

# **Chapter Five**

## **LAND USE**

### **ALTERNATIVES**

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*F.A.R. Part 150*  
*Noise Compatibility Study*  
*Williams Gateway Airport*

#### ***INTRODUCTION***

The evaluation of noise abatement alternatives in Chapter Four resulted in tentative proposals to promote aircraft noise abatement measures in the area of Williams Gateway Airport. Even if such measures are implemented, however, there will continue to be land around the airport impacted by aircraft noise.

This chapter discusses land use management alternatives intended to prevent or reduce future noise impacts. It begins by identifying planning issues to be addressed by the land use. The current situation at Williams Gateway is quite favorable since no noise-sensitive land uses are within the 65 DNL or greater noise exposure contours. Some homes northwest and south of the airport, however, are exposed to noise above 60 DNL. The noise abatement analysis in Chapter Four discussed potential alternatives to reduce noise exposure in these residential areas.

management plan. Alternative land use management techniques are then evaluated to determine their potential usefulness in the Williams Gateway Airport study area. Finally, preliminary recommendations are presented, to be reviewed by the Planning Advisory Committee and local citizens. The final land use management and noise abatement recommendations will be presented in Chapter Six, Noise Compatibility Plan.

#### ***LAND USE ISSUES***

From a practical standpoint, no federally-funded land use management alternatives are available to mitigate the impacts of noise in these areas. (In order to be eligible for FAA funding for sound insulation or other noise mitigation actions, the property would have to be inside the 65 DNL contour based on 1999 or 2004 noise.)

Residential development pressure has intensified on all sides of the Williams Gateway Airport over the past several years. Ideally, all areas inside the 60 DNL contour and under the primary flight pattern should be designated for compatible commercial, office, industrial, or recreational development. The analysis of land use alternatives in this Chapter will consider possible land use planning options for these areas. If residential development is found to be the only practical alternative development option in these areas, methods of ameliorating potential noise impacts through development regulations will be considered.

In addition to these concerns, some areas outside the noise contours are exposed to relatively low and frequent aircraft overflights. According to noise complaint records, the presence of low-flying aircraft has been found to disturb residents in the vicinity of the Williams Gateway Airport. While the cumulative noise levels are not significant, individual overflights can be loud, and the mere presence of large numbers of aircraft can disturb some people. Methods of informing

In 1997, the Arizona Legislature enacted a law authorizing the State or cities and counties operating airports to designate “airport influence areas” (AIA) around their airports. The law is permissive; it does not mandate the establishment of airport influence areas. The boundaries of the airport influence area are to be determined by the airport owner based on a consideration of the area exposed to aircraft noise and overflights. If the local government or airport authority decides to establish an airport influence area, it must “file a record of the airport influence area in the office of the county recorder. . . . The record shall be sufficient to notify owners or potential purchasers of property in the airport influence area that property in the area is currently subject to aircraft noise and aircraft overflights.” (See House Bill

prospective residents of the presence of aircraft and the proximity of the airport will be considered in this Chapter. The intent would be to ensure that accurate information about the airport and air traffic is available to prospective homeowners and renters in the area influenced by the airport.

## ***AIRPORT INFLUENCE AREA***

In considering potential land use compatibility planning measures, it is necessary to define the areas within which those policies should apply. The challenge is to define the area within which the airport historically, currently, and in the future may exert, a significant influence on local residents and potentially noise-sensitive land uses.

In making this judgement, the historic, existing, and forecasted noise contours and the pattern of frequent aircraft overflights (or flight tracks) are important. The resulting area is here referred to as the *airport influence area*.

2491, 43<sup>rd</sup> Legislature, First Regular Session, 1997.)

While aircraft noise contours are of obvious value in defining an airport influence area, the information they provide is not entirely clear cut. As the noise contours presented in Chapters Two and Four demonstrate, they may change over time, depending on the volume of traffic, the mix of aircraft, and aircraft operating procedures. Keeping in mind that an important purpose of defining an airport influence area is to promote compatible land use planning, and recognizing that land development is a high consequence event which is very expensive, and often virtually impossible to reverse, it makes sense to use a reasonable "worst case" set of noise contours to help in defining an airport influence area.

In this study, the combination of the 2015 noise exposure contour from the 1993 Williams Gateway Airport Master Plan and noise contours developed using the 1999 Williams Gateway Airport Master Plan high range 2020 forecasts were used to develop a “planning scenario noise contour”. The Planning Scenario noise contour, illustrated on **Exhibit 5A**, represents a reasonable estimate of the largest area which is at risk of being exposed to aircraft noise above the threshold level of 60 DNL. The boundaries of the land use planning 60 DNL have been squared off to the nearest road or quarter section line to make it easier to reference.

Another critical consideration in defining an airport influence area is the location of flight tracks in the vicinity of the airport. These flight tracks are illustrated on Exhibits 2E, 2F, and 2G in Chapter Two of the Noise Exposure Maps. While each of these factors needs to be considered in determining the boundaries of the airport influence area for Williams Gateway Airport, each will not be considered equally in determining land use management measures for the area. The area within the 65 DNL noise contour will be given the greatest emphasis in obtaining land use compatibility. The area between the 60 and 65 DNL contours will be considered as a secondary priority area for obtaining land use compatibility. The area between the 60 DNL contour and the boundary of the airport influence area will be considered primarily for fair disclosure measures to notify future residents of the area of the vicinity of the airport and the likelihood of aircraft noise and overflights.

A potential airport influence area is shown on **Exhibit 5A**. The exhibit also shows radar flight tracks and a composite land use planning scenario noise exposure contours.

document. Aircraft on arrival tend to be relatively low since they are approaching the runway on a relatively flat glide slope, typically about 3 degrees or 20 to 1. On the other hand, aircraft on departure, while higher, are louder than arriving aircraft. In addition, aircraft in the pattern are executing a series of maneuvers and, typically, maintain a lower altitude than aircraft performing itinerant operations. These lower altitudes often result in greater annoyance and concern to residents in the area.

For purposes of showing the areas commonly overflown by aircraft, all the radar flight track data used to determine flight tracks for noise modeling are shown on **Exhibit 5A**. As with the 60 DNL contour, the areas that are most commonly overflown by aircraft have been squared off to the nearest street or quarter section line.

## ***LAND USE MANAGEMENT TECHNIQUES***

Land use management techniques to promote noise compatibility are discussed in this section. These techniques are grouped under three headings: **policy** and **regulatory** techniques that guide future development, and **expenditure** techniques which involve potential payments for mitigation assistance. They are listed on **Exhibit 5B**.

The potential suitability of each technique is discussed in this chapter and evaluated based on effectiveness and feasibility. The criteria for judging effectiveness include near and long-term effectiveness in addressing the land use issue discussed at the beginning of this chapter.

If a technique appears to be effective and does not create undesirable side effects, the feasibility of implementing it is evaluated. The feasibility criteria include cost to local governments and citizens, eligibility for FAA financial aid, political acceptability, state statutory authorization, and administrative ease or complexity.

## **POLICY TECHNIQUES**

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

- General Planning
- Project Review Guidelines

### **General Planning**

A General Plan establishes policies for the development and improvement of the community. It provides the basis for the local zoning

Most of the area within the Planning Scenario 60 DNL contours continues to be designated in the Gilbert Gateway Plan for compatible use, including commercial, industrial, public/semi-public facilities, and parks and open space. However, the Gilbert Gateway Plan proposes four school sites, increases the residential density, and reduces the amount of planned compatible land use buffer along Power Road adjacent to the 60 DNL planning scenario contour and directly under the primary flight pattern for Runway 12R-30L. The current Gilbert General Plan designations (discussed in Chapter 1) between Power, Warner, Recker, and Rittenhouse Roads provide a better level of land use compatibility with aircraft noise than proposed designation from the Gilbert Gateway Plan. This area is hatched on **Exhibit 5C**. Therefore, it is recommended that the General Plan designations within this area remain unchanged.

ordinance, the regulations governing the use and development of land.

The General Plans of Mesa, Gilbert, Queen Creek, Apache Junction, and Maricopa and Pinal Counties were reviewed in Chapter One and shown in Exhibit 1L. The General Plans currently promote airport-compatible development in most of the undeveloped areas around the airport within the Planning Scenario 60 DNL noise contour.

The City of Gilbert recently completed the Gilbert Gateway Plan. The Plan updates the Gilbert General Plan for an area approximately seven square miles immediately west of the Williams Gateway Airport. **Exhibit 5C** shows the Land Use Plan for the Gilbert Gateway Plan. It also shows the future land use designations from the Mesa, Queen Creek, Apache Junction, Maricopa County and Pinal County in the rest of the study area.

Large areas of mixed-use which allow residential development north and west of the airport within Mesa and Gilbert is also a concern. Developing a new mixed use category that does not allow residential within the planned mixed use areas inside the planning scenario 60 DNL boundary should be considered.

In addition, one area within Mesa and one area in Queen Creek that are currently undeveloped within the Planning Scenario 60 DNL noise contours, but are planned for non-compatible land uses, should be changed to a compatible land use. These areas are located just north of Guadalupe Road and near the intersection of Meridian and Ocotillo Roads. These areas are depicted on **Exhibit 5C**.

Mesa, Gilbert, Queen Creek, Maricopa County  
and Pinal County should

consider amending their general plans to reflect the updated noise contours at Williams Gateway Airport. For land use planning purposes, the airport noise scenario they use should reflect the area at risk of noise exposure. For that reason, they should use the composite of the 2015 noise exposure contour from the 1993 Williams Gateway Airport Master Plan and noise contours developed using the 1999 Williams Gateway Airport Master Plan high range 2020 forecasts as a “planning scenario noise contour.” (The composite noise contours are shown in **Exhibits 5A** and **5C**.) In some areas, the 2015 noise exposure contour from the 1993 Williams Gateway Airport Master Plan noise contours are larger than the noise contours developed using the 1999 Williams Gateway Airport Master Plan high range 2020 forecasts, and vice versa. A combination of both sets of contours would define a total noise exposure area based on recent noise contour development efforts as well as the most up-to-date information.

The cities and the counties also could consider amending their general plans to show the proposed airport influence area around Williams Gateway Airport (as shown in **Exhibits 5A** and **5C**.)

**Conclusion:** The General Plans for Mesa, Gilbert, and designated undeveloped areas within the Planning Scenario 60 DNL contour for future compatible development. These noise compatibility policies and land use designations should be continued in the future. In addition, a new mixed use category that does not allow residential within the planned mixed use areas inside the Planning Scenario 60 DNL boundary should be considered.

Consideration should be given to maintaining the current Gilbert General Plan designations between Power, Warner, Recker, and Rittenhouse Roads. In addition, two areas (one in Gilbert and one in Queen Creek) that are currently undeveloped within in the planning scenario noise contours, but are planned for non-compatible land uses, should be changed to a compatible land use.

Mesa, Gilbert, Queen Creek, and Maricopa County should consider using the combined 2015 noise exposure contour from the 1993 Williams Gateway Airport Master Plan and noise contours developed using the 1999 Williams Gateway Airport Master Plan high range 2020 forecasts as a “planning scenario noise contour” in their general plans. Mesa, Gilbert, Queen Creek, and both Maricopa and Pinal Counties should also consider showing the airport influence area in their general plans.

### **Project Review Guidelines**

Planning commissions and local governing bodies are often required to use their own discretion and judgement in making recommendations and decisions on community development issues such as 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

- C. Locate noise-sensitive public facilities outside the Planning Scenario 60 DNL contour, if possible. Otherwise, require building construction to provide an outdoor to indoor noise level reduction of 25 decibels within the 60-65 DNL range. Also, require the dedication of noise and aviation easements to the Williams Gateway Airport

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 the consideration of noise compatibility issues in their deliberations.

Mesa, Gilbert, Queen Creek, and Maricopa County could consider adopting airport land use compatibility guidelines for discretionary review of development projects within the Planning Scenario 60 DNL contour. These would be most appropriately contained in the general plans. This process would add little cost or administrative burden to the review process. A simple checklist could be prepared listing the important factors to consider in reviewing development proposals within the Planning Scenario 60 DNL noise contour. The following criteria are suggested:

- A. Determine the sensitivity of the subject land use to aircraft noise levels. The F.A.R. Part 150 land use compatibility table can be used for this purpose. (See Exhibit 3A in Chapter Three.)
- B. Advise the airport management of development proposals involving noise-sensitive land uses within the Planning Scenario 60 DNL noise contour.  
  
Authority as airport proprietor and the recording of a fair disclosure agreement and covenant noting the proximity of the airport and the existing and projected airport noise contours.
- D. Discourage the approval of rezonings, exceptions, variances, and conditional uses which introduce noise-

sensitive development into areas exposed to noise exceeding 60 DNL.

E. Where noise-sensitive development within the Planning Scenario 60 DNL contour must be permitted, encourage developers to incorporate the following measures into their site designs.

(1) Where noise-sensitive uses will be inside a larger, mixed use building, locate noise-sensitive activities on the side of the building opposite the airport or, if the building is beneath a flight track, opposite the prevailing direction of aircraft flight.

(2) Where noise-sensitive uses are part of a larger mixed use development, use the height and orientation of compatible uses, and the height and orientation of landscape features such as natural hills, ravines and manmade berms, to shield noise-sensitive uses from ground-noise generated at the airport.

In some zoning ordinances, residential and other noise-sensitive uses are permitted in commercial or industrial districts. In Chapter One, the zoning ordinances of Mesa, Gilbert, Queen Creek, Apache Junction, Maricopa County, and Pinal County were summarized. These jurisdictions permit at least some noise-sensitive uses in commercial or industrial zoning districts, but, in general, they do not permit substantial residential development in those districts. Commercial and industrial zoning in the vicinity of the airport

**Conclusion:** Mesa, Gilbert, Queen Creek, and Maricopa County could consider adopting airport land use compatibility guidelines for review of development projects within the Planning Scenario 60 DNL contour. These would be appropriately included in each jurisdiction's general plan.

## REGULATORY TECHNIQUES

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

- Compatible Use Zoning
- Zoning Changes/Residential Density
- Noise Overlay Zoning
- Subdivision Regulations
- Building Codes
- Transfer of Development Rights
- Environmental Zoning
- Fair Disclosure Regulations

### Compatible Use Zoning

The most common zoning technique in noise compatibility planning is to eliminate residential zoning from the noise-impacted area and replace it with commercial, industrial, open space, or other compatible zoning designation.

cannot guarantee that all noise-sensitive uses will be avoided, although large-scale residential development would be effectively prohibited.

A potential limitation of compatible use zoning is the need to balance the supply of industrial and commercial-zoned land with demand. If the market for commercial or industrial land is weak, and if the property owners perceive that they are unable to develop or use their land, they can exert political pressure or, in extreme cases, sue in

court to force rezoning of their land. This could occur if the total supply of commercial and industrial land vastly exceeds demand, or if the land which has been zoned for commercial and industrial use is not suited for that use because of site problems, such as poor access or inadequate water and sewer service.

In making rezoning decisions, the impact of the proposed zoning on the neighboring area must also be recognized. Problems can occur where the vacant land being considered for commercial or industrial zoning is near an established residential area. The residents may strongly object to the intrusion of non-residential uses into their neighborhood.

There are several areas within the Planning Scenario 60 DNL boundary and within the airport influence area that are currently zoned for compatible use. When possible, the areas that are zoned for compatible use should be maintained. These areas are depicted on **Exhibit 5D**.

**Conclusion:** Large tracts of undeveloped land in the noise-impacted area around the airport are designated in local general plans for compatible use. Mesa, Gilbert, Queen Creek, and Maricopa County all could require that future development conform with the future land use designations of the general plans and that no rezonings contrary to the general plans would be approved in the airport influence area without appropriate revisions to the general plans. In addition, Mesa, Gilbert, Queen Creek, Maricopa County Pinal County could consider rezoning several large tracts of land planned and zoned for non-compatible land use within the Planning Scenario 60 DNL boundary.

## **Zoning Changes -- Residential Density**

**Exhibit 5D** also depicts several areas within the Planning Scenario 60 DNL boundary and within the airport influence area that are designated for compatible land uses in each respective general plan, but are zoned for non-compatible land uses.

These areas are identified on **Exhibit 5D** with a blue crosshatch. Consideration should be given to rezoning these areas to compatible land uses (commercial or industrial) as specified in the general plans.

Consideration should be given to rezoning several large tracts of land planned and zoned for non-compatible land use within the Planning Scenario 60 DNL boundary northwest and southeast of the Airport to a compatible land use. The large tracts of land northwest of the Airport near the intersection of Elliot and Recker Roads are currently zoned for a combination of rural, medium, and high density residential. The large tracts of land southeast of the Airport near the intersection of Ocotillo and Meridian Roads are currently zoned for a combination of rural and low density residential. These areas are identified on **Exhibit 5D** with green hatch.

Another way of using conventional zoning to promote noise compatibility is to reduce the permitted housing density in an undeveloped area exposed to noise, thus reducing the number of future residents, rather than preventing residential development altogether. This is definitely a second-best approach and should be used only if compatible use planning and zoning are not feasible.

“Planned unit development” (PUD) is another technique which may offer some of the benefits of low-density (or large-lot) zoning. It allows development without having to follow the standard lot layout and siting requirements of the zoning ordinance. Planned unit developments can involve the clustering of buildings and the reservation of open space, as long as the overall

dwelling unit density in the development is basically the same as the density permitted in the underlying zoning district. In addition, a variety of housing types, including townhouses, apartments, and condominiums, are often permitted. This could conceivably

allow open space and parking areas to be placed within the noise impact area and housing to be clustered outside the area.

As mentioned in the previous section, there are several large tracts of land within the Planning Scenario 60 DNL boundary northwest and southeast of the Airport that are planned and zoned for non-compatible land uses. These areas are identified on **Exhibit 5D** with a green hatch. If rezoning these areas to a compatible land use is not possible, changing the density of residential should be considered.

In the highly developed area near the intersection of Elliot and Recker Roads, the City of Gilbert could consider increasing the residential density and clustering the dwellings away from runway centerline. In the largely undeveloped area near the intersection of Ocotillo and Meridian Roads, the Town of Queen Creek could consider reducing the general plan areas to low density residential and zoned areas to rural residential.

**Conclusion:** As second best alternative to rezoning to compatible use designations, consideration could be given to changing the residential densities northwest and southeast of the Airport. The City of Gilbert could consider increasing the density and clustering residential development away from runway centerline for several large areas near the intersection of Elliot and Recker Roads. The Town of Queen Creek could consider reducing residential dwelling density to rural residential near the intersection of Ocotillo and Meridian Roads.

## Noise Overlay Zoning

Overlay zoning (sometimes called “combining zoning”) is intended to provide a layer of special purpose regulations to address special environmental constraints or problems by setting performance standards to protect the public.

Overlay zoning involves the creation of one or more special zoning districts that supplement or combine with the regulations of the general purpose zoning districts.

Noise overlay zoning is used around many airports in the country to establish special land

use controls to protect the public health, safety, and welfare from conflicts which may arise between aviation and urban development. These controls often are used, for example, to regulate the height of structures within runway approach areas and in other areas near the airport, or to promote development which is compatible with aircraft noise levels.

Noise overlay zoning regulations are usually established as "combining" regulations in that the underlying zoning, (i.e., residential, commercial, industrial, etc.) remains in place and is supplemented by the noise overlay zone. The land within the noise overlay zone is subject to the requirements of two zoning districts -- the underlying zone and the overlay zone. The strictest requirements of both zones apply to the affected property.

Noise overlay zoning is intended to avoid the problems associated with incompatible development in high noise areas. Regulations in noise overlay zones can prohibit noise-sensitive uses, as long as the underlying zone permits enough other land uses to provide an opportunity for the economically viable use of the land. In the Williams Gateway Airport area, only the City of Mesa and Maricopa County currently has airport noise overlay zoning. (These regulations are summarized in Chapter One, Table 1C.) The Mesa Zoning Ordinance establishes an Airfield Overlay District. Eight subdistricts are designated within that area based on military safety zones and military aircraft noise contours. Districts AOD-1 through AOD-3 are very close to the runway ends and are shaped by military safety criteria. The remaining five Airfield Overlay Districts are shaped by the Williams Air Force Base military activity noise contours. The AOD-4 district area represents the area within the 75 DNL contour, the AOD-5 represents the area between the 75 and 70 DNL contours, the AOD-6 represents the area between the 70 and 65 DNL contours, the AOD-7 represents the

regulations also can require sound insulation in the construction of noise-sensitive uses.

The boundaries of noise overlay zones are usually determined by the critical noise contours based on local perceptions -- often the 65, 70, and 75 DNL contours, but with increasing emphasis on the 60 DNL contour. The boundary may follow the actual contours or, for the sake of simplified administration, nearby streets, property lines, or natural features.

Noise overlay zoning is administered by the local land use regulatory agency. In areas where noise crosses jurisdictional boundary lines, as in the Williams Gateway Airport area, it is helpful to local developers if the jurisdictions cooperate with a unified approach to overlay zoning.

Among the advantages of noise overlay zoning are the simplicity of the required amendments, the simplicity 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.

area between the 65 and 60 DNL contours, and AOD-8 represents the area between the 60 and 55 DNL contours. The City of Mesa does not enforce Airfield Overlay Districts 4 through 8 due to the conversion of Williams Air Force Base to a civilian airport and a significant drop in the level of military activity. The safety zones, however, are still enforced.

Maricopa County also enforces the same three Airport Overlay Districts Mesa enforces within the unincorporated areas around Williams Gateway Airport.

While both overlay district types previously mentioned provide for compatible land use around the airport, the Mesa and Maricopa County overlay zoning districts described in their

respective ordinances are based upon the military safety zones of an active military air force base. Therefore, these zones are based on criteria that does not represent the current or proposed future operational status of the airport. In addition, these overlay zoning districts stop at the corporate boundaries of Gilbert and Queen Creek and therefore have no capability to provide land use protection in these communities.

In addition to the overlay zoning districts specified in Mesa and Maricopa County zoning ordinances, Mesa, Gilbert, Queen Creek, and Maricopa County have adopted Williams Regional Planning Study (WRPS) Overflight Zoning Districts as a planning guideline. The WRPS Overflight Zoning District is separated into three subdistricts: Overflight Area 1 which encompasses the 65 DNL noise contour; Overflight Area 2 which encompasses a squared-off area between the 60 and 65 DNL noise contour; and Overflight Area 3 which encompasses an area outside the 60 DNL but still influenced by aircraft operations.

The WRPS Overflight Zoning Districts, however, are based on a dominate civil aircraft presence and are recognized by Mesa, Gilbert, Queen Creek, and Maricopa County. These communities could consider revising, broadening and adopting the standards of the WRPS Overflight Zoning Districts. Eight issues should be considered.

1. Consider expanding the current 60 and 65 DNL boundaries to include areas from the high range forecast noise contours that fall outside the WRPS contours (this would be the same as the Planning Scenario noise contour).
2. Consider reducing the size of the Airport Influence Area boundary to the north side of the Superstition Freeway.

3. Consider adding Runway Protection overlay zones to protect the approaches to each runway end.

4. Consider increasing exterior to interior noise level reduction from 20 to 30 for residential development within the 60 DNL boundary or AOZ-2 zone.

5. Consider prohibiting all noise-sensitive land uses within the Planning Scenario 65 DNL contour.

6. Consider expanding noise level reduction efforts to other land use categories.

7. Consider adopting overflight districts as part of zoning ordinance for Mesa, Gilbert, Queen Creek, Maricopa County and Pinal County.

**Exhibit 5E** depicts the recommended Airport Overflight Zoning (AOZ) Districts. **Table 5A** shows a suggestion for revised AOZ district requirements for Mesa, Gilbert, Queen Creek, Maricopa County and Pinal County.

**TABLE 5A**  
**Potential Revised Noise Compatibility Matrix for the Overflight Zoning District**  
**Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County**

	<b>RPZ<sup>8</sup></b>	<b>AOZ-1 65 + DNL</b>	<b>AOZ-2 60- 65 DNL</b>	<b>AOZ-3 60- AIA</b>
<b>RESIDENTIAL</b>				
Single-family, duplex, multi-family, manufactured housing	N	N	Y[I,2,4,9]	Y[I,2]
Recreational vehicle parks	N	N	Y[I,2,4,9]	Y[I,2]
Other residential	N	N	Y[I,2,4,9]	Y[I,2]
<b>PUBLIC FACILITIES</b>				
Education facilities	N	N	N	Y[I]
Religious facilities, libraries, museums, galleries, clubs and lodges	N	N	Y[I,4]	Y[I]
Outdoor sport events, entertainment and public assembly, except amphitheaters	N	N	N	Y[I]
Indoor recreation, amusements, athletic clubs, gyms and spectator events	N	Y[I,5]	Y[I,4]	Y[I]
Neighborhood parks	N	Y[I]	Y[I]	Y[I]
Community and regional parks	N	Y[I]	Y[I]	Y[I]
Outdoor recreation: tennis, golf courses, riding trails, etc.	N	Y[I]	Y[I]	Y[I]
Cemeteries	N	Y[I]	Y[I]	Y[I]
<b>COMMERCIAL</b>				
Hotels/motels	N	Y[I,5]	Y[I,4]	Y[I]
Hospitals and other health care services	N	N	N	Y[I]
Services: finance, real estate, insurance, professional and government offices	N	Y[I,4]	Y[I,3]	Y[I]
Retail sales: building materials, farm equipment, automotive, marine, mobile homes, recreational vehicles and accessories	N	Y[I,4]	Y[I,3]	Y[I]
Restaurants, eating and drinking establishments	N	Y[I,4]	Y[I,3]	Y[I]
Retail sales: general merchandise, food, drugs, apparel, etc.	N	Y[I,4]	Y[I,3]	Y[I]
Personal services: barber and beauty shops, laundry and dry cleaning, etc.	N	Y[I,4]	Y[I,3]	Y[I]
Automobile service stations	N	Y[I]	Y[I]	Y[I]
Repair services	N	Y[I]	Y[I]	Y[I]

**TABLE 5A (Continued)**

**Potential Revised Noise Compatibility Matrix for the Overflight Zoning District  
Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County**

	<b>RPZ<sup>8</sup></b>	<b>AOZ-1 65+ DNL</b>	<b>AOZ-2 60- 65 DNL</b>	<b>AOZ-3 60- AIA</b>
<b><i>INDUSTRIAL</i></b>				
Processing of food, wood and paper products; printing and publishing, warehouses, wholesale and storage activities	N	Y[I,6]	Y[I,6]	Y[I]
Refining, manufacturing and storage of chemicals, petroleum and related products, manufacturing and assembly of electronic components, etc.	N	Y[I,6]	Y[I,6]	Y[I]
Manufacturing of stone, clay, glass, leather, gravel and metal products; construction and salvage yards; natural resource extraction and processing, agricultural, mills and gins	N	Y[I,6]	Y[I,6]	Y[I]
<b><i>AGRICULTURE</i></b>				
Animal husbandry; livestock farming, breeding and feeding; plant nurseries (excluding retail sales)	N	Y[I]	Y[I]	Y[I]
Farming (except livestock)	7	Y	Y	Y
<b><i>MISCELLANEOUS</i></b>				
Transportation terminals, utility and communication facilities	N	Y[I]	Y[I]	Y[I]
Vehicle parking	N	Y[I]	Y[I]	Y[I]
Signs	N	Y	Y	Y

### KEY TO TABLE 5A

- Y Land use is compatible and is permitted.
- N Land use is incompatible and is not permitted.
- 1 A fair disclosure agreement and covenant shall be recorded as a condition of development approval for all permitted uses in the AIA Zoning Overlay District.
- 2 All plats recorded shall be inscribed with the following: *“These properties, due to their proximity to Williams Gateway Airport, are likely to experience aircraft overflights, which could generate noise levels that may be of concern to some individuals.”*
- 3 The land use or activity is permitted. The developer shall be encouraged to incorporate features into the design and construction of buildings where people live, work, or are otherwise received to achieve an outdoor-to-indoor noise level reduction (NLR) of 25 decibels.
- 4 The land use or activity is permitted; however, an outdoor-to-indoor noise level reduction (NLR) of 25 decibels must be incorporated into the design and construction of those buildings where people live, work, or are otherwise received.
- 5 The land use or activity is permitted; however, an outdoor-to-indoor noise level reduction (NLR) of 30 decibels must be incorporated into the design and construction of those buildings where people live, work, or are otherwise received.
- 6 Uses which produce air pollutants that may obscure vision in any way, or which involve raw materials, products or by-products that pose a potential explosive hazard, are not permitted.
- 7 Structures are not permitted in the runway protection zone.
- 8 In order to minimize public exposure to accident hazard and crash potential as generated by aircraft operations, no building shall be located within any portion of a runway protection zone as defined and designated by this Code. However, such on-site improvements as vehicle parking, storm water retention, landscaping, and yard set-backs, as otherwise required by this Code or other city regulation, may be permitted within the designated runway protection zones. No element of any landscaping shall be allowed to penetrate any runway protection zone slope or other approach surface.
- 9 Avigation easements are required which acknowledges that an airport is located nearby and aircraft to/from the airport have a right to fly over the property.

**Conclusion:** Mesa, Gilbert, Queen Creek, and Maricopa County, should consider revising their Overflight Zoning District standards to reflect additional areas within the high range forecast noise contours developed in this study as well as broaden the level of airport land use compatibility protection. Consideration should be given to amending the zoning ordinance for each entity to include the Overflight Zoning Districts. Pinal County also should consider amending their zoning ordinance to include the Overflight Zoning Districts.

### **Subdivision Regulations**

Subdivision regulations control the platting of land by setting standards for site planning, lot layout, and the design of utilities and public improvements. They can encourage compatible development around an airport by requiring the consideration of aircraft noise during the plat review by public officials. This might take the form of requiring further noise attenuation features in the site plan or a decrease or shift in the density of portions of the development.

Subdivision regulations are not well-suited to addressing needs for noise attenuation although 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. An important disadvantage is that, while the plat is recorded and on file forever, noise levels can change.

Another approach is to write a note on the plat, or record a covenant with the plat, stating that the property is subject to potentially disruptive aircraft noise and advising consultation with local planning officials and the airport proprietor to get current information about the noise situation. As

a practical matter, however, buyers of property rarely look at the plats.

Subdivision regulations can help protect the airport from the risk of noise damage suits while providing for notice to potential buyers of property by requiring, as a condition of subdivision approval, the dedication of noise and aviation easements and non-suit covenants in high-noise areas. This is similar to requirements for the dedication of street right-of-way or utility easements usually found in subdivision regulations.

An easement is a limited right to use property owned by another. A noise and aviation easement gives the airport, as owner of the easement, the right to direct aircraft over the property and thus to make noise. These easements serve notice that the property is subject to significant aircraft noise which may, at times, infringe on a resident's enjoyment of property and may, depending on the degree of acoustical treatment of the dwelling and the individual's sensitivity to noise, affect his or her well-being. The easement should state clearly that noise levels might increase in the future and that flight patterns or operating times might change. A noise and aviation easement often includes a covenant waiving the property owner's right to sue the airport proprietor for disturbances caused by aircraft noise.

A supplementary provision to the City of Mesa Zoning Ordinance requires the dedication of an avigation easement on any proposed subdivision plan or lot split within a Mesa's Airfield Overlay District. This provision also requires prospective buyers to be notified that the property is contained within one of these districts. It would be reasonable to reflect these requirements in the Mesa subdivision regulations as an extra measure to ensure that they are not overlooked during the subdivision review and approval process. The remaining jurisdictions including Gilbert, Queen Creek, and counties of Maricopa and Pinal have not adopted subdivision regulations pertaining to impacts of aircraft overflights.

**Conclusion:** Mesa, Gilbert, Queen Creek, Maricopa County and Pinal County could consider amending their subdivision regulations to require the recording of fair disclosure agreements and covenants within the airport influence area and dedication of noise and overflight easements within the Planning Scenario 60 DNL contour boundary. These would inform prospective buyers of potential for significant aircraft noise impacts and protect the airport authority from potential noise damage law suits. Inclusion of these updated provisions into its subdivision regulations will provide insurance against these requirements being overlooked in the subdivision review and approval process.

Because the City of Apache Junction and Pinal County would have no areas above 60 DNL within their jurisdiction, they would not need to enact special subdivision regulations.

While the zoning proposals discussed previously would greatly reduce the risk of future noise-sensitive development in the study area, special sound insulation measures may be appropriate in case scattered noise-sensitive development should occur. In fact, as part of the City of Mesa Zoning Ordinance, "any structures requiring a certificate of occupancy or designed for

## **Building Codes**

Building codes regulate the construction of buildings, setting standards for materials and construction techniques to protect the health, welfare, and safety of residents. Codes 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.

Building codes can require sound insulation in the construction of noise-sensitive uses in areas subject to high aircraft noise levels. Although they are sometimes used within the 60 DNL contour, requirements for sound insulation customarily are applied within the 65 DNL contour with increasingly stringent standards in the 70 and 75 DNL contours. Most sound insulation code standards describe in detail the required improvements needed to achieve a given level of noise reduction. The building inspector must see that the improvements have been properly made. If so, the builder is presumed to have met the sound insulation target without being required to do any special noise measurement tests.

Building codes apply throughout the Williams Gateway study area to ensure construction of safe buildings. All study area jurisdictions have adopted a version of the Uniform Building Code (UBC). While this code establishes uniform thermal insulation standards for new construction, it has no special sound insulation standards to provide protection from external noise sources.

habitation", located within an airfield overlay district will be denied a building permit unless certain noise level reduction (NLR) standards are met. The amount of noise reduction required is determined by two factors; (1) the airport overlay district the structure is within, and (2) what activity will take place within the structure.

As mentioned previously, the City of Mesa does not enforce the majority of its airfield overlay zones since they are based on only operations by military aircraft. In turn, Mesa uses noise attenuating construction standards that are set forth in the Williams Regional Planning Study. This requires noise attenuating construction methods able to maintain an exterior to interior noise level reduction of 20 dBA for any new or remodeled building contained within Airfield Overlay Area II. This area is reviewed in Chapter One and depicted on Exhibit 1M. This area should be further refined to follow the squared off 60 DNL "planning scenario noise contour" boundary established by the Gateway Airport Master Plan high range 2020 forecast. Not only should the city's zoning ordinance be updated to reflect these requirements, related standards in the building code would help with the implementation of these requirements. This would require the adoption of a local amendment to the Uniform Building Code currently in use. Gilbert, Queen Creek and Maricopa County could also consider sound insulation standards for new noise-sensitive development since they also

Sound insulation may cost local builders more than conventional construction. Most of the additional cost would be for acoustical windows, where they are necessary. Other sound insulation construction techniques should result in only very minor, if any, cost increase as they involve primarily special installation techniques with a minimum of unusual or expensive materials. Of course, not only is a properly sound-insulated home quieter, it is also highly energy-efficient. Any additional costs are buying real value for the future homeowner; therefore, the additional costs of sound insulation may be able to be recouped through the marketing process.

At least three approaches may be taken to setting specific sound insulation standards: (1) using prescriptive standards; (2) using flexible

have some areas of jurisdiction within the noise contours.

Sound insulation standards would be an effective way to enhance land use compatibility in the airport area, especially if used as part of a comprehensive land use management approach. The noise overlay zoning ordinance could declare which noise-sensitive uses should be sound-insulated within each noise overlay zone. The specific construction standards would be described in the building code. It would be the duty of the local building inspectors to ensure that sound insulation is properly installed.

The additional administrative burdens posed by sound insulation standards should not be severe. Local communities already have a building inspections process. It is possible that a need for additional inspections could increase the costs to local regulatory agencies. If so, these costs should be covered through inspection fees. Proper administration of these requirements is critical. It would require careful inspections and special training of building inspectors.

standards; or (3) using performance standards. These are discussed in the following sections.

**Prescriptive Standards:** This is perhaps the most commonly used approach to sound insulation standards. The building code could be amended to set forth specific construction standards intended to achieve a given level of noise reduction. It would be the duty of the local building inspectors to ensure that the correct materials are used and construction is done properly. After installation and a successful inspection, the building is presumed to be able to achieve the targeted level of noise reduction.

**Flexible Code Standards:** This alternative would describe the required "sound transmission class" (STC) rating of all building components. STC is a system for rating the effectiveness of

partitions, floors, ceilings, windows, and doors in attenuating the transmission of sound. The ratings are determined through standardized laboratory tests of sound transmission at various frequencies.

The higher the STC rating, the better the sound reduction. A builder would be free to use any materials desired as long as evidence is provided that the required STC rating has been met.

Jurisdictions desiring to undertake such an approach should retain the assistance of a qualified acoustical engineer in developing the standards. The objective of the regulations should be to specify the STC ratings of various building components needed to achieve an overall noise level reduction of 25 to 30 decibels, depending on the noise contour where the proposed development is located.

**Performance Standards:** A performance-based standard would focus on the final result to be achieved by the construction. The standard would describe the required outdoor-to-indoor noise reduction. The builder could use any materials or techniques he desires as long as he can certify that the plans and final construction meet the standard. This would require the assistance of an acoustical engineer in designing the building and checking construction. It would also require testing the building after construction.

The performance standards could be set in the zoning ordinance and would be particularly easy to administer in the case of conditional uses, special uses and planned developments. These kinds of developments are already subject to special reviews and performance standards.

The advantage of this approach is that the builder has the flexibility to design the building as he deems best. It also avoids the complexity of drafting, adopting, and administering special sound insulation building code amendments. In addition, verification

of compliance with the requirements is the responsibility of the builder and his engineer. The disadvantage is that the cities would have to verify the certifications made by the builder and the engineer. Builders also may lack confidence in regulations which are subject to case-by-case verification and approval.

**Conclusion:** The City of Mesa Zoning Ordinance sets noise level standards for noise-sensitive construction within the airfield overlay zones. While many of these zones are no longer enforced, Mesa does use the boundaries set forth in the Williams Regional Planning Study. All new construction and major alterations to existing building require the use of sound attenuation standards to create a exterior to interior noise level reduction of 20 dBA. Consideration should be given to updating the boundary to reflect the 60 DNL "planing scenario noise contour" and increasing the exterior to interior noise level reduction from 20 dBA to 30 dBA. Gilbert, Queen Creek, Maricopa County and Pinal County should also consider adopting these standards and along with the City of Mesa, incorporate them as revisions to their respective building codes. Because the City of Apache Junction would have no areas above 60 DNL within their jurisdiction, they would not need to enact special noise level reduction standards in their building codes.

Based on experience with these programs around the country, several conditions for the successful use of TDR have been identified. The receiving districts must be capable of immediate development, the regulatory process must have integrity and be trusted by developers, the regulatory agency must be able to inform and help property owners and developers, and programs must be as simple as possible and facilitate the self-interest of all involved parties. (See "Making TDR Work," by Peter J. Pizor, in the *Journal of*

## **Transfer of Development Rights**

Land ownership actually includes a bundle of rights to the use of that land. These include rights of access, mineral rights, rights to the airspace above the land, and rights to develop the land. 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 as a way to preserve environmentally important areas without having to buy them with public funds. The technique begins by 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 get additional development rights, they are allowed to build to higher densities than normally allowed by the zoning ordinance. They would buy these rights from landowners in the sending 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 developers can reap higher profits.

*the American Planning Association*, Vol. 52, No. 2, Spring 1986.)

A variation of TDR is density transfer zoning. This allows developers of several large tracts of land to move their allotted densities among tracts to reduce densities in areas worthy of preservation. This differs from TDR because only one owner is involved in the transfer, and a system for sale and purchase of development rights is not required. Density transfer zoning

often can be achieved through creative use of the planned unit development process.

In rapidly growing areas with large amounts of vacant land, TDR can be an effective tool for airport land use compatibility planning. At no cost to the taxpayers, it can neatly deal with the problem of what to do with land in high noise zones when there are no practical alternatives to residential development.

TDR is a very complicated technique that is difficult to justify solely for the purposes of airport land use compatibility. 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.

**Conclusion:** TDR is not currently being used in the Williams Gateway Airport area nor is it needed for airport compatibility purposes. As discussed in previous sections, current land use planning, in addition to potential revisions to conventional land use regulations, can adequately meet the need for compatible development in the airport area. This technique does not deserve further consideration.

At the most formal level, fair disclosure can be implemented through regulations requiring the seller or his agent to provide a notice of aircraft noise exposure 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

## **Environmental Zoning**

Special zoning regulations to preserve environmentally sensitive areas or protect development from environmental hazards also can 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, wetland preservation zoning limiting densities and the design of drainage facilities, and groundwater recharge zones limiting building density and lot coverage. All can be used to restrict the development of noise-sensitive uses in environmentally sensitive areas that are also impacted by aircraft noise.

**Conclusion:** Given the local environment (no significant flood plains, wetlands, etc.) various forms of environmental zoning regulations in the local area do not directly lend themselves to also promoting airport noise compatibility. This technique does not deserve further consideration.

## **Fair Disclosure Regulations**

Fair disclosure regulations are not actually land use regulations. They 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 around even major airports for newcomers to report having bought property without having been informed about airport noise levels.

time of closing. Although these measures are intended to protect buyers of property from being unaware of aircraft noise, a potential problem is that they can be difficult to enforce.

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 simply to disclosing the airport noise levels or overlay districts affecting the property and directing buyers to airport officials for more information.

Another approach to fair disclosure is to require the recording of a fair disclosure agreement and covenant at the time of rezoning or subdivision plat approval. The agreement would require the property owner to disclose the airport noise situation to prospective buyers. As a covenant running with the land, this requirement would bind all future property owners.

A less direct approach to fair disclosure is to require the dedication of aviation easements or noise and overflight easements as a condition of development approval within high-noise areas. The easements become a restriction on the deed to the property that must be revealed at the closing on subsequent sales. A more limited approach to fair disclosure is to require the recording of a notice with the plats of new subdivisions. As mentioned previously, the City of Mesa has established policies for both fair disclosure and the establishment of aviation easements as part of its Airfield Overlay Zoning. Although Mesa no longer enforces the majority of these overlay districts, Mesa does recognize and use both fair disclosure and aviation easement recording as established in the Williams Regional Planning Study. Gilbert, Queen Creek, and Maricopa and Pinal Counties currently do not implement fair disclosure policies.

**Conclusion:** Arizona law authorizes the establishment and recording of airport influence areas as well as disclosure of public use airports. Mesa, Gilbert, Queen Creek, and Maricopa and Pinal counties should consider using these laws. These laws fall short, however, of an air-tight

subdivisions in the noise-impacted area. It would identify the subdivision as potentially impacted by aircraft noise and would advise that local planners and airport officials be contacted for the most recent information about noise levels impacting the property. These approaches have been discussed in the noise overlay zoning and subdivision regulations sections.

As noted near the beginning of the chapter, Arizona law authorizes municipal and county airport operators to establish airport influence areas and record maps of these areas to make the potential for airport-related impacts a matter of public record. This helps to achieve the fair disclosure objective.

Arizona law recently authorized a second method of fair disclosure. This requires the disclosure of public use airports to prospective purchasers of real estate within the airport “vicinity” (vicinity is defined as the area within 60 DNL contour and traffic pattern airspace). The benefit of this law, however, is limited to only the first time buyer. It is suggested that if this option is considered the Planning Scenario noise contours be used.

guarantee of the disclosure of airport noise and overflight conditions in areas near an airport, especially in the early phase of the sales process.

If Mesa, Gilbert, Queen Creek, and Maricopa and Pinal Counties are interested in more complete disclosure than would be provided for by simply establishing an airport influence area and real estate map, they could consider taking additional actions. A previous section on airport noise overlay zoning discussed the possibility of requiring the recording of fair disclosure agreements and covenants for new development within the airport influence area. This measure would help promote fair disclosure of the potential for airport impacts, supplementing the State laws.

## EXPENDITURE TECHNIQUES

Land use management techniques involving direct expenditures include the following:

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

These measures are usually considered as a last resort because they are expensive, often disruptive, and sometimes controversial. They are most often justified when aircraft noise impacts are severe and cannot be mitigated through noise abatement alone. These measures are potentially eligible for FAA funding assistance through the noise set-aside of the Airport **Conclusion:** Because no noise sensitive uses are located inside the 65 DNL contour based on 1999 or 2004 noise levels, none of these Federal expenditure techniques are appropriate at William Gateway Airport.

When funding becomes available under the Growing Smarter program, this may provide another alternative to development within the 65 DNL noise contour. However, without the grant program in place and the uncertainty of the amount of funding available, conventional land use planning and zoning techniques continue to be the most practical methods for land use management.

Improvement Program if they are part of an FAA-approved Part 150 Noise Compatibility Program. In general, to be eligible for FAA approval these programs can apply only within the 65 DNL contour based on existing conditions or the five-year forecast condition.

An opportunity may exist to purchase development rights with State grant money instead of Federal money. Purchasing development rights has been recommended within the Growing Smarter legislation framework as a method of providing buffers for military bases and training ranges. The Growing Smarter Commission recommended a statewide competitive grant program open to private land owners, state agencies, special districts, local governments, and land trusts. The state or local government would, however, hold or retain ownership of the development rights.

## ***PRELIMINARY LAND USE ALTERNATIVES***

**Table 5C** shows the preliminary list of land use management alternatives deserving serious consideration. These are to be reviewed by the Planning Advisory Committee, the airport management, and the public. Refinements to these preliminary measures may be necessary before the final plan is developed. In addition, more detailed consideration of the implementation of these recommendations is necessary.

**TABLE 5C**  
**Land Use Management Alternatives Deserving Further Consideration**  
**Williams Gateway Airport**

Description	Cost	Implementing Agency
1. Establish airport influence area and record it with County Recorder according to State law.	Administrative	Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County
2. <i>General Plan Amendment:</i> Update General Plans to reflect the noise contours from Part 150 Study. Use a combination of the 2015 noise contours from the 1993 Master Plan and the 2020 high range forecast contours developed as part of this study as “land use planning scenario.”	Administrative	Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County
3. <i>General Plan Amendment:</i> Note that the goal of Mesa, Gilbert, and Queen Creek is to retain compatible land use designations for undeveloped land within the Airport Influence Area.	Administrative	Mesa, Gilbert, and Queen Creek.
4. <i>General Plan Amendment:</i> Designate all undeveloped land within the Planning Scenario 60 DNL boundary for future noise-compatible development. Amend Mixed Use designations within the Planning Scenario 60 DNL boundary to prohibit residential land uses.	Administrative	Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County
5. <i>General Plan Amendment:</i> Enact guidelines specifying noise compatibility criteria for the review of development projects within the Planning Scenario 60 DNL boundary.	Administrative	Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County
6. <i>Zoning Amendments:</i> Amend Zoning Map to reflect compatible land uses within Planning Scenario 60 DNL boundary or as an alternative change the residential densities.	Administrative	Mesa, Gilbert, and Queen Creek. Maricopa County
7. <i>Airport Overflight Zoning Amendment:</i> Amend Zoning Map to reflect Planning Scenario noise contours and airport influence area. Revise ordinance text to broaden noise compatibility standards, provide for fair disclosure agreements and covenants. (See Table 5A.)	Administrative	Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County
8. <i>Airport Noise Overlay Zoning:</i> Enact overlay zoning to provide noise compatibility land use standards near Airport. (See Table 5A.)	Administrative	Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County

**TABLE 5C (Continued)**  
**Land Use Management Alternatives Deserving Further Consideration**  
**Williams Gateway Airport**

<b>Description</b>	<b>Cost</b>	<b>Implementing Agency</b>
9. <i>Subdivision Regulations Amendment</i> : Require recording of fair disclosure agreements and covenants within airport influence area. Require noise and overflight easements within AIA District.	Administrative	Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County
10. <i>Building Code Amendment</i> : Enact construction standards for achieving outdoor-to-indoor noise level reductions of 30 decibels within the Planning Scenario 60 DNL boundary.	Administrative	Mesa, Gilbert, Queen Creek, Maricopa County, and Pinal County
11. <i>Real Estate Fair Disclosure</i> : Establish “airport vicinity” map using the airport influence area and Planning Scenario contours.	Administrative	William Gateway Airport Authority.