

MCDONALD COUNTY / CAMP CROWDER MILITARY COMPATIBILITY AREA

Draft for Public Review

Section 1. Purpose.

The purpose of this ordinance is to protect the safety and quality of life of future residents and employees in proximity to Camp Crowder; to protect the safety of personnel training at Camp Crowder; to accommodate and enhance the ongoing mission at Camp Crowder; and to promote the public health, safety, and welfare of the citizens of McDonald County.

The intent of this ordinance is to ensure that, as provided herein, County officials and Camp Crowder coordinate on land use activities impacting or impacted by military training activities. It is the further intent of these provisions to provide reasonable protection against incompatible land uses in the vicinity of Camp Crowder to lessen the impacts of noise on the surrounding community and of off-post lighting on National Guard training activities at Camp Crowder.

Section 2. Applicability.

- (1) Nothing herein shall require a change or alteration to land uses or structures existing on the effective date of this ordinance.
- (2) This ordinance does not prohibit any uses, except those expressly addressed.
- (3) This ordinance applies only to new development and land uses for which an application is submitted to the County, as more specifically provided herein, after the effective date of this ordinance.
- (4) Unless otherwise provided expressly herein, for purposes of applying the provisions of this ordinance to parcels lying only partially within the Military Compatibility Area (MCA), only the portion of the parcel within the area is subject to the requirements of the MCA.

Section 3. Definitions.

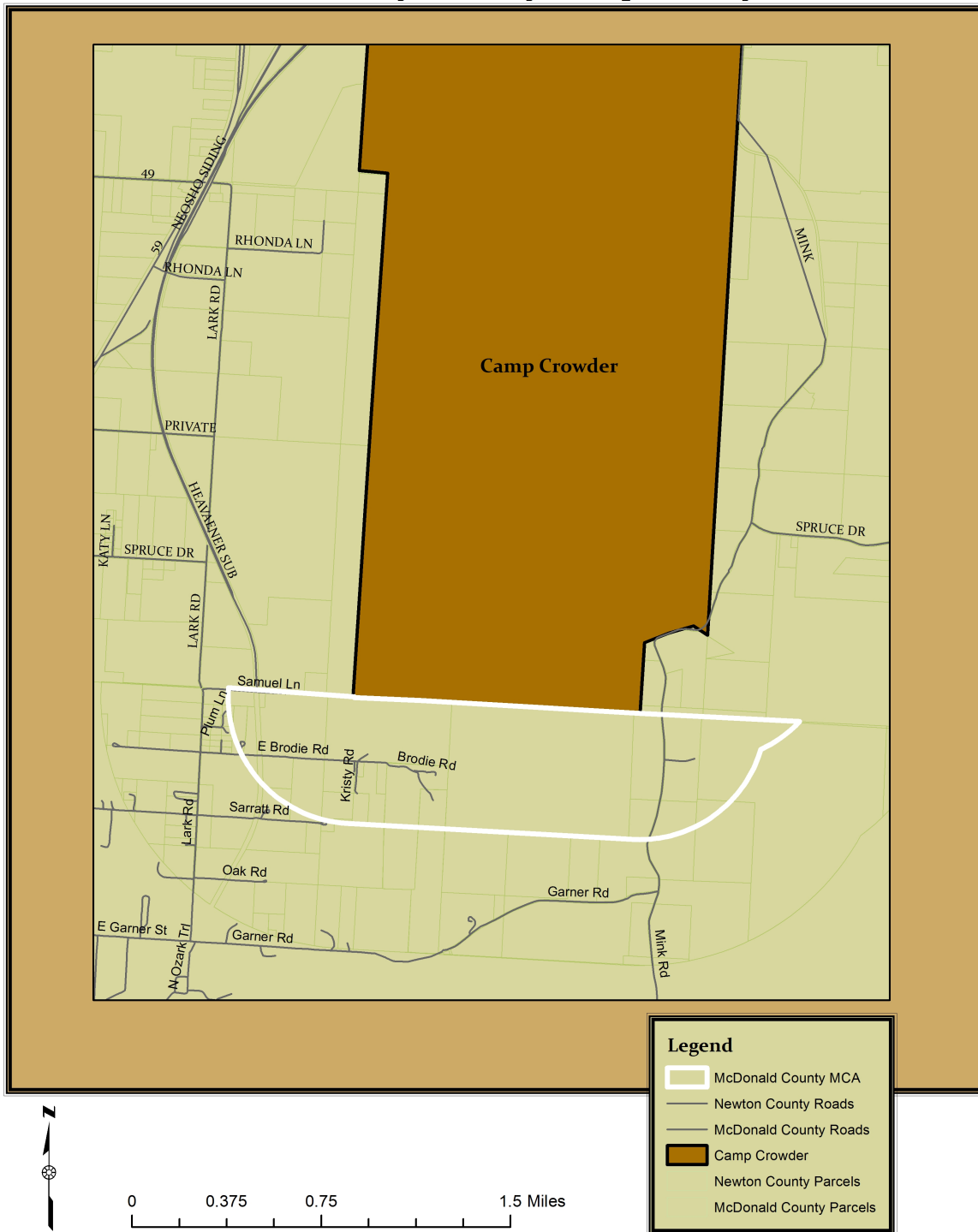
The following terms shall have the following meanings for purposes of enforcing and interpreting this ordinance:

Camp Crowder Coordinating Official means the Camp Crowder base operations supervisor, or another official designated in writing by the base operations supervisor for purposes of coordination under the provisions of this ordinance.

County Coordinating Official means the McDonald County official designated by the County Commission for purposes of coordination under the provisions of this ordinance.

Military Compatibility Area means an area comprising all properties located in McDonald County within one-half mile of Camp Crowder's southern external property boundary, as shown on the following map.

McDonald County Military Compatibility Area



Non-conforming Use or Structure means a use or structure that does not, by reason of design, use, or dimensions, conform to the provisions of this ordinance. It is a legal non-conforming use if established prior to the passage of this ordinance.

Parent Parcel means parcels, or portions thereof, located in the military compatibility area in existence as of the effective date of this ordinance.

Section 4. Administration.

The County shall be responsible for implementing the provisions of this ordinance.

Section 5. Coordinating officials.

At all times following the effective date of this ordinance, McDonald County and Camp Crowder shall designate and maintain the following position within their respective agencies:

- (1) County Coordinating Official.
- (2) Camp Crowder Coordinating Official.

Section 6. Military compatibility area; establishment.

There is hereby established a Military Compatibility Area (MCA) comprising all land in McDonald County located within one-half mile of Camp Crowder's southern external property boundary. The MCA represents the only area within which the provisions of this ordinance apply and within which the McDonald County Coordinating Official will coordinate with the Camp Crowder Coordinating Official prior to final approval of certain proposed land use decisions as described in this ordinance.

Section 7. Coordination and notice.

- (1) *Mission changes.* The County Coordinating Official shall meet on a regular basis with the Camp Crowder Coordinating Official in order to remain abreast of any changes in mission or training operations that could have off-post impacts on the County, its residents, or businesses. In the event a change in mission or training operations necessitates amendments to this ordinance, including the boundaries of the Military Compatibility Area, the County Coordinating Official shall prepare an amended ordinance for consideration of adoption by the McDonald County Commission, as required by Missouri law.
- (2) *Development impacts.*
 - (a) The County Coordinating Official shall notify in writing the Camp Crowder Coordinating Official at least thirty (30) days prior to consideration by the County Commission or an appointed committee of the County Commission of the following land use decisions within the Military Compatibility Area:
 1. Adoption of or amendment to a McDonald County Comprehensive Plan; and
 2. Extension of growth-inducing infrastructure, such as road extensions.
 - (b) Comments received, if any, from the Camp Crowder Coordinating Official shall be provided to the County Commission or an appointed committee of the County Commission for consideration prior to consideration of a recommendation or decision related to the above-listed land use decisions.

- (c) If the Camp Crowder Coordinating Official does not submit comments for consideration prior to final action by the County on a listed land use decision, there is a presumption the proposed land use application does not have any adverse effect on Camp Crowder.
 - (d) Approvals of the land use decisions specified above for property located within the MCA shall include a notification statement on the County's approval documentation that (i) the property and its subsequent occupants could experience military training impacts, including impacts related to noise, vibration, odors, flight safety hazards, and other impacts related to operations associated with Camp Crowder; and (ii) the property may be subject to regulatory limitations on development due to the property's proximity to the installation.
- (3) *Voluntary real estate disclosures.* When properties are sold or offered for lease within the MCA, the seller or lessor may provide to the buyer or lessee a Camp Crowder Military Compatibility Area Voluntary Real Estate Disclosure form as provided by the County.
 - (4) *No delegation of local authority.* Nothing herein is intended, and should not be interpreted to, authorize or require approval by Camp Crowder of any land use application or activity within the County. This section is intended to facilitate communication and input between Camp Crowder and McDonald County.

Section 8. Parcel area requirement; density.

- (1) High population density in the vicinity of a military installation can hinder the military's ability to effectively carry out training activities at the installation, and may diminish quality of life of residents and employees.
- (2) For the purpose of maintaining historically rural densities within the Military Compatibility Area:
 - (a) Residential density on Parent Parcels established as of the effective date of this ordinance, shall not be greater than one dwelling unit per ten (10) acres;
 - (b) Parcels containing less than ten (10) acres of land may be created within the MCA only as provided herein; and
 - (c) A Parent Parcel containing less than ten (10) acres of land as of the effective date of this ordinance may not be further reduced in area and may not contain more than one dwelling unit.
- (3) A property owner may subdivide a Parent Parcel into smaller parcel(s) less than ten (10) acres in size, if the property owner, in conjunction with recordation of the subdivision plat, also records a deed restriction, easement, or other legal instrument running with the land, which limits density of the original Parent Parcel to not more than one dwelling unit per each ten (10) acres.
- (4) In addition, a property owner may construct more than one dwelling unit on a Parent Parcel containing ten (10) or more acres without further subdividing the Parent Parcel, if the

property owner, prior to construction of a new dwelling unit, records a deed restriction, easement, or other legal instrument running with the land, limiting density of the original Parent Parcel to not more than one dwelling unit per each ten (10) acres.

- (5) Prior to construction of any residential dwelling unit in the Military Compatibility Area, the owner of the property upon which the dwelling unit will be located shall notify the County in order for the County to track the number and location of residential dwelling units in the MCA.
- (6) No Parent Parcel existing on the effective date of this ordinance shall be prohibited from having at least one dwelling unit thereon, whether such unit existed on the effective date of this ordinance or is built subsequently, provided other applicable regulations are met and provided further the property owner files a form provided by the County acknowledging that (i) the property and its subsequent occupants could experience military training impacts, including impacts related to noise, vibration, odors, flight safety hazards, and other impacts related to operations associated with Camp Crowder; and (ii) the property may be subject to regulatory limitations on development due to the property's proximity to the installation.
- (7) The provisions of this section shall only apply to parcels containing or proposed to contain a residential use.

Section 9. Night lighting standards.

- (1) *Light emissions.* Development located within the Military Compatibility Area shall not produce light emissions that would interfere with training at Camp Crowder; therefore, exterior lighting constructed within the MCA shall, except as provided in subparagraph (d) below, comply with the following requirements:
 - (a) Exterior lighting shall be fully shielded so that all light emitted by the fixture projects below the horizontal direction and shall contain shielding permanently affixed to the fixture for these purposes;
 - (b) Exterior lighting shall illuminate only the area where light is needed;
 - (c) Exterior lighting shall be no brighter than necessary; and
 - (d) The provisions of subparagraphs (a) through (c), above, do not apply to new or existing single-family homes, mobile homes, or duplexes.

Section 10. Voluntary noise level reduction guidelines.

Within the Military Compatibility Area, noise and vibration produced by National Guard training activities at Camp Crowder can impact surrounding residents, employees, and buildings. Sound and vibration produced by artillery and demolition training can be difficult to attenuate through construction standards; however, the County has provided general guidelines that may be used voluntarily by property owners within the MCA, which may help mitigate noise and vibration created by training at Camp Crowder. Development located within the MCA is encouraged to follow these noise level reduction guidelines.

The construction techniques identified below are most effective when combined. Where applicable, use building materials and components with a high Sound Transmission Class (STC) rating.

- (1) *Exterior openings.* In general, more sound enters a building through windows and doors than through walls and roofs/ceilings. As such, exterior openings should be limited in number and size so long as applicable building codes and safety standards in general are met. Exterior openings include exterior doors and windows, as well as vents from kitchens and bathrooms.
 - (a) *Windows.* Install double-glazed windows and increase glass thickness. Use fixed or casement windows with weather-stripping, rather than sliding, pivoting, or double-hung windows. Avoid roof skylights, particularly those that can be opened. Avoid operable shutters.
 - (b) *Doors.* Use solid core wood exterior doors with vinyl seal around the edges. Avoid mail slots in exterior doors.
- (2) *Roofs.* Increase the mass of the roof. Seal cracks and edges.
- (3) *Walls.* Increase the mass and stiffness of the wall, increase the airspace between walls, and stagger the studs. Use resilient materials to hold together the studs and panels. Increase the amount of insulation. Use acoustic coatings. Seal cracks and edges.
- (4) *Ceilings.* Increase insulation, use acoustic coatings, and use non-fixed suspension methods.
- (5) *Floors.* Use a solid concrete slab at least six inches thick or install a floating floor. Increase the mass of the floor, block off all joists, and use resilient supports between the joists and the floor.
- (6) *Building interiors.* The techniques identified below may be utilized on the interior of buildings:
 - (a) Close windows. Use roller shades, rather than venetian blinds.
 - (b) Use heavy drapes and carpets.
 - (c) Eliminate small gaps wherever possible by using material such as weather-stripping and plastic encasements. Secure all loose parts or use padding between the spaces.
 1. Use felt or plastic bumpers on the back of picture frames, mirrors, and similar objects attached to the wall. Use felt or plastic bumpers on the bottom of objects placed on shelves and tables or inside cabinets.
 2. Firmly attach light fixtures and other ornamental objects to the ceiling. For hanging fixtures, use small felt or plastic bumpers to separate the links in a chain; or encase chains, wires, and rods in a soft, clear plastic sleeve.

3. Use plastic inserts in window and sliding door tracks to make the fit as close as possible while still allowing movement.
- (d) Additional information concerning noise level reduction techniques may be found in the following reports:
1. Wyle Research & Consulting. (2005). *Guidelines for Sound Insulation of Residences Exposed to Aircraft Operations*, Arlington, Virginia. Developed for the Department of the Navy, Naval Facilities Engineering Command.
 2. Schomer, P., & Construction Engineering Research Laboratory. (1987). *Expedient Methods for Rattle-Proofing Certain Housing Components*. Champaign, Ill: US Army Corps of Engineers, Construction Engineering Research Laboratory.

Section 11. Non-conforming Use or Structure.

- (1) Any Non-conforming Use or Structure in existence on the effective date of this ordinance may be improved, maintained, and/or replaced, unless the use is discontinued for a period of two years or more.
- (2) In the event such a Non-conforming Use of any structure or premises is discontinued, or its normal operation stopped, for a period of two years or more, the use of the structure or premises shall thereafter conform to all provisions of this ordinance.
- (3) In no case shall a Non-conforming Structure be expanded in square footage or to occupy greater land area than it did on the effective date of this ordinance, nor shall a Non-conforming Use be increased in intensity of use, except in conformance with this ordinance.