

University Park Community Association, Inc.  
Safety and Access Control Committee  
**DRONE AIRCRAFT POLICY**

**BACKGROUND**

There are thousands of drone aircraft registered in Florida and that number will continue to grow. Drone operation is subject to many State and Federal regulations as well as local rules and practices.

In addition to private drone operation, commercial entities use drones for various purposes such as real estate marketing, pipeline and powerline monitoring, and damage assessment. As such, University Park Country Club ("UPCC"), University Park Community Association, Inc. ("UPCAI"), and Community Management Systems ("CMS") have business reasons for bringing commercial drones inside the Park.

However, drone operation creates noise and with various types of onboard cameras, can easily violate privacy laws. The UPCC Community does not currently have a policy regarding drone operation within its boundaries.

**KEY DRONE OPERATIONAL REQUIREMENTS**

Due to the proximity of UPCC to Sarasota-Bradenton International Airport (SRQ)—within 5 air miles-- ALL 'Hobbyist' drone operators must notify SRQ and air traffic control in advance of drone operation. Other significant requirements include the registration with the FAA of any drones weighing more than 0.55 pounds and flight operation must be maintained within line of sight of the operator. Altitude cannot exceed 400 feet. In no case can a private drone be used for surveillance (FL Criminal Code 934.50).

Commercial drone regulations are even more stringent and include pilot training and Federal Aviation Authority (FAA) certification. Specific requirements are listed on the "UPCC Commercial Drone Flight Authorization Checklist."

**Committee Recommendation**

The Committee recognizes that there may be residents and homeowners who may consider operating a drone aircraft within UPCC. However, beyond the regulatory requirements, the expectation of privacy and quiet enjoyment of one's property by residents and homeowners cannot be overstated. In fact, Article 11 in the Declaration of Covenants, Conditions and Restrictions can be applied to these expectations:

***"No person shall create any public or private nuisance, or engage in any noxious, illegal, or offensive activity within the Community. ....no Owner shall...cause unreasonable noise or other conditions that disturb, in the opinion of the Board, the reasonable peace, quiet, safety or comfort of the occupants of adjacent properties..."***

While no attempt is being made by this Drone Policy to 'control airspace' above UPCC, Hobbyist flight operations within UPCC would be considered a nuisance.

**Committee Recommendation, continued**

Therefore, it is this Committee's recommendation that no 'Hobbyist' drone flight, operated by a homeowner, resident, or their guest (s) shall originate from, terminate in, or overfly any portion of University Park Country Club.

Commercial drone operation will be authorized only after being validated by and registered with UPCA/CMS or the Country Club. A checklist of requirements that must be met prior to commencement of commercial drone flight within University Park Country Club borders is attached to and made a part of this Policy. This checklist will help ensure that UPCA/UPCC has properly vetted commercial drone operations and pilots overflying any part of UPCC.

**University Park Community Association, Inc. (“UPCAI”), and  
University Park Country Club (“UPCC”)**

**COMMERCIAL DRONE FLIGHT AUTHORIZATION CHECKLIST**

Only commercial drone flight operations that have a specific business purpose will be authorized by UPCC or UPCA.

The following items must be provided to University Park personnel, and the operating parameters that must be adhered to:

1. Drone must be operated by a Federal Aviation Authority (FAA) certificated Pilot. Pilot MUST provide his or her valid FAA Certificate, a copy of which will be retained in UPCA/UPCC files. (“sUAS,” Small Unmanned Aircraft System Remote Pilot Certificate See: Attachment A for example)
  
2. Pilot must also provide a valid FAA issued Certificate of Waiver or Authorization to fly within the airspace which encompasses UPCC. This document is proof that the Pilot is authorized by the FAA to fly over this Community. *NOTE: The document is issued for a specific time period. Make sure the Authorization remains in effect for the duration of the planned drone flights. See “Special Provisions” section at end of page 1 for effective dates.* A copy of the Waiver or Authorization will be retained in UPCA/UPCC files. (See: Attachment B for example)

*2(a) Effective July 19, 2018, the FAA implemented a Beta system in the zone that includes Sarasota/Bradenton Airport (SRQ) called “Low Altitude Authorization Notification Capability” (LAANC), which will ultimately replace the current process for Pilots acquiring flight authorizations from the FAA. The LAANC process will be handled/administered for the FAA through 3<sup>rd</sup> parties.*

***Personnel who are verifying a drone Pilot’s documents should ask for either the Pilot’s Certificate of Waiver/ Authorization to Fly OR the LAANC authorization. Eventually there will only be the LAANC generated authorizations.***

3. Commercial Drone flights will be permitted Monday-Friday, between the hours of 10:00 AM-4:30 PM.

With 48 hour advance notification, specific twilight operations-- until 8:30 pm—will be given consideration.

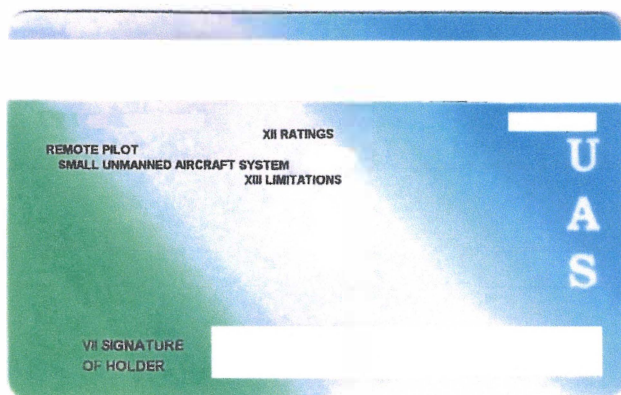
Attachment A

Remote Pilot License

Front



Back



Attachment B

FAA FORM 7711-1 UAS PART 107 AUTHORIZATION  
2017-P107-ESA-11877

Page 1 of 3

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION	
<b>CERTIFICATE OF WAIVER OR AUTHORIZATION</b>	
ISSUED TO	POC PHONE NUMBER
ATTN	
This certificate is issued for the operations specifically described hereinafter. No person shall conduct any operation pursuant to the authority of this certificate except in accordance with the standard and special provisions contained in this certificate, and such other requirements of the Federal Aviation Regulations not specifically waived by this certificate.	
OPERATIONS AUTHORIZED	
Operations under this certificate of authorization are limited to the maximum altitude listed below. This altitude is an absolute value and it shall not be added to the height of any structures. Class of Airspace: C At or Below: Altitudes in accordance with published UAS facility map Location: 27° 24' 07.00" N, 82° 28' 26.00" W. See Attachment 1 Radius: 1 NM Under the Jurisdiction of: Sarasota Airport Traffic Control Tower (SRQ ATCT) Airport Identifier: SRQ	
LIST OF WAIVED REGULATIONS BY SECTION AND TITLE	
N/A	
STANDARD PROVISIONS	
1. A copy of the application made for this certificate shall be attached and become a part hereof. 2. This certificate shall be presented for inspection upon the request of any authorized representative of the Federal Aviation Administration, or of any State or municipal official charged with the duty of enforcing local laws or regulations. 3. The holder of this certificate shall be responsible for the strict observance of the terms and provisions contained herein. 4. This certificate is nontransferable.	
Note-This certificate constitutes a waiver of those Federal rules or regulations specifically referred to above. It does not constitute a waiver of any State law or local ordinance.	
SPECIAL PROVISIONS	
Special Provisions 1 thru 3, inclusive, are set forth in this authorization.	
This certificate 2017-P107-ESA-11877 is effective from December 7, 2017 to June 30, 2018, and is subject to cancellation at any time upon notice by the Administrator or his/her authorized representative.	
BY DIRECTION OF THE ADMINISTRATOR	
<u>FAA Headquarters, AJV-115</u> <small>(Region)</small>	<i>Shanora N. Davis</i> For <u>Scott J. Gardner</u> <small>(Signature)</small>
<u>December 6, 2017</u> <small>(Date)</small>	<u>Acting Manager, UAS Tactical Operations Section</u> <small>(Title)</small>

FAA Form 7711-1 (7-74)

CIVIL PART 107 AUTHORIZATION, NOVEMBER 7, 2017

## SPECIAL PROVISIONS

### 1. CONTACT INFORMATION:

- a. \_\_\_\_\_ is the person designated as responsible for the overall safety of UAS operations under this Certificate of Waiver or Authorization. During UAS operations for on-site communication/recall, the Responsible Person shall be continuously available for direct contact at \_\_\_\_\_ by SRQ ATCT or designated representative.
- b. The Responsible Person listed on this Authorization must maintain a current list of pilots by name and the remote pilot certificate number(s) associated with the Authorization holder's operation. This list must be presented for inspection upon request from the Administrator or an authorized representative.

### 2. SCHEDULE OF FLIGHT OPERATIONS:

- a. This Certificate of Waiver or Authorization and the Special Provisions shall be in effect between civil sunrise and civil sunset local time.
- b. This airspace authorization does not relieve the remote pilots from the responsibility to check the airspace they are operating in and comply with all restrictions that may be present in accordance with see 14 CFR 107.45 and 107.49 (a)(2), such as restricted and Prohibited Airspace, Temporary Flight Restrictions, etc.
- c. The facility may disapprove, terminate, restrict, or delay UAS flight operations covered by this authorization at any time.
- d. The operator is responsible for reviewing the published UASFM at <http://uas-faa.opendata.arcgis.com/> prior to each flight to ensure that no changes have been made to the map, i.e., altitude changes, airspace modifications, etc.  
If you need to operate at an altitude that is **not** in accordance with the published UASFM, you must apply for a new authorization requesting that altitude.

### 3. EMERGENCY/CONTINGENCY PROCEDURES - Lost Link/Lost Communications Procedures:

- a. If the UAS loses communications or loses its GPS signal, the UA must return to a pre-determined location within the operating area and land.
- b. The PIC must abort the flight in the event of unpredicted obstacles or emergencies.



## **DRONE FLIGHT REQUEST FORM**

*{Please note that hobbyist drone flights will not be permitted to originate from, terminate in, or overfly any portion of University Park.}*

HOMEOWNER NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NEIGHBORHOOD: \_\_\_\_\_ LOT NO.: \_\_\_\_\_

DATE & TIME OF FLIGHT: \_\_\_\_\_

### **Commercial Drone Flight Authorization Checklist**

1. Drone must be operated by a Federal Aviation Authority (FAA) certificated pilot. Pilot MUST provide his or her valid FAA Certificate, a copy of which will be retained in UPCA/UPCC files (Small Unmanned Aircraft System Remote Pilot Certificate ("SUAS")).
2. Pilot must also provide a valid FAA issued Certificate of Waiver or Authorization to fly within the airspace which encompasses UPCC. This document is proof that the pilot is authorized by the FAA to fly over this community. ***NOTE:*** The document is issued for a specific time period. Make sure the authorization remains in effect for the duration of the planned drone flights. See "Special Provisions" section at end of the first page of the authorization for the effective dates. A copy of the Waiver or Authorization will be retained in UPCA/UPCC files.
- 2.a. Effective July 19, 2018, the FAA implemented a Beta system in the zone that includes Sarasota/Bradenton Airport (SRQ) called "Low Altitude Authorization Notification Capability" (LAANC}, which will ultimately replace the current process for pilots acquiring flight authorizations from the FAA. The LAANC process will be handled/administered for the FAA through third parties.

***Personnel who are verifying a drone Pilot's documents should ask for either the Pilot's Certificate of Waiver/Authorization to Fly -OR- the LAANC authorization. Eventually there will only be the LAANC generated authorizations.***

3. Commercial drone flights will be permitted Monday - Friday, between the hours of 10:00am - 4:30pm. With 48-hour advance notice, specific twilight operations, until 8:30pm, will be given consideration.

\_\_\_\_\_  
{Signature of homeowner}

\_\_\_\_\_  
{Date of request}

## **DRONE AIRCRAFT POLICY - FREQUENTLY ASKED QUESTIONS**

### **Safety & Access Control Committee, University Park Community Association, Inc. (“UP”)**

#### ➤ **Why does the HOA feel that a policy is needed?**

- Privacy, safety and nuisance concerns have been cited as reasons for looking into drone aircraft operations within UP. There were a few drone overflights reported earlier this year (2018) about which there was no flight information that could have been provided to homeowners and residents.

#### ➤ **Can anyone fly drones within UP?**

- There are two (2) classifications of drone pilots: commercial and hobbyist; each has its own set of requirements. Commercial pilots have met specific FAA requirements, are issued a certificate by the FAA and are approved to fly within a geographic area for a specific time period. Hobbyists are not certificated by the FAA and, due to our proximity to SRQ, must file a flight plan each time they want to fly.
- Commercial pilots with a valid business reason for flying inside UP boundaries will be approved for limited overflight operations according to the business requirement.

#### ➤ **What is a ‘valid business reason?’**

- Valid reasons include, but are not limited to, real estate listings, country club photography and videography, weddings, roof inspections, road inspections, damage assessments.

#### ➤ **Will hobbyists be allowed to fly within UP?**

- The policy states that hobbyist drone flights will **not** be permitted to originate from, terminate in, or overfly any portion of UP.

#### ➤ **Does this mean that my grandchildren cannot fly their drone when they visit?**

- That is correct. Homeowners, residents, and guest(s) are not permitted to operate drones within UP.

#### ➤ **Does this policy require a change to the CC&Rs (Covenants, Conditions & Restrictions)?**

- No, it does not. The existing CC&Rs, Article 11, deals with nuisances and, with the exception of valid commercial drone operations, hobbyist drone flights would be considered a nuisance by the Board of Directors.

#### ➤ **How will the policy be enforced?**

- Drone operation within UP would fall under the ‘If you see something, say something’ guidance. Once implemented, valid commercial drone flights would be registered with the association (process still being finalized). Affected, proximate neighbors would be provided with advance notice of drone operation and UP would be aware, as well. Any other observed and reported drone overflight would be investigated as much as possible by the roving patrol staff and may be reported to the FAA and local authorities, if egregious.
- In no case should actions be taken against the aircraft itself, or the drone pilot, if seen.

#### ➤ **Will we charge for the flying of drones for valid business purposes?**

- There is no plan to charge for commercial pilots operating for valid business reasons within UP. We would not be issuing a permit; we will be checking business purpose, checking pilot credentials, and setting up a communication to affected homeowners/residents.

#### ➤ **Will this policy be coordinated with the country club?**

- Yes. Golf course operations and the club’s numerous functions will necessitate close coordination with UP so that everyone is kept informed.

#### ➤ **How will this policy be coordinated with realtors?**

- This is still being finalized but it will involve not only the realtor & MLS, but the homeowner as well.

#### ➤ **How will homeowners be advised about approved drone flights near their property?**

- It is likely that a ‘blast’ email will go out once the flight details are known.

#### ➤ **How will Amazon drone deliveries be handled?**

- We do not yet know of Amazon’s plans in this area, when or if drone deliveries will gain a foothold here, and whether the FAA will permit such deliveries within its five (5) mile radius of SRQ. When, or if, this becomes an issue, the committee will investigate at the time.