Chapter 6

LAND USE ALTERNATIVES

An update of the Oxnard Airport Noise Compatibility Study requires a review of all potentially applicable land use alternatives to ensure land use compatibility between the airport's operations and the surrounding areas. In order to refine this alternatives' analysis, a status update on the land use measures recommended in the previous Part 150 Noise Compatibility Plan is provided. To address these issues, alternative land use management techniques are evaluated to determine their effectiveness in the Oxnard Airport study area. Finally, preliminary recommendations are presented. These recommendations are to be reviewed by the Planning Advisory Committee (PAC) and local residents. The final land use management and noise abatement recommendations will be presented in Chapter Seven, Noise Compatibility Plan.

Status of Previous Noise Compatibility Program

The 2000 Draft Noise Compatibility Program contains five measures related to land use compatibility planning with the goal of reducing the impact of aircraft noise on the surrounding airport environment.[1] The first four 1999 recommendations, which apply to both the City of Oxnard and Ventura County, are stated as follows:

1. Use combined 2003 and 2018 noise contours as basis for noise compatibility planning;
2. Set 60 CNEL as the threshold for promoting airport-compatible development;
3. Preserve existing airport-compatible land use designations within 60 CNEL and beneath the close-in traffic pattern; and,
4. Establish noise compatibility guidelines for the review of development projects within the "compatible land use preservation area" and require fair disclosure agreements and covenants for noise-sensitive uses granted a development permit.

[1] It is important to note that this document was not formally adopted by the County Board of Supervisors. Appendix G contains a cover letter detailing the status of the NCP for Oxnard Airport.

The fifth measure, which applies to the County of Ventura Department of Airports, is stated as follows:

5. Offer to buy dwelling units on Little Farms and Teal Club Roads through a voluntary program with homeowners or provide sound insulation.

A complete review of these measures and their status is provided in **Appendix G – NCP Review**.

LAND USE ALTERNATIVES

To ensure continued airport land use compatibility and maintain the long-term viability of the airport, it is recommended that the existing policies be reviewed and possibly refined. There are several possible methods to refine the current planning mechanisms, each of which can be incorporated into existing land use policies and regulations. The intent of this chapter is to reevaluate the land use compatibility strategies recommended in the previous Noise Compatibility Program and identify measures that will continue to allow area jurisdictions to efficiently and effectively grow while promoting airport land use compatibility.

LAND USE MANAGEMENT TECHNIQUES

This section outlines the land use management techniques that could be used to promote airport noise compatibility. These techniques are grouped into three categories: policy and regulatory techniques, both of which guide future development, and expenditure techniques, which involve payments for mitigation assistance.

A community listening session was held on June 4, 2024, to evaluate each of the following techniques. Additionally, a land use technical conference was held on June 5, 2024, to discuss the feasibility of suggestions that were posed during the community listening session. The technical conference included members of city and county planning agencies and airport staff. Further investigation regarding the effectiveness of the measure was conducted by the consultant and is presented as follows.

POLICY TECHNIQUES

Policy techniques which can be used to guide future development include:

- The community's general plan
- Project review guidelines

General Plan

A community's general plan establishes policies for the development and improvement of the community in the future. It provides the basis for the local zoning ordinance, which contains the regulations that govern the use and development of land. The general plan has two components: text and map. The text of the

plan outlines the policies guiding future development within the community, while the map identifies the type and location of future development. Airport land use compatibility policies and noise exposure areas can be incorporated into this document to establish the community's approach to mitigating the effects of airport noise exposure.

Evaluation

- **General Plan Policies** | As discussed in Chapter One, Inventory, the general plans for the City of Oxnard, City of Camarillo, and Ventura County include policies regarding noise at Oxnard Airport. Additionally, airport noise is addressed in the 2000 *Airport Comprehensive Land Use Plan for Ventura County*. The general plans, however, do not recommend the airport update its Part 150 study and there are no aircraft noise thresholds identified for noise-sensitive development. Adopting policies that encourage periodic updates to the Part 150 study and identifying a threshold for airport noise allow the cities and county to establish long range airport noise compatibility policies in their general plans, ensuring consistency with the Part 150 noise compatibility program.

- **General Plan Map** | **Exhibit 6A** depicts the consolidated general plan map with the future (2027) condition noise contours included. The 65 CNEL contour extends off airport property to encompass areas planned for commercial and public/quasi-public uses, which are considered compatible. However, the commercial land use designations are inconsistent with the existing land uses surrounding the airport, which include existing and planned residential land uses within the 65 CNEL noise contour to the north of the airport along Teal Club Road, as discussed in Chapter Four.

  As also discussed in Chapter Four, there is potential for growth risk on undeveloped parcels encompassed by the noise contours, since incompatible uses are allowed to some degree in each of the vacant parcel zoning designations. It is estimated that up to 9.33 acres within the noise contours could be developed as residential, and 27.06 acres within the noise contours could be developed as noise-sensitive institutions.

  An improvement would be to consider incorporating noise contours for Oxnard Airport into the city and county general plans. This information may be useful to decision-makers when considering potential general plan map revisions.

Conclusion

- **General Plan Policies** | To ensure that airport land use compatibility is given consideration within the City of Oxnard and Ventura County general plan documents, the city and county could consider amending the noise element of the general plan to state that the airport should monitor and periodically update its Part 150 Noise Compatibility Study. Additionally, to provide uniform consideration for potential development or redevelopment proposals, the policies could be amended to specify a noise compatibility threshold expressed in CNEL. This threshold would be consistent with the guidelines presented in 14 CFR Part 150.

  This alternative should be considered for inclusion in the NCP.

- **General Plan Map** | The City of Oxnard and Ventura County could consider incorporating the airport noise contours as part of the general plan map. The benefit of this revision would be to identify areas of significant noise exposure as an aid for decision-makers when considering potential general plan map revisions. For example, airport noise may be a factor in proposals that aim to convert areas that are currently planned and developed with compatible land uses into non-compatible uses, such as single-family or multi-family residential.

  This alternative should be considered for inclusion in the NCP.

Project Review Guidelines

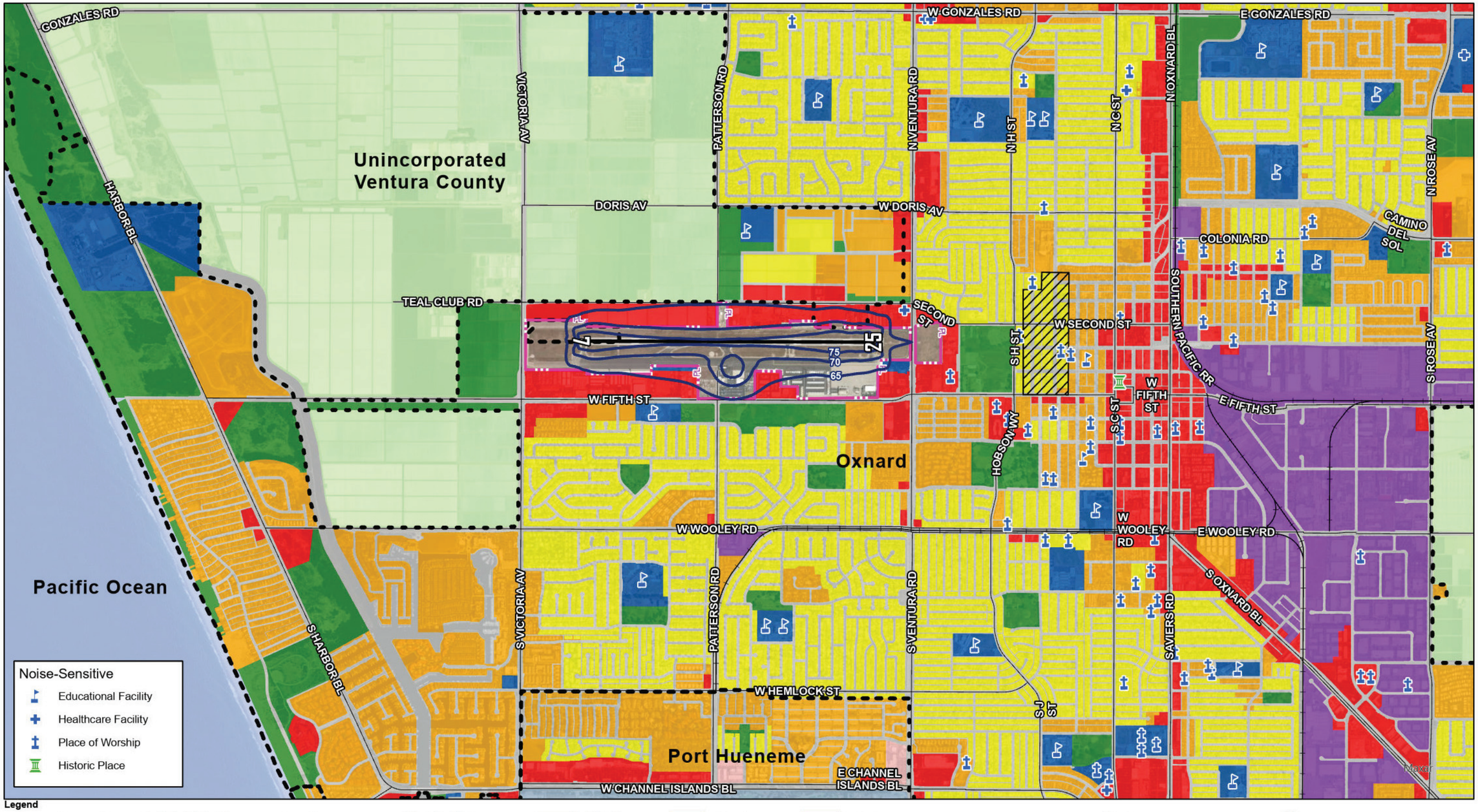
Planning commissions and local governing bodies are often required to use their own discretion and judgment when making recommendations and decisions regarding community development issues. These actions include general plan amendments, rezonings, variances, conditional use applications, subdivision applications, and proposed public improvement projects. The exercise of this discretion is constrained by the legal requirements of the applicable ordinances. Where opportunities remain for planning commissions and governing bodies to use their own discretion in the review of development proposals, it may be appropriate to adopt procedures ensuring consideration of noise compatibility issues in their deliberations.

Evaluation

As discussed in Chapter One, the Ventura County Transportation Commission (VTCT) serves as the designated ALUC for Ventura County's public use airports, as authorized and required by state law (Cal PUB, Division 9, Aviation Part 1, Chapter 4, Article 3.5, Section 21670 et seq.) In addition to local agency review by the City of Oxnard and the County of Ventura, projects within the Airport Influence Area (AIA) for Oxnard Airport are reviewed for consistency with the Ventura County Airport Comprehensive Land Use Plan (ACLUP). In addition to a consistency review application, local agencies must submit to the ALUC a referral letter, project map, building elevations, aircraft hazard and risk assessments (if required), and an environmental review.

As part of its local agency review, the City of Oxnard uses the California Environmental Quality Act (CEQA) environmental guidelines during the city's CEQA review process as a checklist of developmental review guidelines specific to projects within the vicinity of Oxnard Airport. In addition to the guidelines provided in City of Oxnard's Resolution No. 15.040, the following criteria could be applied to proposed projects within the airport vicinity:

- Advise the airport management of and seek input from the Aviation Advisory Committee and Oxnard Airport Authority on development proposals that include noise-sensitive uses within the airport vicinity.
- Determine the sensitivity of the subject land use to aircraft noise based on its location within the airport hazard overlay zone (e.g. sphere of influence) or noise exposure contours.


GONZALES RD
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VICTORIA AV
PATTERSON RD
N VENTURA RD
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N C ST
N OXNARD BL
N ROSE AV
Unincorporated Ventura County
HARBOR BL
DORIS AV
W DORIS AV
CAMINO DEL SOL
COLONIA RD
TEAL CLUB RD
SECOND ST
W SECOND ST
S H ST
SOUTHERN PACIFIC RR
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S VENTURA RD
SAVIERS RD
S OXNARD BL
W HEMLOCK ST
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Port Hueneme
E CHANNEL ISLANDS BL
W CHANNEL ISLANDS BL
Noise-Sensitive
Educational Facility
Healthcare Facility
Place of Worship
Historic Place
Legend
Runway Centerline
Airport Property Line
2027 CNEL Noise Contours
CNEL - Community Noise Equivalent Level
Jurisdictional Boundaries
Henry T. Oxnard National Historic District
Railroad
Roads
Future Land Use
ca_classification
Agricultural
Single-Family Residential
Multi-Family Residential
Commercial
Mixed-Use
Industrial
Military - Naval Base
Public/Quasi-Public
Parks/Open Space
Easement/Right of Way
Pacific Ocean
Source:
Ventura County Parcel Layer and Tax Roll Data
Coffman Associates Analysis
ESRI Basemap Imagery, 2022
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- Locate noise-sensitive public facilities outside the 65 CNEL noise contour and away from approach paths whenever possible.
- Discourage the approval of rezonings, exceptions, variances, and conditional uses which introduce noise-sensitive development into areas located near noise-impacted areas.

Conclusion

The City of Oxnard and County of Ventura could consider adding the recommended land use compatibility criteria for local agency review of development projects within the airport vicinity, in addition to the consistency review checklist criteria required by the ALUC.

This alternative should be considered for inclusion in the NCP.

REGULATORY TECHNIQUES

Regulatory techniques are land use and development controls established through local legislation. These techniques include:

- Compatible Use Zoning
- Zoning Changes/Residential Density
- Subdivision Regulations
- Building Codes
- Transfer of Development Rights
- Environmental Zoning
- Fair Disclosure Regulations
- Capital Improvement Programming
- Airport Compatibility Overlay Zoning

Compatible Use Zoning

The most common land use control method is zoning. Zoning is an exercise of the local government's police power that enables that body to decide what uses that are permitted for each parcel of land. Zoning usually consists of an ordinance which specifies land development and use constraints and a map which identifies zoning classifications for each parcel. One of the primary advantages of compatible use zoning is that it can promote land use compatibility while maintaining private ownership, tax roll revenue, and economic productivity.

A frequently used zoning technique for airport noise compatibility planning is to eliminate noise-sensitive land use zoning from the noise-impacted area and replace it with commercial, industrial, open space, or other compatible zoning designations.

Zoning is not without limitations; however, and most importantly, it is not necessarily permanent. In most jurisdictions, the current legislative body is not bound by prior zoning actions, and it may change that zoning. Consequently, compatible zoning is subject to continual pressure for change from both urban development and those who might profit from such changes.

Evaluation

Similar to the earlier discussion of the City of Oxnard's General Plan map, the 2027 65 CNEL noise exposure contours extend off airport property onto areas identified on the City of Oxnard's zoning map as industrial, commercial, or agricultural, which are considered compatible. However, as previously discussed, these designations are not consistent with the existing land uses surrounding the airport to the north where noise impacts exist. The zoning designations and general plan designations for each undeveloped parcel within the noise contours is presented in **Table 6A**.

TABLE 6A | Growth Risk Parcels – Oxnard Airport

Parcel[1]	Zoning Designation	General Plan Designation	Area Within 2027 65-70 CNEL Noise Contour		Area Within 2027 70-75 CNEL Noise Contour	
			Acres	Square Feet	Acres	Square Feet
1830090385	BRP	AC	18.57	808,986	0.15	6,741
1830090395	BRP	AC	2.90	126,541	0.60	26,157
1830090575	BRP, M1PD[2]	AC	0.92	39,993	0.0	0
1830100405[3]	AE	AC	2.25	97,966	0.62	27,175
1830100535	BRP	AC	4.52	197,096	0.0	0
1830100555[3]	AE	AC	2.19	95,317	0.08	3,654
1830100170	BRP	AC	0.61	26,441	0.0	0
1830100430	M1PD	AC	4.43	193,099	0.08	3,470
Total:			**36.39**	**1,585,436**	**1.53**	**67,197**

Zoning Designations: BRP = Business Research Park, M1PD = Light Manufacturing Planned Development, AE = Agricultural Exclusive
General Plan Designations: AC = Airport Compatible
[1] A portion of each parcel is outside the 2027 noise contour.
[2] Parcel is split between two zoning designations.
[3] Unincorporated Ventura County jurisdiction.

Source: Coffman Associates' analysis

As previously discussed, there is potential for growth risk on undeveloped parcels encompassed by the noise contours, since incompatible uses are allowed to some degree in each of the vacant parcel zoning designations. It is estimated that up to 9.33 acres within the noise contours could be developed as residential, based on the AE and M1PD zoning designations, and 27.06 acres within the noise contours could be developed as noise-sensitive institutions, based on the BRP zoning designation. Current zoning designations for both the City of Oxnard and Ventura County limit the type of residential development permitted on the vacant property within the 65 CNEL contour to farmworker housing. As discussed in Chapter Four, there is a proposed mixed-use development (Teal Club) directly north of the vacant parcels within unincorporated Ventura County that has planned residential components. Although the 2022 and 2027 65 CNEL contours do not extend into land included in the proposed Teal Club development project, residents of this area may experience annoyance from aircraft noise exposure in this area, once developed.

A benefit to making changes to the zoning would be that any potential redevelopment of these areas, other than for farmworker housing, would likely be compatible with airport operations. However, a disadvantage would be that property owners may interpret changes to the zoning as a move to redevelop the area, which could affect property values and be considered a taking without compensation.

Conclusion

As there is minimal risk for development of new noise-sensitive land uses within the 2022 and 2027 noise contours, zoning changes for these areas are not considered to be a feasible alternative for limiting development of noise-sensitive land uses; however, an airport overlay zone may be a more feasible alternative and is discussed later in this chapter.

This alternative should not be considered for inclusion in the NCP.

Change in Residential Density

Conventional zoning may also be used to promote land use compatibility by reducing the number of future impacts within high noise areas, rather than preventing residential development altogether. This can be achieved by reducing the permitted housing density in noise-impacted areas.

Evaluation/Conclusion

As indicated by the growth risk analysis presented in Chapter Four, there is potential for the development of noise-sensitive land uses on the undeveloped parcels within the 2022 and 2027 noise exposure contours. However, the growth risk area is part of a previously proposed project. Therefore, a change in residential density is not warranted.

This alternative should not be considered for inclusion in the NCP.

Subdivision Regulations

A city's subdivision regulations establish standards for site planning, lot layout, and the design of public improvements. They can encourage compatible development around an airport by requiring the consideration of aircraft noise during the plan review by public officials. This could be in the form of requiring noise attenuation features in the site plan or a decrease or shift in the density of portions of the development.

Subdivision regulations require sound insulation standards for new developments by enforcing compliance with building codes. Additionally, they can be used to inform prospective future property owners of the risk of aircraft noise. In some communities, noise levels are shown on the final subdivision plats, either by drawing the noise contours on the plats or by assigning noise levels to the lots. This makes the noise information a matter of public record. It is important to note that while these levels are recorded with the lot, the noise exposure level can change over time.

Evaluation/Conclusion

Subdivision regulations are typically most useful as a means for providing land use compatibility protection in undeveloped areas. There is limited potential for growth risk in the area as the land is either already developed or part of a previously approved project. Additionally, there are no residential zoning or general plan designations within the 65 CNEL contours, as presented in **Table 6A**.

This alternative should not be considered for inclusion in the NCP.

Building Codes

Building codes regulate the construction of buildings by establishing standards for materials and construction techniques to protect the health, safety, and welfare of residents. Additionally, they address structural concerns, ventilation, and insulation, each of which influences the noise attenuation capabilities of a building. Building codes commonly apply to both new construction and major alterations to existing structures.

Building codes can require sound insulation in the construction of noise-sensitive uses in areas subject to high aircraft noise levels. Requirements for sound insulation vary with noise exposure and are typically more stringent in areas with higher noise levels. Most sound insulation code standards describe in detail the required improvements needed to achieve a given level of noise reduction.

Evaluation

Building codes have been adopted by both the City of Oxnard and the County of Ventura, but as discussed in Chapter One, these codes do not contain additional airport noise-specific guidelines.

At the state level, Title 24, Part 2, California Code of Regulations establishes standards for interior room noise levels in residential buildings caused by outside noise sources. These minimum noise insulation performance standards require that the CNEL shall not exceed 45 dB in any habitable room, with all doors and windows closed. It is important to note that this requirement applies only to construction of new noise-sensitive land uses. As previously discussed, land surrounding the airport in the City of Oxnard is presently developed or designated for compatible land uses. Vacant land in the County of Ventura is protected by SOAR, except for a limited area to the north of the airport. In cases where additions of new residential habitable spaces, defined as living, sleeping, eating, or cooking areas, are proposed by a property owner, the city and/or county could impose a building code which requires that the new habitable space achieves the CNEL 45 dB interior noise level.

As outlined in FAA Order 5100-38D, *Airport Improvement Program Handbook*, Appendix R, Paragraph R-8, effective September 30, 2014, the CNEL 45 dB interior noise level threshold has also been adopted by the FAA for interior use. Additionally, use of the CNEL 45 dB threshold was further clarified in 1992 by the Federal Interagency Committee on Noise (FICON) findings, which state that CNEL 45 dB is the interior noise level that will accommodate indoor conversation or sleep.

Conclusion

A building code amendment, which requires attainment of the CNEL 45 dB interior noise level for construction of new habitable spaces as an addition to an existing property, could be considered by the City of Oxnard and County of Ventura.

This alternative should be considered for inclusion in the NCP.

Transfer of Development Rights

Land ownership includes a bundle of rights to the use of the land. These rights include access, minerals, limited rights to airspace above the land, and land development. Transfer of development rights (TDR) is based on the idea that each right has a market value which can be separated and sold without selling the entire property.

TDR was developed to preserve environmentally important areas without having to buy them with public funds. The technique involves dividing the municipality into sending and receiving zones. The sending zones are areas where environmental preservation and minimal development are desired, and the receiving zones are areas where additional development is preferred.

Development rights, measured in terms of development density, are assigned through the zoning ordinance. If developers in the receiving areas can secure additional development rights, they are allowed to build at greater densities than normally allowed by the zoning ordinance. Interested developers could purchase these rights from landowners in the sending zones and apply them to projects within receiving zones. In this way, the public can benefit from preserving environmentally valuable land, the owner of that land can be paid for preserving it, and the potential return on the investment for the developer increases.

Evaluation/Conclusion

TDR is difficult to justify solely for airport land use compatibility purposes. It involves substantial start-up costs and significant staff time for management. If a local jurisdiction is already using or considering TDR, airport compatibility criteria could be included with other environmental criteria in the design of the program. Presently, there are no jurisdictions in Ventura County using TDR programs. Current land use planning, in addition to potential revisions to conventional land use regulations, can adequately address airport noise compatibility issues at Oxnard Airport.

This alternative does not merit further consideration.

Environmental Zoning

Special zoning regulations to preserve environmentally sensitive areas or protect developments from environmental hazards can also be used to promote land use compatibility near airports. Floodplain overlay zoning, which restricts or prohibits development in all or part of the floodplain, is the most common form

of environmental zoning. Other environmental zoning regulations may include steep slope zoning, requiring low development densities and special construction standards, and wetland preservation zoning. All of these can be used to restrict the development of noise-sensitive uses in environmentally sensitive areas that are also impacted by aircraft noise.

Evaluation/Conclusion

There are no areas suitable for environmental zoning in the City of Oxnard that are significantly impacted by aircraft operations; therefore, environmental zoning is not a viable means of promoting land use compatibility.

This alternative does not merit further consideration.

Fair Disclosure Regulations

Fair disclosure regulations are intended to ensure that prospective buyers of property are informed that the property is or will be exposed to potentially disruptive aircraft noise. It is not uncommon, near even the busiest airports, for newcomers to report having bought property without having been informed about airport noise levels.

At the most formal level, fair disclosure can be implemented through regulations requiring the seller and agent to provide a notice of aircraft noise exposure, both on the real estate listing sheet and at the time that a sales contract is executed. In addition, any easements should be revealed at the time of closing.

Fair disclosure regulations can place a serious responsibility on real estate agents and lenders. If the regulations are properly drafted, however, the responsibilities of real estate agents and sellers are clearly defined and should be limited to disclosing the airport noise levels or overlay districts that affect the property and directing buyers to airport officials for more information.

Evaluation

The State of California has adopted a fair disclosure law which states that when a property is located within an airport influence area, a disclosure notice must be provided as part of the real property transaction. The disclosure states that the property is located within the vicinity of an airport and may be subject to some of the annoyances and inconveniences associated with airport operations, such as noise, vibration, or odors.

As discussed in Chapter One, the Ventura County Transportation Commission (VTCT) serves as the designated ALUC for Ventura County's public use airports, as authorized and required by state law (Cal PUB, Division 9, Aviation Part 1, Chapter 4, Article 3.5, Section 21670 et seq.) All projects within the Airport Influence Area (AIA) for Oxnard Airport are reviewed for consistency with the Ventura County Airport Comprehensive Land Use Plan (ACLUP). The ACLUP includes regulatory noise contours and associated

land use compatibility standards related to aircraft noise. ACLUP policies state that for all conditionally acceptable land uses, the recording of a fair disclosure agreement and covenant are required. Noise-sensitive land uses are considered conditionally acceptable within the Traffic Pattern Zone for Oxnard Airport. To ensure the policies of the ACLUP and the land use compatibility goals of the airport are aligned, revisions to the ACLUP are warranted.

Conclusion

Coordination with the VCTC has been initiated to provide the updated and approved noise contours that have resulted from this study. The VCTC may consider revising the regulatory noise contours for Oxnard Airport to reflect the current and future noise conditions and runway protection zones.

This alternative deserves further consideration.

Capital Improvement Programming

Major projects, such as roadway improvements or the extension of sanitary and storm sewers, can indirectly promote development. In the context of airport land use compatibility planning, this could result in additional non-compatible development near an airport.

Evaluation

Coordination between local public works departments and the airport to identify capital improvement projects that could promote development near the airport would inform airport staff of these projects and ensure they are planned in a way that promotes compatible growth. Airport staff could provide input on the proposed projects and possibly identify alternative solutions that would decrease the likelihood of noise-sensitive development occurring near the airport.

Conclusion

Coordination would ensure that airport and planning staff would have the opportunity to comment on projects and their potential impact on compatible land use development.

This alternative should be considered for inclusion in the NCP.

Airport Compatibility Overlay Zoning

Airport compatibility overlay zoning is intended to provide an additional layer of special purpose regulations to address specific environmental conditions or problems by setting performance standards to protect the public. Overlay zoning involves the creation of one or more zoning districts that supplement the

regulations of the general-purpose zoning districts. Within the context of airport compatibility planning, these controls are often used to regulate the height of structures within runway approach areas or to promote compatible development with aircraft noise levels. Airport compatibility overlay zoning is used around many airports to establish land use controls to protect the public's health, safety, and welfare from conflicts that may arise between aviation and urban development.

Airport compatibility overlay zoning is generally established where the underlying zoning (i.e., residential, commercial, industrial, etc.) remains in place and is supplemented with additional regulations by the overlay zone. The land within the overlay zone is subject to the requirements of both zoning ordinances: the underlying zone and the overlay zone. The strictest requirements of both zones apply to the affected parcel.

The intent of airport compatibility overlay zoning is to avoid the problems associated with incompatible development in high noise areas. Regulations in airport compatibility overlay zones can prohibit noise-sensitive land uses, provided the underlying zone permits land uses that are economically viable.

Among the advantages of airport compatibility overlay zoning are the simplicity of the required amendments, the ease of administration, the clear relationship of the regulations to their purpose, and the minimal impact of the regulations on the application of the zoning ordinance in other parts of the community.

Evaluation

As discussed in Chapter One, Inventory, the Zoning Ordinance for the City of Oxnard establishes a Sphere of Influence surrounding Oxnard Airport. The current overlay zone is bounded on the north by Doris Avenue, on the east by "B" Street, on the south by Wooley Road, and on the west by Edison Canal.

As previously discussed, the State of California has adopted a sound insulation standard for interior room noise attributable to outside noise sources for residential buildings. These minimum noise insulation performance standards require that the CNEL shall not exceed 45 dB in any habitable room, with all doors and windows closed. Additionally, the State of California has adopted a fair disclosure law which states that when a property is located within an AIA, a disclosure notice must be provided as part of the real property transaction. The ACLUP policies, which established an AIA for Oxnard Airport, require the use of fair disclosure for real property transactions in areas surrounding the airport. The City of Oxnard and Ventura County could each adopt a consistent overlay zone for uniform implementation of these various components to achieve an approach to land use compatibility that is uniform and consistent with state law and local policies.

Determining the geographic extent and requirements of the overlay zone is a crucial decision as it has long term implications and may be difficult to adjust in the future. As discussed in Chapter Three, the 2027 noise exposure contours encompass a slightly larger area than the 2022 noise exposure contours; therefore, the 2027 contours would provide the largest area of protection for the airport. Additional alternatives for Oxnard Airport have been developed that offer even more protection, such as the 60 CNEL and 20-year contours contained in Appendix D of the Noise Exposure Maps document.

When considering the use of noise contours for land use planning boundaries, the irregular shape of the contours becomes problematic, particularly when the contour encompasses only a portion of a parcel. Taking this into consideration, an alternative would be to adjust the overlay zones to a logical breakpoint. Similar to FAA policies regarding sound insulation, planning boundaries based on noise exposure contours are commonly adjusted to a logical breakpoint, such as a neighborhood boundary, significant arterial surface street, highway, river, or other physical or natural barrier or feature.

As previously noted, the Ventura County ACLUP contains a policy which requires the use of fair disclosure for real property transactions in the Traffic Pattern Zone (TPZ) surrounding the airport, which is larger than and contains all of the land within the 2027 65 CNEL noise contour. Therefore, the Traffic Pattern Zone could be used as the overlay zone alternative for land use planning purposes. An exhibit comparing the ACLUP zones and the future (2027) noise contours is included on **Exhibit 6B**.

Conclusion

This measure is already in place, as the City of Oxnard zoning ordinance contains airport-specific requirements within the Sphere of Influence, and the Ventura County ACLUP requires fair disclosure for properties in the Traffic Pattern Zone. A uniform hazard zone consistent with the ACLUP could be implemented as part of the local zoning ordinances to reduce noise-sensitive development near the airport. A separate noise overlay zone could also be used to implement sound insulation and fair disclosure requirements within the vicinity of the airport.

Updates to the existing City of Oxnard and ACLUP overlay zoning policies would serve this objective. Therefore, this alternative should not be considered for inclusion in the NCP.

EXPENDITURE TECHNIQUES

Land use management techniques involving direct expenditures include the following:

- Voluntary Property Acquisition
- Voluntary Sound Insulation
- Noise and Avigation Easement Purchase
- Sales Assurance
- Development Rights Acquisition

These measures are usually considered as a last resort for controlling noise impacts because they are often disruptive, expensive, and sometimes controversial. These measures are potentially eligible for FAA funding assistance through the noise set-aside portion of the federal Airport Improvement Program if they are approved within a Part 150 Noise Compatibility Program.

To be eligible for Airport Improvement Program (AIP) funding, a noise compatibility project (also referred to as a noise mitigation project) must meet all requirements from Appendix R, *Noise Compatibility Planning/Projects* of the Airport Improvement Handbook.

FAA Order 5100.38D. Appendix R, Section R-6, Item a., stipulates that these project locations must be within the 65 CNEL noise contour based on existing conditions or the five-year forecast conditions, whichever is greater. Historically, properties within noise contours exceeding 65 CNEL have received much higher priority for mitigation funding than properties located within lesser contours (i.e., 55 and 60 CNEL noise contours).

As discussed in Chapter Four, there are noise impacts to 23 residential dwelling units and an estimated population of 92 residents in the 2022 and 2027 noise scenarios. The Ventura County Department of Airports recognizes that some community members are disturbed by noise outside of the FAA guidelines for noise contours. The following sections present alternatives for addressing noise impacts.

Voluntary Property Acquisition

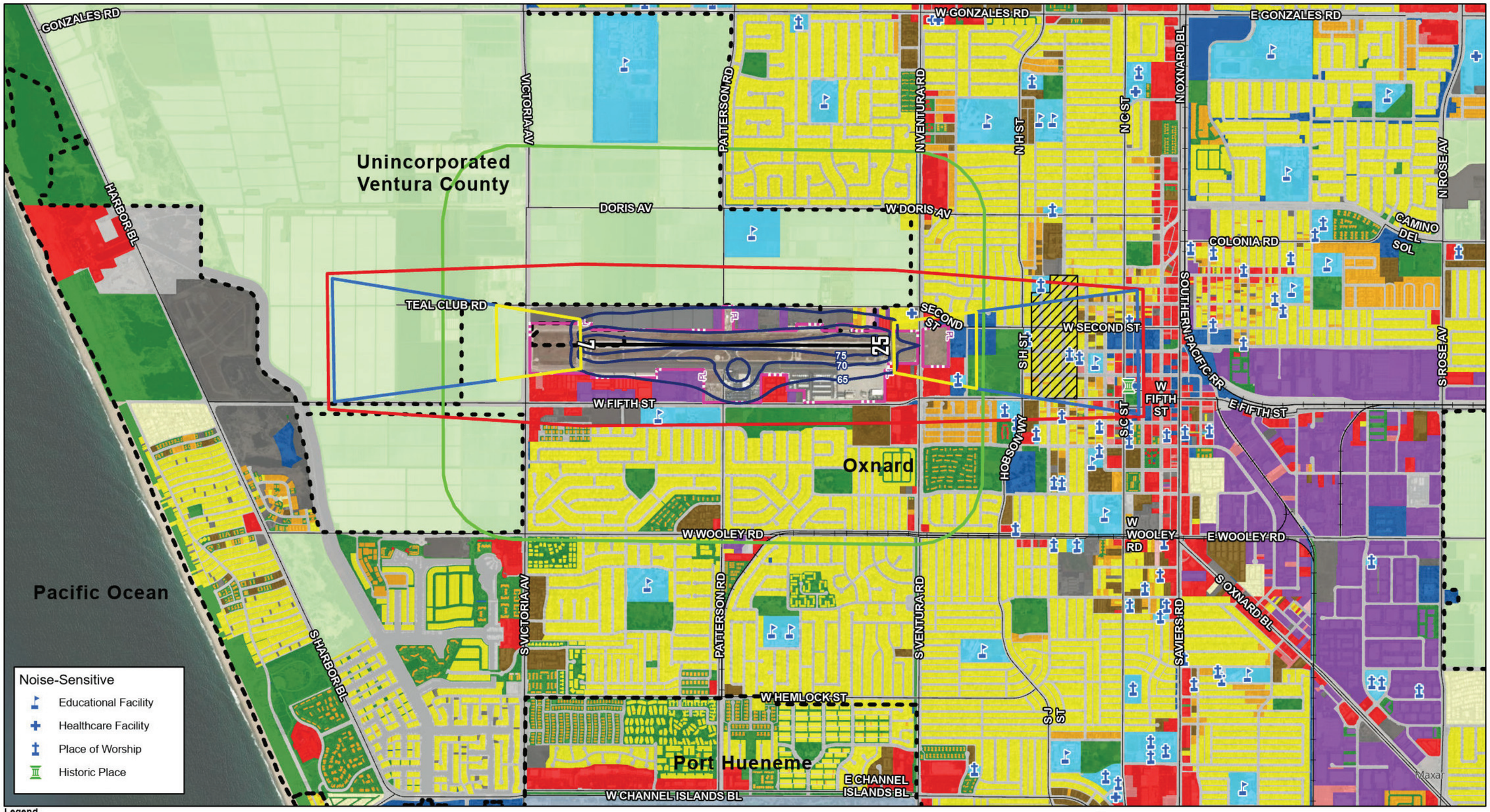
The intent of property acquisition as a mitigation measure is to remove residences from severely noise-impacted areas and to prevent incompatible uses from being developed near the airport. This can be an effective way to ensure complete noise compatibility around an airport, although it has several important drawbacks. These include potentially high costs, notable complexity, administrative effort, disruption of the lives of residents in the acquisition area, and the risk of significant damage to the character of established neighborhoods.

Under federal regulations (FAA Order 5100.38D, Appendix R, Table R-6, Item e), land may be acquired for noise mitigation with funding through the noise set-aside of the Federal Airport Improvement Program, provided it is within the 65 CNEL contour and has been developed with noise-sensitive land uses. The FAA actively supports airport ownership of land impacted by noise levels above 75 CNEL. While acquisition of areas impacted by noise down to 65 CNEL is eligible for federal funding assistance, it can be difficult to establish a high priority with the FAA for funding the acquisition of property outside the 70 or 75 CNEL contour.

Evaluation

As previously discussed, acquisition of areas impacted by noise down to 65 CNEL may be eligible for federal funding assistance. There are 23 residential properties within the 65 CNEL noise contours for the existing (2022) or the future (2027) conditions in the areas surrounding Oxnard Airport that would be potentially eligible. However, there are no noise-sensitive land uses in the 70 CNEL or greater contour.

Typically, property acquisition for noise mitigation is accomplished through voluntary programs. The purchasing agency (Ventura County Department of Airports) notifies property owners in the area in question when it is ready to negotiate the purchase of their land and homes. Homeowners that choose to participate in the program are assured that the airport will buy their property, assuming a fair price can be negotiated. Under a purely voluntary program, property owners are under no obligation to participate and may decide to remain in their homes. In contrast, some airports utilize a comprehensive redevelopment approach to achieve property acquisition objectives. **Table 6B** summarizes the similarities and differences between the two program types.



Legend

- Runway Centerline
- Airport Property Line
- 2027 CNEL Noise Contours
  CNEL - Community Noise Equivalent Level
- Jurisdictional Boundaries
- Henry T. Oxnard National Historic District
- Railroad
- Roads
- Traffic Pattern Zone
- Height Protection Zone
- Outer Safety Zone
- Runway Protection Zone

Existing Land Use

- Agricultural
- Single-Family Residential
- Multi-Family Residential - Medium Density
- Multi-Family Residential - High Density
- Manufactured Homes
- Commercial
- Mixed-Use
- Industrial
- Military - Naval Base
- Utilities
- Public/Quasi-Public
- Parks/Open Space
- Noise-Sensitive
- Parking
- Vacant
- Easement/Right of Way

Source:
Ventura County Parcel Layer and Tax Roll Data, Ventura County Airport Comprehensive Land Use Plan, 2000, Coffman Associates Analysis
ESRI Basemap Imagery, 2022

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TABLE 6B | Comparison of Voluntary and Comprehensive Programs

Voluntary Property Acquisition Program	Comprehensive Redevelopment Program
Property owners are under no obligation to participate and may remain in their homes	Involves phased acquisition of all parcels, with the program boundary delineated at logical breakpoints
Requires negotiation to achieve a fair purchase price	Requires proper care and maintenance of vacant lots
Sound insulation may be offered as an alternative to acquisition	Requires a residential relocation plan
Requires a residential relocation plan	Requires a visual buffer between the redevelopment site and remaining residential areas
Program boundary for eligible properties is delineated at logical breakpoints	May require traffic flow studies and design to avoid blighting influences

If federal funds are used for acquisition of residences, either program will be required to conform to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URARPAPA). These regulations mandate that certain relocation assistance services be made available to homeowners/tenants of the properties to be acquired. This includes assistance in finding comparable and decent substitute housing for the same cost, moving expenses, and in some cases, loss of income.

FAA allows for property acquisition boundaries to be delineated at logical breakpoints, such as a neighborhood boundary, significant arterial surface street, highway, river, or other physical or natural barrier or feature. Using this guidance, a program boundary was developed using the 2027 noise exposure contours as the basis. Based upon this methodology, 7 additional dwelling units are included in the potential program area in addition to the 23 dwelling units that fall within the 2027 65 CNEL noise exposure contours. Therefore, there are 30 total dwelling units, including 16 single family and 14 multifamily units, as shown in **Table 6C** and on **Exhibit 6C**. Dwelling unit counts are based on information available from the Ventura County parcel layer and assessor's tax roll data.

A preliminary estimate for acquiring the dwellings within the 65 CNEL noise exposure contour was determined by comparative market analysis from multiple listing service (MLS) data. Purchase estimates are $1,105,000 per single family (totaling $17,680,000) and $517,700 per multi-family dwelling unit (totaling $7,247,800); relocation payments could be up to $22,500 per household for owners ($360,000) or $5,250 for tenants ($73,500), per FAA Order 5100.37B, *Land Acquisition and Relocation Assistance for Airport Projects*; and demolition and hazardous material abatement could cost $25,000 per structure ($750,000 for the area). A consultant may also be necessary to navigate the property inventory, appraisal, and acquisition process, at an estimated cost of $350,000. The total estimated cost for acquisition, rezoning, and preparing the approximate area for redevelopment with compatible land uses would be $26,461,300. At least part of these costs would be offset by revenues from the sale of the land for redevelopment.

TABLE 6C | Potentially Eligible Properties for Acquisition or Sound Insulation – Oxnard Airport

Parcel	Land Use Classification	Parcels/Dwelling Units (d.u.)[2]
1830110260	Single-Family	1
1830110270[1]	Multi-Family, Medium Density	2
1830110255[1]	Multi-Family, Medium Density	3
1830110030[1]	Single-Family	2
1830110045	Single-Family	2
1830110050	Single-Family	2
1830110195	Multi-Family, High Density	9

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TABLE 6C | Potentially Eligible Properties for Acquisition or Sound Insulation – Oxnard Airport (continued)

Parcel	Land Use Classification	Parcels/Dwelling Units (d.u.)[2]
1830110205	Single-Family	2
1830110140[3]	Single-Family	1
1830110150[3]	Single-Family	1
1830110125[3]	Convalescent Hospital/Rest Home	0
1830110150[3]	Single-Family	1
1830110100[3]	Single-Family	1
1830110380[3]	Single-Family	1
1830110080[3]	Single-Family	1
1830110140[3]	Single-Family	1
	Total:	**30**

[1] A portion of the parcel is also within the 70-75 CNEL noise contour; however, no permanent structures are located on that portion.

[2] Number of dwelling units is estimated based on the Ventura County Assessor's property use descriptions for each parcel, selecting the upper limit of any ranges and adding one dwelling unit for parcels described as containing guest houses, garage apartments, or sleeping rooms.

[3] Property not included in 65-70 CNEL contour but is within potential program boundary.

[4] Estimated population is calculated by multiplying the number of dwelling units for residential land uses by the number of persons per household (4.00). Persons per household information is based on U.S. Census Bureau 2017-2021 American Community Survey information, as of July 1, 2022. Retrieved from: https://www.census.gov/quickfacts/fact/table/oxnardcitycalifornia/PST045222

Source: Coffman Associates analysis

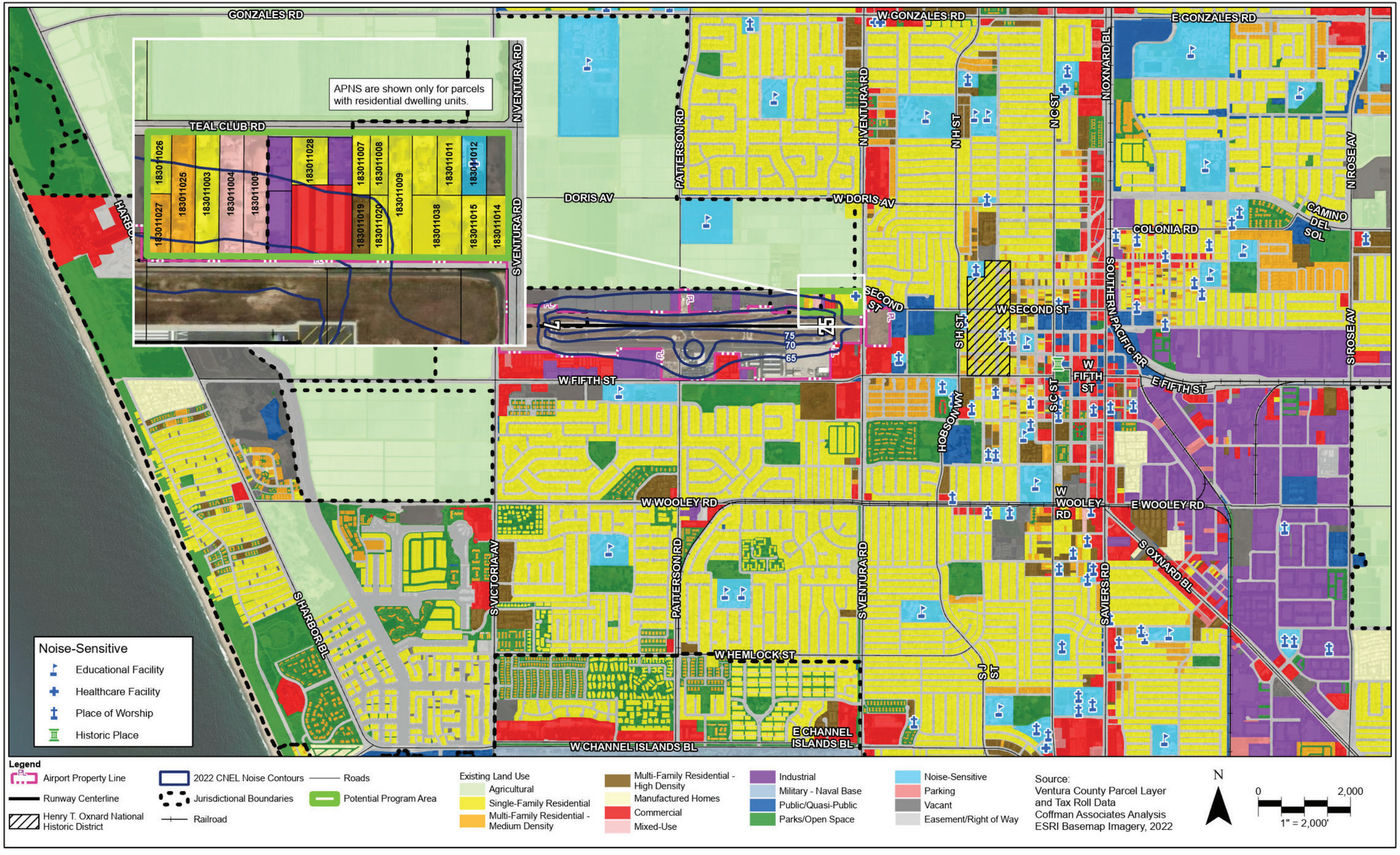
Conclusion

A voluntary residential acquisition and redevelopment program could potentially promote airport compatibility north of the airport; therefore, this alternative merits further consideration.

Voluntary Sound Insulation

Noise-sensitive land uses may be retrofitted to include sound insulation intended to reduce interior noise levels. Sound insulation can improve the outdoor-to-indoor noise level of a structure by five to ten decibels. Sound insulation strategies generally include incorporating thermal insulation and weatherproofing; baffling vents and mail slots; installation of acoustical windows and solid-core or foam-core steel doors. As the benefits of these improvements are only realized if the windows and doors are closed, ventilation systems may also be incorporated.

In addition to the previously discussed criteria, FAA has provided specific guidance for sound insulation programs, as outlined in FAA Order 5100-38D, *Airport Improvement Program Handbook*, Appendix R, effective September 30, 2014. For sound insulation programs, a two-step eligibility requirement for such programs applies: first, the noise-impacted, non-compatible structures must be located within an airport's existing or future 65 CNEL contour; and second, the structure must have an existing interior noise level of 45 CNEL or greater, as measured with the windows closed, to be eligible.


APNS are shown only for parcels with residential dwelling units.
GONZALES RD
W GONZALES RD
E GONZALES RD
TEAL CLUB RD
N VENTURA RD
S VENTURA RD
PATTERSON RD
DORIS AV
W DORIS AV
N H ST
N C ST
N OXNARD BL
N ROSE AV
CAMINO DEL SOL
COLONIA RD
SOUTHERN PACIFIC RR
SECOND ST
W SECOND ST
S H ST
S ROSE AV
75
70
65
W FIFTH ST
W FIFTH ST
E FIFTH ST
S C ST
HOBSON WAY
W WOOLEY RD
W WOOLEY RD
E WOOLEY RD
S OXNARD BL
SAVIERS RD
S VICTORIA AV
S HARBOR BL
W HEMLOCK ST
S J ST
W CHANNEL ISLANDS BL
E CHANNEL ISLANDS BL
183011026
183011025
183011003
183011004
183011005
183011027
183011028
183011007
183011008
183011019
183011020
183011009
183011038
183011011
183011012
183011015
183011014
Noise-Sensitive
Educational Facility
Healthcare Facility
Place of Worship
Historic Place
Legend
Airport Property Line
Runway Centerline
Henry T. Oxnard National Historic District
2022 CNEL Noise Contours
Jurisdictional Boundaries
Railroad
Roads
Potential Program Area
Existing Land Use
Agricultural
Single-Family Residential
Multi-Family Residential - Medium Density
Multi-Family Residential - High Density
Manufactured Homes
Commercial
Mixed-Use
Industrial
Military - Naval Base
Public/Quasi-Public
Parks/Open Space
Noise-Sensitive
Parking
Vacant
Easement/Right of Way
Source:
Ventura County Parcel Layer and Tax Roll Data
Coffman Associates Analysis
ESRI Basemap Imagery, 2022
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Evaluation

In addition to the FAA requirements for implementation, a sound insulation program requires administrative support from the sponsoring agency, in this case, the County of Ventura Department of Airports. Prior to initiating the program, the following actions would need to be taken: establish a program boundary, create program guidelines, train technical staff or hire a qualified consultant to manage the program, and develop a list of approved contractors. Additionally, program phasing and prioritization would need to be established.

Based on the 2027 noise exposure contours, the potential program area includes 16 single-family residential dwelling units and 14 multifamily residential dwelling units, as depicted on **Exhibit 6C**. The estimated cost of the program is $1,554,000, assuming costs of $50,000 per single family unit ($800,000 total), $30,000 per multifamily unit ($420,000), $75,000 for a convalescent facility, and a 20 percent contingency for a consultant to administer the program ($259,000). It is important to note that some residences may not qualify based on the previously discussed FAA sound insulation guidance; therefore, the cost estimates are likely greater than the expected costs.

Conclusion

A voluntary residential sound insulation program could reduce noise impacts north of the airport; therefore, this alternative merits further consideration.

Noise and Avigation Easement Purchase

An easement is a right held by one person to make use of another property owner's land for a limited purpose. In the context of airport noise compatibility planning, two types of easements are possible:

1. Positive easements, which allow someone to make noise over the land; and
2. Negative easements, which prevent the creation or continuation of unprotected noise-sensitive uses on the property.

An advantage of easements over zoning is that they can be permanent, whereas the zoning designation of a parcel may be changed. Acquisition of easements does not reduce the noise impacts on people or change the incompatible land uses to compatible uses. Locally, an important advantage of easements over acquisition is that the property remains on the tax rolls and available for compatible development by the landowners.

Noise and avigation easements give an airport the right to direct aircraft over property, creating related annoyances, without the threat of a lawsuit. These easements run with the land and serve as a limited means of notifying prospective property owners of the impact of airport noise. The purchase of noise and avigation easements within the 65 CNEL is eligible for federal funding assistance through the noise set-aside of the AIP. Purchase of noise and avigation easements over existing homes may be appropriate if noise substantially interferes with the full enjoyment of the property. The advantages and disadvantages of purchasing noise and avigation easements are outlined in **Table 6D**.

TABLE 6D | Advantages & Disadvantages of Noise and Avigation Easement Purchase

Advantages	Disadvantages
Legal protection for the airport	Does not mitigate noise, only compensates property owners for inconvenience
Limited fulfillment of fair disclosure objectives	Future owners do not receive similar compensation but are still exposed to aircraft noise
Neighbors who have diminished property enjoyment are compensated	Risk of airport becoming target of complaints, controversy, political pressure, and possibly lawsuits

Evaluation

The purchase of noise and avigation easements is not a viable option given the limited benefits in comparison to the costs.

Conclusion

This alternative should not be considered for inclusion in the NCP, as this is an ongoing measure which can be accomplished through an update to the county's ACLUP.

Sales Assurance

Under a sales assurance program, the airport would offer to supplement any bona fide purchase offer up to an amount equal to fair market value to homes within the 65 CNEL noise exposure contour. The airport guarantees the property owner of receiving the appraised value, or some increment thereof, regardless of the final sales price that is negotiated with a buyer. In order to prevent collusion between buyer and seller, to the detriment of the airport, the airport must approve the listing price for the home and any downward adjustments of that price. In return for participation in the program, the airport could require the property owners to give the airport an avigation easement.

Evaluation

The advantage of a sales assurance program is that the airport would never take title to the property, so it would remain on the county's tax rolls. However, this alternative is appropriate only if the voluntary acquisition program is not pursued.

Conclusion

This alternative may be considered for inclusion in the NCP if a voluntary acquisition program is not pursued.

Development Rights Acquisition

The ownership of land involves the ownership of a bundle of rights to use and develop that land to the extent permitted by government regulations, such as zoning, health and safety laws, and environmental laws. A property owner can sell some of these rights while still retaining the title to the land. For example, a property owner surrenders some of the rights to their property when he or she grants someone an easement or sells the mineral rights to the property. One of the rights a property owner can sell is the right to develop the property for urban uses. The advantages and disadvantages of property rights acquisition are outlined in **Table 6E**.

TABLE 6E | Advantages & Disadvantages of Development Rights Acquisition – Oxnard Airport

Advantages	Disadvantages
Protects from incompatible development	Cost can be nearly as much as the full fee title
Property owners receive compensation	Buyer obtains very limited interest in the property
Property kept in private ownership, in productive use, and on the tax rolls	Only effective in rural areas

The advantage of purchasing development rights is that complete protection from incompatible development can be assured, and the property owners can receive compensation for any perceived loss. In addition, the property can be kept in private ownership, in productive use, and on the tax rolls while protecting the airport from incompatible development. The main disadvantage is the potentially high cost of the development rights, in return for which the buyer receives only a very limited interest in the property. In urbanizing areas where property owners have a reasonable basis for development expectations, development rights can cost nearly as much as the full fee title. In rural areas, on the other hand, development rights can be an economical alternative to fee simple acquisition.

Evaluation

This alternative is appropriate only in undeveloped areas, not in fully developed urban areas, such as the surrounding City of Oxnard.

Conclusion

This alternative should not be considered for inclusion in the NCP.

PRELIMINARY LAND USE ALTERNATIVES

Table 6F presents the preliminary list of land use management alternatives which deserve further consideration. These are to be reviewed by the Planning Advisory Committee, airport staff, and the public. Refinements to these preliminary measures may be necessary before the final plan is developed. In addition, more detailed consideration for the implementation of these recommendations is necessary.

TABLE 6F | Land Use Management Alternatives for Further Consideration – Oxnard Airport

Alternative	Description	Cost	Implementing Agency
Update General Plan Policies	Add policy to monitor and update the Part 150 Study. Establish aviation noise threshold for compatibility.	Administrative	City of Oxnard and County of Ventura
Update General Plan Map	Incorporate noise exposure contours as part of General Plan map.	Administrative	City of Oxnard and County of Ventura
Adopt Compatibility Checklist	Could consider adopting an airport land use compatibility checklist for review of development projects within the airport vicinity.	Administrative	City of Oxnard and County of Ventura
Revise Building Code	Require attainment of the CNEL 45 dB interior noise level for construction of new habitable spaces as an addition to an existing property.	Administrative	City of Oxnard and County of Ventura
Capital Improvement Programming	Establish communication process between local public works departments and airport staff to share information regarding major public improvements.	Administrative	City of Oxnard and County of Ventura
Voluntary Property Acquisition	Acquire 16 parcels located north of the approach end of Runway 25 and remove incompatible land uses.	$26,461,300	County of Ventura
Voluntary Sound Insulation	Install sound insulation for 30 dwelling units north of the approach end of Runway 25.	$1,554,000	County of Ventura