

**FINAL DRAFT GRISSOM AIR RESERVE BASE (GRISSOM ARB) OVERLAY
DISTRICT
FOR
MIAMI COUNTY**

**2-17 MIAMI COUNTY GRISSOM AIR RESERVE BASE (GRISSOM ARB) OVERLAY
DISTRICT**

2-17-1 PURPOSE

The purpose of this chapter is to assist Grissom ARB in the preservation of the operational capability of base operations, while promoting the public health, safety and general welfare. The intent is to promote compatibility between military operations at Grissom ARB and the use and development of private property within the Grissom ARB Overlay District. That purpose is achieved by the adoption of reasonable regulations within the district, to the extent that the added restrictions are limited to the following:

- (A) The height of man-made structures and objects of natural growth;
- (B) Incompatible uses of land; and,
- (C) Incompatible development activities.

In addition to the standards set forth in this chapter, all uses and structures within the Grissom ARB Overlay District shall comply with Federal Aviation Regulation (FAR) 14 CFR 77 and all other applicable local, State, and Federal regulations, including the Miami County Zoning Ordinance.

2-17-2 APPLICABILITY

The provisions of this section apply to all Proposed Development within the Grissom ARB Overlay District, as defined in Section 2-17-5, and to all non-conforming uses, buildings, and structures lawfully in existence at the time of adoption of these regulations, pursuant to the provisions of Section 2-11, except as expressly provided otherwise by this chapter.

2-17-3 AUTHORITY

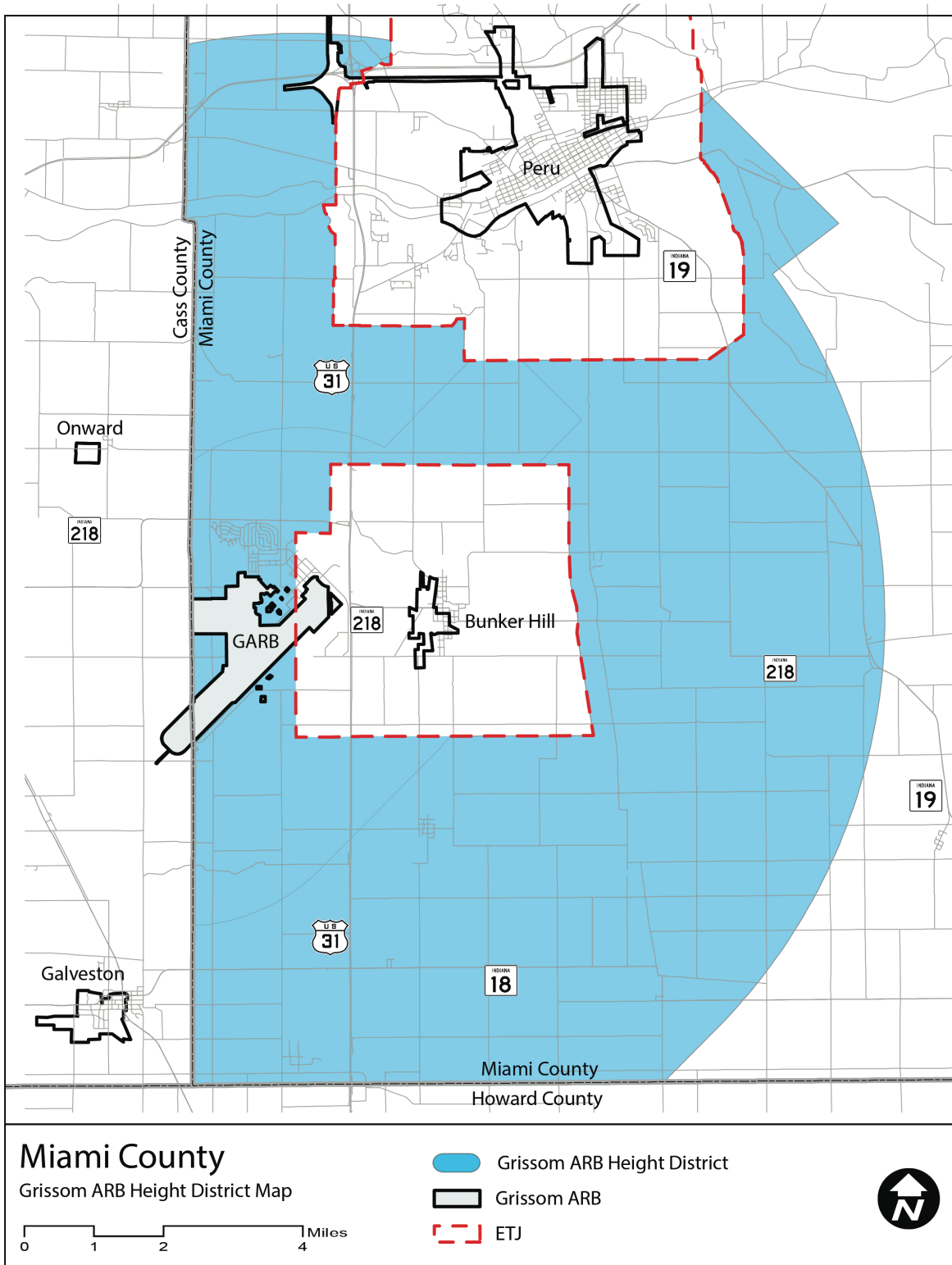
Staff, Plan Commission, and the County Commissioners hereby exercise their authority to approve or deny Proposed Developments based on the criteria in this chapter, which relate to height, density, land use, and uses that may create dust, glare, bird hazards, radio/electrometric interference, or which otherwise impair operations at Grissom ARB.

2-17-4 GRISSOM ARB OVERLAY DISTRICT ESTABLISHED

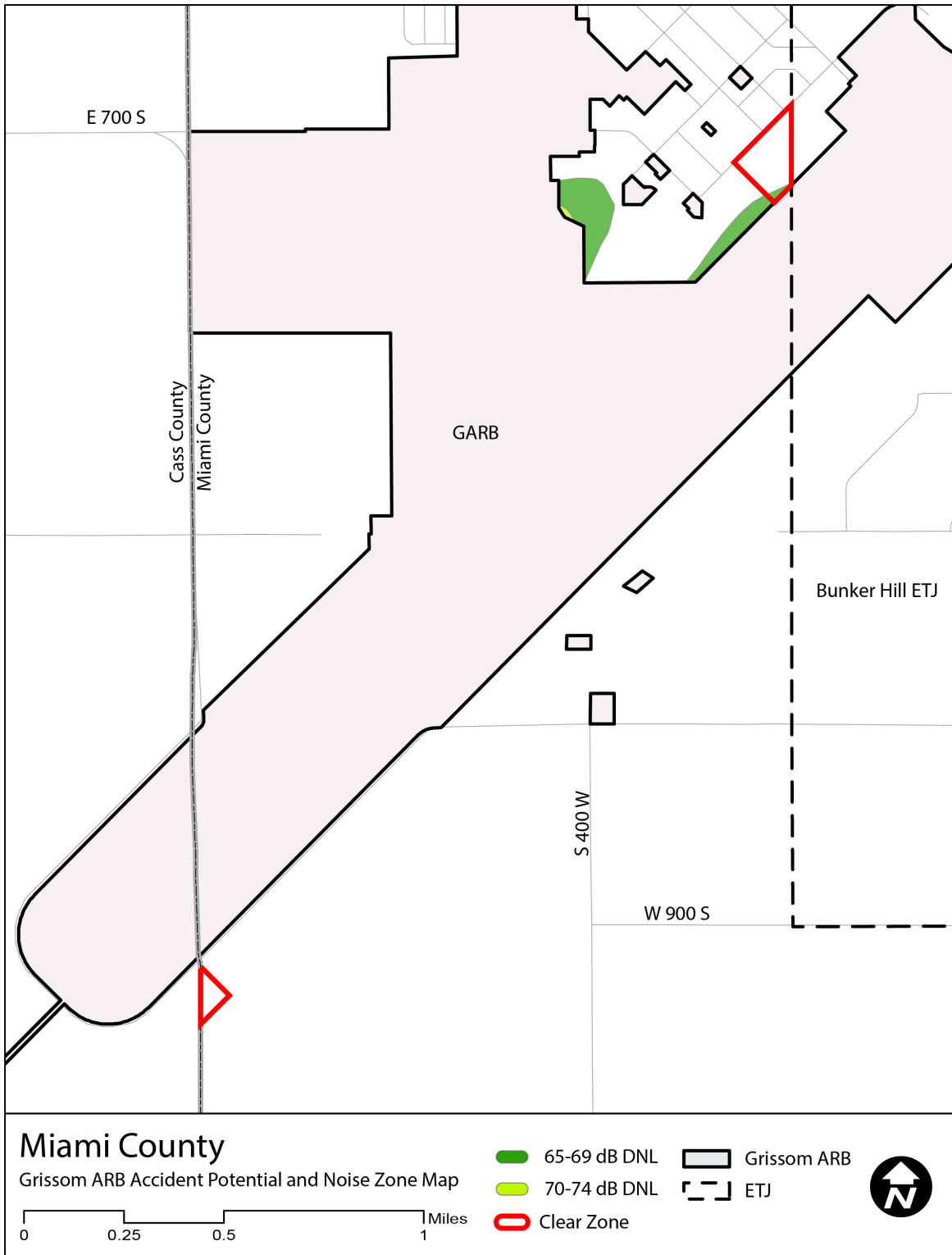
The Grissom ARB Overlay District encompasses the lands shown on the maps in

Paragraphs (A) and (B), as follows:

(A) Miami County Grissom ARB Height District Map



(B) Miami County Grissom ARB Accident Potential and Noise Zones Map



2-17-5 DEFINITIONS

AICUZ STUDY: The most recent Air Installation Compatible Use Zone (AICUZ) Study, identifying types of development considered incompatible with operational compatibility at Grissom ARB. As of this Chapter's original adoption date, the most recent AICUZ Study was titled "*Air Installation Compatible Use Zone Study at Grissom Air Reserve Base, Indiana,*" and dated July 2014.

AIRPORT OBSTRUCTION OR INTERFERENCE: Any structure, object, or use of land the Installation Encroachment Management Team Coordinator determines impedes operations at Grissom Air Reserve Base, in any manner described in Section 2-17-9 (B).

CLEAR ZONE: The Clear Zone (CZ) starts at the end of the runway, is 3,000 feet in width, and extends 3,000 ft. beyond the runway; the portion of which is outside of Grissom ARB boundaries, is illustrated on the Miami County Grissom ARB Accident Potential and Noise Zones Map in Section 2-17-4.

GRISSOM ARB INSTALLATION ENCROACHMENT MANAGEMENT TEAM COORDINATOR (THE IEMT COORDINATOR): The person designated by Grissom ARB to act as a liaison with Miami County for the purposes of reviewing and, as appropriate, providing comments related to development and vegetation proposed within the Grissom ARB Overlay District. The IEMT Coordinator will provide information to applicants and the County on how proposed development may affect base operations.

GRISSOM ARB HEIGHT DISTRICT: The area designated on the Miami County Grissom ARB Height District Map in Section 2-17-4.

GRISSOM ARB NOISE ZONES: The areas designated as 65-69 dB DNL and 70-74 dB DNL on the Miami County Grissom ARB Accident Potential and Noise Zones Map in Section 2-17-4.

MIAMI COUNTY GRISSOM ARB OVERLAY DISTRICT: The areas designated as such on the Miami County Grissom ARB Height District Map and the Miami County Grissom ARB Accident Potential and Noise Zones Map in Section 2-17-4.

PROPOSED DEVELOPMENT: The construction, renovation, or modification of any structure; establishment or change of land use; the planting of any vegetation; or any other activity requiring one or more of the approvals specified in Section 2-17-10 (A), for which a complete application is received by Miami County on or after the effective date of this section.

2-17-6 GRISSOM ARB NOISE ZONES

(A) Certain properties within the County are located within the Grissom ARB Noise Zones as indicated on the Miami County Grissom ARB Accident Potential and Noise Zones Map in Section 2-17-4.

(B) These Noise Zones indicate the areas outside of Grissom ARB that may be affected by noise associated with current KC-135R operations, as set forth in the AICUZ Study, or potential future KC-46A operations, as set forth in the “*KC-46A Third Main Operating Base (MOB 3) Beddown Environmental Impact Statement (EIS)*,” and dated April 2017. Though off-base noise areas associated with these two aircraft are very similar, the Grissom ARB Noise Zones represent the greater extent of noise associated with these two aircraft.

(C) According to the AICUZ Study and current Air Force guidance, certain noise-sensitive land uses in these areas are not compatible with air operations at Grissom ARB.

(D) Any Proposed Development within the Grissom ARB Noise Zones, therefore, shall be consistent with the Grissom ARB Accident Potential and Noise Zones Land Use Compatibility Table set forth in Section 2-17-8.

2-17-7 GRISSOM ARB ACCIDENT POTENTIAL ZONES

(A) Certain properties within the County are located within the Grissom ARB Accident Potential Zones as indicated on the Miami County Grissom ARB Accident Potential and Noise Zones Map in Section 2-17-4.

(B) According to the AICUZ Study and current Air Force guidance, certain land uses in these areas are not compatible with air operations at Grissom ARB, given the increased potential of aircraft accidents in these areas.

(C) Unless expressly exempt, any Proposed Development within the Grissom ARB Accident Potential Zones shall be consistent with the Grissom ARB Accident Potential and Noise Zones Land Use Compatibility Table set forth in Section 2-17-8.

2-17-8 GRISSOM ARB ACCIDENT POTENTIAL AND NOISE ZONES LAND USE COMPATIBILITY TABLE

(A) Notwithstanding the zoning district regulations or other provisions of the Zoning Ordinance, no development shall be approved within the Grissom ARB Overlay District except in accordance with the requirements of this section. Compliance with this section does not exempt an applicant from complying with other requirements of the Zoning Ordinance.

(B) Land use requirements within the applicable zones are designated in three (3) categories:

1. Prohibited (X): Regardless of whether the use is otherwise permitted in the zoning classification of the parcel, the land use is prohibited based on the provisions of this section.
2. Allowable (A): The provisions of this section do not prohibit the land use, though all other zoning regulations, County requirements, and applicable provisions of this section apply to the parcel.
3. Conditional (A[#]): If the land use is otherwise permitted in the zoning classification of the parcel, the proposed development also must meet the requirements set forth in the footnotes to the Land Use Compatibility Table, which are indicated as a superscript in the table. Staff, the Plan Commission, or the County Commissioners, as applicable, will verify compliance with these additional requirements based on the approval process otherwise required by the Zoning Ordinance.

(C) For land uses not specifically listed in the Land Use Compatibility Table, the Zoning Administrator may consult Air Force Instruction (AFI) 32-7063 (or the most recent applicable guidance from the Air Force) to determine the compatibility of the unlisted proposed use with respect to noise sensitivity and accident potential.

(D) Notwithstanding section 2-11, community-occupied structures in the Clear Zone on lands formerly part of Grissom Air Force Base, may be maintained within the footprint and heights as they existed on the effective date of this chapter. Therefore, these structures may be replaced, renovated, or repaired within those footprints and heights. However, in order to advance Clear Zone compatibility, if such a structure is destroyed by fifty percent (50%) or more, the owner must request purchase or relocation assistance from the Air Force and Miami County Economic Development Authority prior to submitting an application to replace or rebuild the structure. If no opportunity for assistance is presented and accepted by the owner within sixty (60) days of the property owner's request, the County will accept and process an application for replacing the destroyed building or structure within the original footprint and height.

GRISSOM ARB ACCIDENT POTENTIAL AND NOISE ZONES LAND USE COMPATIBILITY TABLE

PRIMARY USES	CLEAR ZONE (CZ)	NOISE ZONE 65-69 dB DNL	NOISE ZONE 70-74 dB DNL
RESIDENTIAL			
APARTMENT	X	A ¹	A ²
BED & BREAKFAST	X	A ¹	A ²
BOARDING HOUSE	X	A ¹	A ²
COMMUNITY HOUSE	X	A ¹	A ²
DWELLING DUPLEX	X	A ¹	A ²
DWELLING MULTI FAMILY	X	A ¹	A ²
DWELLING SINGLE FAMILY	X	A ¹	A ²
DWELLING FARM	X	A ¹	A ²
FRATERNITY HOUSE	X	A ¹	A ²
HALFWAY HOUSE	X	A ¹	A ²
HOTEL OR MOTEL	X	A ¹	A ²
MANUFACTURED HOME TYPE I	X	X	X
MANUFACTURED HOME TYPE II	X	X	X
MANUFACTURED HOME TYPE III	X	X	X
MOBILE HOME	X	X	X
NURSING HOME	X	A ¹	A ²
ORPHANAGE HOME	X	A ¹	A ²
SENIOR CITIZEN HOME	X	A ¹	A ²
SUBDIVISION RESIDENTIAL	X	A ¹	A ²
PLAN UNIT DEVELOPMENT	X	A ¹	A ²
SPECIAL SERVICE RESIDENT	X	A ¹	A ²
RETAIL BUSINESS			
ADULT BOOK STORE	X	A	A ³
AMUSEMENT CENTER	X	A	A
ANTIQUA SHOP	X	A	A ³
APPLIANCE SHOP	X	A	A ³
BAIT & GUN SHOP	X	A	A ³
BICYCLE SHOP	X	A	A ³
BOAT SALES	X	A	A ³
BOOK & STATIONARY	X	A	A ³
CAMERA & PHOTO SHOP	X	A	A ³
CARPET FLOOR SALES	X	A	A ³
COMPUTER CENTER	X	A	A ³
CLOTHING STORE	X	A	A ³
DEPARTMENT STORE	X	A	A ³
DRUG STORE	X	A	A ³
APPLIANCE SHOP	X	A	A ³
FIREWORKS	X	A	A ³
FLORISTS SHOP	X	A	A ³
FURNITURE STORE	X	A	A ³
GIFT & NOVELTY SHOP	X	A	A ³
HARDWARE SHOP	X	A	A ³

PRIMARY USES	CLEAR ZONE (CZ)	NOISE ZONE 65-69 dB DNL	NOISE ZONE 70-74 dB DNL
JEWELRY SHOP	X	A	A ³
LIQUOR STORE	X	A	A ³
OFFICE SUPPLIES	X	A	A ³
PAWN SHOP	X	A	A ³
PAINT, WALLPAPER SHOP	X	A	A ³
SHOE & LEATHER GOODS	X	A	A ³
RETAIL BUSINESS CONT.			
SPORTING GOODS	X	A	A ³
VARIETY SHOP	X	A	A ³
FOOD			
BAKERY SHOP	X	A	A ³
CANDY, NUT & CONFECTION	X	A	A ³
CATERING SERVICE	X	A	A ³
COFFEE SHOP	X	A	A ³
CONVENIENCE STORE	X	A	A ³
DAIRY PRODUCTS	X	A	A ³
DELICATESSEN	X	A	A ³
DINNER THEATER	X	A	A ³
DRIVE-IN-RESTAURANT	X	A	A ³
GROCERY STORE OVER 5,000 Sq ft	X	A	A ³
GROCERY STORE UNDER 5,000 Sq ft	X	A	A ³
HEALTH FOOD STORE	X	A	A ³
ICE CREAM SHOP	X	A	A ³
MEAT & FISH SHOP	X	A	A ³
RESTAURANT	X	A	A ³
SUPERMARKET	X	A	A ³
ENTERTAINMENT			
ARCHER RANGE	X	A	A ³
BAR & LOUNGE	X	A	A ³
BILLIARDS & POOL HALL	X	A	A ³
BOWLING ALLEY	X	A	A ³
CAMPGROUND	X	A	A ³
COUNTRY CLUBS	X	A	A ³
DANCE HALL	X	A	A ³
FAIR GROUND	X	A	A
GO CART TRACK	X	A	A
GOLF COURSE	X	A	A ³
GOLF DRIVING RANGE	X	A	A
LODGE OR PRIVATE CLUB	X	A	A ³
MARINA	X	A	A ³
MINIATURE GOLF COURSE	X	A	A
MUSEUMS OR ART GALLERY	X	A ¹	A ⁴
PRIVATE RECREAT. DEVP.	X	A	A ³
RACE TRACT	X	A ⁵	A ⁵
RECREATIONAL ENTERPRI.	X	A	A ³
SEASONAL LODGE	X	A ¹	A ¹
SHOOTING RANGE (INDOOR)	X	A	A

PRIMARY USES	CLEAR ZONE (CZ)	NOISE ZONE 65-69 dB DNL	NOISE ZONE 70-74 dB DNL
SHOOTING RANGE OUTDOOR	X	A	A
SKATING RINK	X	A	A ³
STADIUM ATHLETIC FIELD	X	A ⁵	A ⁵
SWIMMING POOL COM.	X	A	A ³
SWIMMING POOL PRIVATE	X	A	A ³
TENNIS COURT COMM.	X	A	A ³
THEATER (INDOOR)	X	A ¹	A ⁴
ENTERTAINMENT CONT			
THEATER (OUTDOOR)	X	A ⁵	A ⁵
TRAVEL TRAILER PARK	X	A	A ³
PERSONAL SERVICES			
ACCOUNTING SERVICES	X	A	A ³
AUCTIONEER OFFICE	X	A	A ³
BANK OR FINANCE SERVICE	X	A	A ³
BOOK KEEPING SERVICE	X	A	A ³
BONDSMAN	X	A	A ³
CHILD CARE CENTER	X	A ¹	A ⁴
DANCE STUDIOS	X	A	A ³
EMPLOYMENT SERVICE	X	A	A ³
HOME CHILD CARE	X	A ¹	A ⁴
INSURANCE OFFICE	X	A	A ³
INTERIOR DECORATOR	X	A	A ³
LAW OFFICE	X	A	A ³
MUSIC LESSONS	X	A	A ³
PHOTO STUDIOS	X	A	A ³
PROFESSIONAL OFFICE	X	A	A ³
STOCKBROKER OFFICE	X	A	A ³
TRAVEL AGENCY	X	A	A ³
MISCELLANEOUS SERVICE			
BARBER SHOP	X	A	A ³
BEAUTY SHOP	X	A	A ³
CAR RENTAL	X	A	A ³
COIN OPERATED LAUNDRY	X	A	A ³
DOG POUND	X	A ¹	A ⁴
ELECTRICAL REPAIR SHOP	X	A	A ³
EQUIPMENT RENTAL	X	A	A ³
FUNERAL PARLOR	X	A	A ³
HEALTH SPA & TANNING	X	A	A ³
KENNEL	X	A ¹	A ⁴
MORTUARY	X	A	A ³
PET SHOP	X	A	A ³
PRINT OR COPY SHOP	X	A	A ³
SHOE REPAIR	X	A	A ³
TENT SALE	X	A	A
UPHOLSTERY SHOP	X	A	A ³
WATCH OR JEWELRY REPAIR	X	A	A ³

PRIMARY USES	CLEAR ZONE (CZ)	NOISE ZONE 65-69 dB DNL	NOISE ZONE 70-74 dB DNL
MEDICAL SERVICES			
AMBULANCE SERVICE	X	A ¹	A ⁴
BLOOD BANK	X	A ¹	A ⁴
CLINICS	X	A ¹	A ⁴
CONVALESCENT HOME	X	A ¹	A ¹
DOCTORS OFFICE	X	A ¹	A ⁴
EYE CLINIC	X	A ¹	A ⁴
HOSPITAL	X	A ¹	A ⁴
MEDICAL SERVICE CONT			
MEDICAL & DENTAL LAB	X	A ¹	A ⁴
VETERINARY CLINIC	X	A ¹	A ⁴
GOVERNMENT SERVICES			
HIGHWAY & STREET DEPT.	X	A ¹	A ³
LICENSE BRANCH	X	A ¹	A ³
GOVERNMENT BUILDINGS	X	A ¹	A ³
JAIL & PENAL INSTU.	X	A ¹	A ³
POLICE & FIRE DEPT.	X	A ¹	A ³
POSTAL SERVICES	X	A ¹	A ³
PUBLIC PARKS	X	A	A ³
PUBLIC UTILITIES ⁶	X	A	A ¹
NON-PROFIT SERVICES			
CHAMBER OF COMMERCE	X	A	A ³
CHARITABLE ORGANIZATION	X	A	A ³
CHURCH OR TEMPLE	X	A	A ³
CIVIC OR SOCIAL CENTERS	X	A	A ³
LABOR UNION HALL	X	A	A ³
POLITICAL ORGANIZATION	X	A	A ³
PRIVATE CLUBS	X	A	A ³
RELIGIOUS ORGANIZATION	X	A	A ³
YMCA & YWCA	X	A	A ³
EDUCATION SERVICES			
ART & MUSIC SCHOOL	X	A ¹	A ⁴
COLLEGE	X	A ¹	A ⁴
DAY OR PRE SCHOOL	X	A ¹	A ⁴
ELEMENTARY SCHOOL	X	A ¹	A ⁴
HIGH SCHOOL	X	A ¹	A ⁴
JUNIOR COLLEGE	X	A ¹	A ⁴
TRADE OR BUSINESS SCHOOL	X	A ¹	A ⁴
AGRICULTURE USES			
COMMERCIAL GREEN HOUSE	X	A ⁷	A ²

PRIMARY USES	CLEAR ZONE (CZ)	NOISE ZONE 65-69 dB DNL	NOISE ZONE 70-74 dB DNL
CONFINEMENT FEEDING	X	A ⁷	A ²
FARM GENERAL	A	A ⁷	A ²
FARM EQUIPMENT SALE	X	A	A ³
HAY, GRAIN & FEED STORE	X	A	A ³
PLANT NURSERY	X	A ⁷	A ²
ROAD SIDE STAND AG.PRODUCT	X	A	A
SALE BARN (LIVESTOCK)	X	A ⁷	A ²
ADVERTISING SIGN (BILLBOARDS)	X	A	A
ANHYDROUS AMMONIA	X	A	A

INDUSTRIAL USES

ASPHALT PLANT	X	A	A ¹
ASSEMBLY PLANT	X	A	A ¹
AUTO BODY SHOP	X	A	A ¹
AUTO & PICKUP TRUCK SALES	X	A	A ³
AUTO CAR WASH	X	A	A ¹
AUTO HOLD AREA	X	A	A ¹
AUTO PARTS STORE	X	A	A ³
AUTO SALES LOT	X	A	A ³
AUTO REPAIR SERVICE	X	A	A ¹
AUTO SALES & SERVICES	X	A	A ¹
CEMETERY OR CREMATORIES	X	A	A ¹
COLD STORAGE LOCKER	X	A	A ¹
COMMERCIAL PARKING LOT	X	A	A
CONTRACTOR YARD	X	A	A ³
EXPLOSIVES MANUF. & STORAGE	X	A	A ¹
FUEL & OIL DEALER	X	A	A ¹
ICE PLANT	X	A	A ¹
INDUSTRIAL PARK	X	A	A ¹
JUNK YARD	X	A	A ¹
LAUNDRY PLANT	X	A	A ¹
LINEN SUPPLY	X	A	A ¹
LIQUIFIED PETROLEUM STORAGE	X	A	A ¹
LUMBER YARD	X	A	A ³
MANUFACTURING PLANT	X	A	A ¹
MINERAL EXTRACTION ⁸	X	A	A
MOBILE HOME COURT	X	X	X
MOTORCYCLE SALES & SERVICE	X	A	A ¹
OIL WELL	X	A	A
PARKING GARAGE	X	A	A
PLAN UNIT DEVELOPMENT	X	A ¹	A ¹
PRIVATE LAND FIELD	X	A	A ¹
READY MIX PLANT	X	A	A ¹
RECYCLING PLANT	X	A	A ¹
RECYCLING TRANSFER STATION	X	A	A ¹
SANITARY TRANSFER STATION	X	A	A ¹
SAW MILL	X	A	A ¹
SEWAGE DISPOSAL PLANT	X	A	A ¹
SHOPPING CENTER ⁹	X	A	A ³

PRIMARY USES	CLEAR ZONE (CZ)	NOISE ZONE 65-69 dB DNL	NOISE ZONE 70-74 dB DNL
SLAUGHTER PLANT	X	A	A ¹
TOWERS	X	A	A ¹⁰
TRACTOR -TRAILOR SALES	X	A	A ³
TRACTOR-TRAILOR STORAGE	X	A	A ¹
TRUCK RENTAL	X	A	A ¹
TRUCK SALE & SERVICES	X	A	A ¹
TRUCK TERMINAL	X	A	A ¹
WAREHOUSE GRAIN STORAGE	X	A	A
WAREHOUSE STORAGE ¹¹	X	A	A ¹
WELDING SHOP	X	A	A ¹
WHOLESALE PRODUCE SALES	X	A	A ¹
WIND ENERGY CONVERSION SYSTEMS (WECS)	X	A	A
WIRELESS COMMUNICATION FAC.	X	A	A
WRECKER SERVICE	X	A	A ¹

Footnotes:
¹ Portions of non-residential buildings where the public is received, office areas, noise sensitive areas, or areas where the normal noise level is low are encouraged to be constructed to provide for an average minimum Noise Level Reduction (NLR) of average minimum twenty-five (25) dBA throughout the facility. Habitable residential buildings are encouraged to provide for an NLR of 25 dBA throughout the dwelling. NLR criteria will not eliminate outdoor noise problems. However, building location and site planning, and design and use of berms and barriers can help mitigate outdoor exposure, particularly from near ground level sources. Measures that reduce noise at a site should be used wherever practical in preference to measures that only protect interior spaces.
² Residential buildings are encouraged to achieve an NLR of 30.
³ Measures to achieve NLR of 25 are encouraged to be incorporated into design and construction of structures. However, measures to achieve an overall noise reduction do not necessarily solve noise difficulties outside the structure and additional evaluation is warranted.
⁴ Measures to achieve NLR of 30 are encouraged to be incorporated into design and construction of structures. However, measures to achieve an overall noise reduction do not necessarily solve noise difficulties outside the structure and additional evaluation is warranted.
⁵ Land use is compatible provided special sound reinforcement systems are installed.
⁶ Development of renewable energy resources, including solar and geothermal facilities and wind turbines, may impact military operations through hazards to flight or electromagnetic interference and are prohibited in the Clear Zone.
⁷ Residential buildings are encouraged to achieve an NLR of 25.
⁸ Activities that attract concentrations of birds or other wildlife creating a hazard to aircraft operations (i.e., a BASH (Bird/Wildlife Airport Strike Hazard), are prohibited, unless the IEMT Coordinator indicates in writing that the proposed use will not create wildlife interference with Grissom ARB operations. Naturally occurring water features (e.g., rivers, lakes, streams, wetlands) are pre-existing, nonconforming land uses. Actions to expand naturally occurring water features or construction of new water features should not be encouraged. If construction of new features is necessary for storm water retention, such features should be designed so that they do not attract waterfowl and should be confirmed in writing as compatible by the IEMT Coordinator.
⁹ A shopping center is an integrated group of commercial establishments that is planned, developed, owned, or managed as a unit. Shopping center types include strip, neighborhood, community, regional, and super-regional facilities anchored by small businesses, a supermarket or drug store, discount retailer, department store, or several department stores, respectively.
¹⁰ If all or a portion of the project or Proposed Development is noise sensitive, the applicant is encouraged to incorporate NLR of 25 into design and construction of structures.
¹¹ Big box home improvement stores are not included as part of this category.

2-17-9 GRISSOM ARB HEIGHT DISTRICT

Within the Miami County Grissom ARB Overlay District, there is hereby established a Height District, which is depicted on the Miami County Grissom ARB Height District Map in Section 2-17-4, Paragraph (A), and further described herein. The Height District includes all of the land and air within the approach/departure, primary, transitional, inner and outer horizontal, clear zone, and conical surfaces as they apply to Grissom ARB and the land beneath these surfaces. If only a portion of a parcel is located within the Grissom Height District, only the portion of the parcel within the district shall be subject to the requirements of this section.

(A) *Coordination with Grissom ARB.* Applications for Proposed Development within the Height District shall be transmitted to the IEMT Coordinator, pursuant to the procedures described in Section 2-17-10, for a determination of whether a proposed development constitutes a prohibited use according to Paragraph (B), below.

(B) *Prohibited uses obstructing or interfering with Grissom ARB operations.*

1. The following uses and structures shall be prohibited in the Height District, upon a timely determination by the IEMT Coordinator that one or more of the following conditions is met:
 - a. Proposed Development that protrudes above the planes or surfaces as contained in Title 14, Part 77 CFR;
 - b. The following, if the use interferes with pilot vision, communication, radar, or otherwise interferes with the safe and effective operation of Grissom ARB aircraft:
 - i. sanitary landfills,
 - ii. feeding stations,
 - iii. sand and gravel dredging operations,
 - iv. storm water retention ponds,
 - v. renewable energy facilities,
 - vi. created wetlands, or
 - vii. the growing of vegetation determined to be a wildlife attractant;
 - c. Structures situated within ten (10) feet of approach/departure or transitional surfaces;
 - d. Development that produces steam, dust, smoke, light emissions, glare, or other visual impairments, has explosive characteristics, or otherwise interferes with pilot vision or the operation of GARB aircraft; and

- e. Development that produces electrical emissions that interfere with navigation equipment or radio communication between aircraft, GARB, or other air traffic control facility;
- 2. Further, no condition shall be maintained that attracts wildlife into a Department of Defense Airport Imaginary Surface, pursuant to 14 C.F.R. 77.21, and that the IEMT Coordinator determines may create a hazard to operations within the Grissom ARB Overlay District.

2-17-10 REVIEW PROCEDURE FOR PROPOSED DEVELOPMENT IN THE HEIGHT DISTRICT

(A) Except as provided in (B), below, County staff shall notify the IEMT Coordinator of the location, height, and proposed land use associated with the types of proposals listed below for a determination of whether the Proposed Development will create an Airport Obstruction or Interference.

- 1. Improvement Location Permits;
- 2. Rezoning requests;
- 3. Preliminary Plats in accordance with Section 3.6 of the Miami County Subdivision Control Ordinance; and
- 4. Plantings requiring County approval.

(B) Due to the limited potential for impact on Grissom ARB airspace, the following are excluded from height compliance review by the IEMT Coordinator:

- 1. Construction or repair of fences, walls, or decks;
- 2. Grading activities;
- 3. Residential repairs, renovations, or additions that do not exceed the height of the tallest permitted structure on the property as of the effective date of this chapter;
- 4. Land uses that do not constitute a change of primary use;
- 5. Changes only to a property's ownership or occupancy; and
- 6. Airfield improvements and navigational aids.

(C) The IEMT Coordinator will have two (2) business days from receipt of notice to provide a written response to staff indicating whether the Proposed Development may create an Airport Obstruction or Interference, based on the criteria set forth in Section 2-17-9(B).

- 1. In the event the IEMT Coordinator informs Miami County staff of an Airport Obstruction or Interference, the IEMT Coordinator may provide further

details in writing to Miami County describing the manner in which the Proposed Development will create an Airport Obstruction or Interference and recommending what mitigation, if any, may occur to sufficiently reduce or eliminate the condition.

2. The IEMT Coordinator should provide these details in writing within five (5) business days from transmittal of notice to the County of the Airport Obstruction or Interference.

- (D)** Failure of the IEMT Coordinator to provide a written response to Miami County staff within seven (7) business days of the Coordinator's receipt of the County's initial notification, shall be deemed an indication the Proposed Development does not create an Airport Obstruction or Interference with Grissom ARB operations.

2-17-11 REVIEW PROCEDURE FOR BOARD OF ZONING APPEALS CASES RELATED TO PROPERTY LOCATED IN THE MIAMI COUNTY GRISSOM ARB HEIGHT DISTRICT, NOISE ZONES, OR CLEAR ZONES.

- (A)** All Board of Zoning Appeals cases related to property located within a Grissom ARB Height, Noise, or Clear Zone shall be transmitted to the IEMT Coordinator for comments on the potential impacts of proposed BZA application on base operations and safety.

- (B)** The IEMT Coordinator will have two (2) business days from receipt of the BZA application to provide a written response to staff indicating whether approval of the proposed BZA application would be incompatible with base operations or would create an Airport Obstruction or Interference.

1. In the event the IEMT Coordinator informs Miami County staff of a potential incompatibility or Airport Obstruction or Interference that would result from approval of the BZA application, the IEMT Coordinator may provide further details in writing to Miami County describing the manner in which the Proposed Development will create an incompatibility or Airport Obstruction or Interference and recommending what mitigation, if any, may address the concern.
2. The IEMT Coordinator should provide these details in writing within five (5) business days from transmittal of notice to the County of the incompatibility or Airport Obstruction or Interference.
3. Failure of the IEMT Coordinator to provide a written response to Miami County staff within seven (7) business days of the Coordinator's receipt of the BZA application, shall be deemed an indication the proposed BZA application is compatible with base operations and does not create an Airport Obstruction or Interference.

- (C)** Comments provided to the Board of Zoning Appeals by the IEMT Coordinator as to a proposed BZA application are advisory only.

2-17-12 PERMIT NOTICES

(A) The approval documentation associated with the types of applications identified below shall include a notification statement in accordance with Paragraph (B), below.

1. Improvement Location Permits;
2. Preliminary Plats in accordance with Section 3.6 of the Miami County Subdivision Control Ordinance;
3. Major and Minor Subdivisions;
4. Exempt Divisions; and
5. Rezoning requests.

(B) The approval documentation associated with the types of applications identified in Paragraph (A) shall include a notification statement that:

1. 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 Grissom ARB; and
2. The property may be subject to additional development regulations due to the property's proximity to the installation.