

APPENDIX 6

COORDINATION WITH NON-AIRPORT PLANS AND POLICIES

Understanding the importance of non-airport plans and policies as they apply to sustainability planning is vital to the successful development of an airport sustainability plan. The airport is recommended to evaluate relevant government agencies that should be consulted throughout the sustainability planning process. Florida has a unique system of government involvement with the airport industry, therefore it is beneficial for airports to stay up-to-date with government policies, legislation, and guidance.

This guidebook provides current information pertaining to non-airport plans and policies that should be considered during the sustainability planning process. Depending on an airport's size, role, and ownership, the plans and policies mentioned in this chapter may or may not be relevant to individual airports. It is up to the individual airport to evaluate and decide which plans and policies are relevant to their respective sustainability plan.

Sustainability at airports is most effective when the airport makes an effort to ensure that planning documents outside of the most common airport planning documents are consulted as explained in this document. Priority should be given to meeting with representatives from the local government, regional planning organizations, or any other large entities that develop plans that may impact an airport (Ex: Universities).

There are two primary types of documents that affect airports: state/federal guidance and local/regional planning documents. Each of these documents may include elements that will benefit a sustainability plan and may even provide an airport with alternative partnership and funding opportunities.

It is recommended that the project team review and understand the following plans and documents as they relate to their airport:

1. Local Government Comprehensive Plans
2. Rule 14-60 Florida Administrative Code (F.A.C.)
3. Title XXV, Florida Statutes, relating to Aviation
 - a. Chapter 333 Florida Statutes
4. Long-Range Transportation Plans
5. Other
 - a. Hospital Plans
 - b. Local School Board Plans
 - c. Military Plans

LOCAL GOVERNMENT COMPREHENSIVE PLANS

In accordance with Ch. 163, Florida Statutes (F.S.), all counties and municipalities in Florida are required to adopt a local government comprehensive plan. The local government comprehensive plan (LGCP) is a policy document based on local needs and values that defines a long-term vision for each community or local government entity. The LGCP also establishes specific goals, objectives, and policies needed to meet statutory requirements. The LGCP helps

manage growth, while at the same time protecting the environment and the health and welfare of the community.

As development or redevelopment is proposed in a community, including airport development, those actions must be consistent with the goals, objectives, and policies contained in the LGCP. The LGCP helps identify infrastructure improvements needed to support growth, including those needs related to transportation. However, at this time, it is not a requirement for the LGCP's five-year capital plan component to include projects needed to serve anticipated aviation demand, such as increased capacity on roadways around the airport and related infrastructure improvements. Airports are most frequently included and addressed in one or more of the following elements of an LGCP:

- Transportation
- Future land use
- Intergovernmental coordination
- Capital improvements

It should be noted that airport staff do not necessarily need to write portions of the LGCP related to the airport. Some communities have instead chosen to incorporate their airport master plan directly into the LGCP. At a minimum, airport staff should be included in the overall review of the LGCP, similar to other local departments.

The following summarizes the regulatory requirements that exist relative to the integration of an airport into the LGCP:

- Inclusion of aviation facilities into a comprehensive plan
- Relationship between the comprehensive plan and airport master plan
- Future land use compatibility of land surrounding airports
- Intergovernmental coordination
- Capital improvements schedule

LOCAL GOVERNMENT COMPREHENSIVE PLAN'S RELATIONSHIP TO SUSTAINABILITY PLANNING

Although the development of an airport sustainability plan is neither required nor regulated by Federal or state law, implementation of the airport sustainability plan will need to be consistent with local, state, and Federal regulations. When developing a sustainability plan, the project team should work to understand how recommendations in the sustainability plan relate to the LGCP and the airport master plan. Recommendations and proposed developments that are incompatible with the LGCP; airport master plan; or local, state, and Federal regulations may cause the sustainability plan to lose credibility and ultimately be ineffective.

Rule 14-60, Florida Administrative Code (F.A.C.)

Rule 14-60 of the Florida Administrative Code (F.A.C.) was created to promote safe civil aviation by eliminating hazards; providing airfield standards for airports; providing standards for airport marking and lighting; licensing and register airports pursuant to the licensing and registration requirements of Ch. 330, F.S.; and promoting flight safety by providing for airspace protection pursuant to the requirements of Ch. 333, F.S.

When developing an airport sustainability plan, special consideration must be given to ensure that the development recommendations are in accordance with Rule 14-60, F.A.C. It is recommended that the project team understand the allowed development limits for variances or permits so that resources are not spent developing recommendations that are infeasible. Coordination with local and state representatives related to Rule 14-60, F.A.C. is recommended before any development plans are made.

Rule 14-60, F.A.C. could relate to the implementation of recommendations in an airport sustainability plan in the following sections:

- Section 14-60.005, F.A.C. – Governs the approval of sites for new airport development
- Section 14-60.007, F.A.C. – Provides airfield standards for licensed airports
- Section 14-60.009, F.A.C. – Provides airspace protection

RELATIONSHIP BETWEEN RULE 14-60 F.A.C. AND SUSTAINABILITY PLANNING

Although most physical development at an airport will be depicted in the airport master plan and ALP, airports developing a sustainability plan will need to review Chapters 14-60.007 and 14-60.009, F.A.C. to ensure that proposed developments are in compliance with the prescribed standards.

THE 2015 FLORIDA STATUTES, TITLE XXV - AVIATION

Title XXV *Aviation* of the Florida Statutes outlines the Florida-specific rules and regulations pertaining to pilots, aircraft, and airports operating in the state of Florida. The five chapters of Title XXV should be taken into account during all phases of sustainability plan development, particularly the chapters pertaining specifically to airports. Upon selecting sustainability initiatives for implementation at the airport, it is recommended that airports investigate potential outcomes effecting the airport's compliance with Title XXV.

Chapter 330 of Title XXV *Aviation* titled, "Regulation of Aircraft, Pilots, and Airports" provides detail on Florida-specific regulation pertaining to the approval of airport sites (including registration and licensure of airports) as well as airport zoning protection. This chapter outlines the requirements for an airport to achieve site approval and licensure as well as situations resulting in license revocation. It is suggested that airports determine if chosen sustainability initiatives could potentially effect licensing standards so as to not qualify for license revocation.

Chapter 331 of Title XXV *Aviation* titled, "Aviation and Aerospace Facilities and Commerce" is divided into three parts differentiating airports and air commerce from space flight and spaceports. Specifically, part one titled, "Airports and Air Commerce" details the Florida-specific regulations regarding: eminent domain granted those engaged in air commerce, auto transportation between county airports, publicizing, advertising, and promoting airports and related facilities, and independent authorities.

Chapter 332 of Title XXV *Aviation* titled, "Airports and Other Air Navigation Facilities" details many aspects of airport legislation in Florida. Among the many aspects detailed, prominent ones potentially relating to sustainability include: 332.001 – Aviation; powers and duties of the Department of Transportation, 332.003 – Florida Airport Development and Assistance Act,

332.006 – Duties and responsibilities of the Department of Transportation, 332.007 – Administration and financing of aviation and airport programs and projects, 332.01 - Airport law, and 332.02 – Acquisition of real property for airports.

All aspects of **Chapter 332** should be considered and studied during sustainability planning to ensure compliance; however, this chapter can be utilized by an airport to better understand outside organizations' roles in a sustainability plan. For example, Section 332.007 – Administration and financing of aviation and airport programs and projects, provides an in-depth look at potential project-related funding from the state of Florida, and how an airport's project would apply.

Chapter 333 of Title XXV *Aviation* titled, "Airport Zoning" outlines the requirements, permitting process, and overall regulations of airport zoning. This chapter should be utilized by airports in their sustainability plans when a selected initiative effects the airport zoning and land use. More information on this Chapter is provided in the next section.

RELATIONSHIP BETWEEN TITLE XXV AVIATION AND SUSTAINABILITY PLANNING

By adhering to regulations set forth in this Florida Statute, the airport can enhance their sustainability plan's efficiency and productiveness. Not every aspect of Title XXV will apply to an airport's chosen sustainability initiatives; however, some sustainability initiatives could have unknown effects to an airport's Title XXV compliance. Therefore, as previously mentioned, Title XXV Aviation should be utilized and monitored to ensure airport compliance during the sustainability planning process. Further, questions pertaining to Title XXV and its relationship to a sustainability plan should be directed towards the airport's FDOT District for further assistance.

CHAPTER 333 FLORIDA STATUTES

All local governments and political subdivisions, in accordance with Ch. 333, F.S., are required to adopt, administer, and enforce airport zoning regulations for airport hazard areas. The purpose of Ch. 333, F.S. is to protect the health, safety, and welfare of the public on the ground and in the air by preventing the creation or establishment of hazards around airports. Additionally, the chapter aims to protect public investment in aviation facilities and to promote the sustainability of airports as transportation resources.

Hazards to airports, according to Ch. 333, F.S., may be in the form of any existing or proposed object, terrain, or structure construction or alteration that exceeds the federal obstruction standards contained in 14 C.F.R. part 77, subpart C. When incompatible land uses exist in the airport environment, such uses may result in negative impacts for both aeronautical activities and for the activities associated with the incompatible use. Incompatibilities can also affect the airport's operations and future development.

Chapter 333, F.S. includes the protection of navigable airspace from the encroachment of structures that are hazardous to air navigation. Such structures can endanger users of airports and those on the ground in the vicinity of airports. Structures that have a negative impact on an airport's navigable airspace can also limit the utility of an airport and compromise public investment.

Related to sustainability plans and initiatives, airports must ensure that the recommended initiatives of their sustainability plan are in accordance with Ch. 333, F.S. Inconsistencies between recommendations in an airport sustainability plan and Ch. 333, F.S. would be counterproductive and conflict with the intended purpose of the sustainability plan. For example, if an airport were to propose siting a regional retention pond to help with regional stormwater flow and flooding, which would likely be inconsistent with the provisions of Ch. 333, F.S.

RELATIONSHIP BETWEEN CHAPTER 333, F.S. AND SUSTAINABILITY PLANNING

During the development of an airport sustainability plan, the restrictions specified in Ch. 333, F.S. need to be reviewed to ensure that proposed development is in accordance with the statute. If proposed development is found to be in violation of Ch. 333, F.S., then the proposed development must be modified so that it is compliant. An additional resource related to Ch. 333, F.S. is the FDOT *Airport Compatible Land Use Guidebook* available at: www.dot.state.fl.us/aviation/flpub.shtm. This document, along with the accompanying primer, provides assistance during the sustainability planning process by identifying land uses that are compatible and incompatible with development around airports.

LONG RANGE TRANSPORTATION PLANS

A long range transportation plan (L RTP) is a document developed by a Metropolitan Planning Organization (MPO) or other entity to encourage and promote the safe and efficient management, operation, and development of a cost feasible intermodal transportation system that will serve the mobility needs of people and freight within and through urbanized areas, while minimizing transportation-related fuel consumption and air pollution.

The L RTP must meet certain established state and federal requirements to maintain each MPO's transportation funding eligibility. In addition to the federal requirements, there are also 11 requirements for L RTPs in Florida, as defined in the Florida Statutes that include elements such as infrastructure improvements and capital investments. Not all of the requirements will relate to projects at airports; however, the following requirements specifically address airports:

1. Identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. Those facilities include the facilities on the Strategic Intermodal System (SIS) designated under Section 339.63 and facilities for which projects have been identified pursuant to Section 339.2819 (Transportation Regional Incentive Program). [339.175(1), F.S.]
2. Address the prevailing principles to be considered in the long range transportation plan: preserving the existing transportation infrastructure; developing surface transportation systems that will foster economic growth and development while minimizing and improving travel choices to ensure mobility needs of people and freight. The L RTP must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies in the approved local government comprehensive plans of the units of local government located within the jurisdiction of the MPO [339.175(1), (7), F.S.]

3. Identify transportation facilities including, but not limited to, major roadways, airports, seaports, spaceports, commuter rail systems, pedestrian walkways, bicycle transportation facilities, and intermodal or multimodal terminals that will function as an integrated metropolitan transportation system [339.175(7) (a), F.S.]
4. Make the most efficient use of existing transportation facilities to relieve congestion and maximize the mobility of people and goods. [339.175(7) (c), F.S.]

RELATIONSHIP BETWEEN A LONG RANGE TRANSPORTATION PLAN AND SUSTAINABILITY PLANNING

When developing an airport sustainability plan, the project team should coordinate with their MPO where applicable, and ensure that the sustainability plan supports the LRTP. Since the LRTP provides information regarding specific projects that may impact an airport (i.e., construction of a new road, interstate interchange, identification of a freight route, etc.), coordination with the MPO regarding the sustainability planning process is vital. Planned, needed improvements as identified by an airport, may be addressed as part of the LRTP and vice versa, including the identification of alternative funding sources.

OTHER PLANS

The documents and policies described previously are important for all airports to understand when completing any planning effort at their airport. In some instances, additional coordination may be needed based on local factors. For instance, the presence of a large university or hospital may require additional coordination based on their development plans. The list below introduces some of the plans and documents that may need to be reviewed and understood while developing a sustainability plan.

Hospital Plans

Hospitals play a vital role to the functionality of society. Major hospitals regularly have heliports available for emergency helicopter operations. Airports within close proximity to hospitals, especially those with heliports, should reach out to the hospitals to see what, if any, development plans they have identified could potentially have an effect on the hospitals and/or hospital plans and policies. In most cases, development will not interfere with the operational sustainability of an airport, but understanding future plans may help to mitigate issue in the future. As airports are recommended to consult local hospital plans and policies throughout multiple planning programs such as capital improvement programs, this step of sustainability planning should be relatively consistent with airport protocol.

Local School Board Plans

The Florida Department of Education (FLDOE) serves nearly 2.7 million students, 4,200 public schools, 28 colleges, 192,000 teachers, 47,000 college professors and administrators, and 321,000 full-time staff throughout the state. Upon drafting a sustainability plan, airports should consult with local school boards and/or the FLDOE depending on if sustainability initiatives are determined to potentially impact the local school board or FLDOE. Additionally, local university plans can play a major role in land-development in several cities in Florida. Airports within cities that have universities should contact the university and discuss the sustainability initiatives

determined to have a potential effect of the university and the university's plans. School development plans should be consulted with by the airport to mitigate possible interference with airport plans. Generally school board and university plans will not interfere with airport sustainability operations, however, an understanding of the plans and policies is recommended.

Military Plans

The state of Florida is home to numerous military installations. Airports should consult military installations that are within close proximity if the chosen sustainability initiatives are anticipated to have a potential impact on said military installation. Availability of military installation information such as plans and policies may be limited, therefore it is recommended that airports aim to simply inform the military installations of the sustainability initiatives.