

## REPORT AND RECOMMENDATION

**TO: FRANKFORT-FRANKLIN COUNTY  
PLANNING COMMISSION**

**FROM: Gary Muller, Director**

**SUBJECT: PUBLIC HEARING: Review final implementation recommendations and draft memorandum of understanding as recommended by the JLUS Implementation Committee**

**DATE: February 2, 2015**

**MEETING DATE: February 12, 2015**



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## GENERAL INFORMATION

**Request:** PUBLIC HEARING: City and County item - The Implementation Committee of the Frankfort/Franklin County Planning Commission's Joint Land Use Study (JLUS) committee will present the final implementation recommendations and draft Memorandum of Understanding associated with the 2013 JLUS Final Report.

## BACKGROUND

The Joint Land Use Study (JLUS) Final Report was completed in March 2013. The JLUS Implementation Committee was created to review and make recommendations of the JLUS Report identified implementation recommendations. On October 27, 2014, City staff provided a memorandum to the City Commission outlining the JLUS report recommendations and staff's comments for each (attached). The Committee held several public meetings in 2014 and finalized their recommendations on December 9, 2014; and completed a proposed Memorandum of Understanding between the City, County, Airport, and Guard on January 13<sup>th</sup>, 2015.

The purpose of the JLUS report was to create a public dialogue around the complex issues of land use, economic and population growth, infrastructure delivery, environmental sustainability, and mission change. The intent of the study is to highlight common interests—attractive development, healthier environments, more efficient infrastructure, economic prosperity, and better quality of life; and to protect the military mission, while sustaining local growth.

**The JLUS report is not a binding document**, but a dynamic blueprint of best practices and ideas to guide military and community policy actions in the years ahead. **Neither the City/County/or Guard is required to adopt or implement the recommendations of the JLUS and whether one agency does and the other do not – does not invalidate the JLUS report or actions by the agency.** The JLUS Report includes a coordination strategy to guide decision makers and the general public through the current planning process and to build the framework for successful implementation and monitoring.

The JLUS document establishes a set of short-, mid-, and long-term actions to promote land use compatibility and strengthen coordination around the installation and airport. The tools are intended to address a variety of possible land use and operational issues, including physical adjacency to Boone Center and

Capital City Airport, noise, and aviation hazards. **These recommendations are tied to a series of geographic areas around Boone Center and the airport that warrant special coordination procedures or land use regulation due to their proximity to the runway.** The memorandum of agreement would identify actions – be it simply more coordination and sharing of information, to adopting new regulations; **however, no entity is mandated to enter the agreement or fulfill the recommendations of the report.**

The long-term goal of the JLUS is to reduce potential incompatibility and accommodate safe local growth to sustain the regional economy. The term ‘incompatibility’ (or encroachment) describes the operational impacts of military and airport activities on surrounding communities and the reciprocal negative effects of adjacent and unmanaged community growth on training and aviation operations.

**Below are the 8 recommendations from the JLUS Implementation Committee (not all of recommendations from the original JLUS report are supported by the Committee and staff), a recommended map to be used in conjunction with the 8 recommendations, and the recommended Memorandum of Understanding.**

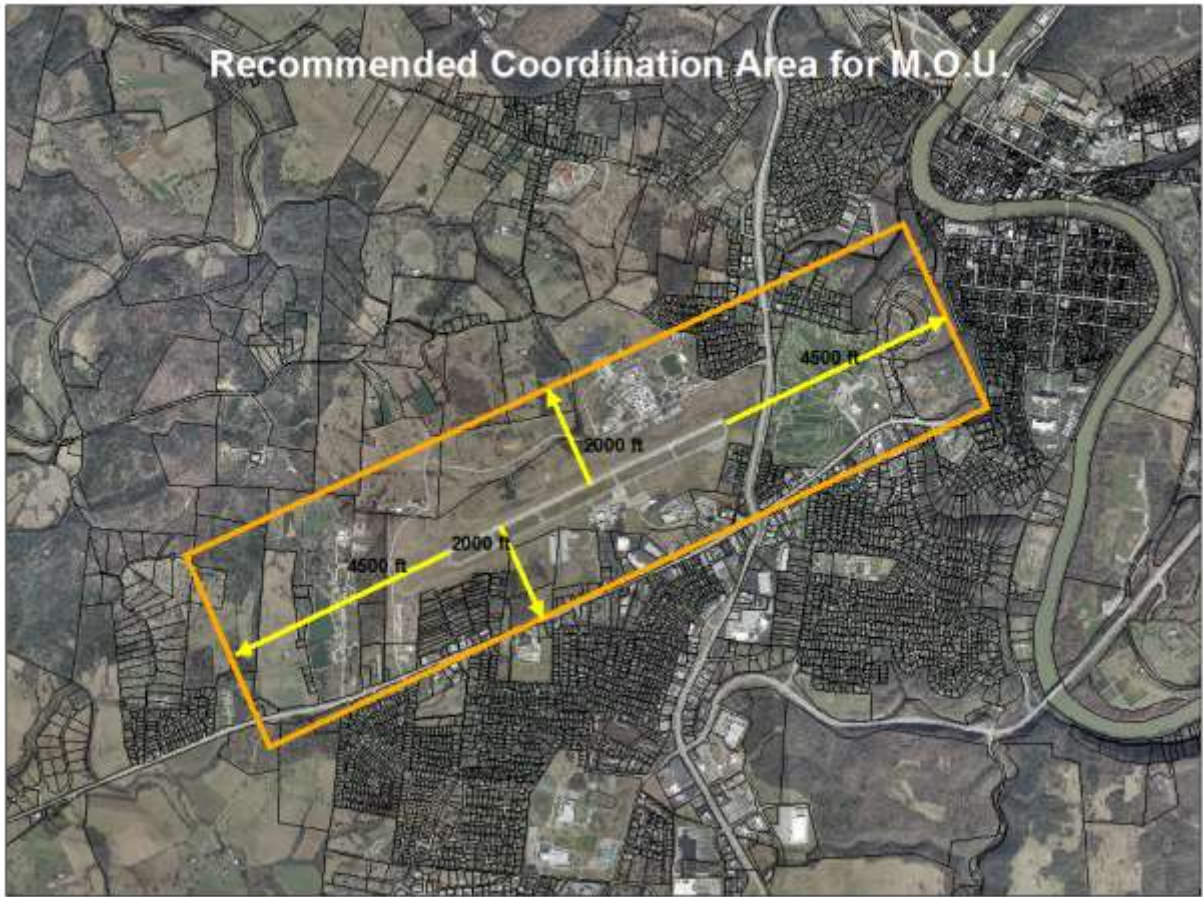
Once the Planning Commission either supports the JLUS Implementation Committee’s recommendations, amend them, or create their own recommendations; the Planning Commission’s recommendations would be forwarded to the City, County, Boone National Guard, and Capital City Airport, so that each entity could then consider approving the recommendations.

## **RECOMMENDATION**

Based on this report and the prior public meetings and citizen comments, staff recommends that the Frankfort/Franklin County Planning Commission **APPROVE the recommendations and memorandum of understanding presented by the JLUS Implementation Committee and to recommend the Board of Commissioners to approve the 8 recommendations and memorandum of understanding.**

## **JLUS Implementation Committee Recommendations: 12-09-14**

1. **“Establish Memorandum of Understanding (MOU) with Boone National Guard Center (BNGC), Capital Center Airport and local government/agencies to meet semi-annually. (see attached MOU coordination map) Sharing of development plans within the area and request review comments (no additional authority)”**  
The MOU would serve as the mechanism establishing the entities involved in meeting and discussing development issues both within the BNGC/CCA property as well as the local community. The intent would be for development proposals for each entity be shared with the other entities identified in the MOU. No entity would gain additional authority over another entity above what currently exists. Semi-annual meetings would serve as the minimum meetings required to fulfill the MOU but may be increased depending on activity. No real estate disclosure or notes on plats/development plans.
2. **“Request BNGC/CCA complete updated noise modeling/study after completion of AASF to include average and single impact readings”**  
Updating noise modeling after completion of the AASF will be more accurate since it will reflect actual flight patterns, altitudes, equipment and conditions. This is to include field verification.
3. **“Add BNGC and Capital City Airport subcommittee to Comprehensive Plan Update”**  
Adding these entities as subcommittees to the next comprehensive plan satisfies  
KRS 100.187
4. **“Continue to modify flight corridors to minimize community impact”**  
Community concerns about flight patterns, altitudes and training time can be presented directly to BNGC personnel as well as a topic discussed in accordance with the MOU
5. **“Staff to continue monitoring and update local government website (i.e. semi-annual meetings)”**  
Utilizing outreach resources to educate the local community about events, developments or special projects within the BNGC/CCA property to increase awareness. Update Planning Commission, City Commission and Fiscal Court of the activities in order to increase awareness over a broader spectrum.
6. **“Retain Implementation Committee to conduct semi-annual meetings”**  
This will maintain continuity in dialogue between the community and BNGC/CCA. The committee would be added to the Planning Commission function of committees to be appointed annually as other committees of the Planning Commission.
7. **“Recommend to staff and Zoning Update Committee text amendment to zoning regulations for all land uses (residential and non-residential) and infrastructure”**  
Proposed lighting standards could improve BNGC/CCA operations as well as improve community aesthetics/minimize land use incompatibility.
8. **“Recommend that Local elected leaders open discussions with appropriate state officials about alternatives to current flight patterns, hours of operation, and aviation activities that might reduce the aviation overflight impact on neighborhoods throughout the community, improve the quality of life and enable the community to be a more competitive and attractive location in which to reside and invest.”**



## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is among Kentucky Department of Military Affairs, Kentucky National Guard on behalf of Boone National Guard Center and Kentucky Transportation Cabinet on behalf of Capital City Airport, Franklin County, and the City of Frankfort.

This Memorandum of Understanding among the above referenced parties is enacted to establish a mutually beneficial process that will ensure timely and consistent notification and cooperation among the parties on projects, policies, and activities. These parties have a mutual interest in the cooperative evaluation, review, sharing of information and coordination of local plans, programs, and projects in the attached MOU Area Map of Boone National Guard Center, Capital City Airport and the immediately surrounding area.

### ***Franklin County and the City of Frankfort agree to:***

1. Planning Director or designee shall submit information to the point of contacts for Boone National Guard Center and Capital City Airport for review and comment on plans, programs, actions, and projects in the MOU Map Area.

This may include, but not be limited to the following:

- Development proposals
- Transportation improvements and plans
- Solid waste facilities/wastewater facilities/ water facilities/any infrastructure necessary to support development
- Open space and recreation
- Public works projects
- Land use plans, comprehensive plan, and ordinances
- Zone map amendments and variances to height
- School facility siting plans
- Lighting plans for roadways, subdivision developments and major commercial/industrial developments
- Capital Improvement Plans
- Demographic data

2. Consider the comments from the agencies above as part of local governmental responses or reports.

3. Make information on the amended and approved Joint Land Use Study recommendations readily available to the public.

4. Coordinate annexation/de-annexation and public infrastructure extensions to complement the goal of encroachment reduction in recommended MOU area map.

5. Include Boone National Guard Center and Capital City Airport in the distribution of meeting agendas when the agenda includes items in the MOU area for, but not limited to:

- City Council or Fiscal Court Meetings
- Frankfort/Franklin County Planning Commission and Zoning Board of Adjustment Meetings
- Transportation Studies
- Public infrastructure Studies

### ***Boone National Guard Center and Capital City Airport agree to:***

1. Submit information to City and County representatives on plans, programs, actions, and projects which may affect the city or county. These include, but are not limited to, the following:

- Noise Management Studies or Contour Updates.

- Changes in existing installation or airport use that may change impacts in the Frankfort/Franklin County area, such as noise and traffic movement.
- Schedule of training activities outside Boone National Guard Center and Capital City Airport boundaries when feasible.
- Department of Military Affairs Annual and Economic Impact Reports.
- Capital City Airport would provide updates to its master plan.

2. Submit to City and County representatives for review and comment: project notification, policies, plans, reports, studies and similar information on development, infrastructure and environmental activities at Boone National Guard Center and Capital City Airport.

3. Make information on the amended and approved Joint Land Use Study recommendations, noise mitigation and encroachment reduction strategies readily available to the public.

This Memorandum of Understanding will not be construed to obligate the signatories, to violate existing or future laws or regulations.

**This agreement is approved on behalf of:**

Franklin County \_\_\_\_\_  
 Franklin County Judge Executive \_\_\_\_\_ date: \_\_\_\_\_

County Point of Contact \_\_\_\_\_  
 Name \_\_\_\_\_ title/position \_\_\_\_\_

City of Frankfort \_\_\_\_\_  
 Mayor of Frankfort \_\_\_\_\_ date: \_\_\_\_\_

City Point of Contact \_\_\_\_\_  
 Name \_\_\_\_\_ title/position \_\_\_\_\_

Boone National Guard Center \_\_\_\_\_  
 Name \_\_\_\_\_ title/position \_\_\_\_\_ date: \_\_\_\_\_

BNGC Point of Contact \_\_\_\_\_  
 Name \_\_\_\_\_ title/position \_\_\_\_\_

Capital City Airport \_\_\_\_\_  
 Name \_\_\_\_\_ title/position \_\_\_\_\_ date: \_\_\_\_\_

Airport Point of Contact \_\_\_\_\_  
 Name \_\_\_\_\_ title/position \_\_\_\_\_