted on the Future Land Use Plan Map, those lands generally lying south of the APZ I shall follow the requirements of the APZ I column in the 'Allowable Use Table' below. Furthermore, those lands generally lying north of the APZ I and east of the APZ II shall follow the requirements of the APZ II column.

**Allowable Use Table ('X' is allowable; 'Blank' is prohibited):**

Zone:	Clear Zone	APZ I	APZ II
<b>Use:</b>			
Cemetery	X	X	X
Congregate living facilities ( 6 or fewer)		X	X
Dwelling, single-family, detached		X	X
Dwelling, single-family, semi-detached, attached, two-family			X
Place of religious assembly			X
Day care and nursery facility (limited to 35 children)			X
Day care and nursery facility (numbers limited to 10 children)		X	X
Nursing [care facility], convalescent and extended care facility			X
Office, business & medical		X	X
Parking, off-street		X	X

Place of assembly			X
Printing, light		X	X
Public cultural, use, & service facilities		X	X
Recreation facility, commercial or private			X
Restaurant		X	X
Retail, general		X	X
Vehicle repair, minor		X	X
Warehousing, non-hazardous materials	X		

Non-residential development is limited to direct access onto MacDill Avenue, Dale Mabry Highway, Interbay Boulevard (West of Bayshore Boulevard), and Bayshore Boulevard (North of Interbay Boulevard) through the MI-AP-5 site plan rezoning process.

**Density/Intensity:** A range from 0-6.0 dwelling units per acre. A 0.5 floor area ratio (FAR) maximum may be considered in this land use designation within the appropriate zoning districts.

**Prohibited Uses:** Specific uses are prohibited in the 'Allowable Use Table' above, and further restricted per each MI-AP zoning district as defined in the City of Tampa's zoning code. All new development is prohibited in the Clear Zone, unless specifically defined in this plan category.

**Staff Analysis**

The Future Land Use Element has been developed to:

- Improve the physical environment of the community as a setting for human activities
- Protect the public health, safety and welfare, and promote the common good
- Facilitate the equitable determination and implementation of community policies on physical development by effecting managed growth and balancing the common good with individual interests

**Local Efforts to Mitigate Impacts**

Urban areas around airports are exposed to the possibility of aircraft accidents even with well-maintained aircraft and highly trained aircrews. The City of Tampa's 2006 Evaluation and Appraisal Report of its Comprehensive Plan indicates that two AICUZ (Air Installation Compatible Use Zone) studies have been completed for MacDill Air Force Base, the first in 1979 and the most recent in 1998. As a result of the 1979 AICUZ study, the City for the first time,

incorporated policies and established three planning zones: "Clear Zone (CZ)," "Accident Potential Zone I (APZ I)," and "Accident Potential Zone II (APZ II)." within its 1989 Comprehensive Plan. The 1998 AICUZ study concluded that development had encroached into the AICUZ zone and recommended several actions to protect the base from future encroachment.

The *Tampa Comprehensive Plan* was amended to include policies designed to promote and protect operations at MacDill Air Force Base. These policies were derived from the recommendations of the 1998 AICUZ study and established criteria for achieving compatibility with the military installation. The nine policies are found under Objective A-3 of the Future Land Use Element (FLUE) of the Comprehensive Plan and Objective 9.6 of the Transportation Element of the Comprehensive Plan and address the following six (6) encroachment criteria:

1. Land Use Compatibility
2. Regulation of Heights and Obstructions
3. Maintenance and Reduction of Densities
4. Participation of MacDill Air Force Base in the Development Review Process
5. Mitigation of Noise Impacts
6. Road Access

The intent of the policies in the Transportation Element are:

- The City shall ensure that new development will not obstruct military aircraft operations by intersecting the airport zones
- A representative from MacDill Air Force Base shall be included in the review of all rezonings and plan amendments within the accident potential zones
- The City shall consult AICUZ/CUD recommendations when addressing proposed land use changes within APZ I and APZ II
- The City shall promote compatible development within accident potential zones through maintenance of reduced densities
- The City and Planning Commission shall continue to review impacts of development, their visibility characteristics and penetration airspace within approach zones;
- Prohibit construction of communication towers and antennas in AP zones;
- The City shall protect all access roads to and from the base, from private interest road closures.

#### **Current City of Tampa FLUE Policies of the Comprehensive Plan**

The following assessment of existing FLUE policies pertaining to MacDill Air Force Base was prepared by City staff as part of the required City of Tampa's 2006 Evaluation and Appraisal Report:

*For the most part, prior to 2000, development in and around MacDill Air Force Base was stable and no major compatibility issues surfaced. However, after 2000, infill*

*development in the Ballast Point area (within the AICUZ) began to occur. In response to concerns expressed by MacDill Air Force Base, the City completed a preliminary analysis of the status of development around the Base, particularly as it relates to the AICUZ zone. That analysis indicated that much of the development in the AICUZ zone had occurred in previous years, at a significantly lower density than the approved land use and zoning classifications and within the criteria established in the Comprehensive Plan.*

### **Community Goals**

- To protect the health and safety of residents living or working near MacDill Air Force Base
- Promote comprehensive planning for long term land use compatibility between MacDill Air Force Base and the surrounding community
- Maintain the economic viability of the City of Tampa and the region

### **Military Goals**

- To safeguard the military mission and protect the health, safety and welfare of the public
- To minimize the impact on the local communities by MacDill Air Force Base operations
- Restrict land uses that are deemed to be incompatible with MacDill Air Force Base operations by the AICUZ study

### **Additional Points**

- The City of *Tampa Comprehensive Plan* currently has a Municipal Airport (M-AP) land use designation, to recognize those lands that are potentially affected or are currently owned by the Tampa Aviation Authority, namely Peter O. Knight and Tampa International Airports. The development of the MI-AP category was a logical approach as the basis for Airport compatibility already existed in the Plan and facilitated the crafting of the MI-AP category.
- The Base Realignment and Closure Process (BRAC) is a reality. The actions of the state and local governments are well founded as they take the necessary measures to provide all Florida military installations with the tools needed to validate their economic worth to their community and strategic value to the military to avoid closure. No military installation is "BRACproof". They must be ever vigilant, always in constant competition with other military facilities throughout the country as the federal government continues to look for ways to make military operations more effective and cost efficient.

**Consistency with the *Tampa Comprehensive Plan* (local comprehensive plan), the *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region* (strategic regional policy plan); and the *State Comprehensive Plan* (Chapter 187.201, Florida Statutes)**

## Florida Statutes (Chapter 163)

### *Tampa Comprehensive Plan*

#### **Future Land Use Element**

**Objective A-3:** The City shall support and strengthen the role of Tampa International Airport and MacDill Air Force Base by requiring that adjacent development be compatible with airport related activities. (In addition to the policies listed below, the Transportation Element has also adopted goals, objectives and policies addressing airport related activities).

#### **Policy A-3.1:**

After the effective date of this provision, all new residential development within the MacDill Air Force base flight path, also known as the accident potential zones on the future land use map, shall be limited to 10 dwelling units per acre.

#### **Policy A-3.2:**

Maintain the lower density and/or intensity of development permitted by the M-AP (Municipal Airport Compatibility) plan category for those properties located within or in proximity to Tampa International Airport, as shown on the adopted land use map.

#### **Policy A-3.3:**

Prohibit new construction and redevelopment which inhibits the safe and efficient operation of airport facilities within the accident potential zones for MacDill AFB and the runway protection zones for Tampa International and Peter O'Knight Airports.

#### **Policy A-3.4:**

Prohibit future "noise sensitive" development such as residences, schools, hospitals, etc. which do not provide the required noise attenuation features within those noise contour areas adjacent to MacDill AFB which may pose health hazards.

#### **Policy A-3.6:**

New development shall not obstruct aircraft operations by intersecting the airport's clear zones, approach zones, transition surface, horizontal surface, and conical surfaces.

**Policy A-3.7:**

All building regulations (floor area ratios (FAR) and height) shall be promoted to guarantee the continued efficient operation of the airport and ensure public safety.

**Transportation Element**

**Airport Compatibility**

**Objective 9.5:** New development shall not adversely affect aircraft operating procedures as defined in the "Airport Zoning Regulations" relating to approach surface, transition surface, horizontal surface and conical surfaces.

**Policy 9.5.1:**

The City shall coordinate land planning outside airport boundaries and shall protect airports from the development of incompatible uses (e.g., excessive structure height, intense development, high density development, noise sensitive uses).

**Policy 9.5.2:**

The City of Tampa shall review existing airport zoning districts, determine their appropriateness and eliminate or replace them with the new or updated airport compatible districts, based upon updated master plans and airport operational needs.

**Policy 9.5.3:**

The City shall utilize the most current noise exposure study based upon airport Master Plans to reassess the appropriate location of compatible and incompatible land uses.

**MacDill Air Force Base**

**Objective 9.6:** City of Tampa shall ensure that new development will not obstruct military aircraft operations by penetrating the air force base's clear zones and Accident Potential Zones by coordinating growth and development in and around the air force base to ensure compatibility with air force base plans.

**Policy 9.6.1:**

MacDill Air Force Base representatives shall be included in the review of all proposed rezonings and plan amendments within the Accident Potential and Approach Zones.

**Policy 9.6.2:**

The City of Tampa shall consult MacDill Air Force Base Air Installation Compatibility Use Zone Report (AICUZ)/Compatibility Use District (CUD) recommendations when addressing proposed land use changes within the APZ I and APZ II areas.

**Policy 9.6.3:**

The City of Tampa shall promote compatible development within the Accident Potential Zones and flight paths through maintenance of reduced densities.

**Policy 9.6.4:**

The City of Tampa and the Planning Commission shall continue to review the impacts of development, their visibility characteristics and penetration of airspace within the MacDill Air Force Base's approach zones.

**Policy 9.6.5:**

Prohibit the construction of communication towers and antennas in the APZ I and II zones.

**Policy 9.6.6:**

The City of Tampa shall protect all access roads (Bayshore Boulevard, Dale Mabry Highway, Manhattan Avenue, and MacDill Avenue) leading to and from the base from private interest road closures in conjunction with established national defense access roads and military evacuation routes.

*Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region*

*Military Presence*

3.18: Ensure the continued coordination and communication between local governments and base/installation commanders to insure land use compatibility is maintained for those military installations located within the Tampa Bay region.

3.19: In addition to their role of maintaining national security, recognize that those military installations located within the Tampa Bay region play an important role in sustaining the local economy and supporting the needs of military retirees residing within the region.

*Housing*

1.12: Site and design residential development in a way that: enhances and protects life and property from natural and man-made hazards; is compatible with the type and scale of surrounding land uses; fosters a pedestrian friendly environment; enhances connectivity with adjacent development; and protects existing residential areas from the encroachment of incompatible activities. Likewise, other land use areas should be protected from the encroachment of incompatible residential activities. The implementation or interpretation of these provisions, however, should not be seen as discouraging mixed-use development.

## ***State Comprehensive Plan Policy***

### **(6) *Public Safety***

(a) *Goal.*--Florida shall protect the public by preventing, discouraging, and punishing criminal behavior, lowering the highway death rate, and protecting lives and property from natural and manmade disasters.

### **(15) *Land Use***

*Policy* (b)5--Encourage and assist local governments in establishing comprehensive impact-review procedures to evaluate the effects of significant development activities in their jurisdictions.

## **Florida Statutes, Chapter 163**

**163.3175** - Legislative findings on compatibility of development with military installations; exchange of information between local governments and military installations.

(1) The Legislature finds that incompatible development of land close to military installations can adversely affect the ability of such an installation to carry out its mission. The Legislature further finds that such development also threatens the public safety because of the possibility of accidents occurring within the areas surrounding a military installation. In addition, the economic vitality of a community is affected when military operations and missions must relocate because of incompatible urban encroachment. Therefore, the Legislature finds it desirable for the local governments in the state to cooperate with military installations to encourage compatible land use, help prevent incompatible encroachment, and facilitate the continued presence of major military installations in this state.

### **163.3177(6)(a) - Required Elements of the Comprehensive Plan.**

The future land use plan element shall include criteria to be used to achieve the compatibility of adjacent or closely proximate lands with military installations.

### **163.3187(1)(m) Amendment of Adopted Comprehensive Plan**

Amendments to comprehensive plans adopted pursuant to this part may be made not more than two times during any calendar year, except:

A comprehensive plan amendment that addresses criteria or compatibility of land uses adjacent to or in close proximity to military installations in a local government's future land use element does not count toward the limitation on the frequency of the plan amendments.

## **Conclusions**

The proposed recommendations are consistent with and further the intent of policies in the Future Land Use and Transportation Elements as well as support the basic tenets of the *Tampa Comprehensive Plan*, as they relate to the public health, safety and welfare of the Citizens of Tampa and MacDill Air Force Base personnel. The proposed recommendations also satisfy State Law to ensure that local governments in the state cooperate with military installations to encourage compatible land use, help prevent incompatible encroachment, and facilitate the continued presence of major military installations in this state.

### **Recommendation**

That the Planning Commission find the proposed changes: creation of the Military Installation Airport Compatibility (MI-AP) plan category; application of the category to the City of Tampa Future Land Use Map, addition and modification of text to the City of Tampa Future Land Use Element, CONSISTENT with the *Tampa Comprehensive Plan* and forward this recommendation to Tampa City Council.

**Tony Garcia, AICP, Principal Planner**

**September 1, 2006**