

Department of Planning and Budget 2006 Fiscal Impact Statement

1. Bill Number SB565-ER

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron Stolle

3. Committee Passed Both Houses

4. Title Land use and eminent domain adjacent to certain jet bases; advisory council.

5. Summary/Purpose: Provides that the governing body of any locality in which a United States Navy Master Jet Base or an auxiliary landing field used in connection with flight operations arising from such Master Jet Base is located shall (i) adopt zoning ordinances that require the governing body to consider certain Navy guidelines in deciding discretionary applications for property in noise levels 70 dB DNL or greater, (ii) undertake an evaluation of undeveloped properties located in noise zones 70 dB DNL or greater to determine the suitability of such properties for rezoning classifications that would prohibit incompatible uses, (iii) adopt such ordinances or take such other actions as may be recommended in any Joint Land Use Study that has been officially approved by the Navy and the governing body of the locality, and (iv) establish programs to purchase land or development rights from willing sellers in the corridor of land underneath the flight path between the Master Jet Base and the auxiliary landing field known as an interfacility traffic area.

Also, such localities are granted authority to exercise the limited right of eminent domain at the request of property owners in acquisition of any lands, easements, and privileges for the purpose of protecting public safety by providing unobstructed airspace for the landing and takeoff of aircraft utilizing such Master Jet Base and preventing incompatible development within Accident Potential Zone 1 areas surrounding such Master Jet Base. This bill also creates the Oceana/Fentress Military Advisory Council as a subunit of the Virginia Military Advisory Council. The provisions of this act and all authority therein shall terminate in the event that the aircraft and activities necessary to support the operations of a Master Jet Base are designated for realignment outside the locality. This bill is identical to SB 565.

6. No Fiscal Impact.

7. Budget amendment necessary: No.

8. Fiscal implications: It is anticipated that existing staff to the Military Advisory Council, the Commonwealth Preparedness Office and other state and local agencies can provide the necessary staff support for this council.

9. Specific agency or political subdivisions affected: Office of Commonwealth Preparedness, Virginia Military Advisory Council, Chesapeake City Council, Virginia Beach City Council and selected members of the Virginia General Assembly.

10. Technical amendment necessary: Yes.

Page 2, line 77, recommend strike "Office of Commonwealth Preparedness" and insert:
"Virginia Military Advisory Council and from any other state agencies as deemed necessary
by the Office of Commonwealth Preparedness".

11. Other comments: None.

Date: 03/23/06 jgc

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