

225-09

**RESOLUTION SUPPORTING THE MISSIONS OF TINKER AIR FORCE BASE AND  
RECOMMENDATIONS OF THE JOINT LAND USE STUDY**

**WHEREAS**, the Joint Land Use Study (JLUS) has been a cooperative land use planning initiative among communities in Central Oklahoma to promote community growth and development that is compatible with the present and future operations and training missions of Tinker Air Force Base; and

**WHEREAS**, the annual economic impact of Tinker Air Force Base on the State of Oklahoma is approximately \$3.4 billion, employed at the Base are approximately 8,900 military personnel and 19,000 civilians, Tinker's annual payroll is \$1.23 billion, and any decrease or loss of these economic benefits would negatively impact Central Oklahoma's quality of life; and

**WHEREAS**, the military has defined compatible land uses in noise and accident potential zones surrounding the installation through the *2006 Air Installation Compatible Use Zone (AICUZ) Study for Tinker Air Force Base* released to the public in January 2007; and

**WHEREAS**, development that is incompatible with AICUZ recommendations in the noise and accident potential zones may result in negative impacts, such as reduced operations, reduced number of available training days and/or loss of flying missions; and

**WHEREAS**, Oklahoma County desires to be a partner with Choctaw, Del City, Midwest City, Nicoma Park, Oklahoma City, Spencer, Cleveland County, and Tinker Air Force Base in the implementation of the recommendations in the Joint Land Use Study Report that was received by the JLUS Policy Committee on July 18, 2008,

**NOW, THEREFORE, BE IT RESOLVED THAT:**


**SECTION 1.** Oklahoma County endorses and supports the current missions of Tinker Air Force Base and encourages new and expanded missions in the future.

**SECTION 2.** Oklahoma County endorses the JLUS initiatives summarized in **Attachment 1** in support of the current and future missions of Tinker Air Force Base, and implementation of these recommendations by Oklahoma County will occur as soon as the process allows.


**SECTION 3.** This resolution will be transmitted to the Association of Central Oklahoma Governments for distribution to each JLUS partner, Tinker Air Force Base and the Oklahoma Strategic Military Planning Commission upon adoption.


APPROVED by the COUNTY this 29<sup>th</sup> day of July,  
2009.

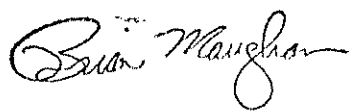
BOARD OF COUNTY COMMISSIONERS OF  
OKLAHOMA COUNTY, OKLAHOMA

By   
Chairman

ATTEST:

  
COUNTY Clerk

By   
Vice-Chairman

By   
Member

APPROVED as to form and legality this 22 day of July,  
2009.

  
Assistant District Attorney

## **Attachment 1**

### **Joint Land Use Study Recommendations**

#### **General Recommendations:**

- Create an oversight committee with representation from the JLUS partnering jurisdictions to work closely with Tinker Air Force Base (the Base) on land use and encroachment issues.
- Guard against urban encroachment by providing detailed information regarding proposed development plans and future land use changes to the Base.
- Adopt a strategy and protocol for ongoing communication between Tinker AFB and the JLUS partner communities to apprise each other of potential development within Air Installation Compatible Use Zone (AICUZ) Accident Potential Zones (APZ) and noise contours.
- Review flight path corridors and seek Tinker AFB input on siting locations for public facilities, including schools, libraries, etc.

#### **Land Use Policy Recommendations:**

- Modify comprehensive plans and zoning ordinances to minimize incompatible land uses around the Base, particularly within the AICUZ Accident Potential Zones.
- Establish land use policies against zoning land to any category permitting residential development within the 75 dB DNL or higher noise contour, or within the 65-74 dB DNL contour unless sound attenuation will be achieved.
- Ensure height and obstruction ordinances reflect current Air Force and Federal Aviation Administration (FAA) Part 77 requirements.
- Show AICUZ Accident Potential zones I and II and AICUZ noise contours on adopted comprehensive plan maps and/or zoning maps.

#### **Real Estate Recommendations:**

- Consider purchase of land within the APZ I and the 75 dB DNL or greater noise contour as an alternative to regulatory methods for preserving land and minimizing the development of incompatible land uses.

## **Joint Land Use Study Recommendations**

### **Real Estate Recommendations (Cont.)**

- Create a voluntary acquisition program for residential properties and vacant land located within the APZ I areas.
- Develop a voluntary aviation easement program to allow the acquisition of easements to ensure land use compatibility of properties within the 65 dB DNL or greater noise contour.
- Consider purchase of a portion of land if needed to protect open space, sensitive, or critical areas within AICUZ noise contours and Accident Potential Zones.
- Establish a transfer of development rights program to maintain public safety and mission sustainability where development rights currently exist.
- Allow land in APZs and the 75 dB DNL or greater noise contour to be placed in a temporary holding status to be turned over for compatible development at a future date.
- Encourage a real estate disclosure process for structures located within AICUZ noise contours and Accident Potential Zones at the initial advertisement of property (e.g., Multiple Listing Service database).
- Adopt the following maximum densities for new development within APZ I and APZ II, as developed through extensive research and analysis during the JLUS and more fully described in the Joint Land Use Study Final Report, dated September 2008:
  - Commercial and industrial density: maximum of 25 people/gross acre in APZ I and 50 people/gross acre in APZ II
  - Residential density: no new dwelling units in APZ I and a maximum of four dwelling units/gross acre in APZ II

### **Building and Construction Recommendations:**

- Ensure building codes meet or exceed U.S. Department of Defense recommendations for noise level reduction by adopting the most recent version of the International Building Code.
- Develop a construction guide for builders, developers, architects and building inspectors to clarify noise compatibility guidelines and other requirements for building within Accident Potential Zones and/or 65 dB DNL or greater noise contours.

## **Joint Land Use Study Recommendations**

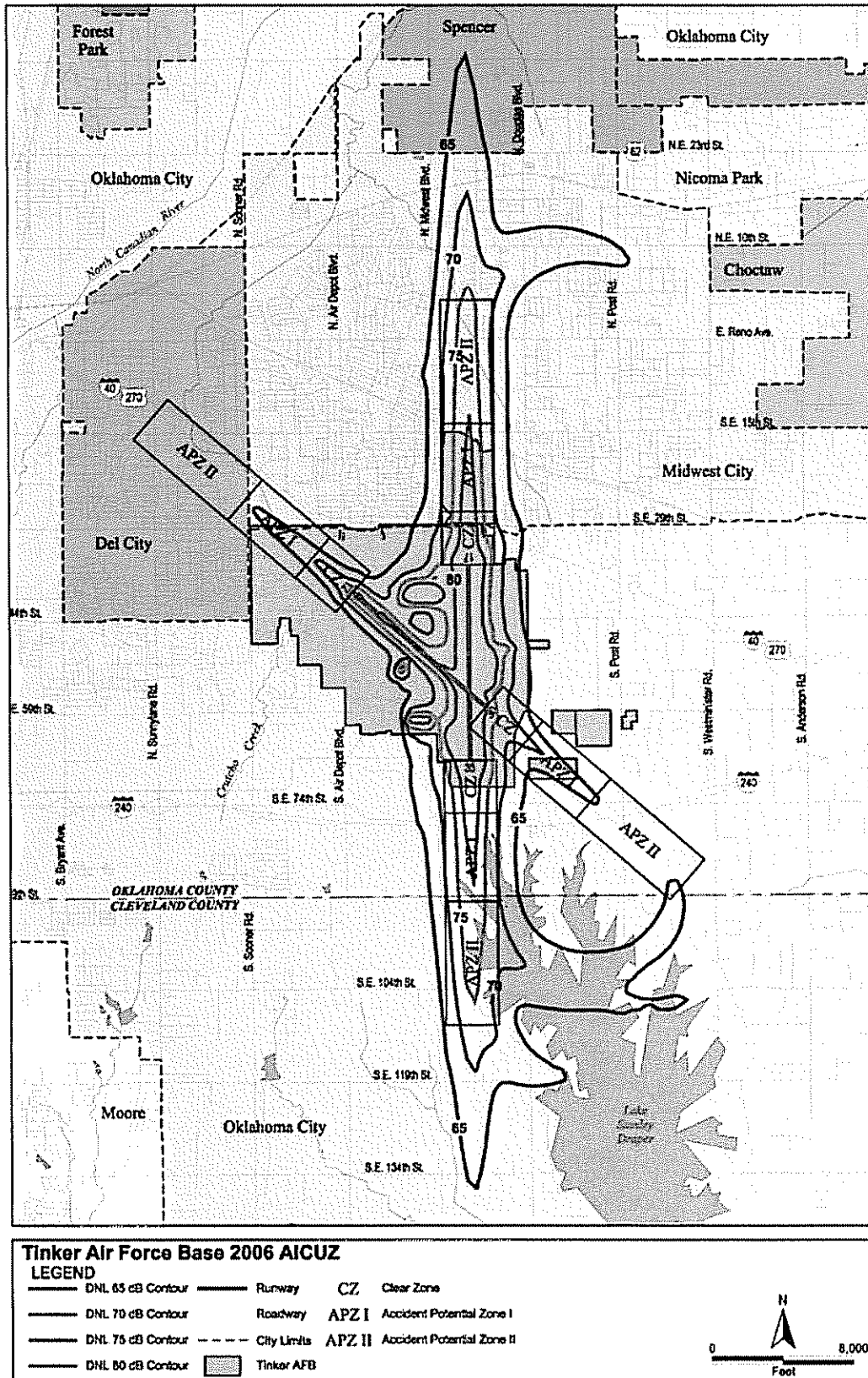
### **Building and Construction Recommendations: (Cont.)**

- Encourage owners of existing structures and require owners of new construction in the 65 dB DNL and greater noise contours to participate in a sound attenuation program. Once a structure complies with the program, certification should be awarded to the property owner and recorded along with all other property ownership records.
- Improve acoustic site design through positioning of new structures within AICUZ noise contours on a development site for the purpose of reducing noise levels in the most noise-sensitive buildings.

### **Environmental and Transportation Recommendations:**

- Determine the feasibility of closing a portion of Douglas Boulevard related to development of the Maintenance Repair and Overhaul Technology Center (MROTC) and future needs for Tinker AFB expansion.
- Work with the State Department of Agriculture on ways to help reduce the number of birds circling the landfills near Tinker AFB.
- Prohibit new sanitary landfill or wetland mitigation projects within 10,000 feet of aircraft runways. (Does not include retention and detention ponds.)

# Noise Contours and Safety Zones Tinker Air Force Base 2006 AICUZ Study



Source: Air Installation Compatible Use Zone Study for Tinker Air Force Base, Dec 2006

**REQUISITION SHEET MUST BE ATTACHED**

**(Applies when agenda item requires a specific payment)**

**OKLAHOMA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM REQUEST SHEET**

For the July 29, 2009 Agenda  
(Day of Meeting) (Date and Year of Meeting)

DEPT.: District 1  
(Department requesting this item)

BY: Joe R. Blough  
(Contact person for this Item)

EXT. 1507  
(Contact's extension)

NAME OF FUND: NA

AGENDA ITEM DESCRIPTION: Discussion and possible action for the approval of a Resolution of Supporting the Missions of Tinker Air Force Base and the Recommendations of the Joint Land Use Study (JLUS). Requested by Willa Johnson, Commissioner, District No. 1, and approved as to form and legality by John Jacobsen, Assistant District Attorney.

**(ALL NECESSARY DOCUMENTATION MUST BE ATTACHED FOR APPROVAL)**

APPROVED BY ENGINEER  
(If Applicable)

County Engineer

APPROVED BY D.A.  
(If Applicable)

Assistant District Attorney

APPROVED BY PURCHASING  
(If Applicable)

Purchasing Agent

NOTE: A COMMISSIONER MUST APPROVE ALL EMERGENCY REQUESTS  
FOR ANY ITEM SUBMITTED AFTER THE DEADLINE  
(THE DEADLINE IS 9:00AM ONE WEEK PRIOR TO THE DATE THAT THE AGENDA IS TO BE POSTED)

DATE OF REQUEST:

7/22/09

BY:

Joe R Blough  
(Person Submitting or Requesting Emergency Request)

DATE OF APPROVAL:

\_\_\_\_\_

APPROVED BY:

Raymond L. Hughes  
COUNTY COMMISSIONER

Number of ORIGINAL DOCUMENTS you have attached: 3 NOTE: The County Clerk will keep one original and will return the remaining originals to you. If you provide only one original, the Board Secretaries will return one photocopy to you. However, if you have special circumstances that require the County Clerk to (check one): \_\_\_\_\_ keep more than one original; or \_\_\_\_\_ return all originals to you, please describe them for the County Clerk's consideration: \_\_\_\_\_

Special Instructions: \_\_\_\_\_

**REQUEST FOR DISTRICT ATTORNEY LEGAL SERVICES**

THIS FORM IS TO BE USED TO REQUEST ADVICE AND/OR REPRESENTATION FROM THE DISTRICT ATTORNEY'S OFFICE REGARDING THE COUNTY OF OKLAHOMA, COUNTY OFFICIALS AND EMPLOYEES AS REQUIRED BY SECTIONS 215.4, 215.5, 215.25 AND 215.26 OF TITLE 19 OF THE OKLAHOMA STATUTES.

IF ADVICE IS SOUGHT, THE REQUEST MUST BE SIGNED BY AN ELECTED COUNTY OFFICER. THIS FORM MUST BE FILLED OUT AND SUBMITTED TO THE CIVIL DIVISION OF THE OKLAHOMA COUNTY DISTRICT ATTORNEY'S OFFICE IN A TIMELY MANNER. ALL RESPONSES TO REQUESTS FOR ADVICE WILL BE IN WRITING.

IF THE REQUEST IS FOR LEGAL REPRESENTATION UNDER 19 O. S. SECTION 215.25, THE REQUEST MUST BE SUBMITTED IN WRITING EARLY ENOUGH TO PERMIT THE DISTRICT ATTORNEY'S OFFICE ADEQUATE TIME TO COMPLETE A THOROUGH "GOOD-FAITH-AND-COURSE-OF-EMPLOYMENT" INVESTIGATION AS CONTEMPLATED BY 19 O.S. SECTION 215.26.

DATE OF REQUEST: 07 / 21 /2009.

COUNTY DEPARTMENT MAKING REQUEST: District One

**STATE WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED:** Review of attached Resolution of Supporting the Missions of Tinker Air Force Base and the Recommendations of the Joint Land Use Study (JLUS).

*Note -- In January of 2007, Oklahoma County approved a resolution authorizing Oklahoma County's support and participation in Joint Land Use Study that will be performed for Tinker Air Force Base and surrounding communities; providing for the appointment of two elected officials to serve as principal member and alternate on the JLUS Policy Committee; providing for the appointment of two administrative or planning staff to serve as principal member and alternate on the JLUS Technical Work Group.*

**ATTACH ADDITIONAL DOCUMENTS AS APPROPRIATE.** (NOTE: Advice, reviews and approvals as to "form and legality" are based on the documentation and information provided to the District Attorney's Office. Please provide all relevant information when requesting an opinion or review from the District Attorney's Office).

Joe R. Blough  
**COUNTY OFFICER**

DATE RECEIVED BY DISTRICT ATTORNEY: 7/22/09

REPLY BY DISTRICT ATTORNEY: Reviewed.

RECEIVED

JUL 22 2009

CIVIL DIVISION  
DISTRICT ATTORNEY.

DAVID W. PRATER  
DISTRICT ATTORNEY

By: [Signature]