

# Naval Construction Battalion Center Gulfport and Special Areas Joint Land Use Study Implementation

City of Long Beach Military Influence Area Overlay District

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## **Introduction**

The Naval Construction Battalion Center Gulfport and Special Areas Joint Land Use Study (JLUS), adopted in August 2017, was created in order to respond to the growth surrounding the Naval Construction Battalion Center and associated areas that the Installation uses within the neighboring counties (NCBC + Special Areas). The JLUS provides strategies and tools to reduce conflict between a military installation and the surrounding communities to ensure the continued mission of the military installation. The following report summarizes the recommendations regarding the creation of an overlay district for the area immediately surrounding the military installation to protect it from land use and compatibility issues.

## **Land Use Compatibility**

Military installations were traditionally established in rural areas with little development outside the gates. As cities and counties have become more urbanized, development surrounding military installations has blossomed. Siting development near the military installation provided an economic advantage to the community and fulfilled the needs of the military and their dependents in close proximity to where they worked and lived. Without guiding land use controls, growth in close proximity to a military installation can harm its mission by encroaching on the facility leading to reduced or restricted training, altered base missions, and ultimately base closure.

Due to the dynamic nature of military operations and training exercises, many different aspects of development qualify as encroachment. For example, the height of structures, whether they are residential or office high-rise buildings, cell towers, wind towers, or manufacturing plants, can interfere with flight training for military bases. Incompatible uses adjacent to military installations, particularly when located within noise contours or safety zones, include the following:

- Uses that concentrate people into small areas;
- Land Uses that house sensitive populations, such as hospitals, schools, or day cares;
- Uses that attract birds;
- Uses that emit electrical emissions;
- Uses that produce excessive lighting; and
- Uses that releases smoke, dust, steam.

The majority of the land surrounding NCBC Gulfport is developed. The current use patterns of low density residential, commercial, and industrial are predominately compatible with the training exercises and activities taking place on the base. The majority of off-site impacts generated by the installation are noise from heavy equipment training and a small arms (non-live fire) range located on the western side of the installation. Although there are no specific land uses that could be identified that would be considered detrimental to the base, there are compatibility concerns with the uses identified above that should be considered with planning for future growth.

## Land Use Compatibility Recommendations

The JLUS developed the following recommendations to help ensure the continued mission of NCBC:

- Develop a business registration program for new businesses within the MIOD regarding frequency spectrum usage
- Establish a Military Influence Overlay Area (MIA) with a Military Influence Overlay District (MIOD).
- Update jurisdictional comprehensive plans to incorporate MIA and MIOD.
- Update jurisdictional zoning regulations to incorporate MIA and MIOD
- Develop and distribute property owner information to provide details on applicable regulations that govern development within the MIOD.

## Military Influence Overlay District

The adopted MIOD area within the City of Long Beach extends for 1/4 mile outside of the installation.

The area within the MIOD consists of a mix of residential, civic, and commercial, with moderate density residential being directly adjacent to the Installation.

The majority of the parcels that fall within the MIOD are already developed. Therefore, their occupants have generally experienced the off-site impacts of the Installation. However, there are vacant parcels present within the MIOD, and there is the potential for redevelopment within the MIOD in the future. Creating an opportunity for greater input from the Installation and regulating the type and form of development within the MIOD will serve to protect the mission at the Installation. The following requirements have been adopted for development within the MIOD. All additions are to Article IX, Part 1, zoning districts.

## Review Requirements

The adopted requirements of the MIOD include provisions for additional development review. These requirements include an ex-officio non-voting member of the Planning Commission for NCBC Gulfport, additional criteria within the City's review of proposed projects within the MIOD, and a requirement that a copy of a proposed development plan be provided to NCBC Gulfport for review and comment. Adopted language concerning the enhanced review for development proposals within the MIOD are as follows:

Section 102(3):           **Development Review.** The development review process for the City shall apply to the NCBC MIOD, with the following additions:

- (a) The City shall consider the Naval Construction Battalion Center Gulfport input and concerns during its review of planning, regulatory, and development proposals located within the NCBC MIOD. The City shall assess the compatibility of such planning, regulatory and development proposals as provided in the following criteria:

1. Whether such proposal is compatible with the findings of the NCBC Gulfport + Special Areas Joint Land Use Study (JLUS) approved by Resolution on August 15, 2017.
2. Whether the mission of the Naval Construction Battalion Center Gulfport will be adversely affected by the proposal.
3. Whether such proposal creates any frequency interferences that are incompatible with the frequency spectrum of the Naval Construction Battalion Center Gulfport. To implement this provision, the City shall require that any telecommunication facility or proposed development that warrants a Federal Communications Commission (FCC) license and are located within the NCBC MIOD boundary submit an application specifically describing any frequency spectrum that is generated or emitted by the proposal to the City as part of the Development Order Application. As part of the review process, the application will be forwarded to the Naval Construction Battalion Center Gulfport for review and comment.

Section 102(6):

**Joint Review.** A copy of any proposed map amendments, re-zoning applications, variances, conditional use permits, applications for development orders, and amendments to the City's land development regulations which are proposed in or affect any area found to be in the NCBC MIOD, including the development plan, shall be provided by the City within five (5) days of a complete submittal to the Naval Construction Battalion Center Gulfport, which will provide comment(s) to the Mayor within fifteen (15) days of receipt.

## Frequency Spectrum Requirements

The adopted requirements of the MIOD include provisions for identifying and recording likely frequency spectrum interference within the MIOD. These requirements include evaluating proposed development within the MIOD for frequency spectrum interference potential and requires those possessing a Federal Communications Commission license to describe the frequency spectrum emitted and provide that information to NCBC Gulfport. Adopted language is as follows:

Section 102(4)(a)(3): Whether such proposal creates any frequency interferences that are incompatible with the frequency spectrum of the Naval Construction Battalion Center Gulfport. To implement this provision, the City shall require that any telecommunication facility or proposed development that warrants a Federal Communications Commission (FCC) license and are located within the NCBC MIOD boundary submit an application specifically describing any frequency spectrum that is generated or emitted by the proposal to the City as part of the Development Order Application. As part of the review process, the application

will be forwarded to the Naval Construction Battalion Center Gulfport for review and comment.

## Fencing and Buffering Requirements

The adopted requirements for the MIOD include provisions to create a buffer between new development immediately adjacent to the boundary of NCBC Gulfport. This buffer will serve as a setback from the Installation and provide a screening function between the development and the Installation, as well as offering noise attenuation, privacy, and security. The adopted requirements are as follows:

Section 102(4):       **Buffering Plan.** A buffering plan shall be required for all new development or redevelopment on parcels located immediately adjacent to the Naval Construction Battalion Center Gulfport property line and share a common property boundary. Prior to the Development Review Process, the buffering plan shall be jointly reviewed by the City and the Naval Construction Battalion Center Gulfport.

The buffering plan shall consist of visual screening through fences and/or walls that serve several functions including, establishing a setback from the Naval Construction Battalion Center Gulfport property line, land use buffering and noise attenuation, privacy, and security. These structures shall be designed to provide a unifying element and to be aesthetically pleasing. The exact design, height, and location shall be determined during the processing of site-specific development plans. Earth berms shall not be allowed as part of the buffering plan.

## Noise Notification Requirements

The adopted requirements for the MIOD include written notifications to all development applicants within the 87 dB and 104 dB Peak noise Contours that the property is potentially subject to military training related noise. In addition, the City will advise the applicants of sound-reduction options available to be implemented to reduce the impacts of the noise. The adopted language is as follows:

Section 102(5):       **Noise Contours.** The NCBC MIOD contains two noise contours that consist of the 87 dB Peak Noise Contour as defined in the 2017 Range Compatible Use Zones Study for the Naval Construction Battalion Center Gulfport and depicted on Map XX. The City shall inform all applicants of any proposed map amendment, re-zoning application, variance, conditional use permit, application for development order or proposed development located within the NCBC MIOD Noise Contour that the property is subject to potential military training related noise. The City will provide to the applicant information regarding the Naval Construction Battalion Center Gulfport and 2017 Range Compatible Use Zones Study, along with optional sound-level reduction standards that could be

implemented to mitigate or reduce nuisances caused by military training activities within the noise zones.



# Appendix A

## Overlay District

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## Article IX – Part 1. Zoning Districts

### Section 102: Naval Construction Battalion Center Military Influence Overlay District Established

- (1) **Purpose.** The Naval Construction Battalion Center Military Influence Overlay District (NCBC MIOD) is hereby established with the following purpose: to ensure that the continually changing mission of the installation is facilitated to the greatest extent possible. The City shall support the Naval Construction Battalion Center (NCBC) Gulfport so that the installation remains viable and able to complete its mission. The MIOD shall serve as an overlay district that identifies properties that may be affected by military training and applies additional standards and requirements to those properties in order to encourage compatible land use patterns, protect the public health, safety and welfare, and to help prevent encroachment from incompatible development. In the case of conflicting standards and requirements, the more stringent standards and requirements shall apply.
- (2) **District Boundary.** The NCBC MIOD includes an area located within 1/4-mile of the property boundary line of the Naval Construction Battalion Center Gulfport and the area located within the Noise Contours as shown on Map XX. The geographic location of this district is indicated on the City's official zoning map, having been duly adopted by the City as per the requirements of this zoning ordinance provision.
- (3) **Development review.** The development review process for the City shall apply to the NCBC MIOD, with the following additions:
  - (a) The City shall consider the Naval Construction Battalion Center Gulfport input and concerns during its review of planning, regulatory, and development proposals located within the NCBC MIOD. The City shall assess the compatibility of such planning, regulatory and development proposals as provided in the following criteria:
    1. Whether such proposal is compatible with the findings of the NCBC Gulfport + Special Areas Joint Land Use Study (JLUS) approved by Resolution on August 15, 2017.
    2. Whether the mission of the Naval Construction Battalion Center Gulfport will be adversely affected by the proposal.
    3. Whether such proposal creates any frequency interferences that are incompatible with the frequency spectrum of the Naval Construction Battalion Center Gulfport. To implement this provision, the City shall require that any telecommunication facility or proposed development that warrants a Federal Communications Commission (FCC) license and are located within the NCBC MIOD boundary submit an application specifically describing any frequency spectrum that is generated or emitted by the proposal to the City as part of the Development Order Application. As part of the review process, the application will be forwarded to the Naval Construction Battalion Center Gulfport for review and comment.
- (4) **Buffering Plan.** A buffering plan shall be required for all new development or redevelopment on parcels located immediately adjacent to the Naval Construction Battalion Center Gulfport property and share a common property boundary. Prior to the

Development Review Process, the buffering plan shall be jointly reviewed by the City and the Naval Construction Battalion Center Gulfport.

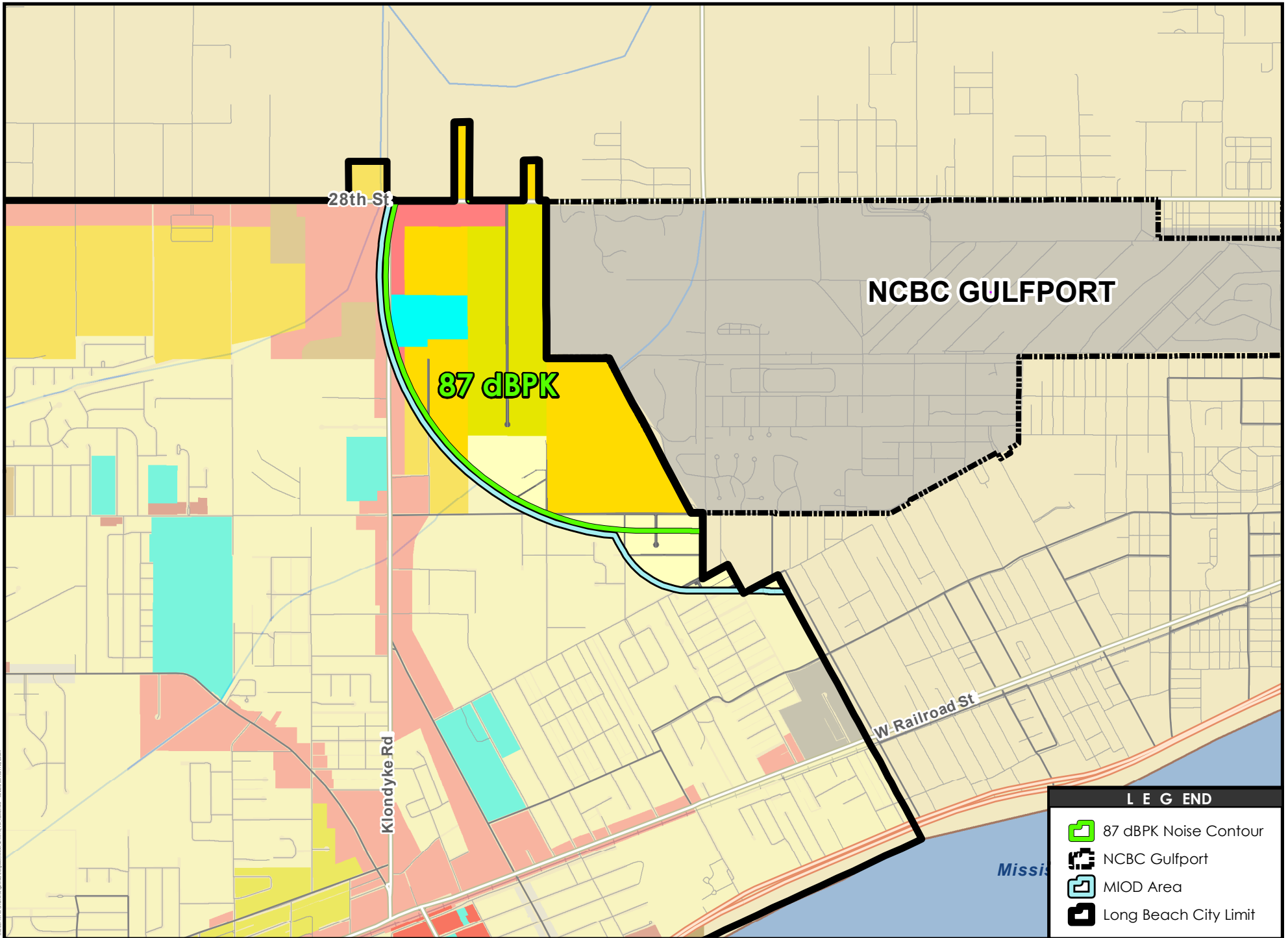
The buffering plan shall consist of visual screening through fences and/or walls that serve several functions including, establishing a setback from the Naval Construction Battalion Center Gulfport property line, land use buffering and noise attenuation, privacy, and security. These structures shall be designed to provide a unifying element and to be aesthetically pleasing. The exact design, height, and location shall be determined during the processing of site-specific development plans. Earth berms shall not be allowed as part of the buffering plan.

- (5) **Noise Contours.** The NCBC MIOD contains one noise contours that consist of the 87 dB Peak Noise Contour as defined in the 2017 Range Compatible Use Zones Study for the Naval Construction Battalion Center Gulfport and depicted on Map XX. The City shall inform all applicants of any proposed map amendment, re-zoning application, variance, conditional use permit, application for development order or proposed development located within the NCBC MIOD Noise Contour that the property is subject to potential military training related noise. The City will provide to the applicant information regarding the Naval Construction Battalion Center Gulfport and 2017 Range Compatible Use Zones Study, along with optional sound-level reduction standards that could be implemented to mitigate or reduce nuisances caused by military training activities within the noise zones.
- (6) **Joint Review.** A copy of any proposed map amendments, re-zoning applications, variances, conditional use permits, applications for development orders, and amendments to the City's land development regulations which are proposed in or affect any area found to be in the NCBC MIOD, including the development plan, shall be provided by the City within five (5) days of a complete submittal to the Naval Construction Battalion Center Gulfport, which will provide comment(s) to the Mayor within fifteen (15) days of receipt.

# Appendix B

## Map

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**LEGEND**

- 87 dBPk Noise Contour
- NCBC Gulfport
- MIOD Area
- Long Beach City Limit