

**BRAC Directives  
Chesapeake Strategy Status  
March 1, 2006**

	<b>BRAC Directive</b>	<b>Affected Area</b>	<b>Required Action</b>	<b>Responsible Party</b>	<b>Notes</b>
A	Enact state-mandated zoning controls requiring the cities of Virginia Beach and Chesapeake to adopt zoning ordinances that require the governing body to follow Air Installation Compatibility Use Zone (AICUZ) guidelines in deciding discretionary development applications for property in noise levels 70 dB Day-Night average noise level (DNL) or greater;	Chesapeake and Virginia Beach-- Property in Noise Level 70 dB Day Night Average Noise Level DNL or greater	Zoning Ordinance text amendment to include AICUZ guidelines as a factor to be considered in the review of rezoning and conditional use permit applications-- <b>COMPLETED</b>	Chesapeake and Virginia Beach	All affected parties will need to be notified  Linkage to Rural Overlay District Guidelines possible
B	Enact state and local legislation and ordinance to establish a program to condemn and purchase all incompatible use property located in the Accident Potential Zone 1 areas for Naval Air Station Oceana, as depicted for 1999 AICUZ pamphlet published by the U.S. Navy and to fund and expend no less than \$15 million annually in furtherance of the aforementioned program;	Virginia Beach-- Accident Potential Zone One areas for Naval Air Station Oceana	Unclear as to whether or not this action applies to NALF Fentress- seeking clarification  <b>--NOT APPLICABLE</b>		
C	Codify the 2005 final Hampton Roads Joint Land Use Study (JLUS) recommendations;	Chesapeake and Virginia Beach--	<b>-- COMPLETED</b>	All JLUS parties	Chesapeake City Council adopted JLUS on May 24, 2005

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C.1	Communication / Information Action Items (3)	Chesapeake, Virginia Beach, Norfolk (NAS)	Continued communication of JLUS and AICUZ information via websites and education efforts <b>---ONGOING</b>	Jurisdictions	Efforts already initiated
C.2	Coordination / Organizational Action Item (1)	Regional local governments and stakeholders	Appointment of a JLUS Regional Coordinating Committee— <b>PENDING REGIONAL EFFORT</b>		This will be coordinated by the Hampton Roads Planning District Commission
C.3	Planning and Public Policy Action Item (1) (School site selection)	Jurisdictions—Chesapeake, Virginia Beach, Norfolk	Consultation with Navy in school site selection-- <b>---ONGOING</b>	Jurisdictions, Navy, School Boards	A letter from School Board confirming intent to coordinate site selection with US Navy has been received.
C.4	Real Estate Disclosure Action Item (1)	Regional Issue	Initiate a process to notify public of AICUZ at the initial advertisement of property for sale (possible changes to the Multiple Listing Service-MLS) and education of real estate agents— <b>PENDING REGIONAL EFFORT</b>	Should be delegated to the Regional Coordinating Committee	The Chesapeake Zoning Ordinance already requires notification at the initiation of marketing efforts (lease or sale) in areas >65 dB Day Night Average Noise Level DNL

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C.5	Sound Attenuation Action Items (5)	Jurisdictions— Chesapeake, Virginia Beach, Norfolk	Chesapeake-Update Zoning Ordinance to enforce Section 15.2- 2295 Code of Virginia and the Virginia Uniform Statewide Building Code as follows:  Residential – 65 DNL or greater  Non-residential – 70 DNL or greater (building code categories A, B, E, I and M)  Does not include agricultural buildings  -- <b>COMPLETED</b>	Changes to the local ordinances are to be managed by each jurisdiction	Certain JLUS recommendations may require 12-18 months to study and implement through the Department of Housing and Community Development  The time frame may be reduced subject to action taken by the General Assembly calling for a study resolution for specific JLUS recommendations
<b>JLUS Recommendations for Chesapeake:</b> Refer to JLUS matrix for more detail					
C.6	Planning and Public Policy Action Item (1)	Chesapeake	Implement a clustering ordinance which can be used to cluster development in an AICUZ compatible manner-- <b>COMPLETED</b>	Chesapeake	Complete; however, need General Assembly action to allow cluster development as a discretionary action rather than “by-right” in the > 70 dB Day Night Average Noise Level

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					DNL contour
C.7	Land Use Regulation Action Items (2)	Chesapeake	Expand Fentress Overlay Adopt Comprehensive Plan-- <b>COMPLETED</b>	Chesapeake	Fentress Overlay must be amended and expanded to the 70 dB Day Night Average Noise Level DNL contour for land uses (already applies to 75 dB Contour). Once initiating resolution is adopted, City Council will consider within 90 days, which will meet BRAC deadline.  The 2026 Comprehensive Plan was adopted March 9, 2005
C.8	Avigation Easement Program (1)	Chesapeake	Establish an Avigation Easement Program via conditional zoning and conditional use permit process-- <b>COMPLETED</b>	Chesapeake	Process already initiated, must be formalized through a Zoning Ordinance text amendment

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D	Legislate requirements for the cities of Virginia Beach and Chesapeake to evaluate undeveloped properties in noise zones 70 dB DNL or greater for rezoning classification that would not allow uses incompatible under AICUZ guidelines;	Chesapeake and Virginia Beach— Properties in Noise Zones 70 dB DNL	Revisit Fentress Overlay District Study. -- <b>COMPLETED</b> Amend the study area and land use tables to make compatible with OPNAV instruction----- <b>COMPLETED</b> Amend OSAP to include AICUZ as a possible criteria for inclusion in that program -- <b>COMPLETED</b>	Chesapeake and Virginia Beach	Seeking clarification
E	Establish programs for purchase of development rights of the inter-facility traffic area between NAS Oceana and NALF Fentress	Inter-Facility Traffic Area between NAS Oceana and NALF Fentress	Effort already underway since early 2005 with HRPDC, Virginia Beach, and DoD. Properties for acquisition are identified—must be prioritized, and funded. All grant opportunities must be actively pursued. Chesapeake Inter-Facility Traffic Area Property Acquisition Plan adopted 2/28/06--- <b>ONGOING</b>	Chesapeake and Virginia Beach	Multiple grants being pursued  Coordinate with OSAP Program.

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F	Enact legislation creating the Oceana-Fentress Advisory Council	Chesapeake and Virginia Beach	Appointment of an Oceana/Fentress Advisory Council— <b>PENDING STATE / REGIONAL EFFORT</b>		General Assembly action may be required to establish Council  Similar effort currently coordinated through the HRPDC (see C.2). Seeking clarification to see if one or two groups are needed

## Glossary of Acronyms

**AICUZ** – Air Installation Compatibility Use Zone

**APZ** – Accident Potential Zone

**BRAC** – Base Closure & Realignment Commission

**DHCD** – Department of Housing and Community Development

**DNL** – Day-Night average noise level

**DoD** – Department of Defense

**HRPDC** – Hampton Roads Planning District Commission

**JLUS** – Joint Land Use Study

**MLS** – Multiple Listing Service

**NALF** – Naval Auxiliary Landing Field

**NAS** – Naval Air Station

**OPNAV** – Naval Operations

**OSAP** – Open Space and Agriculture Preservation