



WHITE &
SMITH, LLC
PLANNING AND
LAW GROUP

Joint Land Use Study Implementation Technical Committee Meeting

May 7, 2014

Naval Air Station Joint Reserve Base, New Orleans
Belle Chasse, Louisiana





Agenda

- Review and approve 4/14/14 minutes
- Review Policy Committee recommendations
- MOU Status
- Real Estate Disclosure Status
- Next Steps

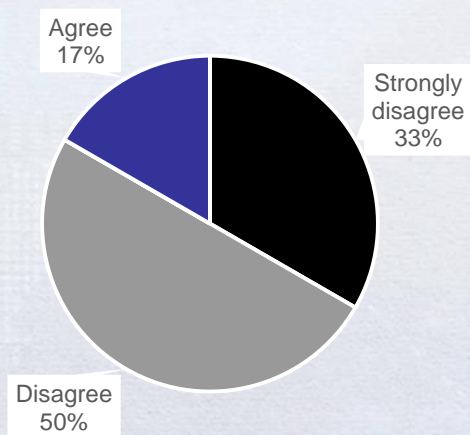


Meeting Objectives

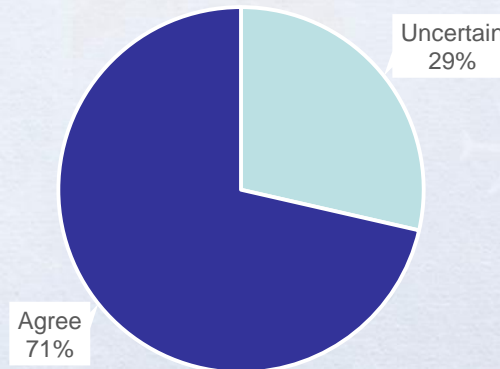
1. Review and/or establish consensus on direction MOU
2. Establish options for Real Estate Notification
3. Discuss potential for incentives

- Consensus to eliminate binding land use restrictions
- General agreement to MIPD Overlay draft light/glare and height provisions

Certain land uses (e.g., residences, day care, schools, churches and hazardous materials) should be limited in APZs



The MIPD should prohibit lighting that interferes with flight operations



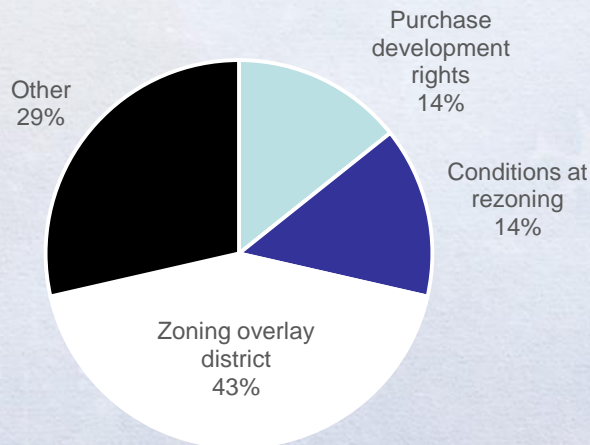


Highlights from Policy 4/15

- Some agreement that there should be some kind of active real estate disclosure
- Agreement to continue to pursue a clear zone acquisition strategy
- Presented four options for regulating land use:
 - Purchase of development rights
 - Conditions at rezoning
 - Zoning Overlay District
 - Other

- Some support for overlay
- Further discussion about desire to not limit what landowners can do with property
- Strong desire to ensure buyers have all necessary information

Which approach to land use do you prefer?





Implementation Tools

**Military Influence Planning
District (MIPD) Overlay
Zoning**

**Other Development
Regulations**

Acquisition

Infrastructure

**Memorandum of
Understanding (MOU)**

Other Plan Involvement

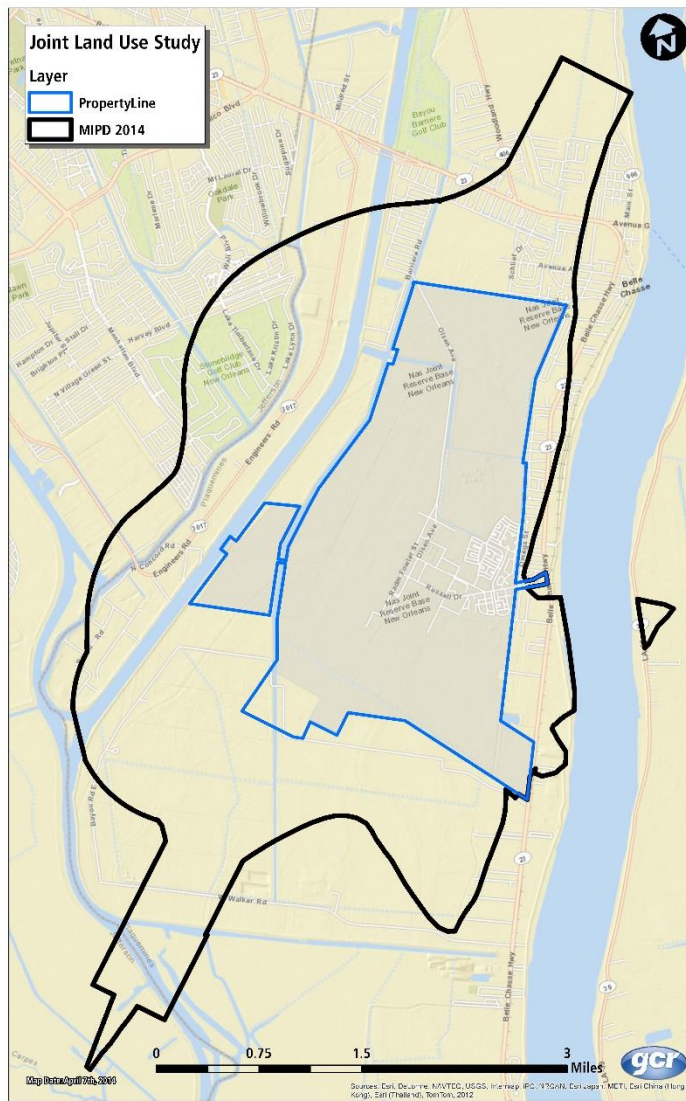
- Specifies “Points of Contact”
- Specifies limited area of coordination (MIPD)
- NAS-JRB commits to working directly with landowners/applicants/citizens
- Parishes and NAS-JRB
 - notify one another of major impacts
 - post information to websites, property records, roadways
 - continue to coordinate on planning efforts, as needed

- **Parties:** Parishes and NAS-JRB
- **Affects:**
 - Parishes
 - NAS-JRB
 - Citizens in the Region
 - Landowner Developers in the MIPD
- **Duration:** 5 years unless renewed
- **Powers to Regulate Land Use:**
Unchanged by MOU
- **Local Land Use Approval Processes:**
Unchanged by MOU



Military Influence Planning District

Memorandum of Understanding





Other Development Regulation

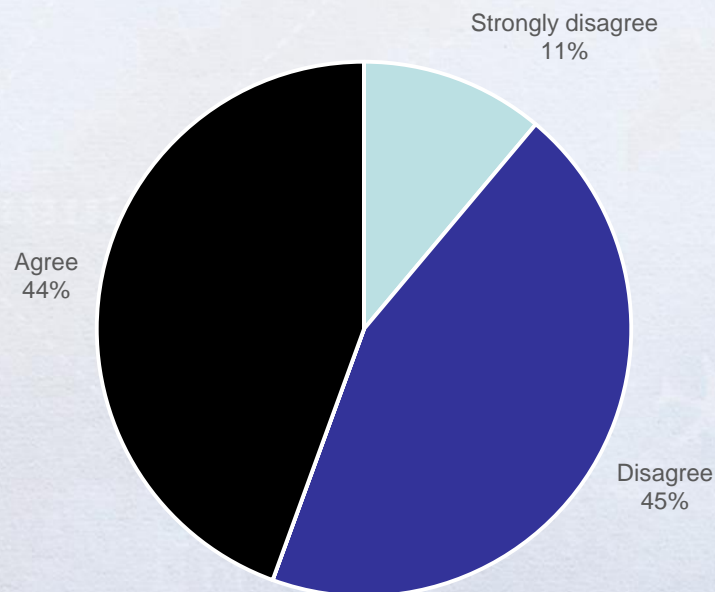
Past Technical Committee feedback:

- Passive approach, providing information for potential buyers/renters who are interested in learning more
 - Sign at the entrance to Belle Chasse directing visitors to the PPG website
 - “Moving to Belle Chasse” page on the PPG website with information about the Naval base
 - Webpage dedicated to JLUS with maps and study materials

Other Development Regulation

Policy Committee feedback:

Real estate notification should be limited to passive approaches





Other Development Regulation

Three case studies:

1. Voluntary Approach

- City of San Antonio

1. Statewide Mandatory, with Caveats

- Price George's County Association of Realtors
- Maryland National Capitol Park and Planning Comm.
- Journal of Urban Economics, Pope, 2008
- RDU Aircraft Noise Program

1. Mandatory

- Virginia
- East Baton Rouge Parish



Real Estate Notifications

Other Development Regulation

Case Study #1: Voluntary Approach

- Camp Bullis- San Antonio
- Most passive approach
- Notice is posted on the city's website
- Rarely used



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Camp Bullis Awareness Zone Voluntary Real Estate Disclosure Statement

If you are contemplating buying, selling or developing a property near Camp Bullis, or otherwise arranging or a tract of land near Camp Bullis to be occupied, you should be aware that the area depicted on this map from the June 2009 Camp Bullis Joint Land Use Study (JLUS) may be subject to noise or other conditions from military operations at Camp Bullis.

These conditions could possibly include noise from low flying helicopters and fixed wing aircraft, firing ranges (small arms fire and grenades), vehicles, loud music, and the demolition of unexploded devices. The noises may be occurring at any time of the day or night. These areas may also be subject to dust from frequent military maneuver operations.

Camp Bullis has been an active military facility since 1917 and new occupants or residents moving to locations near its borders should realize that they could experience the above conditions resulting from living near a busy military installation. Additional information concerning Camp Bullis is available at the JLUS website: www.campbullisjlus.com.



Other Development Regulation

Case Study #2: Statewide Mandatory, with Caveats

- Joint Base Andrews- Maryland
- Requires inclusion of the following in all seller disclosure forms in the State of Maryland:

“MILITARY INSTALLATIONS: This Section does not apply in Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington Counties. Buyer is advised that the Property may be located near a military installation that conducts flight operations, munitions testing, or military operations that may result in high noise levels. MILITARY OPERATIONS. The Property may be located near Joint Base Andrews Naval Air Facility Washington ("Andrews Air Force Base") or locations where military flight operations occur. Properties located near military aircraft operation centers may be impacted by varying degrees of noise, potential aircraft accidents consistent with other airfields or military operations. Andrews Air Force Base may conduct flight operations at any time, seven days per week, twenty-four hours a day. The effects of military operations may extend beyond the boundaries of the military facilities. Buyer is encouraged to contact Andrews Air Force Base (Public Affairs Office) or seek additional information from the Maryland National Capital Park and Planning Commission (MNCPPC) regarding the impact of military operations in the area considered for purchase. Additional information may be available at www.PGAtlas.com, and from the Air Installation Compatible Use Zone (AICUZ) Study prepared by Andrews Air Force Base which is available at <http://www.andrews.af.mil>. “



Other Development Regulation

Case Study #2: Statewide Mandatory, with Caveats

- Raleigh Durham Airport
- State law allows any government entity to impose mandatory real estate notifications.
- Airport authority added notifications in 1996
- 2008 Study showed average difference in property values *before* disclosure was -8% for areas exposed to noise
- Impact of notifications caused additional 2.9% reduction reflected by a “fully informed” buyer pool



Other Development Regulation

Case Study #3: Mandatory Disclosures

Virginia

- Requirement for renters
- Allows tenants to cancel their lease after 30 days

East Baton Rouge Parish

- Requirement to disclose past flooding during the sale of a property



Other Development Regulation

Compromise Proposal

- Require notification for sales within a larger market area to eliminate “labelling” particular properties
- General disclosure presented by seller advising of potential for risk or noise exposure
- Directs buyers to a website with more information

- Review updated MIPD Overlay Draft
 - Light/glare
 - Electromagnetic interference
 - Land use guidance
- Complete MOU feedback (Navy, PPG and JP attorneys)
- Next meeting Wednesday June 11