

NAS Oceana Encroachment Case Study

presented by

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Station History

Potter's Farm, circa 1937

Station History



Circa 1960: The Jet Age

NAS OCEANA
1950-1960

Station History

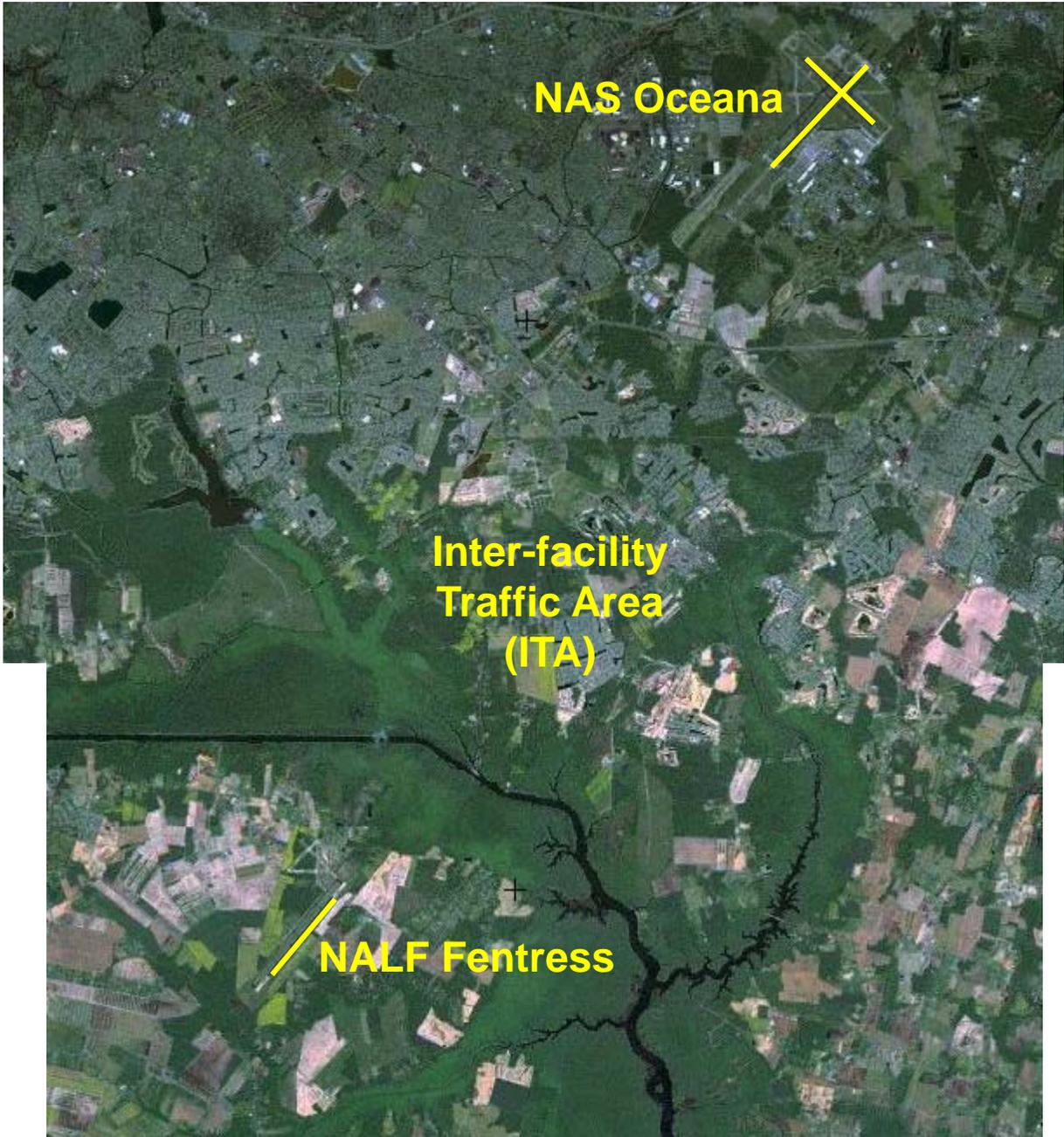
An aerial satellite view of an airport terminal and surrounding area. The terminal is a large, complex structure with multiple runways and taxiways. The surrounding area includes residential neighborhoods, green fields, and roads. Several colored markers are overlaid on the image: blue markers are scattered across the residential areas, and orange markers are located near the terminal building and on the runways.

The Present

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Google



NAS Oceana

Inter-facility
Traffic Area
(ITA)

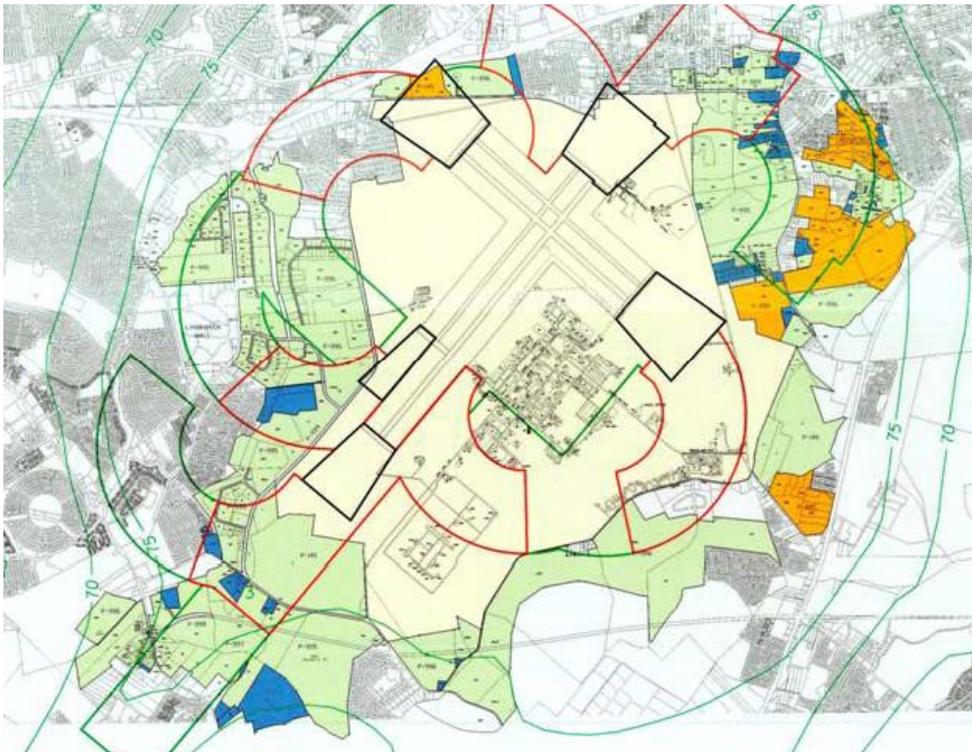
NALF Fentress



Station History



- Navy Restrictive Easements, late 1970s to early 1980s



➤ 3,681 acres



➤ 8,777 acres

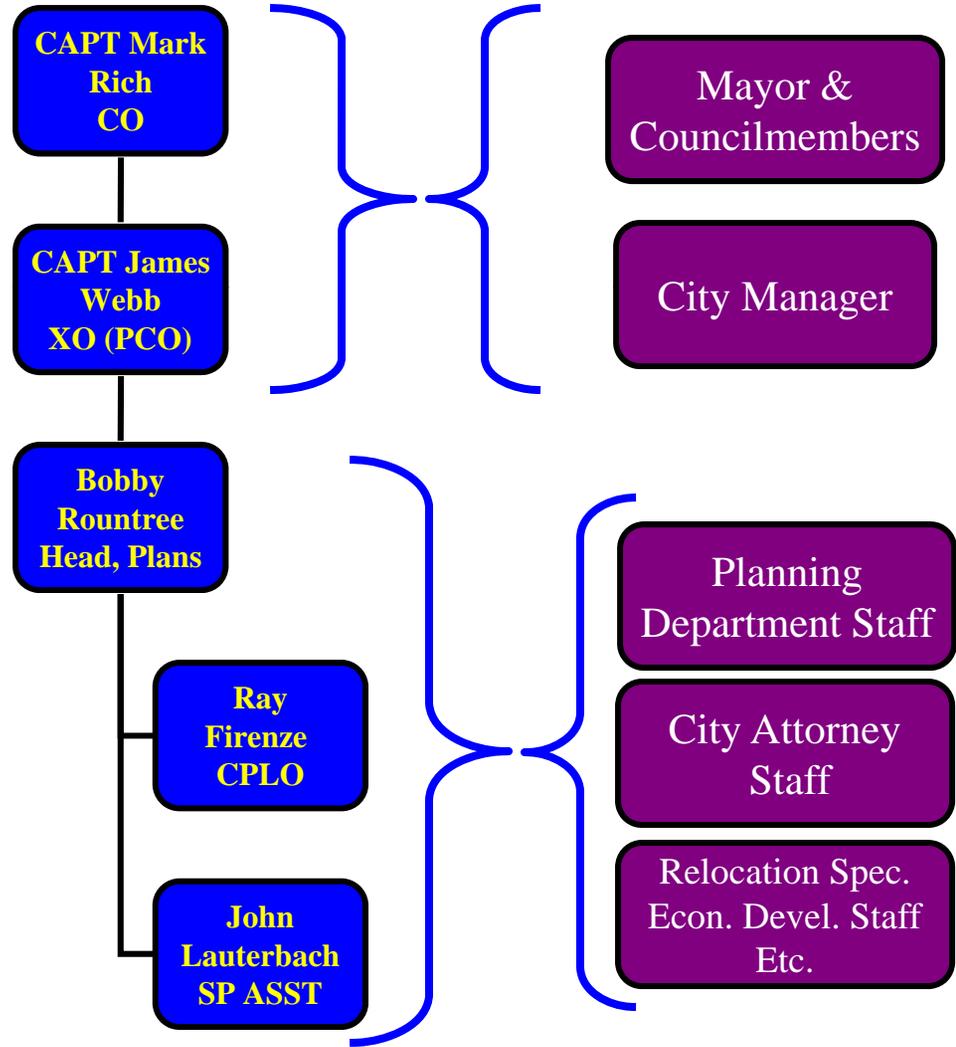
- **Total cost of Oceana and Fentress easements = \$57M**



Our Team



- **Commanding Officer:** *Sole authority to speak for, and receive information on behalf of, the Navy in matters of AICUZ & community relations.*
 - This point is included in MOU
- **Executive Officer:** 18 to 24 mo. OJT as PCO.
- **Head, Plans:** Former NAS Oceana XO; FA-18 squadron CO; provides “pilot’s perspective” without disturbing an active duty officer.
- **Community Plans Liaison Officer:** Former Navy ACC; provides air ops technical expertise; directly plugged into municipal Planning Departments.
- **Special Assistant:** Former Navy JAG; fluent in state & city legislative processes; responsible for surveying easement properties.





Best JLUS Outcomes: AICUZ Overlay Ordinance & MOU



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- **December 2005: Virginia Beach adopts Navy AICUZ compatibility criteria into Zoning Ordinance – 70 dB DNL and greater.**
 - Incompatible development prohibited unless no other reasonable use for the land
 - If no other reasonable use, development must proceed at the lowest density reasonable.
 - **February 2007: Oceana and Virginia Beach sign Land Use Memorandum of Understanding.**
 - Staffs meet to discuss proposal a minimum of 30 days before Planning Commission
 - Builders must complete “Reasonable Use Exception Application” for all incompatible proposals
 - Formally places the burden on developer to convince City Council that incompatible development should be allowed over compatible ones



Best JLUS Outcomes: State Legislation



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- **Mandatory real estate disclosure**
 - Applies to sales and leases
 - **Strengthened sound attenuation requirements**
 - **“The location of military bases, military installations, and military airports and their adjacent safety areas” added as factor to be considered during municipal comprehensive planning process.**
 - **Notice to installation commander required for proposed changes to zoning or comprehensive plans for land within 3000 feet of the installation boundary**



Best JLUS Outcomes: Encroachment Partnering



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- **Virginia Beach**
 - City applied \$9.2M for 205 acres (ITA); DON applied \$3.6 M (REPI funds) for restrictive use easements
 - DON transferred 82 acres for park in exchange for \$500K in restrictive easements elsewhere in City
 - **Chesapeake: \$750K applied to acquisition of 600 acres (ITA)**
 - **FY09: \$3.0M requested to continue partnerships with Virginia Beach and Chesapeake that restrict incompatible uses in the ITA**



Best JLUS Outcomes: Lasting Effects



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- **January 2008: Virginia Beach amends AICUZ Overlay Zoning Ordinance to land within 65 – 70 dB DNL sound contour**
 - Broken into three sub-areas, each with its own approval criteria
 - October 2008: MOU amended to capture ordinance changes
 - **January 2008: Virginia Beach rezones ITA to 1 unit per 15 developable acres, further protecting this critical area between Oceana and Fentress**



BRAC 2005





Best BRAC Outcome: APZ1/Clear Zone Compatibility Program



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- **Acquires incompatible properties and property interests in APZ-1/Clear Zones**
 - \$45M for 343 units from 123 owners thus far
 - **Prohibits all new incompatible development**
 - **Creates incentives to attract compatible businesses into APZs.**
 - **Program expanded to include ITA:**
 - \$5.8M applied to 150 acres from 4 owners



Challenges



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- **Local political will to support compatible development near your installation**
 - **Local community recognizing the economic impact of your installation**
 - **ICO staff manning / expertise**
 - **Litigation**
 - NAVFAC Real Estate Legal support
 - Navy Litigation Office support
 - Dept of Justice support



The Way Ahead



Apply these



To these

- **Frequent and forthright communication about priorities and concerns**
 - Between leaderships
 - Between staffs
 - **Collaborative processes**
 - MOU group
 - OLUCC
 - Encroachment partnering
- **Potential changes to operations and operating environment**
 - Strike Fighter basing strategy
 - Joint Strike Fighter?
 - **City shift to form-based zoning**
 - **Oceanfront re-development**