

A ULI ADVISORY SERVICES PROGRAM REPORT

Department of Defense Range Sustainability

**Urban Land
Institute**

Department of Defense Range Sustainability

A Development Community Perspective on Land Planning Coordination

November 14–16, 2006
An Advisory Services Program Report

ULI—the Urban Land Institute
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About ULI—the Urban Land Institute

The mission of the Urban Land Institute is to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. ULI is committed to:

- Bringing together leaders from across the fields of real estate and land use policy to exchange best practices and serve community needs;
 - Fostering collaboration within and beyond ULI's membership through mentoring, dialogue, and problem solving;
 - Exploring issues of urbanization, conservation, regeneration, land use, capital formation, and sustainable development;
 - Advancing land use policies and design practices that respect the uniqueness of both built and natural environments;
 - Sharing knowledge through education, applied research, publishing, and electronic media; and
- Sustaining a diverse global network of local practice and advisory efforts that address current and future challenges.

Established in 1936, the Institute today has more than 35,000 members from 90 countries, representing the entire spectrum of the land use and development disciplines. Professionals represented include developers, builders, property owners, investors, architects, public officials, planners, real estate brokers, appraisers, attorneys, engineers, financiers, academics, students, and librarians. ULI relies heavily on the experience of its members. It is through member involvement and information resources that ULI has been able to set standards of excellence in development practice. The Institute has long been recognized as one of the world's most respected and widely quoted sources of objective information on urban planning, growth, and development.

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About ULI Advisory Services

The goal of ULI's Advisory Services Program is to bring the finest expertise in the real estate field to bear on complex land use planning and development projects, programs, and policies. Since 1947, this program has assembled well over 400 ULI-member teams to help sponsors find creative, practical solutions for issues such as downtown redevelopment, land management strategies, evaluation of development potential, growth management, community revitalization, brownfields redevelopment, military base reuse, provision of low-cost and affordable housing, and asset management strategies, among other matters. A wide variety of public, private, and nonprofit organizations have contracted for ULI's Advisory Services.

Each panel team is composed of highly qualified professionals who volunteer their time to ULI. They are chosen for their knowledge of the panel topic and screened to ensure their objectivity. ULI's interdisciplinary panel teams provide a holistic look at development problems. A respected ULI member who has previous panel experience chairs each panel.

The agenda for a panel assignment is intensive. It includes an in-depth briefing composed of a tour of the site and meetings with sponsor representatives; interviews of key people within the community; and a day of formulating recommendations. On the final day on site, the panel makes an oral presentation of its findings and conclusions to the sponsor. At the request of the sponsor, a written report is prepared and published.

Because the sponsoring entities are responsible for significant preparation before the panel's visit, including sending extensive briefing materials to each member and arranging for the panel to meet with key local community members and stakeholders in the project under consideration, participants in ULI's panel assignments are able to make accurate assessments of a sponsor's issues and to

provide recommendations in a compressed amount of time.

A major strength of the program is ULI's unique ability to draw on the knowledge and expertise of its members, including land developers and owners, public officials, academics, representatives of financial institutions, and others. In fulfillment of the mission of the Urban Land Institute, this Advisory Services panel report is intended to provide objective advice that will promote the responsible use of land to enhance the environment.

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Acknowledgments

This report was funded by the Office of the Secretary of Defense and the United States Marine Corps as part of their continuing efforts to promote compatible land use planning practices between military installations and their surrounding communities. ULI particularly would like to thank the Honorable Philip Grone, deputy under secretary of defense for installations and environment; Jan Larkin, outreach coordinator for range sustainability; and David Bixler, head, real estate section, Headquarters Marine Corps, for providing the financial support for this advisory panel.

ULI also thanks the military and civilian representatives of the Department of the Army, the Department of the Navy (both Navy and Marine

Corps), and the Department of the Air Force, as well as the Office of Economic Adjustment, who prepared and gave presentations for the advisory panel, describing their respective compatible land use planning challenges and practices. The discussions between these individuals and the panel members helped everyone involved gain a clearer, more detailed understanding of the land use issues involved in military communities.

Finally, ULI would like to thank Marstel-Day, LLC, for proposing and supporting the development of this Advisory Services panel on behalf of its military clients.

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Foreword: The Panel's Assignment

As part of a comprehensive work program on range sustainability with the Department of Defense (DOD), Marstel-Day, LLC, representing the Office of the Secretary of Defense and Headquarters Marine Corps, the sponsors of this effort, asked the Urban Land Institute to convene an advisory panel to provide advice and recommendations regarding how military installations and the civilian development community could better address the issue of range sustainability.

Background

The term *range sustainability* embraces a substantial body of procedures and policies that are usually put into action by the federal government to maintain the integrity and efficacy of the nation's military training ranges and the military installations that support them. These ranges vary from small-arms target ranges and tactical exercise areas located on individual military installations to remotely located training ranges that are physically separate from any military installations.

Military training ranges cover a broad spectrum of land-based facilities, aviation routes, and airspace. Land-based training ranges are used for troop and vehicle training and live-fire bombing and gunnery practice. Large training installations typically exceed 100,000 acres, with some larger than 500,000 acres. The land required for these installations includes not only space for the training ranges themselves but also for the facilities to support them and, equally important, the noise and safety buffer zones surrounding them. The size requirements for military training ranges tend to increase over time as weapons systems become noisier and more powerful and can travel greater distances to their targets. Expanded buffers to prevent off-base "light pollution" have become more important as the military has increased its nighttime training operations.

Aviation-based training ranges include military operating areas (MOAs), military training routes (MTRs), low-level flying routes, supersonic flight areas, missile test flight routes, and electronic bombing ranges. Some of these aviation training routes cover hundreds of linear miles and cross several states. Air Force representatives told the panel that 175,000 miles of MTRs exist in the United States, consisting of corridors 10 to 20 miles wide. MTRs can originate offshore (e.g., from an aircraft carrier) or from a military airfield, and they are used by military aircraft in transit to a training range or operating area. Aviation-based MOAs can be located over land or over coastal waters and, in many cases, may include little or no underlying real estate to support them. The Federal Aviation Administration controls the use of MTRs and MOAs, and they are delineated on aviation maps.

Range sustainability procedures and policies are targeted toward reducing or eliminating encroachment on military installations and training ranges and on the MTRs that support them. *Encroachment* is defined as any non-DOD action or constraint that causes or may cause the loss of or restrictions to the use of land, air, electronic frequency, and sea maneuver areas required or planned by the services to maintain military readiness.

Encroachment is a long-term, growing concern to the readiness of the services and their forces. *Urbanization*, the continued population growth and economic development around military installations and ranges and under airspace throughout the United States, can create land uses or environmental restrictions that are incompatible with current and future military operations and training requirements. Likewise, the introduction of new weapons systems and tactics can cause incompatibility with existing land uses by creating more noise or requiring larger training areas than in the past.

The ULI Process

Before the Advisory Services panel convened in Washington, D.C., a Project Analysis Session was held at ULI's fall meeting in Denver. This session was used to introduce the range sustainability concept and to allow Marstel-Day to better frame the questions for the advisory panel held in November 2006. Four of the seven panelists who participated in the November panel attended the Project Analysis Session in Denver. In addition, the Department of Defense and Marstel-Day provided the entire panel with extensive briefing materials.

The panel spent approximately three days in Washington, D.C., meeting with DOD and the military services staff. The panel's work culminated in a presentation of findings and recommendations at a meeting on November 17, 2006.

Overarching Principles

Before beginning its analysis, the panel defined some overarching principles that should be considered and applied by DOD. The panel put forward these principles to help the employees of the military services, both uniformed and civilian, understand why the development community “does what it does” and how to better approach a relationship with this segment of the civilian community. DOD can then properly consider a comprehensive set of guidelines and organizational changes to help meet its range sustainability goals.

Principle 1: Retain and Cultivate Local Expertise

Real estate development is a relationship-driven, local activity that requires knowledge of local codes, ordinances, and even customs.

Each community in this country has different ways of regulating development. The successful developer knows to whom, when, and how to address a land development issue. Often, developers from national or regional companies wishing to build something coordinate with or hire outright local land use experts (attorneys, engineers, planners) because they have local knowledge and relationships that can speed up the entitlement process. These relationships often extend to local banking and financing entities that allow the national developer to take advantage of local money and allow the national company to have local “skin in the game.”

Principle 2: Think Like a Developer

The military and the federal government are players in the development community; they need to think and act like a developer.

Developers seek out opportunity and leverage potential. They do so with an eye on the long-term

benefits of investment and acquisition. Developers are among the most entrepreneurial and pioneering businesspeople in modern society. They are forward thinking, understanding national development trends in the residential, retail, office, and industrial markets. They are the cutting edge of the built environment, urban design, and land use.

In the past 50 years, the development community has been responsible for bringing innovation to the types of commercial and residential products offered to the public. Planned unit developments, golf course communities, age-restricted communities, gated communities, new town planning, new urbanism, amenity-driven housing, and mixed-use development have all been led by the development community as means to provide a product to the consumer while making a profit.

Military installations, in addition to having employees who are versed in the local planning and zoning requirements, must have personnel who are looking at future development scenarios in the same way developers are: they must look into the future five, ten, and even 25 years.

Principle 3: Learn the Land Use Process

The onus is on the military to learn, understand, and engage the land use process. Developers and builders are not going to come to the military, hat in hand, asking if building near the installation is appropriate. The local governmental entity (town, city, county) controls the land use and building permit approval process. Understandably, from a somewhat selfish perspective, the development community is not going to subject itself to additional scrutiny if the locality that holds the approval power does not require it.

Principle 4: Keep an Ear to the Ground

The military needs to know what is happening “outside the fence.” It must be aware of local development desires. The interviews with some of the panel participants confirmed what the panel already knew from personal experience: on-site and headquarters-level military planners are caught up in their own world of rules, regulations, and decision making.

The panel observed that the military planning community sees itself and its facilities as inevitable, necessary, and desirable by the local community. The military does not welcome input from the outside unless it supports the installation mission, and the military often hides behind the

banner of national security or federal authority to limit participation by surrounding communities. The perception is: “Everyone in the local community supports us, and we should be left alone.” Although in the past this axiom might have sufficed for contact with the adjacent community, the growth in population coupled with the growing complexity and sophistication of the planning process renders this notion obsolete.

What the Military Needs to Know

The goal of this report is to help the military better understand how real estate is developed. Therefore, the military must understand the process that allows the developers to conduct their business. Although each local government has its own land development idiosyncrasies, the development community and the public officials at the local level who engage the development community operate within many of the same broad parameters and often act in fairly predictable ways. The panel recommends that the military consider three general areas as a means of introducing itself to the development process:

- Understand the development community and the development process.
- Educate the audience (developers, citizens, other government officials).
- Engage the land use process; do not act as if it is not important or the military is above it all.

Understand the Development Community and the Development Process

Although this report is primarily about the real estate development community, the local land development process only happens with significant involvement from the public sector. Local jurisdictions (towns, cities, and counties) almost universally hold the planning, zoning, and permitting power for real estate development. The Range Sustainability Office has already published a practical guide for working with local governments: *Working with Local Governments: A Practical Guide for Installations*, published by DOD in cooperation with the International City/County Management Association and the National Association of Counties.

The Development Community

The military must recognize that local elected officials often hold the power to plan and permit certain developments. As noted in the existing local government guides, typically a Comprehensive or Master Plan provides guidance about land uses and densities. The plan is usually implemented by a Zoning Ordinance and the rezoning of property in accordance with the Comprehensive Plan. The rezoning process is the legal process, usually enacted by an individual ordinance for each property under consideration. Public hearings, in the grand tradition of American participatory government and openness, provide a forum for comment and opinion. Developers are often the ones who initiate the rezoning process. The players who get involved in the process include representatives of the public sector, the private sector, and citizens.

From the public sector, participants include city and county managers, attorneys, planning commissioners, planners, engineers, clerks, financial experts, park planners, public safety personnel, traffic engineers, and demographers. The key staff members are the ones who actually make the recommendations to the elected body, such as the city manager, planning director, and planning commissioner. The smart developer knows and talks with all the individuals involved in the process, and he or she knows that the best line of communication and influence is often through these key staff members and the elected and selected officials. The panel suggests that the military installation must engage the public sector with the same approach. It must communicate with all involved but concentrate the interface with the elected officials and key staffers. This method allows maximum influence to carry the installation's message forward.

From the private sector comes a cadre of individuals working for the developer. They include planners, engineers, lawyers, traffic experts, real es-

tate specialists, and a host of others who are all working toward the goal of development of a property. The decision-making power in this realm is more concentrated than in the public sector. The developer or his or her key representative is usually sufficient as a contact point for the installation. The key to negotiations in this realm is understanding that the developer is looking at the property as an investment. He or she is developing a project as a means of income. Just saying you do not like the development is not likely to have much of an effect on the developer without offering some compensation or suggesting alternatives that allow the investment to be pursued.

For both the development community and the local government, the panel felt that a single point of contact with each installation would be appropriate. Again, concentrating the contact tends to build a rapport with the adjacent communities.

Basic Steps of the Development Process

In most parts of the United States, developers negotiate a series of steps to develop real estate. The sequence and complexity of each of these steps may vary. The following is a general outline of that process:

- Identifying the opportunity—market assessment;
- Developing the business plan and pro forma;
- Understanding the entitlement climate;
- Working through local consultants familiar with the government approval process;
- Creating a plan or design for the project;
- Getting approvals; and
- Securing financing.

The panel recommends that DOD and the installations become familiar with these steps. This knowledge will allow the installations' representatives to understand where developers are coming from, if and when the installations' representatives meet with them.

Finally, developers thrive on predictability. Understanding local land use plans and zoning codes

and understanding the local land use language, terminology, and customs allow developers to navigate the entitlement process. The military should also learn these local codes and customs.

Educate the Audiences You Need to Engage

The panel does not believe that simply opposing a proposed development based on an issue of national security is an adequate response in today's sophisticated land development and local government public involvement processes. The installation has to approach each proposal with recommendations for alternatives.

As noted in the previous section, each jurisdiction has its own plans, codes, and customs. Because private development on military facilities is the exception rather than the rule, the local installation must use every opportunity to educate the developer and local government representatives about how the military makes land use and facility decisions.

The entire realm of facility metrics and category codes was established to provide a common point of reference for facility planning, budgeting, development, and use of military real property. This approach was established with the creation of the Department of Defense in the National Defense Act of 1947, and it has evolved into the complex facility and development process that it is today. The panel believes educating the community in this regard is important but that citizens, local government, and the development community should not be overwhelmed with details. Likewise, a general understanding of the distinct planning instructions for each branch of the military is important, but those distinctions should not dominate or bog down discussions at the local government or private developer level.

What is more important to the locality is information on the long-term goals and general vision for the installation over the coming years. For a variety of reasons, this long-range goal and vision component is apparently what is not forthcoming to the localities from DOD and the installations currently. One reason is that the dynamic nature of military training and operations does not per-

mit installation commanders to know the long-range plans for the base; they cannot provide the information because they simply do not know. Second, in some instances overriding national security issues do not allow this information to be shared with the community.

Third, and perhaps most common, commanders, and particularly facility managers, display an entrenched attitude that discourages them from sharing this information. They simply feel that they should not have to share information because the military is a sovereign entity, not subject to local planning and zoning. DOD should recognize that sharing such information may spur interest in the local development community to make changes to proposed land use plans not from a desire to accommodate the installation's plans, but because developers want to position themselves to supply future facilities to the military or to leverage future land use decisions by the locality.

Finally, the military needs to acknowledge a missing piece of the encroachment equation. The available documents, literature, and instructions from the military place the responsibility for encroachment on the growth of civilian urban development, but they fail to mention or even question the military's expansion of its footprint through new weapons systems and airframes. (For example, the noise associated with an F/A 18 E/F is substantially different from that of an F-4 from the 1960s or even earlier versions of the F/A 18.) In fact, the military is often encroaching on civilian urban development. Admission, or at least recognition, of this fact may be helpful in beginning the dialogue with local communities to determine mitigation measures.

Engage the Process

Range sustainability is too important an issue to relegate to back-burner status just because the issues seem too difficult or too delicate to undertake. The panel is confident that all these issues can be remedied if the will power to change exists at the highest levels within the Department of Defense. The military must be engaged in the local land use process at a variety of levels, both the leadership level and the staff/technical level. The military must know what is happening around the base, what the local jurisdiction has as its future land use vision, what the local jurisdiction's policies and action strategies are to accomplish this vision, and how the development community is reacting to this vision and its implementation procedures. Likewise, the installation must be cognizant of emerging trends on housing and commercial development and, like smart developers, anticipate what the next big advance in urban growth will be.

Participating in local comprehensive plan updates, attending planning commission meetings, and being involved with developers are essential steps for the military. As a matter of routine, local developers and government officials should automatically know who on the installation they can coordinate with when a potential new development presents itself.

Methods to Help Address the Range Sustainability Issues

The panel identified three sets of methods to be explored further by the Range Sustainability Office. The panel suggests the military concentrate on the following three approaches:

- Use existing tools.
- Develop new tools.
- Focus on implementation.

Use Existing Tools

The panel recommends that the military use the existing variety of resources and support systems to help it engage with local developers and the community.

Existing Resources

A variety of planning tools is available to the military to help meet its range sustainability policies. At the front end, the community liaison should use existing primers prepared by the Range Sustainability Office and the Office of Economic Adjustment's *Practical Guide to Compatible Civilian Development Near Military Installations*. The panel felt that many of the techniques and procedures necessary to sustain a healthy dialogue between the base and the community are covered in these documents. The primers are broad guidance documents with the following subject titles:

- *Collaborative Land Use Planning: A Guide for Military Installations and Local Governments*
- *Working with Land Trusts: A Guide for Military Installations and Land Trusts*
- *Working with State Legislators: A Guide for Military Installations and State Legislators*
- *Working to Preserve Farm, Forest and Ranch Lands: A Guide for Military Installations*

The *Practical Guide to Compatible Civilian Development Near Military Installations* is a comprehensive and thorough resource covering all aspects of local government regulations, definitions, existing military instructions—such as Air Installation Compatible Use Zones and similar processes, and available support resources and manuals. The panel felt that a liaison officer sufficiently empowered and armed with these documents has, in written form, practically everything needed to begin to address issues of compatibility of civilian uses near an installation.

Urban planning, design, and real estate development resources are available from the Urban Land Institute, the American Planning Association (APA), the American Institute of Architects, the American Society of Landscape Architects, the International City/County Management Association, and various community engagement entities. Also, universities with design schools or environmental law programs often maintain institutes or organizations that help with conflict resolution, environmental negotiation, and charrette management and support. The Range Sustainability Office should take advantage of such resources.

Acquisition, Easements, Land Swaps, and Transfer of Development Rights

Local planning law is promulgated by enabling legislation from the states and commonwealths. A wide variety of programs exist for land preservation and conservation. Outright acquisition of property is one sure way, albeit expensive, of limiting encroachment. The military has had long experience with this approach to maintaining its ranges. The military has also purchased easements; however, in highly urbanizing areas this tool can be just as costly as acquisition. More innovative methods have also been used by the military, including land swaps.

Joint Land Use Study

The Joint Land Use Study (JLUS) process is a cooperative land use planning initiative between the military and surrounding cities and counties. The JLUS is an interjurisdictional partnership, funded by the Department of Defense, Office of Economic Adjustment, with in-kind contributions from the participating local agencies. A JLUS project funding request is initiated by the military department. Its success depends on the level of support and cooperation by the local community and its neighboring military installation(s) in performing the study and—equally important—in implementing the land use planning and zoning recommendations in it.

The purpose of the JLUS is to increase communication between the military and the community and promote awareness of the strong economic and physical relationship between the post and its neighbors. Such studies look both at the effects of current and future installation operations on surrounding cities and counties and at the potential effects of community growth on the long-term viability of the installation's mission.

The ultimate goal is to reduce potential land use conflicts while accommodating necessary growth and sustaining the economic health of the area. The JLUS identifies a set of tools and measures that can reduce existing impacts and prevent future conflicts from developing. After the JLUS process is over, the surrounding cities and counties as well as the installation will consider further which of the recommended tools may be adopted and implemented. The JLUS is a community-based process.

The ULI panel was highly supportive of this process; however, comments from some of the participants indicated the process may not be as effective as it could be. One panelist suggested getting a commitment by the local community and the military installations to follow up the study with actions that implement the suggestions. "What you need is a JLUP (Joint Land Use Plan) to follow up the JLUS," he said.

One military representative referred to the JLUS as, "Oh, that process used by the community; we really don't use it," which meant the military was

forced into participating, and after a JLUS is completed, the community—not the military—implements the plan. Again, the panel saw this attitude as indicative of the old "we will cooperate until it requires the installation to do something" mindset.

This mindset appears to be changing, particularly within the uniformed services; however, the panel strongly encourages exploring methods and procedures to broaden and implement the JLUS recommendations. The goal of the JLUS program, as the panel understood it, is to "develop strategies for reducing the impact of existing community and military activities on each other." That means the military needs to be part of the solution and its activities must also be considered.

Develop New Tools

The military must find new ways to spread the word about range sustainability. The program will benefit from new tools and processes in the areas of training, education, and implementation.

Additional Training and Education

To be part of the solution, as mentioned, the military facility planning community must find new avenues for training and professional development. Current personnel engaged in facility planning and development and advocates of range sustainability need to keep up with current planning trends on a continuing basis. This need is especially true of those who view military facility planning as a "separate" discipline from the local civic planning and development process. The panel recommends continuing professional course work with the following organizations:

- Real estate development: ULI;
- Urban/regional planning: APA; and
- Community group process: the National Charrette Institute.

This educational process could be very helpful as the uniformed services and their civilian support staff begin to improve the engagement process with local communities. Understanding planning and zoning processes would enable installation personnel to speak more authoritatively to local

officials and at public forums on development issues and how they affect military training. This knowledge would also sensitize installation personnel to the value of attending and testifying at planning and zoning public hearing and workshops.

Also, it will permit the installation's personnel to recognize where growth would occur if comprehensive land use plans or capital improvement plans were implemented and how this future growth could affect the installation. One ULI panelist noted: "If you don't know the development processes as well as I do, I win every time." This quip epitomizes why installation commanders and their staff need to be as well versed in local planning and land use policies as developers are if they want to effectively advocate for their encroachment management goals.

Community Liaison Office

The idea of a community liaison office was proffered to the panel by the sponsor. Specifically, Headquarters Marine Corps representatives explained the role of the Community Plans and Liaison Office (CP&LO) in its compatible land use planning program. The CP&LO position is unique in that it is specifically designed to foster ongoing communications between Marine Corps installations and a broad range of stakeholders in the surrounding communities. The CP&LO staff identify current and future military requirements and determine how they would be affected by—and affect—surrounding land uses. CP&LO staff are expected to establish strong working relationships with community planning and zoning staff, elected officials, landowners, and developers. They are encouraged to testify at comprehensive and capital planning workshops and at zoning hearings on land use issues that could affect Marine Corps bases.

The CP&LO function is the first of its type with an explicit "outside the fence line" focus, and the Marine Corps has established these positions at all of its major landholding bases and at the regional commands supporting them. As the panelists understood it, the CP&LO function was twofold: to (1) act as the installation commander's eyes and ears in the community, and (2) to act as the advocate for range sustainability for higher headquarters—DOD, the major commands, Corps of Engineers (COE), Naval Facilities Engineering

Command (NAVFAC), and Air Force Center for Engineering and the Environment (AFCEE). The focus outside the fence is with the local government and development community. The focus inside the fence is with the "operators"—that is, the training commands and fighting forces, community planners, public works directors, and facility managers.

The panel's initial observation was that this position has inherent conflicts of interest. Who does this person report to and receive an evaluation from? Where would this person's loyalty be when a local installation issue conflicts with higher headquarters' policy? The panel's research indicates that part of the problem with providing a consistent message about range sustainability stems from the fact that range sustainability is viewed very differently by individuals and organizations within DOD.

The liaison officer would need to be of sufficient seniority to speak for the commander in public situations and also hold his or her own among the base facility managers and public works officials, who often are not cognizant of or sympathetic to issues "outside the fence." Organizationally, the community liaison officer needs to have the ability—and trust—of the installation commander to speak directly on his or her behalf to local officials, landowners, and developers. Requiring the community liaison officer to report to—and speak through—an intermediary office on the installation could compromise the effectiveness of this position. If, for instance, the position were subordinate to the installation's facilities/public works director, the ability to provide a direct pipeline for communication from local elected officials to the commander would be diminished. Furthermore, the ability to be the apostle and advocate for range sustainability might be subordinated to other facility issues.

In initiating this liaison officer concept, DOD needs to define the liaison role by addressing the following questions:

- Who is the community liaison officer's supervisor?
- How does the community liaison officer interface with the installation's command hierarchy?

- How does the community liaison officer interface with headquarters, major commands, and the COE, NAVFAC, and AFCEE?
- Does the community liaison officer have a staff and resources?
- Is the community liaison officer a civilian or a uniformed officer and what is his or her rank or grade?

Focus on Implementation

The Office of the Secretary of Defense has been engaging the civilian community on land use, economic development, and urban planning issues for years, particularly in terms of base closure and realignment. The urgency of issues surrounding range sustainability is a more recent phenomenon and therefore not as mature as those other programs. The panel feels that the time for writing manuals, drafting instructions, preparing guidance, and evaluating methods of engagement is over. It is now time for DOD to implement its programs. The two areas that deserve the most attention are the community liaison officer and the implementation or follow-up to the JLUS process.

Community Liaison Officer

The panel believes the community liaison officer must be created for all installations that have impending range sustainability issues. This liaison must have a direct link with the installation commander and must be able to speak for the installation commander on land use issues. In the civilian world, the liaison must act in the role of the installation commander and should be present when the commander attends civilian functions. As noted previously, a series of “role” determinations must be resolved before the liaison can operate effectively. The DOD should set a timetable for defining these issues and standing up the community liaison at the most vulnerable bases.

Joint Land Use Study

The panel feels that the JLUS process, while an incredibly useful program, suffers from lack of follow-up and implementation by the military and lack of a binding land use plan on the part of local communities. The JLUS process allows each of the partner groups (military and civilian) to understand what the other is doing and to “suggest” proposed tools, action steps, and implementation responsibilities to address conflicts.

The instructions for JLUS say: “It is DOD’s policy to work toward achieving compatibility between military installations and neighboring civilian communities by a joint compatible land use planning and control process conducted by the local community in cooperation with the local military installation. Among other things, the military is required to establish procedures for ongoing support of JLUS implementation recommendations.” This instruction is equivalent to wishful thinking. Unless the development community is required, by law, to coordinate with the installations, it will not do so.

Although the most effective mitigation measures, such as purchase of property, easements, or development rights, are often suggested in the JLUS program, the willingness or availability of funds to address incompatible civilian development outside the wire does not appear to be forthcoming. Therefore, recommendations of the JLUS program place the obligation of many of the most effective mitigation measures on the locality. If the range sustainability program is going to be achieved, the military must be willing to spend the money necessary to protect its ranges, curtail the operation of those ranges, or live with the consequences of urban development.

Conclusion

The DOD and the U.S. military services are approaching a quandary with respect to training range encroachment. The primary activity of the military, outside of fighting wars, is training. The current weapons systems and the dynamic direction of U.S. strategic network-centric operations require that the military have broad and timely access to a variety of training ranges around the country and the world.

One of the largest and most critical encroachment issues facing the training range system is urban development. The Urban Land Institute supports a more comprehensive and collaborative effort to allow dialogue and communications among the military, real estate developers, and local governments. This report outlines some of the actions this panel suggests to improve that communication process.

The panel espouses the following overarching principles: (1) real estate development is a relationship-driven, local activity that requires knowledge of local codes, ordinances, and customs; (2) the military is a player in the development community, and it needs to think and act like a developer; (3) the onus is on the military to learn, un-

derstand, and engage the land use process; and (4) the military needs to know what is happening outside the installation fence. The panel's recommendations suggest that DOD and the military services engage the land use process, educate their audiences, and understand how developers work and how the local land use process works. The recommendations also support enhancing the use of the JLUS process and the concept of an installation liaison office. The liaison office not only can carry the message of range sustainability to the localities, but also can convince the installation commanders that engagement with the local land use process is paramount in this effort.

The recommendations of this panel come from developers and land use professionals that serve developers. Theirs is a civilian point of view. They recognize that the military, in the end, will need to solve this problem. The Urban Land Institute stands ready to provide advice and explore the opportunities that will be necessary to maintain the nation's military readiness.

About the Panel

Alex J. Rose

*Panel Chair
El Segundo, California*

Rose serves as vice president, development, for Continental Development Corporation in El Segundo, California. He is responsible for managing all development and construction activities for the suburban office/research and development (R&D) park developer, whose holdings cover 3.5 million square feet in Southern California's Los Angeles County South Bay market and in the city of San Francisco. Rose oversees acquisitions and new project development; planning and execution of all tenant improvement, core and shell renovation, and new construction work; major facilities maintenance and upgrades; project budgeting and cost controls; internal project management; and architect, engineer, and contractor management.

Over the past 11 years, Rose has overseen the development and acquisition of nearly 1 million square feet of Class A office and medical space, as well as the physical transformation of over 1 million square feet of single-tenant R&D facilities into multitenant office space, restaurants, retail, and entertainment uses. Rose's current projects include the repositioning and conversion of a 400,000-square-foot office park to medical uses, redevelopment of a 108-acre chemical plant site into 900,000 square feet of promotional and lifestyle retail, redevelopment of obsolete retail property into medium-density, residential-over-retail, mixed-use, and new development acquisitions in excess of \$150 million. Before assuming development and construction responsibilities, Rose served as director of property management. He also has extensive experience in title insurance and is a licensed California attorney, with experience in general civil and bankruptcy litigation practices.

Rose received his MBA from the University of Southern California (USC), his JD from Southwestern University School of Law, and his BA from the University of California, Los Angeles (UCLA). He is a trustee of the Urban Land Institute, a vice chair of ULI's national Program and District Council Committees, a member of ULI's Small Scale Development Council and Los Angeles District Council Executive Committee, and the immediate past chair of ULI's Commercial and Retail Development Council. Rose has chaired and served on numerous national ULI Advisory Services Panel assignments, focusing on downtown and transit corridor redevelopment and revitalization, and office development issues and has participated in several ULI office sector workshops.

Rose has been a member of numerous other community, industry, legal, UCLA, and USC affiliated groups, including the Los Angeles Conservancy, El Segundo Employer's Association (a business community-based organization focusing on community infrastructure improvements), Leadership Manhattan Beach, and New Schools Better Neighborhoods (a private and public citizen's advisory board that is researching and developing standards and methodologies for the development of over 100 new community-asset public schools in the Los Angeles metropolitan area).

Marty Borko

Santa Monica, California

Borko is a principal in the Santa Monica office of Gensler, an international design firm with offices in key cities around the world. Gensler is a global architecture, design, planning, and strategic consulting firm that specializes in a wide range of buildings and facilities owned or used by businesses, institutions, and public agencies. Borko heads up the firm's entertainment practice area,

where he works on a wide range of retail, entertainment, and mixed-use projects.

During his more than 20 years of experience, Borko has developed a unique expertise in the planning and design of projects from urban infill to new mixed-use town centers and lifestyle projects. His focus is in providing leadership to multidisciplinary teams necessary to solve these complex contemporary design problems in today's urban context. Clients that he works with include major entertainment companies, retail/mall developers, and retailers and public sector entities.

He is a member of the Entertainment Council of the Urban Land Institute and sits on the board of directors of the Pier Restoration Corporation of the city of Santa Monica. He writes and speaks on retail and entertainment locally and nationally.

William L. Clarke

Ross, California

Clarke is licensed as both a civil engineer and a landscape architect and has over 30 years' experience in planning, design, and construction projects. He currently consults to developers and other planning and design firms and public agencies on issues ranging from new community plans to site planning and engineering.

In recent years, Clarke's work has centered on the planning and implementation of a variety of projects. Among these projects have been an 11,000-acre residential development near Livermore, an 800-acre commercial/industrial plan in Tracy, and a 300-acre business park in Livermore, all in California. He was also part of a team preparing a resource management plan for the country of Palau.

Previously, for more than 20 years, Clarke was with two of the largest landscape architecture/planning firms in the country. As a principal at the SWA Group in Sausalito, California, he worked on projects that included the Weyerhaeuser corporate campus outside Tacoma, Washington; the engineering planning for the Woodbridge new community in Irvine, California; and compounds for ARAMCO in Saudi Arabia. As a principal at EDAW, Inc., Clarke led a team that won a design

competition for a government complex in Doha, Qatar; prepared two specific plans for more than 6,000 homes and 800,000 square feet of office industrial land in Tracy, California; and prepared construction documents for Washington Harbour in Washington, D.C.

James R. Harris

Fort Worth, Texas

A resident of Fort Worth, Harris is president and owner of the James R. Harris Company, a single-family residential development company. The company has been in the business of developing quality residential neighborhoods and master-planned communities in the Dallas-Fort Worth area since 1979. Since its founding, the company has developed more than 17,000 residential lots. The company has also developed residential property in Aspen, Colorado, and Austin and Tyler, Texas. Other company ownerships include Village Homes, a custom homebuilding company specializing in urban and infill sites, and Sun Creek Homes, a partnership that develops manufactured home communities.

Harris has been a member of the Urban Land Institute for 20 years and has been a ULI Residential Council member for ten years. He is also a member of the ULI Leadership Group. Harris is a governor of the Urban Land Foundation and has served as a member of two ULI advisory panels.

Harris is a longtime member of the Fort Worth and Tarrant County Builders Association, has held numerous committee positions, and is currently serving on the association's executive committee and board of directors. He is a member of the board of directors of the Texas Association of Builders and has also been active in the National Association of Home Builders. He has received the lifetime Spike award given by the association for his achievements.

Harris has served as a member of numerous boards and committees with the city of Fort Worth concerning zoning and development policies. Membership on Fort Worth boards and committees include the Development Policy Review Committee, Capital Cost Recovery Committee,

Water and Waste Water System Development Charge Committee, Commercial Zoning Review Committee, and Zoning Review Task Force.

Harris is vice chairman of the Board of Commissioners of the Fort Worth Housing Authority and a member of the board of directors of Wells Fargo Bank of Fort Worth. He has served as chairman of the board of Trinity Terrace, a continuing care retirement community in Fort Worth. He is a member of the Downtown Fort Worth Rotary Club. He received a BA from Austin College and earned an MBA from Texas Christian University.

Richard L. Perlmutter

Rockville, Maryland

A resident of Potomac, Maryland, Perlmutter co-founded Argo Investment Company in 1996. The firm currently is developing retail, office, residential, and urban mixed-use projects. Since inception, Argo's projects include over 2 million square feet of commercial and residential space.

Nearing completion is Downtown Silver Spring, a 1.2 million-square-foot mixed-use development in Montgomery County, Maryland. The development includes 400,000 square feet of urban retail spread over four city blocks, 180,000 square feet of Class A office space, 170 hotel rooms, and 220 condominiums. Also under development is a 45-unit condominium project in the Georgetown neighborhood of Washington, D.C., and an art storage facility in Somerville, Massachusetts. Several completed projects include Hunters Branch, a 400,000-square-foot office park in Fairfax, Virginia; the Nature Conservancy Headquarters, a 160,000-square-foot office building in Arlington, Virginia; and Hatch Mott MacDonald Headquarters, a 60,000-square-foot office complex in Milburn, New Jersey.

As senior vice president of Bank of America, Perlmutter was responsible for managing its real estate portfolio. From 1990 to 1996, he completed over 500 transactions valued at \$1.5 billion. Perlmutter began his career in real estate with Oxford Development Corporation and Bozzuto Associates, where he developed more than 3,000

apartments along the Eastern seaboard from 1984 to 1990.

Upon graduating from the School of Law at the University of Oregon in 1981, Perlmutter became counsel to the U.S. Senate Committee on Commerce Science and Transportation. He completed undergraduate studies in urban planning at the School of Architecture and Urban Planning of the University at Buffalo, The State University of New York, and graduate study in Urban Planning at the School of Architecture and Urban Planning of the University of California, Los Angeles.

Perlmutter is active in community and professional organizations. He is a member of the Executive Committee of the Urban Land Institute Washington District Council, chair of the Bethesda Center of Excellence, vice chair of the White-water Slalom Committee of U.S. Canoe and Kayak, and a member of the board of trustees of Montgomery Housing Partnership. He also is a member of the board of directors of Carl M. Freeman Associates.

Gerard P. Tully

Salt Lake City, Utah

Tully is a registered landscape architect in the state of Utah and has been a professional land planning and development consultant for more than 27 years. He is currently a senior project manager for Psomas, a 750-plus employee, multi-disciplinary real estate consulting and engineering firm with offices throughout the western United States. At Psomas, Tully helps direct the company's planning and community development team.

Prior to joining Psomas, Tully was executive vice president of the Proterra Companies, an award-winning Salt Lake City real estate consulting and development company specializing in community master plans, urban infill, and redevelopment projects, and he has been the principal of his own design and planning firm, Tully Design Group, Inc.

He serves as a district council counselor and the past chair of the Utah District Council for the Urban Land Institute and is a member of its

National Leadership Council. Tully has served on several ULI Advisory Services panels, including the Osceola County, Florida, Vision and Growth Strategy panel and the City of Greenwood Village, Colorado, Town Center panel, and is a member of the ULI/Federal Transit Administration (FTA) review panel involved in the rewrite of the FTA's "New Starts" funding guidelines as they relate to land use.

Tully has been a guest lecturer for ULI, the American Planning Association, Envision Utah, and the U.S. Agency for International Development and is an adjunct professor at the University of Utah College of Architecture and Planning. He is the past president of the Sugarhouse Park Authority, where he served an eight-year term. He has been actively involved in the Envision Utah process since its inception and has served on several steering committees involved in charting the future course of development in Utah. Tully's development projects have received several Governor's Quality Growth Awards in recent years from Envision Utah as well as an urban design award from the Utah Chapter of the American Planning Association.

Walter Winius, Jr.

Phoenix, Arizona

For more than 45 years, Winius has conducted real estate and economic market research, analysis, and real estate appraisals. His work for hundreds of clients has involved market identification and analysis, demographic trend analysis, eco-

nomie trend analysis, absorption studies, project feasibility studies, and land use recommendations across the United States, Eastern Europe, and parts of Asia.

He has provided consulting services to various organizations funded by the U.S. Agency for International Development and nongovernmental entities. Winius has worked with public and private sector entities in Albania, Bulgaria, the Czech Republic, Hungary, Kazakhstan, Macedonia, Mongolia, Poland, Romania, Russia, Slovakia, and Ukraine to assist in the privatization of real property and provide teaching assistance to valuers and associated groups as well as the judiciaries after implementing a bankruptcy code in these countries.

Winius is a member of the Appraisal Institute (past national president), the Counselors of Real Estate, the Royal Institution of Chartered Surveyors, and ULI's Sustainable Development Council. He received BA and BSBA degrees from the University of North Carolina and an MBA from Washington University in St. Louis. He has testified as an expert witness in numerous county, state, and federal courts in various jurisdictions.