



PROGRESS REPORT

➤ NAS OCEANA ENCROACHMENT REDUCTION PROGRAM

COMPREHENSIVE FROM SEPTEMBER 8, 2005 – JUNE 30, 2015



>KEY ACCOMPLISHMENTS

CITY OF VIRGINIA BEACH

- Rezoned 46,663 acres to stop encroachment within the AICUZ footprint
- Prohibited all new incompatible development within the APZ-1/Clear Zone (approximately 7,000 acres)
- Limited residential development to one unit per 15 acres of otherwise-developable land within the entire Interfacility Traffic Area (ITA), spanning 4,700 acres
- Extended sound attenuation requirements over the entire AICUZ footprint
- Adopted Memorandum of Understanding between City and NAS Oceana for joint staff evaluation of discretionary development applications seeking incompatible land uses within AICUZ footprint
- Eliminated more than 1,300 potentially incompatible units in APZ-1/Clear Zone upon adoption of new land-use ordinances
- Acquired or contracted to acquire 1,422 acres in the ITA at a cost of more than \$29 millionⁱ
- Established “Rural AICUZ Acquisition” Area and purchased 792 acres for \$5 millionⁱⁱ

- Acquired or contracted to acquire fee simple interest or development rights over 133 acres in the APZ-1 and Clear Zones at a cost of \$85 million and permanently eliminated 697 dwelling units
- Acquired or contracted to acquire 65 commercial units in the APZ-1 and eliminated 55 incompatible commercial units
- Partnered with Navy for encroachment partnering funds in the ITA by conveying restrictive easements to the Navy over 1,437 acres in the ITA
- Committed more than \$2.5 million to provide incentives and economic development grants to 30 businesses to bring about compatibility in APZ-1 and leveraging more than \$26 million in new private investment
- Sold or contracted to sell or lease six city-owned parcels for compatible commercial businesses, all of which were formerly incompatible uses or zoning
- Formed website www.YesOceana.com to aid residential and business transition in APZ-1 from incompatible to compatible uses

>DISTINCTIONS

- Virginia Municipal League's President's Award for Entrepreneurial Government in 2009
- Naval Air Station Oceana selected as the Active Base Community of the Year in 2010 by the Association of Defense Communities, in recognition of its community partnership with the City, which has enhanced military value and overall economic development of the community
- 4th place in the International Right of Way
- Association's "Project of the Year" competition for 2012
- City of Virginia Beach Mayor William D. Sessoms, Jr. named "Elected Official of the Year" in 2012 by the Association of Defense Communities
- International Economic Development Council's 2014 Gold Excellence Award

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“the focus is on the measurement of progress in order to reflect the continuing success and diligent pursuit of this innovative program to stop and roll back encroachment

OVERVIEW

This is the eighth progress report detailing the comprehensive effort of the City and the State to stop and roll back encroachment around Naval Air Station (NAS) Oceana.

This report documents the ongoing nature of these efforts from the issuance of the BRAC Report on September 8, 2005, through the fiscal period ending June 30, 2015.

The first seven reports can be read in their entirety at <http://www.YesOceana.com/about-oluc/progress-reports.php>. These reports detail the Virginia Beach Program and its three major components – land use regulations, acquisition of real property, and an incentive program to bring about conformity. While those components are summarized in this report, the focus is on the measurement of progress in order to reflect the continuing success and diligent pursuit of this innovative program to stop and roll back encroachment.

LAND USE REGULATIONS

In 2005, the Base Realignment and Closure (“BRAC”) Commission issued an order requiring the City and State to “condemn and purchase all incompatible use property” around Naval Air Station Oceana and to spend \$15 million per year to do so. However, the City determined that a more effective response would be to exercise its land use tools and control development through a series of zoning regulations. On December 20, 2005, the City Council adopted a comprehensive ordinance that prohibited all new incompatible development in APZ-1 and the Clear Zones. This ordinance, often called the APZ-1 Ordinance, did more in one day to stop future encroachment in these areas than the City could have accomplished in 20 years had it followed the “condemn and purchase” order literally. Overnight, the City’s zoning changes prevent the development of 1,326 incompatible business and residential units.

The City recognized that the APZ-1 Ordinance would have a significant impact on owners’ property rights. For example, owners of vacant residential land in APZ-1 could no longer build on that land, because it would be prohibited by the APZ-1 Ordinance. In response, the City created the APZ-1 Acquisition Program.

ACQUISITION OF REAL PROPERTY

The Acquisition Program is funded by a unique partnership with the Commonwealth of Virginia. The City and the Commonwealth each contributed \$7.5 million through FY 14. However, thanks to the City’s successful acquisition of hundreds of parcels, the number of willing sellers has lessened, and there are fewer properties available for purchase. By consensus, funding was sought at a reduced level for FY 15, with the City and State each contributing \$3,922,267. The Commonwealth funded its portion through a combination of state budget funds and a grant from the FACT Fund.

Under the Acquisition Program, the City commissions, at its own cost, two appraisals, and directs the appraiser to value the property as if the APZ-1 Ordinance were not in effect. Thus, the City would make an offer based upon the recognition of the owner’s lost property potential.

The Acquisition Program is flexible and has been modified to address opportunities for reducing density as they arise. For example, the City realized that developers were converting older duplexes into large, new condos – but if the City bought them, it could roll back density instead. Thus, developed duplexes were added to the Program. Likewise, developments that had been approved prior to the City’s enactment of the

APZ-1 Ordinance also qualify for acquisition. In 2008, the City completed a Master Plan of APZ-1, and areas that were designated as transportation corridors or transitional areas trending to industrial or commercial uses were also added to the Acquisition Program.

The City also crafted Acquisition Programs for the Interfacility Traffic Area and the Rural AICUZ Area. These are key corridors that protect the flight path between NAS Oceana and NALF Fentress in the neighboring City of Chesapeake.

CONFORMITY PROGRAM

The third component of the Virginia Beach Plan uses various tools to bring about conformity around NAS Oceana. The City implemented a series of tax incentives and Economic Development grants to encourage compatible businesses to relocate to the areas surrounding NAS Oceana. The funds are contingent upon property owners following design criteria. The City has also been able to take acquired properties that were incompatible and sell them to buyers that develop conforming uses. Finally, the City has demolished hundreds of properties and has permanently eliminated 371 residential dwelling units and 55 incompatible commercial businesses.

For more information, go to www.YesOceana.com.

> STOP & ROLL BACK

ENCROACHMENT AROUND NAS OCEANA

The Virginia Beach Program comprises three essential components: the land use plan, the acquisition plan, and the roll back plan. These components function together to stop additional encroachment and reduce existing encroachment around NAS Oceana.

ACQUISITION PLAN

- APZ-1/Clear Zone Use and Acquisition Plan
- ITA Property Acquisition Plan
- RAA Property Acquisition Plan
- Disposition of Acquired Properties

ROLL BACK PLAN

- Amending the City's Comprehensive Plan and Adding an APZ-1/Clear Zone Master Plan and an ITA Master Plan
- The OLUCC: A Committee to Guide and Oversee the Roll Back Process
- The Relocation Incentives
- Staffing the Program: The Business Development Manager

LAND USE PLAN

- APZ-1/Clear Zone Ordinance
- The AICUZ Overlay Ordinance
- The Resort Area Ordinances
- Creation of and regulation of the ITA and RAA
- MOU: City/Navy Review of Land Use Applications
- Legal Defense of the Land Use Ordinances





> LAND USE PLAN

The land use plan relies on local land use laws to prevent future encroachment within the APZ-1/ Clear Zones and to ensure that only compatible uses are granted discretionary development approval (i.e., rezonings or conditional use permits) by the City Council within the 65 dB DNL and higher noise zones.

THE APZ-1 ORDINANCE AND AICUZ OVERLAY ORDINANCE

The City's adoption of the APZ-1 Ordinance prevented all new incompatible development in APZ-1 and the Clear Zones, including by-right development; i.e., potential development that did not require further legislative action. It also froze existing incompatible development, such that neither density nor incompatibility could increase.

The chart, labeled Figure 1 on page 13, demonstrates the historical and ongoing effect of the Ordinance. The City prevented 1,326 potential units in the APZ-1/Clear Zones immediately upon enactment of the Ordinance and Amendments. The City has continued to roll back existing encroachment through its Acquisition and Disposition Programs, and 380 existing residential and commercial units have been permanently eliminated through FY'14.

THE INTERFACILITY TRAFFIC AREA

The City's Comprehensive Plan also limits residential development within the entire Interfacility Traffic area to one dwelling unit per 15 acres of developable property. This component of the City's plan addresses the Navy's concern about incompatible development in this critical area between NAS Oceana and NALF Fentress. The Acquisition Program encompasses the ITA and is discussed, infra.

THE RURAL AICUZ AREA AND ACQUISITION PLAN

On March 3, 2011, the Commanding Officer of NAS Oceana requested that the City establish a program to acquire land in the area of the City south of Indian River Road that lies within any noise contour shown on the Air Installations Compatible Use Zones (AICUZ), which area is now being referred to as the Rural AICUZ Area ("RAA").

In his letter, the Commanding Officer identified the RAA as an area of special concern to the Navy, because if "repetitive Field Carrier Landing Practice (FCLP) operations to runway 23 at Naval Auxiliary Landing Field (NALF) Fentress, as well as inter-facility air traffic impact this area.... Incompatible development would be considered

an unacceptable encroachment to the mission and threaten the viability of both airfields."

City Council created the RAA in response to the Navy's concern, and a corresponding Rural AICUZ Area Acquisition Plan was created. The Plan authorizes the acquisition of properties located in the RAA and meeting certain criteria.

The intent of this plan is to complement the Agricultural Reserve Program, which ensures that the rural areas of Virginia Beach will continue to be farmed. It also 1) reduces the opportunity for larger scale (non-agricultural) residential development; 2) provides opportunities for wetlands mitigation for the Southeastern Parkway and Greenbelt; 3) conserves fragile land for other environmental purposes; 4) assembles a green space corridor of connectivity along the North Landing River; and 5) provides for open space and recreational opportunities.

The City continues to partner with the United States Navy in the existing Encroachment Partnering program. In 2007, the City entered into a multi-year agreement with the federal government to sell easements over purchased properties in order to further restrict them. This agreement was modified to include properties in the RAA. Through FY'14, a total of XXXX acres have been restricted by agreement.

FIGURE 1

REDUCTION OF APZ-1/CLEAR ZONE INCOMPATIBLE UNITS

(Potential And Existing) Through June 30, 2015^{lii}



> COORDINATE EVALUATIONS

OF LAND USE CONFORMITY ISSUES WITH THE U.S. NAVY

Staff from the City and NAS Oceana continue to work collaboratively, as envisioned in the 2008 Memorandum of Understanding (MOU), to review planning items that may potentially impact Navy operations surrounding the base. The Joint Review Process (“JRP”) members meet as needed, primarily to review discretionary land use applications (rezoning, use permit, street closure) for uses that are not compatible to the uses listed in the AICUZ Overlay Ordinance. The JRP group creates findings and recommendations, which are then provided to the City Council as part of the staff report for the item. The evaluations are a vital part of the overall program of meeting objectives of helping to preserve NAS Oceana by reducing incompatible land use encroachment. During Fiscal Year '15, the following items were assessed:





- January 22, 2015 Meeting / Proposed Virginia Beach Arena: (AICUZ/APZ: 70 to 75 dB DNL AICUZ). The proposed arena was previously found to meet the requirements of the City's AICUZ Overlay Zoning Ordinance in March 2014, but the JRP reviewed an Alternative Compliance Application as a supplement to its previous considerations. The application concerned technical Oceanfront Resort (OR) District Form Based Code issues that were not technically part of the review process. However, given the magnitude of the project, and the proximity of the proposed structure to the airfield, the Virginia Beach staff expressed a desire to keep the NAS Oceana staff informed of developments throughout the project.
- January 22, 2015 Meeting / McQ Builders/ 1046 and 1050 Old Dam Neck Road: (AICUZ/APZ: Greater than 75 dB DNL AICUZ). The JRP reviewed an application for the conversion and expansion of a nonconforming use, which concerned the redevelopment of 12 residential units. The subject property is situated in the greater than 75dB DNL, and is zoned AG2. The applicant's proposal was to demolish 12 residential units and re-construct them. Because the redevelopment would be at the same or lesser density, the proposal was permitted.
- January 22, 2015 Meeting / Discussion Regarding Construction Cranes: The Oceana staff gave a presentation concerning the consequences of raising construction cranes in the airspace of NAS Oceana and the process for obtaining the required FAA height and obstruction evaluations prior to such activities. Various means of notifying developers and construction firms of the FAA requirement were explored, including the placement of notices on plans being reviewed by the City, adding an FAA item to permitting checklists, and education and outreach efforts by NAS Oceana staff at Virginia Beach meetings of developers and consultants.
- March 26, 2015 Meeting / Virginia Beach Field House / Landstown Centre Way: (AICUZ/APZ – 70 to 75 dB DNL AICUZ [ITA]). Staff evaluated a proposal for eight outdoor sand volleyball courts near the Virginia Beach Field House. The Virginia Beach AICUZ Overlay Zoning Ordinance provides that outdoor recreational activities are compatible in this sound contour. The use is compatible, and represents a minimal outdoor extension to the existing recreational uses.
- April 27, 2015 Meeting / New Life Presbyterian Church / Dam Neck Road: (AICUZ - 70 to 75 dB DNL AICUZ). The group evaluated a proposal to develop all or a portion of a site currently used as a church. The property is zoned R-5D Residential; therefore, the site can be developed by-right with residential dwellings meeting the requirements of the R-5D District. The site, however, is subject to a Conditional Use Permit for a church. That Use Permit ties the use of the site to a church and nothing more. To develop the site residentially, the Use Permit would need to be modified to remove from the Use Permit the area of the site designated for residential development. Modification to a Conditional Use Permit is a discretionary action per Section 1804 of the Zoning Ordinance.

> ACQUISITION PLAN

MEASURING THE SUCCESS

FIGURE 2

ALLOCATION OF FUNDS BY CATEGORY OF CITY/STATE FUNDS

(\$130 Million) (FY 2007–FY 2015)

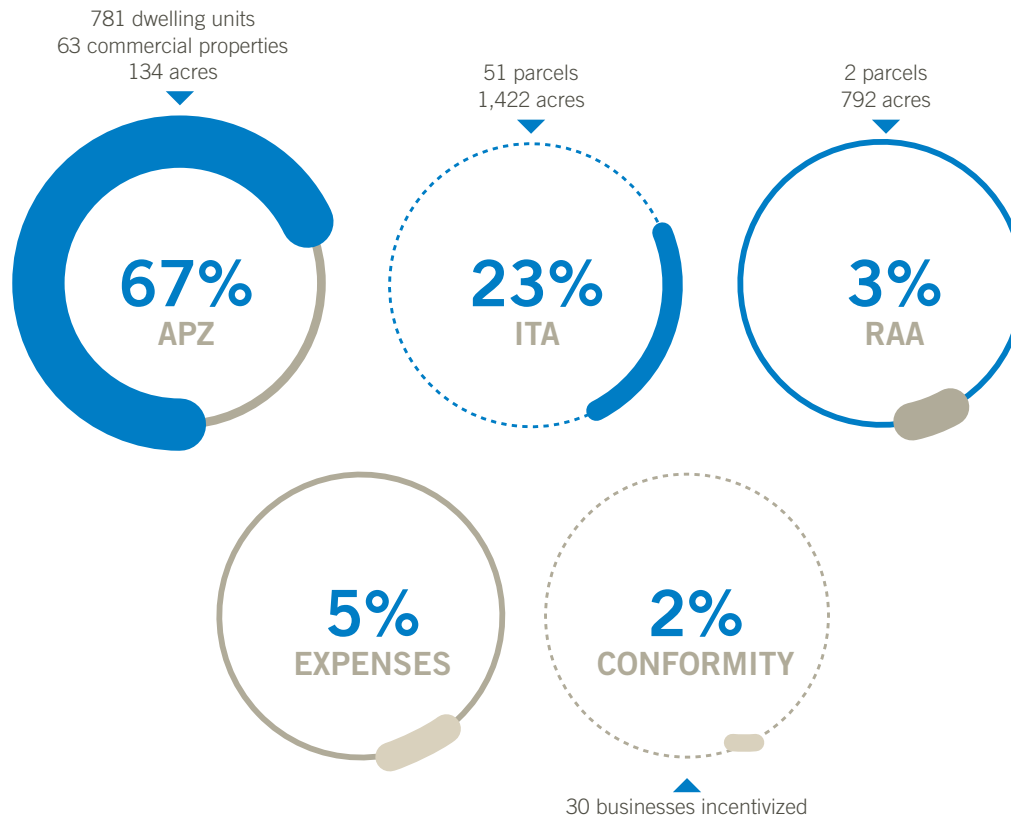
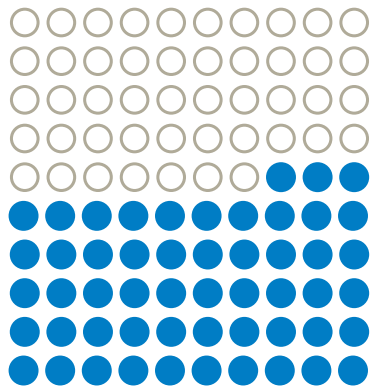


FIGURE 4

RAA AND ITA ACQUISITIONS

as of June, 2015



53
PARCELS

THE INTERFACILITY TRAFFIC AREA (ITA)

The City continues with its plan to acquire property in the Interfacility Traffic Area, the strategic flight path between NAS Oceana and NALF Fentress.

The City evaluates parcels of property offered by willing sellers to determine which are desirable to purchase in order to limit residential density and incompatible nonresidential development within the ITA.

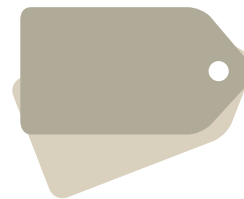
After all pending acquisitions are concluded, the City will have acquired a total of more than 1,400 acres in the ITA through its acquisition program. The City owns an additional 1,305 acres in the ITA through other site acquisitions. See Map on page 19. Of the total 4,738.8 acres in the ITA, the City will control 60% of all land in the ITA, ensuring future development will conform to the vision for this strategic area.

THE RURAL AICUZ AREA (RAA)

The City continued its acquisition plan in the RAA. The City has acquired 792 acres that will be restricted from incompatible development.



2,214
ACRES



\$34,513,026
PURCHASE AMOUNT

(Includes properties purchased with City funds only.)

>ROLL BACK PLAN

MEASURING THE SUCCESS

The roll back plan relies upon acquisitions and incentives to encourage nonconforming uses in the APZ-1/Clear Zone to relocate outside of those zones and to encourage conforming uses to relocate into the APZ-1 areas. The program to roll back encroachment includes amending the City's Comprehensive Plan, establishing a committee to oversee and guide the roll back process and staffing the program with a business development manager.

ROLL BACK PURCHASES

The "roll back" component of the Program has accomplished an absolute reduction of 380 incompatible units from APZ-1 and the Clear Zones. Roll backs include the demolition or conversion of 53 incompatible commercial businesses, and 327 residential dwelling units (See Figure 6, page 21).

THE DISPOSITION PROCESS

Resale of the properties acquired is a necessary part of the Program. Many owners do not want

large gaps in their neighborhoods caused by the removal of houses that have been purchased. The City committed to thinning, but not ruining, the residential neighborhoods, many of which actually pre-existed the base. Council promised that the property rights of the remaining residents would not be compromised. Properties are acquired and consolidated wherever possible. The plan is to carefully thin the neighborhood and respect those who want to stay. The Program has removed numerous residential structures. It is a testament to the success of the Program that you do not see unkempt gaps in these established residential neighborhoods. Instead you see larger yards and more green space. Whenever possible, an acquired property is held for public use or sold as vacant, unbuildable land to adjacent property owners. However, it is not always possible to sell vacant, restricted land to adjacent owners. Thus, the City has, in limited circumstances, sold lots for re-development. Out of 666 dwelling units acquired, 24 parcels have been permitted to remain for re-development. If a property is sold, it is sold with a deed restriction

that limits development to one unit, regardless of multi-family zoning. In some cases where adjoining lots are acquired, they are combined and sold for the development of one single-family home. Every new singlefamily home that is allowed must have enhanced noise protection.

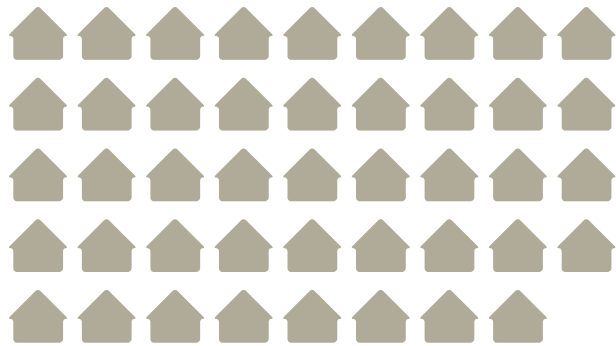
The City created a disposition committee to evaluate each acquired parcel. For each parcel, the committee carefully considers various and sometimes competing factors, including:

- The potential for future public use
- The opportunities to merge adjacent parcels in order to assemble properties
- The impact of a potential disposition on the residential neighbors
- The ability to reduce density

The disposition of acquired parcels is ongoing as the area continues to transition as a result of the acquisition, disposition, and conformity plans.

FIGURE 6

CUMMULATIVE ROLL BACK OF UNITS IN APZ-1 AND CLEAR ZONES



44

RESIDENTIAL ROLLED BACK
(IN FY2015)

TOTAL RESIDENTIAL

371



2

COMMERCIAL ROLLED BACK
(IN FY2015)

TOTAL COMMERCIAL

55

> OCEAN LAND USE

CONFORMITY PROGRAM

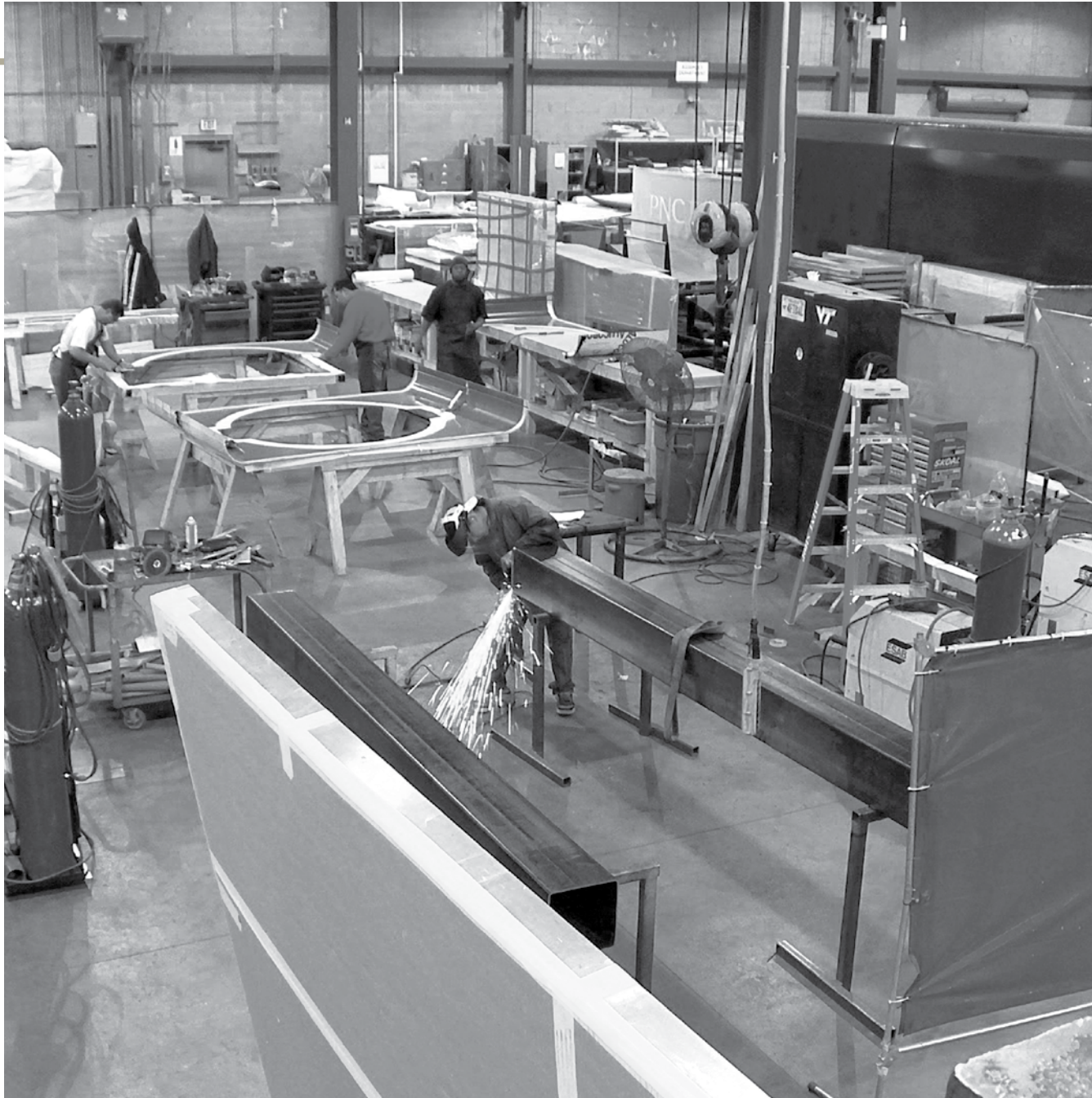
YesOceana, Virginia Beach's award-winning Oceana Land Use Conformity Program, was created to help reduce the incompatible land uses surrounding Naval Air Station (NAS) Oceana, the Navy's East Coast Master Jet Base. NAS Oceana generates 16,000 jobs with a total payroll of more than \$1.18 billion and is one of the most important components to the Virginia Beach economy.

To date, a total of 55 non-conforming commercial properties have been eliminated in key zones around the air station, and the City has committed a total of \$2.5 million to 30 businesses to promote compatible uses within the district through Economic Development grants, business tax rebates, and fee reimbursements. Through FY15, the Development Authority has awarded \$2,104,746 in Economic Development Investment Program (EDIP) grants for projects under the YesOceana program, which will leverage over \$26 million in new private investment.

HIGHLIGHTS FOR FY15 INCLUDE:

- \$270,000 total EDIP awards to 6 businesses; leveraged creation of \$13.6 million new investment and use of 197,000 sf of commercial space
- Master planning of London Bridge Commerce Center, an 18 acre industrial park redevelopment project
- Received the 2014 Gold Excellence Award for Real Estate Redevelopment & Reuse from the International Economic Development Council (IEDC)
- Construction completion of 8,000 sf Elite Motors redevelopment project
- 8 page feature article in the Winter 2015 IEDC Economic Development Journal

The incentive program continues to be a successful tool to reduce incompatible development and bring about conformity to the Accident Potential Zone.



In 2013, AGI purchased a 156,450 sf building for \$5.5 million in Oceana West Corporate Park to consolidate and expand its manufacturing operations. This location is within the APZ-1 of Naval Air Station Oceana and is part of the YesOceana program.

> CITY OF CHESAPEAKE

PREVENTING ENCROACHMENT AND PROTECTING THOSE WHO PROTECT US

Continued prevention of encroachment to NALF Fentress remains vital to our Nation's defense as well as Hampton Roads' economic vitality.

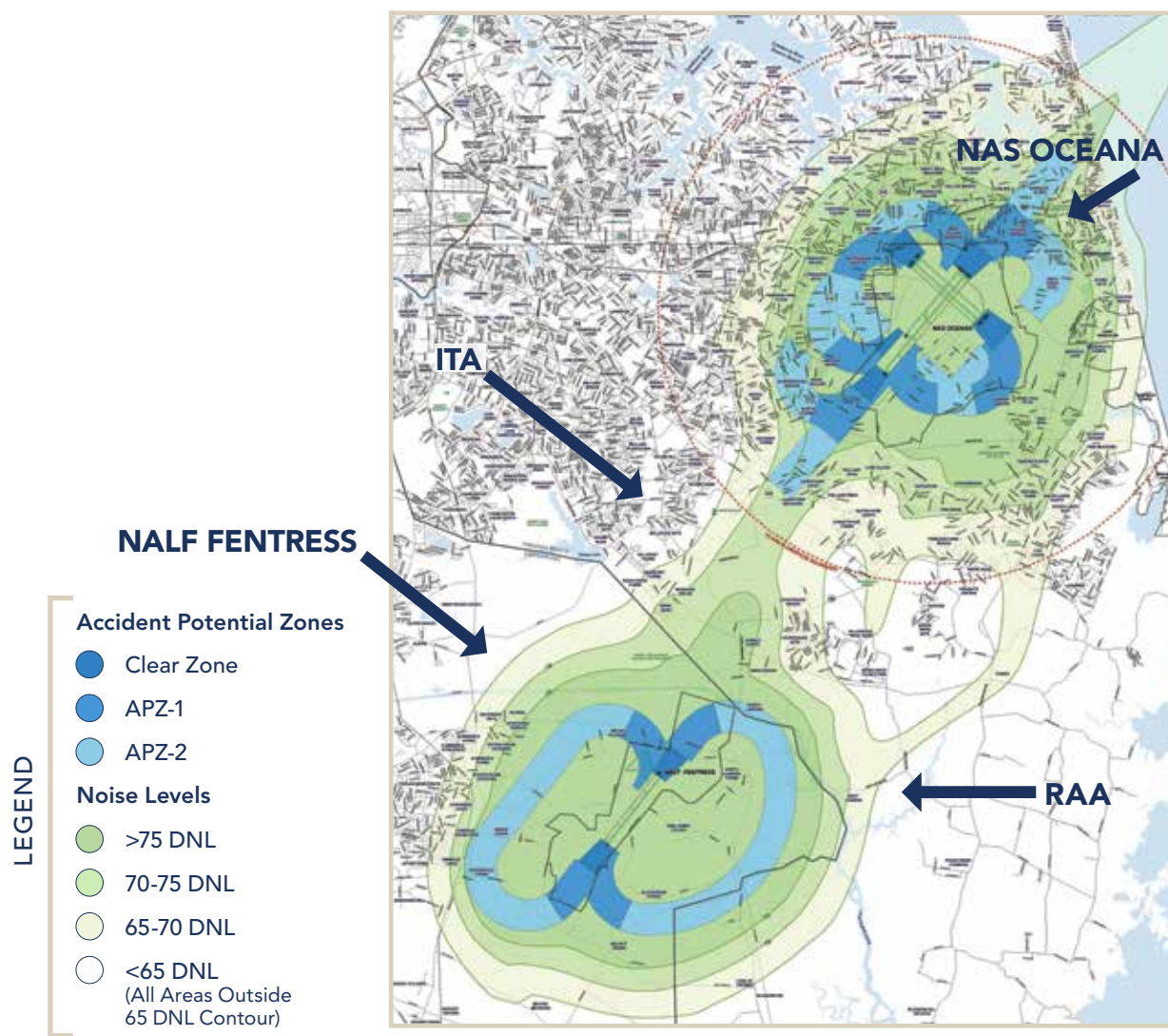
**ALAN P. KRASNOFF, MAYOR,
CITY OF CHESAPEAKE**

Functioning as the auxiliary landing field for Field Carrier Landing Practice (FCLP) operations, Fentress' role remains critical to Oceana's operational missions for regular and short notice deployments of multiple Carrier Strike Groups in support of national defense. Oceana-based jets from the USS George H.W. Bush were the first national defense assets to place ordnance on target in operations against ISIS in August of 2014. Training at Fentress was a key component to these aircraft being qualified to forward deploy and be available for this mission.

Under the command of NAS Oceana and integral to the operations at the Master Jet Base, NALF Fentress is located at the eastern boundary of the City of Chesapeake, approximately 7 miles southwest of Oceana. Established in 1940, it encompasses 2,560 acres surrounding one 8,000-foot runway equipped to simulate an aircraft carrier flight deck during both day and nighttime flight operations at sea. Squadrons stationed at NAS Oceana and NS Norfolk Chambers Field perform over 90,000 operations at NALF Fentress annually (more than at Norfolk International Airport). These operations are an essential step in qualifying pilots to deploy on the carriers.

NALF Fentress' location in the City of Chesapeake's rural overlay district and close proximity to NAS Oceana render it irreplaceable and Chesapeake is proud to call Fentress home. However, flight operations at Fentress impact approximately 15,000 acres of land in Chesapeake, primarily by virtue of the noise generated by low-flying aircraft as they approach and depart the runway. The Navy has obtained restrictive use easements over approximately 10,000 of these acres closest to NALF Fentress, but approximately 6,000 acres in the area impacted by Fentress remain unprotected from potential residential and other incompatible development.

In recognition of this issue, Chesapeake continues to enact legislative policies to protect its highly valued military assets as well as to maintain longstanding compatible uses of land in the Fentress overlay district such as agriculture and light industrial activities. The Cities of Chesapeake and Virginia Beach have worked closely together to meet the Base Realignment and Closure Commission (BRAC) imposed conditions, including a comprehensive amendment of the Fentress Airfield Overlay District to incorporate tables for compatible uses and further expansion of noise attenuation standards. To further ensure the continued compatibility of NALF Fentress with the surrounding area, Chesapeake has developed the NALF Fentress Encroachment Protection Acquisition Program for the protection and voluntary acquisition of properties in the NALF Fentress Overlay District and secured over \$4M in city and state funding in support of the program. Twenty-four landowners applied for participation in the program, accounting for 1,855 acres with a combined assessed value of \$10,742,200. With funding in place, the City of Chesapeake stands to significantly increase its protection of NALF Fentress against incompatible development for both current and future Naval operations.



> SUMMARY

The City of Virginia Beach Program continues to effectively reduce encroachment around Naval Air Station Oceana.

By combining the three key aspects — land use controls, an acquisition plan, and rollback incentives — the City achieves a significant decrease in incompatibility surrounding the Master Jet Base.

A total of 781 dwelling units have been acquired or are under contract, and 697 units have been reduced. Sixty-five (65) commercial properties have been acquired or are pending closing, and 55 incompatible commercial uses have been eliminated.

The ITA Acquisition Program has been similarly successful, with over 1,400 acres acquired and restricted. The City's acquisitions, coupled with the City's other holdings in the ITA, allow the City to control the majority of land in the ITA to ensure it is used in a way that is compatible with the mission of NAS Oceana. The City was able to further regulate this area through the creation of the Rural AICUZ Area and the acquisition of 792 acres in that region.

The City has also continued to incentivize businesses that bring about conformity in APZ-1. Thirty (30) companies have been awarded incentives and more than \$2.5 million has been committed to this portion of the Program. The opportunity for development or re-development in APZ-1 is lucrative for compatible users, stimulating the conversion of incompatible development surrounding the base.

Meanwhile, the rollback effort continues. As every acquisition is evaluated, the City examines ways to merge properties and “roll back” density or incompatibility. A total of 371 dwelling units and 55 businesses have been demolished or converted to compatible use.

The Commonwealth of Virginia and the City continued to share in the cost to fund the Virginia Beach Program. Through FY14, the Commonwealth and the City both contributed \$7.5 million, for a total of \$120 million. As the number of willing sellers has slowed, and the City has acquired the majority of the Interfacility Traffic Area, the demand for funding lessened, and each contributed \$3,922,267 during FY15. Virginia Beach previously committed an additional \$3.4 million to acquire additional properties in the ITA, and \$750,000 of Open Space funds were used to acquire property in the RAA. The City and State have committed \$131,994,534 to support the Program, and the funds have been allocated as follows:

- \$85,508,526 to acquire property in APZ-1 and the Clear Zone

- 781 dwelling units
- 65 commercial units
- 133.7 acres

\$29,513,026 to acquire property in the ITA

- 51 parcels
- 1,422 acres

\$5,000,000 to acquire property in the RAA

- 2 parcels
- 792 acres

The City also committed \$2.5 million to incentivize 30 companies, while approximately \$4.9 million was utilized on expenses associated with the Program since its inception, including appraisals, title searches, title insurance, maintenance of acquired properties, engineering, environmental assessments, demolition, and personnel.

The City of Virginia Beach remains committed to the implementation of its three-pronged Program, and this progress report details the ensuing success. The City of Chesapeake has also made its own commitments in order to protect NALF Fentress and has documented significant legislative changes to prevent future encroachment.

The goal of stopping incompatible development and reversing encroachment ensures the continued vitality of NAS Oceana and NALF Fentress and the missions associated with each base. The commitment demonstrated by the Commonwealth, the City of Virginia Beach and the partnership with the Navy continues to be a successful model for reducing incompatible development.

► END NOTES

i. This figure represents acquisition cost only. Expenses for fiscal years 2007-2015 included titles searches; updates and title insurance; appraisals; boundary surveys, acquisition plats, and subdivision plats; environmental assessments; demolitions; maintenance of acquired properties; marketing; and personnel costs. The total for expenses for the Acquisition Program (ITA, RAA, and APZ-1/CZ properties) through June 30, 2015 is \$4,886,873.

ii. The acquired property in the RAA was \$5 million. The property was acquired through two funding sources: \$4,250,000 from the Acquisition Program, and \$750,000 through the City of Virginia Beach's Open Space Program.

iii. FIGURE 1

a. Figures are for general planning purposes only. This information should not be solely relied upon for the final determination of land use compatibility. Properties with buildings located wholly or partially within APZ-1 and Clear Zone have been evaluated for compatibility determinations. Properties where APZ-1 and Clear Zone fall only within the required minimum setback areas have not been included in this analysis. Non-residential parcels cited in this inventory are assumed to have the appropriate legal business licenses to conduct business in this area. This inventory does not address matters of compatibility as they may apply within APZ-2 or AICUZ-related noise zones. The zoning information provided is intended for study purposes only and should not be considered as a certified version of the Official Zoning Map. Parcels with more than one zoning classification are identified with a single zoning classification for the purposes of this study.

b. Figures are estimated to be within a 5% +/- error rate. Figures are estimated with City of Virginia Beach stored and gathered data.

c. Figures include existing incompatible units, existing compatible units that could have converted to an incompatible use absent the APZ-1/CZ Ordinance, units that are vested for incompatible residential development, residential dwelling units that could have been built on developed residential lots absent APZ-1/CZ Ordinance, and residential and non-residential units estimated to be prevented on undeveloped land. This information should not be solely relied upon for final determination of properties with additional development potential.

d. Figures are estimated from general lot area requirements per zoning category for individual properties determined to be undeveloped with residential zoning.

e. Figures are estimated from general lot area requirements per zoning category for individual properties determined to have additional residential development potential.

f. The number of non-residential units prevented has been estimated based upon historic trends, applying a factor of 0.7 business units/acre, by examining existing business units per acre in existing developed non-residential land within APZ-1 and the Clear Zone.

g. Figures are estimated from existing APZ-1/Clear Zone inventory, data as of June 25, 2007. Compatible business units may co-exist on parcels with incompatible business units.

h. Figures are shown as of June 30, 2007 and include incompatible units reduced by the City of Virginia Beach as part of the APZ-1/Clear Zone Use and Acquisition Program, either by (1) agreements received and pending closing or by (2) actual closing. Figures for residential dwelling units reduced are comprised of vested properties purchased within APZ-1/CZ. Figures do not include units purchased as part of the APZ-1/CZ Use and Acquisition Program already calculated under "new incompatible units prevented by ordinance."

iv. The number of "Dwelling Units Acquired" reflects the total units acquired through purchase. For instance, a vested development with seven townhomes would be counted as seven dwelling units. A duplex would count as two units. A single-family home on a duplex lot would be considered as two units, because the city is acquiring the existing dwelling unit, as well as the potential for a second unit to be built.

v. The number of "Dwelling Units Reduced" reflects the total units that are in APZ-1 and/or the Clear Zone, which have been eliminated by the Acquisition Plan. For example, a vested development was acquired that was planned for nine homes, but only four were inside the APZ-1 boundary. Thus, nine units were acquired, but the number of APZ-1/Clear Zone dwelling units reduced is four. Another example is a single-family home on a duplex lot. If the single-family home is allowed to remain, then the property counts as two units acquired, but only one unit reduced (because the single-family home is permitted with a deed restriction for only single-family use in perpetuity). If the single-family home is removed, then the property counts as two units acquired and two units reduced.



➤ **PREPARED BY**

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