

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



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AIRPORT LAND USE COMMISSION AGENDA

Thursday, May 1, 2014
9:00 A.M. or immediately following the
Board Meeting

San Diego International Airport
Commuter Terminal – Third Floor
Board Room
3225 N. Harbor Drive
San Diego, California 92101

***Live webcasts of Authority Board meetings can be accessed at
http://www.san.org/sdcraa/leadership/board_meetings.aspx***

Pursuant to California Public Utilities Code §§ 21670-21679.5, the Airport Land Use Commission ("Commission") is responsible for coordinating the airport planning of public agencies within San Diego County. The Commission has the legal responsibility to formulate airport land use compatibility plans ("ALUCPs") that will (a) provide for the orderly growth of each public airport and the areas surrounding the airport within the County and (b) safeguard the general welfare of the inhabitants within the vicinity of each airport and the public in general. Pursuant to §21670.3, the San Diego County Regional Airport Authority serves as the Commission.

This Agenda contains a brief general description of each item to be considered. The indication of a recommended action does not indicate what action (if any) may be taken.

Please note that agenda items may be taken out of order. If comments are made to the Commission without prior notice or are not listed on the Agenda, no specific answers or responses should be expected at this meeting pursuant to State law.

Staff Reports and documentation relating to each item of business on the Agenda are on file in Corporate & Information Governance and are available for public inspection.

NOTE: Pursuant to Authority Code Section 2.15, all Lobbyists shall register as an Authority Lobbyist with the Authority Clerk within ten (10) days of qualifying as a lobbyist. A qualifying lobbyist is any individual who receives \$100 or more in any calendar month to lobby any Commission Member or employee of the Authority for the purpose of influencing any action of the Authority. To obtain Lobbyist Registration Statement Forms, contact the Corporate & Information Governance/Authority Clerk Department.

PLEASE COMPLETE A "REQUEST TO SPEAK" FORM PRIOR TO THE COMMENCEMENT OF THE MEETING AND SUBMIT IT TO THE AUTHORITY CLERK. *PLEASE REVIEW THE POLICY FOR PUBLIC PARTICIPATION IN BOARD AND BOARD COMMISSION MEETINGS (PUBLIC COMMENT) LOCATED AT THE END OF THE AGENDA.*

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

NON-AGENDA PUBLIC COMMENT:

Non-Agenda Public Comment is reserved for members of the public wishing to address the Commission on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Commission. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

Note: Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Commission.

CONSENT AGENDA (Items 1-6):

The Consent Agenda contains items that are routine in nature and non-controversial. It also contains consistency determinations that have been deemed consistent or **conditionally consistent**. The matters listed under 'Consent Agenda' may be approved by one motion. Any Commission Member may remove an item for separate consideration. Items so removed will be heard before the scheduled New Business items, unless otherwise directed by the Chair.

1. APPROVAL OF MINUTES:

The Commission is requested to approve minutes of prior Commission meetings.
RECOMMENDATION: Approve the minutes of the April 3, 2014, regular meeting.

CONSISTENCY DETERMINATION

2. REPORT OF LAND USE ACTIONS DETERMINED TO BE CONSISTENT WITH AIRPORT LAND USE COMPATIBILITY PLANS:

The Commission is requested to receive a report of land use actions determined by staff to be consistent with Airport Land Use Compatibility Plans.

RECOMMENDATION: Receive the report.

(Airport Planning: Angela Jamison, Manager)

3. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN – ESTABLISHMENT OF ELEMENTARY SCHOOL WITHIN EXISTING LIBERTY STATION BUILDING 271 AT 2150 CUSHING ROAD, CITY OF SAN DIEGO:

The Commission is requested to make a consistency determination on a proposed project in the City of San Diego.

RECOMMENDATION: Adopt Resolution No. 2014-0008 ALUC, making a determination that the project is conditionally consistent with the 1992 San Diego International Airport - Airport Land Use Compatibility Plan.

(Airport Planning: Angela Jamison, Manager)

4. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN – ESTABLISHMENT OF RETAIL SALES, RESIDENTIAL & LIVE/WORK USES WITHIN 8 EXISTING NTC FOUNDATION BUILDINGS IN LIBERTY STATION AT TRUXTON ROAD AND ROSECRANS STREET, CITY OF SAN DIEGO:

The Commission is requested to make a consistency determination on a proposed project in the City of San Diego.

RECOMMENDATION: Adopt Resolution No. 2014-0009 ALUC, making a determination that the project is conditionally consistent with the 1992 San Diego International Airport - Airport Land Use Compatibility Plan.

(Airport Planning: Angela Jamison, Manager)

5. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN – ESTABLISHMENT OF COMMERCIAL, CIVIC & INDUSTRIAL USES WITHIN 17 EXISTING McMILLIN COMPANIES BUILDINGS IN LIBERTY STATION, CITY OF SAN DIEGO:

The Commission is requested to make a consistency determination on a proposed project in the City of San Diego.

RECOMMENDATION: Adopt Resolution No. 2014-0010 ALUC, making a determination that the project is consistent with the 1992 San Diego International Airport - Airport Land Use Compatibility Plan.

(Airport Planning: Angela Jamison, Manager)

6. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF CLASSROOM AND CONCESSION/RESTROOM BUILDINGS, SPORT COURT/FIELDS AND LIGHT POLES AT EXISTING MIDDLE SCHOOL AT 4302 VALETA STREET, SAN DIEGO UNIFIED SCHOOL DISTRICT:

The Commission is requested to make a consistency determination on a proposed project in the San Diego Unified School District.

RECOMMENDATION: Adopt Resolution No. 2014-0011 ALUC, making a determination that the project is conditionally consistent with the 1992 San Diego International Airport - Airport Land Use Compatibility Plan.

(Airport Planning: Angela Jamison, Manager)

PUBLIC HEARINGS: None

OLD BUSINESS:

NEW BUSINESS:

7. ADOPTION OF AN AMENDMENT TO THE SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN AND ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT:

The Commission is requested to adopt an amendment.

RECOMMENDATION: Adopt Resolution No. 2014-0012 ALUC, adopting an amendment to the Airport Land Use Compatibility Plan for the San Diego International Airport, and an Addendum to the previously certified Environmental Impact Report.

(Airport Planning: Angela Jamison, Manager)

COMMISSION COMMENT:

ADJOURNMENT:

Policy for Public Participation in Board, Airport Land Use Commission (ALUC), and Committee Meetings (Public Comment)

- 1) Persons wishing to address the Board, ALUC, and Committees shall complete a "Request to Speak" form prior to the initiation of the portion of the agenda containing the item to be addressed (e.g., Public Comment and General Items). Failure to complete a form shall not preclude testimony, if permission to address the Board is granted by the Chair.
- 2) The Public Comment Section at the beginning of the agenda is limited to eighteen (18) minutes and is reserved for persons wishing to address the Board, ALUC, and Committees on any matter for which another opportunity to speak is not provided on the Agenda, and on matters that are within the jurisdiction of the Board. A second Public Comment period is reserved for general public comment later in the meeting for those who could not be heard during the first Public Comment period.
- 3) Persons wishing to speak on specific items listed on the agenda will be afforded an opportunity to speak during the presentation of individual items. Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board, ALUC and Committees. Public comment on specific items is limited to twenty (20) minutes – ten (10) minutes for those in favor and ten (10) minutes for those in opposition of an item. Each individual speaker will be allowed three (3) minutes, and applicants and groups will be allowed five (5) minutes.
- 4) If many persons have indicated a desire to address the Board, ALUC and Committees on the same issue, then the Chair may suggest that these persons consolidate their respective testimonies. Testimony by members of the public on any item shall be limited to **three (3) minutes per individual speaker and five (5) minutes for applicants, groups and referring jurisdictions.**
- 5) Pursuant to Authority Policy 1.33 (8), recognized groups must register with the Authority Clerk prior to the meeting.
- 6) After a public hearing or the public comment portion of the meeting has been closed, no person shall address the Board, ALUC, and Committees without first obtaining permission to do so.

Additional Meeting Information

NOTE: This information is available in alternative formats upon request. To request an Agenda in an alternative format, or to request a sign language or oral interpreter, or an Assistive Listening Device (ALD) for the meeting, please telephone the Authority Clerk's Office at (619) 400-2400 at least three (3) working days prior to the meeting to ensure availability.

For your convenience, the agenda is also available to you on our website at www.san.org.

For those planning to attend the Board meeting, parking is available in the public parking lot located directly in front of the Commuter Terminal. Bring your ticket to the third floor receptionist for validation.

You may also reach the Commuter Terminal by using public transit via the San Diego MTS system, Route 992. For route and fare information, please call the San Diego MTS at (619) 233-3004 or 511.

UPCOMING MEETING SCHEDULE

<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
June 5	Thursday	9:00 a.m.	Regular	Board Room
July 7	Thursday	9:00 a.m.	Special	Board Room

**DRAFT
AIRPORT LAND USE COMMISSION
MINUTES
THURSDAY, APRIL 3, 2014
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM**

CALL TO ORDER: Chair Gleason called the regular meeting of the Airport Land Use Commission to order at 9:10 a.m. on Thursday, April 3, 2014 in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 North Harbor Drive, San Diego, CA 92101.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENT: Commission Members: Alvarez, Boland, Cox, Desmond, Farnam (Ex Officio), Gleason, Hubbs, Robinson, Smisek

ABSENT: Commission Members: Berman (Ex Officio), Ortega (Ex Officio), Sessom

ALSO PRESENT: Thella F. Bowens, President/CEO; Breton K. Lobner, General Counsel; Tony R. Russell, Director, Corporate and Information Governance/Authority Clerk; Lorraine Bennett, Assistant Authority Clerk II

NON-AGENDA PUBLIC COMMENT: None.

CONSENT AGENDA (Items 1-2):

ACTION: Moved by Commissioner Smisek and seconded by Commissioner Boland to approve the Consent Agenda. Motion carried by the following vote: YES – Alvarez, Boland, Cox, Desmond, Gleason, Hubbs, Robinson, Smisek; NO – None; ABSENT – Sessom; ABSTAIN - None. (Weighted Vote Points: YES – 92; NO – 0; ABSENT – 8)

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the March 6, 2014, regular meeting.

CONSISTENCY DETERMINATION

2. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN – CONSTRUCTION OF SINGLE-FAMILY RESIDENTIAL UNIT AT DOVE STREET AT SPRUCE STREET, CITY OF SAN DIEGO:

RECOMMENDATION: Adopt Resolution No. 2014-0007 ALUC, making the determination that the project is conditionally consistent with the San Diego International Airport - Airport Land Use Compatibility Plan.

PUBLIC HEARINGS: None

OLD BUSINESS:

3. CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN AND ADOPTION OF THE SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN (Continued from the February 6, 2014 meeting):

Angela Jamison, Manager, Airport Planning, provided a presentation on the Certification of an Environmental Impact Report for the San Diego International Airport – Airport Land Use Compatibility Plan and Adoption of the San Diego International Airport – Airport Land Use Compatibility Plan, which included Continued items-City of Coronado Request, Historic Structures, San Diego Unified School District, Mixed-Use Project Calculation, and Residential Development Displacement.

Tony Russell, Director, Corporate and Information Governance/Authority Clerk, read in to the record, a letter received from FRANK L. ASARO and ANDREW ASARO, SAN DIEGO, dated April 2, 2014, owners of the property located at 2230 India Street, San Diego, CA 92101, indicating their support for Alternative 4 as presented in the Amended Environmental Impact Report (EIR) of the Airport Land Use Compatibility Plan.

JOHN READEY, DANA POINT, suggested that discretionary authority be provided for properties that have special circumstances.

RODNEY EALES, SAN DIEGO, requested consideration for “Special Conditions” under the ALUCP *Policy S.10, Buildings Split by Safety Zone Boundaries*.

SHANDON HARBOUR, SAN DIEGO, requested that a clause be added in to the new ALUCP to include a provision for “Special Conditions.”

JOHN ZIEBARTH, SAN DIEGO, representing American Institute of Architects (AIA), spoke in support of EIR Alternative 4.

MATT ADAMS, SAN DIEGO, representing the Building Industry Association of San Diego County, spoke in support of EIR Alternative 4.

EVAN GERBER, spoke in support of EIR Alternative 4.

CHRIS GOMEZ, representing Little Italy Association, read a letter in to the record on behalf of MARCO LI MANDRI, Chief Executive Administrator, Little Italy Association, stating support of Alternative 4.

Commissioner Robinson disclosed ex-parte communications with Matt Adams, Neil Hyytinen, representing Hecht Solberg Robinson Goldberg & Bagley LLP, John Ziebarth, Evan Gerber, Chris Gomez, and Marco Li Mandri.

ORIGINAL MOTION:

ACTION: Moved by Commissioner Robinson and seconded by Commissioner Smisek to adopt the ALUCP as presented, to include Alternative 4, as outlined within the EIR for Little Italy.

Ms. Jamison clarified that with Alternative 4, all Safety Zones would have no density or intensity limits.

In response to Commissioner Alvarez regarding liability to the Airport in regards to the CalTrans Handbook, Amy Gonzalez, Senior Director, General Counsel, responded that the statute requires guidance by the CalTrans Handbook, and that the Authority would be in a better legal position by following the Handbook.

In response to Commissioner Alvarez regarding whether the ALUC can use its discretion to determine whether there is a Special Condition that could further protect the Authority, Ms. Gonzalez responded that the plan does not currently allow for discretion, and she advised that discretion should lie at the local jurisdiction level.

Chair Gleason expressed concern about treating one portion of a safety zone differently from another. He requested clarification by staff as to the method for calculating the density/intensity on properties that straddle two safety zones.

Commissioner Desmond stated that he could not support a special exemption to Little Italy or any properties in Zone 2E, but that he could support split properties.

Chair Gleason requested that staff look at revising the calculation method in the current ALUCP for blocks that are split by safety zones, instead of using the 51percent rule.

Commissioner Hubbs spoke in favor of "Special Conditions", with applied criteria.

Commissioner Alvarez stated that he could not support the motion, and expressed his support of the compromise by the City of San Diego regarding Mixed-Use Project Calculation, and staff's recommendation.

TAIT GALLOWAY, CITY OF SAN DIEGO, stated that the City has no objections to staff's recommendation to the ALUC.

Commissioner Desmond offered a substitute motion to adopt the ALUCP as presented, with the exception to direct staff to analyze and come back with possible alternatives related to the split parcel calculations and Special Conditions related to split properties. It was seconded by Commissioner Cox.

Bret Lobner, General Counsel, stated that advice from his office has been to set strict standards within the ALUCP. He stated that when discretion is included in the plan, it opens the Commission, and the Authority, to challenges and potential lawsuits.

RECOMMENDATION: Adopt Resolution No. 2014-0003 ALUC, certifying the final Environmental Impact Report for the San Diego International Airport - Airport Land Use Compatibility Plan, and adopting California Environmental Quality Act (CEQA) Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, and

ACTION: Moved by Commissioner Robinson and seconded by Commissioner Smisek to approve staff's recommendation. Motion carried by the following vote: YES – Alvarez, Boland, Cox, Desmond, Gleason, Hubbs, Robinson, Smisek; NO – None; ABSENT – Sessom; ABSTAIN - None. (Weighted Vote Points: YES – 92; NO – 0; ABSENT – 8)

Adopt Resolution No. 2014-0004 ALUC, adopting the Airport Land Use Compatibility Plan for San Diego International Airport.

SUBSTITUTE MOTION:

ACTION: Moved by Commissioner Desmond and seconded by Commissioner Cox to approve staff's recommendation, and directed staff to analyze and come back with two alternatives related to how split parcels are to be addressed in safety zones. Motion carried by the following vote: YES – Alvarez, Boland, Cox, Desmond, Gleason, Hubbs, Smisek; NO – Robinson; ABSENT – Sessom; ABSTAIN - None. (Weighted Vote Points: YES – 84; NO – 8; ABSENT – 8)

NEW BUSINESS: None.

COMMISSION COMMENT: None.

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ADJOURNMENT: The meeting was adjourned at 10:35 a.m.

APPROVED BY A MOTION OF THE AIRPORT LAND USE COMMISSION THIS
1st DAY OF MAY, 2014.

TONY R. RUSSELL
DIRECTOR, CORPORATE &
INFORMATION GOVERNANCE /
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

000005

Airport Land Use Commission
Report of Land Use Actions Determined to be Consistent with
Airport Land Use Compatibility Plans (ALUCPs)

Item No.
2

Meeting Date: **May 1, 2014**

Pursuant to Airport Authority Policy 8.30, and acting in its delegated capacity as the Airport Land Use Commission (ALUC) for San Diego County, Airport Authority staff has determined that the following land use actions are consistent with their respective ALUCPs:

Gillespie Field ALUCP

Construction of 2 Self-Storage Buildings at Existing Storage Facility at 573 Raleigh Avenue, City of El Cajon

Deemed Complete & Consistent on April 18, 2014

Description of Project: The proposed project involves the construction of two new storage buildings on the premises of an existing self-storage facility.

Noise Contours: The proposed project is located outside the 60 dB CNEL noise contour. The ALUCP identifies all uses located outside the 60 dB CNEL noise contour as compatible with airport uses.

Airspace Protection Surfaces: The proposed project is in compliance with the airspace protection surfaces of the ALUCP because a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA).

Safety Zones: The proposed project is located within Safety Zone 6. The ALUCP identifies storage uses located within Safety Zone 6 as compatible with airport uses.

Overflight Notification: The proposed project is located within the overflight notification area but does not contain any residential use subject to notification requirements.

San Diego International Airport ALUCP

Ocean Beach Community Plan Update, City of San Diego

Deemed Complete & Consistent on April 18, 2014

Description of Project: The project involves the update of the Ocean Beach Community Plan with no changes to existing land use designations and without any physical construction.

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Noise Contours: The project area lies within the 60-65 and 65-70 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contours. The City General Plan Noise Element and Municipal Code implement the sound attenuation and/or aviation easement requirements of the ALUCP as applicable for residential, lodging, assembly, institutional, and service facilities.

Airspace Protection Surfaces: The project area lies within the airspace protection surfaces. The City implements protection of airspace by requiring determinations of no hazard to air navigation from the Federal Aviation Administration (FAA) and compliance with any determination conditions for land use actions as applicable.

Safety Zones: A portion of the project area lies within Safety Zone 4 West with a maximum allowable residential density of 31 dwelling units per acre (DU/ac). The Land Use Element of the project designates that area as "medium density residential" with a maximum density of 29 dwelling units per acre.

Overflight Notification: The project area lies within the overflight notification area. The City provides overflight notification to affected properties through the Airport Environs Overlay Zone (AEOZ).

Brown Field Municipal Airport ALUCP

Otay Mesa Community Plan Update, City of San Diego

Deemed Complete & Consistent on April 18, 2014

Description of Project: The project involves the update of the Otay Mesa Community Plan to implement the land use designations of the 2008 City General Plan without any physical construction.

Noise Contours: The project area lies within the 60-65, 65-70 and 70-75 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contours. The City General Plan Noise Element and Municipal Code implement the sound attenuation and/or aviation easement requirements of the ALUCP as applicable for residential, lodging, assembly, institutional, service facilities, commercial and industrial uses.

Airspace Protection Surfaces: The project area lies within the airspace protection surfaces. The City implements protection of airspace by requiring determinations of no hazard to air navigation from the Federal Aviation Administration (FAA) and compliance with any determination conditions for land use actions as applicable.

Safety Zones: The project area lies within all safety zones with maximum allowable residential densities and nonresidential intensities as specified in the ALUCP by applicable zone. The City Municipal Code implements the ALUCP limitations of use of affected properties according to the City Airport Land Use Compatibility Overlay Zone (ALUCOZ).

Overflight Notification: The project area lies within the overflight notification area. The City provides overflight notification to affected properties within the ALUCOZ.

**CONSISTENCY DETERMINATION
SAN DIEGO INTERNATIONAL AIRPORT (SDIA)
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
May 1, 2014**

Item # 3 Resolution # 2014-0008 ALUC

Recommendation: Conditionally Consistent

ESTABLISHMENT OF ELEMENTARY SCHOOL WITHIN EXISTING LIBERTY STATION BUILDING 271 AT 2150 CUSHING ROAD, CITY OF SAN DIEGO

Description of Project: Based on plans submitted to the ALUC, the project proposes the establishment of an elementary school of 24 classrooms for kindergarten through 5th grade in Building 271 of the former Naval Training Center on a 2.28 acre property. The application was deemed complete by ALUC staff on April 18, 2014.

Noise Contours: The proposed project is located within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise contour. (See the attached map.) The ALUCP identifies school uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the classrooms are sound attenuated to 45 dB CNEL interior noise level. The ALUCP requires that an aviation easement for aircraft noise and height be recorded with the County Recorder.

Airspace Protection Surfaces: The proposed project is located within the City of San Diego Airport Approach Overlay Zone (AAOZ); however, no change is proposed to the existing project structure height of 35 feet above ground level.

Safety Zones: The proposed project is located outside the Runway Protection Zones (RPZs).

Interests Disclosure: The property is currently owned by McMillin-NTC LLC, but is in escrow for purchase by High Tech High Learning. The architect is Studio E Architects of San Diego. The structural engineer is KPFF Consulting Engineers of San Diego. The civil engineer is RBF Consulting of San Diego. The electrical engineer is Michael Wall Engineering Inc. of San Diego. The geotechnical engineer is GeoCon Inc. of San Diego. The mechanical/plumbing engineer is McParlane & Associates of San Diego. The landscape architect is Ivy Landscape of San Diego. The code consultant is Churchill Engineering Inc. of San Diego. The general contractor is Bycor General Contractors of San Diego.

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Recommendation: Based on review of the materials submitted in connection with the proposed project and the policies in the SDIA ALUCP adopted in 1992 and amended in 1994 and 2004, staff recommends that the ALUC make the determination that the project is conditionally consistent with the SDIA ALUCP.

Conditions: 1) Sound attenuation to an interior noise level of 45 dB CNEL.
2) Recordation of an avigation easement with the County Recorder.



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2150 Cushing Road
APN 450-813-34

RESOLUTION NO. 2014-0008 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: ESTABLISHMENT OF ELEMENTARY SCHOOL WITHIN EXISTING LIBERTY STATION BUILDING 271 AT 2150 CUSHING ROAD, CITY OF SAN DIEGO, IS CONDITIONALLY CONSISTENT WITH THE SAN DIEGO INTERNATIONAL AIRPORT – AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, was requested by the City of San Diego to determine the consistency of a proposed development project: Establishment of Elementary School within Existing Liberty Station Building 271 at 2150 Cushing Road, City of San Diego, which is located within the Airport Influence Area (AIA) for the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP), originally adopted in 1992 and amended in 1994 and 2004; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the establishment of a kindergarten through 5th grade elementary school within an existing building; and

WHEREAS, the proposed project would be located within the 60-65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies school uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, provided that the classrooms are sound attenuated to 45 dB CNEL interior noise level, and that an avigation easement is recorded with the County Recorder; and

WHEREAS, the proposed project is subject to Airport Approach Overlay Zone (AAOZ) height restrictions, but no change is proposed in the height of the existing building; and

WHEREAS, the proposed project is located outside the Runway Protection Zones (RPZs); and

WHEREAS, the ALUC has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

WHEREAS, the ALUC has provided an opportunity for the City of San Diego and interested members of the public to present information regarding this matter;

NOW, THEREFORE, BE IT RESOLVED that the ALUC determines that the proposed project: Establishment of Elementary School within Existing Liberty Station Building 271 at 2150 Cushing Road, City of San Diego, is conditionally consistent with the SDIA ALUCP, which was originally adopted in 1992 and amended in 1994 and 2004, based upon the following facts and findings:

- (1) The proposed project involves the establishment of a kindergarten through 5th grade elementary school within an existing building.
- (2) The proposed project is located within the 60-65 dB CNEL noise contour. The ALUCP identifies school uses located within the 60-65 dB CNEL noise contour as compatible with airport uses, provided that the classrooms are sound attenuated to 45 dB CNEL interior noise level and that an aviation easement is recorded with the County Recorder. Therefore, as a condition of project approval, the classrooms must be sound attenuated to 45 dB CNEL interior noise level and an aviation easement must be recorded with the County Recorder.
- (3) The proposed project is located within the AAOZ, but no change is proposed in the height of the existing building.
- (4) The proposed project is located outside the RPZs.
- (5) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the SDIA ALUCP.

BE IT FURTHER RESOLVED that this ALUC determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code Section 21065, and is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 1st day of May, 2014, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE &
INFORMATION GOVERNANCE /
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

**CONSISTENCY DETERMINATION
SAN DIEGO INTERNATIONAL AIRPORT (SDIA)
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
May 1, 2014**

Item # 4 Resolution # 2014-0009 ALUC

Recommendation: Conditionally Consistent

**ESTABLISHMENT OF RETAIL SALES, RESIDENTIAL & LIVE/WORK USES
WITHIN 8 EXISTING NTC FOUNDATION BUILDINGS IN LIBERTY STATION
AT TRUXTON ROAD AND ROSECRANS STREET, CITY OF SAN DIEGO**

Description of Project: Based on plans submitted to the ALUC, the project proposes the establishment of retail sales, residential, and live/work uses within 8 existing buildings. Four of the buildings are on Truxton Road, and each one is 10,482 square feet in area. The other four buildings are each on Rosecrans Street and average 3,500 square feet in area. The application was deemed complete by ALUC staff on April 18, 2014. The ALUC previously reviewed the same 8 buildings under a single consistency determination in 2010; this project supplements that determination with additional new uses rather than replacing the previously approved uses. (See the attached table – Attachment B.)

Noise Contours: The proposed project is located within the 75-80 decibel Community Noise Equivalent Level (dB CNEL) noise contour. (See the attached map.) The ALUCP does not address the compatibility of any new commercial uses within any noise contours but identifies residential uses located within the 75-80 dB CNEL noise contour as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level. The ALUCP requires that an avigation easement for aircraft noise and height be recorded with the County Recorder.

Airspace Protection Surfaces: The proposed project is located within the City of San Diego Airport Approach Overlay Zone (AAOZ); however, no changes are proposed to the existing heights of any project buildings.

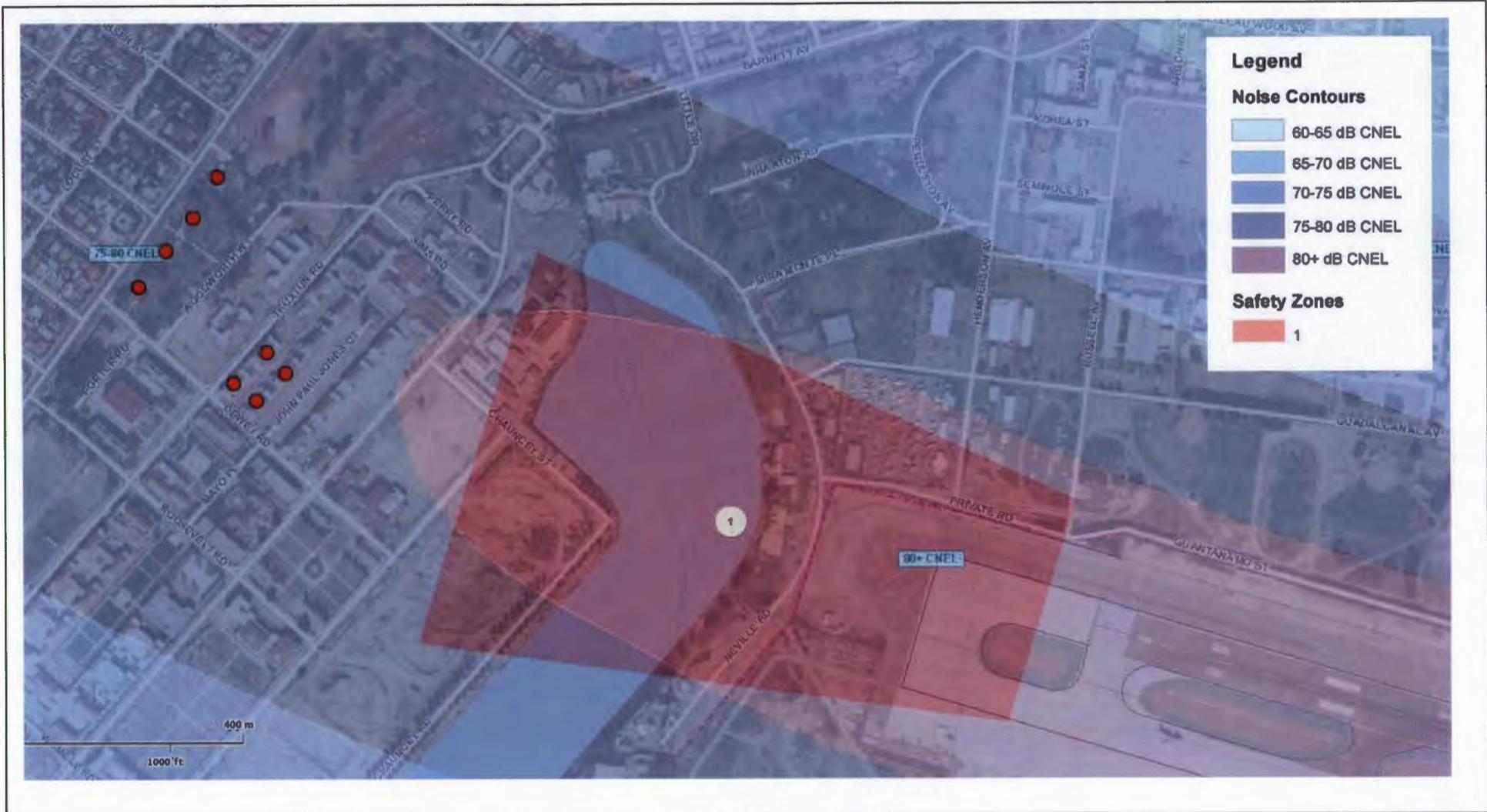
Safety Zones: The proposed project is located outside the Runway Protection Zones (RPZs).

Interests Disclosure: The property is owned by the City of San Diego with the NTC Foundation as lessee of all buildings except Building D, which is leased to NTC Liberty Station II, LLC.

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Recommendation: Based on review of the materials submitted in connection with the proposed project and the policies in the SDIA ALUCP adopted in 1992 and amended in 1994 and 2004, staff recommends that the ALUC make the determination that the project is conditionally consistent with the SDIA ALUCP.

Conditions: 1) Sound attenuation to an interior noise level of 45 dB CNEL.
2) Recordation of an avigation easement with the County Recorder.



Truxton Road and Rosecrans Street NTC Foundation Buildings at Liberty Station



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RESOLUTION NO. 2014-0009 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: ESTABLISHMENT OF RETAIL SALES, RESIDENTIAL & LIVE/WORK USES WITHIN 8 EXISTING NTC FOUNDATION BUILDINGS IN LIBERTY STATION AT TRUXTON ROAD AND ROSECRANS STREET, CITY OF SAN DIEGO, IS CONDITIONALLY CONSISTENT WITH THE SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, was requested by the City of San Diego to determine the consistency of a proposed development project: Establishment of Retail Sales, Residential & Live/Work Uses within 8 Existing NTC Foundation Buildings in Liberty Station at Truxton Road and Rosecrans Street, City of San Diego, which is located within the Airport Influence Area (AIA) for the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP), originally adopted in 1992 and amended in 1994 and 2004; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the establishment of retail sales, residential, and live/work uses within 8 existing buildings to supplement previous ALUC-approved uses as identified within the attached table; and

WHEREAS, the proposed project would be located within the 75-80 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP does not address the compatibility of any new commercial uses within any noise contours but identifies residential uses located within the 75-80 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level, and that an aviation easement is recorded with the County Recorder; and

WHEREAS, the proposed project is located within the City of San Diego Airport Approach Overlay Zone (AAOZ) but no change is proposed in the heights of the existing buildings; and

WHEREAS, the proposed project is located outside the Runway Protection Zones (RPZs); and

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WHEREAS, the ALUC has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

WHEREAS, the ALUC has provided an opportunity for the City of San Diego and interested members of the public to present information regarding this matter;

NOW, THEREFORE, BE IT RESOLVED that the ALUC determines that the proposed project: Establishment of Retail Sales, Residential & Live/Work Uses within 8 Existing NTC Foundation Buildings in Liberty Station at Truxton Road and Rosecrans Street, City of San Diego, is conditionally consistent with the SDIA ALUCP, which was originally adopted in 1992 and amended in 1994 and 2004, based upon the following facts and findings:

- (1) The proposed project involves the establishment of retail sales, residential, and live/work uses within 8 existing buildings to supplement previous ALUC-approved uses as identified within the attached table (Attachment B).
- (2) The proposed project is located within the 75-80 dB CNEL noise contour. The ALUCP does not address the compatibility of any new commercial uses within any noise contours but identifies residential uses located within the 75-80 dB CNEL noise contour as compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level and that an aviation easement is recorded with the County Recorder. Therefore, as a condition of project approval, the structures must be sound attenuated to 45 dB CNEL interior noise level and an aviation easement must be recorded with the County Recorder.
- (3) The proposed project is located within the City of San Diego AAOZ, but no change is proposed in the heights of the existing buildings.
- (4) The proposed project is located outside the RPZs.
- (5) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the SDIA ALUCP.

BE IT FURTHER RESOLVED that this ALUC determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code Section 21065, and is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 1st day of May, 2014, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE &
INFORMATION GOVERNANCE /
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

NTC Foundation Buildings

Bldg #	Address	APN	Historical Use	Previous ALUC Approved Uses	New Additional Uses
4	2745 Truxton Road	450-842-06	barracks, office	office, food & beverage service & entertainment, artist/instructional studio, classroom, exercise room, gallery/exhibit room, museum, private club/lodge/fraternal assembly	retail sales, residence, live/work units
5	2725 Truxton Road	450-842-05	barracks, office	office, food & beverage service & entertainment, artist/instructional studio, classroom, exercise room, gallery/exhibit room, museum, private club/lodge/fraternal assembly	retail sales, residence, live/work units
18	2695 Truxton Road	450-842-01	barracks, office	office, food & beverage service & entertainment, artist/instructional studio, classroom, exercise room, gallery/exhibit room, museum, private club/lodge/fraternal assembly	retail sales, residence, live/work units
25	2721 Truxton Road	450-842-02	barracks, office	office, food & beverage service & entertainment, artist/instructional studio, classroom, exercise room, gallery/exhibit room, museum, private club/lodge/fraternal assembly	retail sales, residence, live/work units

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ATTACHMENT B

NTC Foundation Buildings

A	2801 Rosecrans Street	450-841-04	officer's quarters, offices	office, classroom, instructional studio, museum, gallery, visitor services	retail sales, residence, live/work units
B	2755 Rosecrans Street	450-841-03	officer's quarters, offices	office, classroom, instructional studio, museum, gallery, visitor services	retail sales, residence, live/work units
C	2735 Rosecrans Street	450-841-02	officer's quarters, offices	office, classroom, instructional studio, museum, gallery, visitor services	retail sales, residence, live/work units
D	2675 Rosecrans Street	450-841-01	officer's quarters, offices	office, classroom, instructional studio, museum, gallery, visitor services	retail sales, residence, live/work units

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**CONSISTENCY DETERMINATION
SAN DIEGO INTERNATIONAL AIRPORT (SDIA)
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
May 1, 2014**

Item # 5 Resolution # 2014-0010 ALUC

Recommendation: Consistent

**ESTABLISHMENT OF COMMERCIAL, CIVIC & INDUSTRIAL USES WITHIN
17 EXISTING McMILLIN COMPANIES BUILDINGS IN LIBERTY STATION,
CITY OF SAN DIEGO**

Description of Project: Based on plans submitted to the ALUC, the project proposes the establishment of various commercial, civic, and industrial uses within 17 existing buildings in Liberty Station. The application was deemed complete by ALUC staff on April 18, 2014. The ALUC previously reviewed 5 of the buildings under individual consistency determinations in 2009; this project supplements those determinations with the addition of new uses rather than replacing the previously approved uses. (See the attached table – Attachment B.)

Noise Contours: The proposed project is located within the 65-70, 70-75 and 75-80 decibel Community Noise Equivalent Level (dB CNEL) noise contours. (See the attached map.) The ALUCP does not allow office or public assembly uses in any contour above 70 dB CNEL, but does not address the compatibility of any new commercial, civic, or industrial uses within any noise contours. The application includes documentation from Heritage Architecture & Planning to attest to the historic office and public assembly uses of buildings such that the project would continue these existing uses over which the ALUC does not have statutory jurisdiction.

Airspace Protection Surfaces: The proposed project is located within the City of San Diego Airport Approach Overlay Zone (AAOZ); however, no changes are proposed in the height of any existing building.

Safety Zones: The proposed project is located outside the Runway Protection Zones (RPZs).

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Interests Disclosure: Most of the properties are owned by the City of San Diego with various lessees: Sail Ho Golf Course LLC, McMillin-NTC Landing LLC, Liberty Station Marketplace LLC, and Liberty Station 210 Investors LLC. Other properties are owned by Liberty Station Marketplace LLC, McMillin NTC 901 LLC, McMillin NTC 903/904 LLC, McMillin NTC 905 LLC, and McMillin/Decatur Road 906 LLC.

Recommendation: Based on review of the materials submitted in connection with the proposed project and the policies in the SDIA ALUCP adopted in 1992 and amended in 1994 and 2004, staff recommends that the ALUC make the determination that the project is consistent with the SDIA ALUCP.



McMillin Companies Buildings Liberty Station

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RESOLUTION NO. 2014-0010 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: ESTABLISHMENT OF COMMERCIAL, CIVIC & INDUSTRIAL USES WITHIN 17 EXISTING McMILLIN COMPANIES BUILDINGS IN LIBERTY STATION, CITY OF SAN DIEGO, IS CONSISTENT WITH THE 1992 SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, was requested by the City of San Diego to determine the consistency of a proposed development project: Establishment of Commercial, Civic & Industrial Uses within 17 Existing McMillin Companies Buildings in Liberty Station, City of San Diego, which is located within the Airport Influence Area (AIA) for the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP), originally adopted in 1992 and amended in 1994 and 2004; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the establishment of various commercial, civic, and industrial uses within 17 existing buildings in Liberty Station to supplement previous ALUC-approved uses, all per the attached table; and

WHEREAS, the proposed project would be located within the 65-70, 70-75 and 75-80decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and while the ALUCP does not address the compatibility of any new commercial, civic, or industrial uses within any noise contours, the ALUCP does not allow office or public assembly uses in any contour above 70 dB CNEL, but the project application includes documentation from Heritage Architecture & Planning to attest to the historic office and public assembly uses of buildings such that the project would continue these existing uses over which the ALUC does not have statutory jurisdiction; and

WHEREAS, the proposed project is located within the City of San Diego Airport Approach Overlay Zone (AAOZ), but no changes are proposed in the height of any existing building; and

WHEREAS, the proposed project is located outside the Runway Protection Zones (RPZs); and

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WHEREAS, the ALUC has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

WHEREAS, the ALUC has provided an opportunity for the City of San Diego and interested members of the public to present information regarding this matter;

NOW, THEREFORE, BE IT RESOLVED that the ALUC determines that the proposed project: Establishment of Commercial, Civic & Industrial Uses within 17 Existing McMillin Companies Buildings in Liberty Station, City of San Diego, is consistent with the SDIA ALUCP, which was originally adopted in 1992 and amended in 1994 and 2004, based upon the following facts and findings:

- (1) The proposed project involves the establishment of various commercial, civic, and industrial uses within 17 existing buildings in Liberty Station to supplement previous ALUC-approved uses, all per the attached table (Attachment B).
- (2) The proposed project is located within the 65-70, 70-75 and 75-80 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour. The ALUCP does not address the compatibility of any new commercial, civic, or industrial uses within any noise contours, but the ALUCP does not allow office or public assembly uses in any contour above 70 dB CNEL. The project application includes documentation from Heritage Architecture & Planning to attest to the historic office and public assembly uses of buildings such that the project would continue these existing uses over which the ALUC does not have statutory jurisdiction.
- (3) The proposed project is located within the City of San Diego AAOZ, but no changes are proposed in the height of any existing building.
- (4) The proposed project is located outside the RPZs.
- (5) Therefore, the proposed project is consistent with the SDIA ALUCP.

BE IT FURTHER RESOLVED that this ALUC determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code Section 21065, and is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 1st day of May, 2014, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE &
INFORMATION GOVERNANCE /
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

McMillin Buildings at Liberty Station

Bldg #	Address	APN	Historical Use	Previous ALUC Approved Uses	New Additional Uses
8	2855 Perry Road	450-842-17	fire station, office	retail sales, restaurant	office
9	2970 Truxton Road	450-841-07	switching station, office, golf course lockers	n/a	retail sales, restaurant, office
10	2960 Truxton Road	450-841-07	guard quarters, golf course clubhouse/pro shop, office	n/a	retail sales, restaurant, office
23	2860 Sims Road	450-842-16	cook barracks, brig, Naval Investigative Service	restaurant	retail sales, office
24	2965 Historic Decatur Road	450-842-29	office, recreation/night club & restaurant	restaurant	retail sales, office
27	2445 Truxton Road	450-840-10	barracks, office	n/a	retail sales, restaurant
28	2495 Truxton Road	450-840-11	barracks, office	n/a	retail sales, restaurant
29	2535 Truxton Road	450-840-12	barracks, office	n/a	retail sales, restaurant
30	2401 Truxton Road & 2400 Historic Decatur Road	450-820-21	mess hall, commissary, office	n/a	retail sales, restaurant, office
32	2768 Chauncey Road	450-842-24	warehouse, office	retail sales, restaurant	office, light industrial/manufacturing
194	2835 Perry Road	450-842-18	WAVES quarters, office	retail sales, restaurant	office
208	2881 Roosevelt Road	450-840-13	chapel, office	n/a	office, assembly, retail sales, restaurant
210	2751 Roosevelt Road	450-840-20	swimming pool, gym, office	n/a	office, retail sales, restaurant, assembly, fitness facility
901	2280 Historic Decatur Road	450-820-01	none (new construction)	n/a	retail sales, restaurant, office
903	2950 Womble Road	450-820-10	none (new construction)	n/a	retail sales, restaurant
905	2468 Historic Decatur Road	450-820-25	none (new construction)	n/a	retail sales, restaurant
906	2488 Historic Decatur Road	450-820-26	none (new construction)	n/a	retail sales, restaurant

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ATTACHMENT B

**CONSISTENCY DETERMINATION
SAN DIEGO INTERNATIONAL AIRPORT (SDIA)
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
May 1, 2014**

Item # 6 Resolution # 2014-0011 ALUC

Recommendation: Conditionally Consistent

CONSTRUCTION OF CLASSROOM AND CONCESSION/RESTROOM BUILDINGS, SPORT COURT/FIELDS AND LIGHT POLES AT EXISTING MIDDLE SCHOOL AT 4302 VALETA STREET, SAN DIEGO UNIFIED SCHOOL DISTRICT

Description of Project: Based on plans submitted to the ALUC, the project proposes the construction of a 2-story classroom building, 4 multipurpose fields, basketball/tennis hard courts, a reconstructed baseball field, long jump pit and runway, 10 light standards, and a concession/restroom building on the property of existing Correia Middle School. The application was deemed complete by ALUC staff on April 18, 2014.

Noise Contours: The proposed project is located within the 70-75 decibel Community Noise Equivalent Level (dB CNEL) noise contour. (See the attached map.) The ALUCP identifies school uses located within the 70-75 dB CNEL noise contour as conditionally compatible with airport uses, provided that classrooms are sound attenuated to 45 dB CNEL interior noise level. The ALUCP requires that an aviation easement for aircraft noise and height be recorded with the County Recorder.

Airspace Protection Surfaces: The proposed project is located within the City of San Diego Airport Approach Overlay Zone (AAOZ). The maximum allowable height for a project on this site is approximately 300 feet Above Mean Sea Level (AMSL). The elevation of the site is approximately 51 feet AMSL and the highest structures are another 80 feet, resulting in a total project height of approximately 131 feet AMSL. Therefore, the project complies with the AAOZ. Additionally, a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA).

Safety Zones: The proposed project is located outside the Runway Protection Zones (RPZs).

Interests Disclosure: The property is owned by the San Diego Unified School District.

Recommendation: Based on review of the materials submitted in connection with the proposed project and the policies in the SDIA ALUCP adopted in 1992 and amended in 1994 and 2004, staff recommends that the ALUC make the determination that the project is conditionally consistent with the SDIA ALUCP.

Conditions: 1) Sound attenuation to an interior noise level of 45 dB CNEL.
2) Recordation of an avigation easement with the County Recorder.



4302 Valeta Street
APN 449-110-03



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RESOLUTION NO. 2014-0011 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: CONSTRUCTION OF CLASSROOM AND CONCESSION/RESTROOM BUILDINGS, SPORT COURT/FIELDS AND LIGHT POLES AT EXISTING MIDDLE SCHOOL AT 4302 VALETA STREET, SAN DIEGO UNIFIED SCHOOL DISTRICT, IS CONDITIONALLY CONSISTENT WITH THE 1992 SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, was requested by the San Diego Unified School District to determine the consistency of a proposed development project: Construction of Classroom and Concession/Restroom Buildings, Sport Court/Fields and Light Poles at Existing Middle School at 4302 Valeta Street, San Diego Unified School District, which is located within the Airport Influence Area (AIA) for the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP), originally adopted in 1992 and amended in 1994 and 2004; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the construction of a classroom building, concession/restroom building, sport court/fields, and light poles at an existing middle school; and

WHEREAS, the proposed project would be located within the 70-75 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies school uses located within the 70-75 dB CNEL noise contour as compatible with airport uses, provided that the classrooms are sound attenuated to 45 dB CNEL interior noise level, and that an aviation easement is recorded with the County Recorder; and

WHEREAS, the proposed project is in compliance with the Airport Approach Overlay Zone (AAOZ) height restrictions, and a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA); and

WHEREAS, the ALUC has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

WHEREAS, the ALUC has provided an opportunity for the San Diego Unified School District and interested members of the public to present information regarding this matter;

NOW, THEREFORE, BE IT RESOLVED that the ALUC determines that the proposed project: Construction of Classroom and Concession/Restroom Buildings, Sport Court/Fields and Light Poles at Existing Middle School at 4302 Valeta Street, San Diego Unified School District, is conditionally consistent with the SDIA ALUCP, which was originally adopted in 1992 and amended in 1994 and 2004, based upon the following facts and findings:

- (1) The proposed project involves the construction of a classroom building, concession/restroom building, sport court/fields, and light poles at an existing middle school.
- (2) The proposed project is located within the 70-75 dB CNEL noise contour. The ALUCP identifies school uses located within the 70-75 dB CNEL noise contour as compatible with airport uses, provided that the classrooms are sound attenuated to 45 dB CNEL interior noise level and that an aviation easement is recorded with the County Recorder. Therefore, as a condition of project approval, the structures must be sound attenuated to 45 dB CNEL interior noise level and an aviation easement must be recorded with the County Recorder.
- (3) The proposed project is located within the AAOZ. The maximum allowable height for a project on this site is approximately 300 feet Above Mean Sea Level (AMSL). The maximum height of the proposed project is approximately 131 feet AMSL. The proposed project is therefore in compliance with the height limitations identified in the SDIA ALUCP. Additionally, a determination of no hazard to air navigation has been issued by the FAA.
- (4) The proposed project is located outside the RPZs.
- (5) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the SDIA ALUCP.

BE IT FURTHER RESOLVED that this ALUC determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code Section 21065, and is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 1st day of May, 2014, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE &
INFORMATION GOVERNANCE /
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL



**SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
Airport Land Use Commission
STAFF REPORT**

**Item No.
7**

Meeting Date: **MAY 1, 2014**

Subject:

Adoption of an Amendment to the San Diego International Airport – Airport Land Use Compatibility Plan and Addendum to the Previously Certified Environmental Impact Report

Recommendation:

Adopt Resolution 2014-0012 ALUC, adopting an amendment to the San Diego International Airport – Airport Land Use Compatibility Plan, and adopting an Addendum to the previously certified Environmental Impact Report.

Background/Justification:

The Airport Authority was designated as the Airport Land Use Commission (ALUC) for San Diego County, effective January 1, 2003 (Pub. Util. Code §21670.3(a)). Acting in its capacity as the ALUC, the Airport Authority is required to prepare and adopt an Airport Land Use Compatibility Plan (ALUCP) for each of the airports within its jurisdiction, including San Diego International Airport (SDIA) (Pub. Util. Code §21674(c)).

The purpose of the proposed ALUCP is to protect the public health, safety and welfare by ensuring the orderly expansion of airports and the adoption of land use policies that minimize the public's exposure to excessive noise and safety hazards within areas around airports located in the county that are not already devoted to incompatible land uses (Pub. Util. Code §21674).

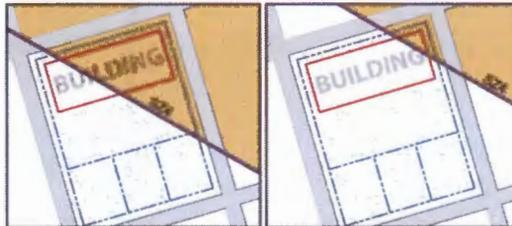
In accordance with this mandate, the ALUC adopted an ALUCP for San Diego International Airport (SDIA) at a regular meeting on April 3, 2014, pursuant to Resolution No. 2014-0004 ALUC. This ALUCP replaced the one adopted in 1992 and amended in 1994 as a Comprehensive Land Use Plan (CLUP) by the San Diego Association of Governments (SANDAG) in its predecessor role as the ALUC. In 2004, the Airport Authority, acting as the ALUC, made minor technical revisions to the CLUP and renamed the CLUP an ALUCP, consistent with revisions to State law.

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At the April 3, 2014 meeting, the ALUC directed ALUC staff to prepare policy options regarding parcels split by more than one safety zone. ALUC staff has accordingly prepared an amendment to the ALUCP which corrects a typographical error and revises the affected policy by providing developers with various options for ALUC consideration.

Policy S.10 Buildings Located Partially Within a Single Safety Zone

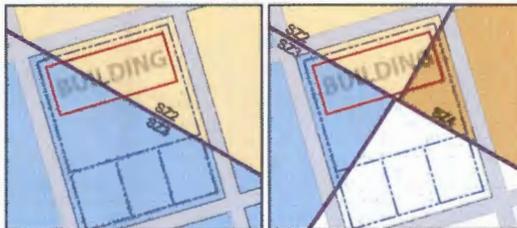
When 50 percent or more of the building, as determined by gross floor area (in square feet), is located within a safety zone, the requirements of that safety zone apply. When more than 50 percent of the building is located outside a safety zone, no safety restrictions apply. However, no building or portion of a building is permitted within Safety Zone 1.



For Illustrative Purposes Only

Policy S.11 Building Located Within Two or More Safety Zones

When a building is located within two or more safety zones, the standards of the safety zone in which the greatest portion of the building, as determined by gross floor area (in square feet), is located apply. However, no building or portion of a building is permitted within Safety Zone 1.



For Illustrative Purposes Only

As an alternative, the portions of the project site within each safety zone can be used to calculate allowable densities/intensities. The resulting density/intensity calculations are then added together to derive total maximum densities/intensities for the entire site. The building(s) can be located anywhere on the entire site, regardless of safety zone boundaries. However, no building or portion of a building is permitted within Safety Zone 1.

How would you calculate densities/intensities for a parcel split by more than one safety zone?

Project example: 0.58 acre or 25,000 sf site in Little Italy in the Downtown CPA is split between Safety Zones 2E and 3SE:

Maximum allowable density (from **Table 3-1**): SZ 2E – 40 du/acre; SZ 3SE – 154 du/acre

Maximum allowable intensity (from **Table 3-1**): SZ 2E – 255 people/acre; SZ 3SE – 732 people/acre

For a residential-only project:

0.28 acre is within Safety Zone 2E = **11 dwelling units** (0.28 x 40)

0.30 acre is within Safety Zone 3SE = **46 dwelling units** (0.30 x 154)

Total maximum project dwelling units = **57 dwelling units**

For a nonresidential-only project:

0.28 acre is within Safety Zone 2E = **71 people per acre** (0.28 x 255)

0.30 acre is within Safety Zone 3SE = **220 people per acre** (0.30 x 732)

Total maximum project intensity = **291 people per acre**

For a mixed-use project (refer to Policy S.8 for details on mixed-use projects):

0.28 acre is within Safety Zone 2E = **71 people per acre** (0.28 x 255)

0.30 acre is within Safety Zone 3SE = **220 people per acre** (0.30 x 732)

Total maximum project intensity = **291 people per acre**

Residential component: $291/2 = 146$ people. $146/1.54$ persons per household (PPH) (average of 1.51 PPH for SZ 2E and 1.57 PPH for SZ 3SE) = 95 dwelling units total for the project

Nonresidential component: $291-146 = 145$ people per acre total for the nonresidential component

Note: Totals may not sum as indicated due to rounding.

Policy S.12 Building Located Equally Within Two or More Safety Zones

When a building is located equally within two or more safety zones, the standards of the most restrictive safety zone in which the building is located apply. However, no building or portion of a building is permitted within Safety Zone 1.



For Illustrative Purposes Only

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Fiscal Impact:

Adequate funds for the SDIA ALUCP update program are included in the adopted Airport Planning FY 2014 budget and conceptually approved FY 2015 Operating Expense Budgets within the Personnel and Services – Other Professional line items.

Authority Strategies:

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Environmental Review:

- A. In accordance with the California Environmental Quality Act (CEQA), the ALUC certified an Environmental Impact Report (EIR) for the SDIA ALUCP on April 3, 2014, pursuant to Resolution No. 2014-0003 ALUC. For the proposed amendment to the adopted SDIA ALUCP, an Addendum to the previously certified EIR has been prepared for ALUC consideration.
- B. This project is not a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

ANGELA JAMISON
MANAGER, AIRPORT PLANNING

RESOLUTION NO. 2014-0012 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY ADOPTING AN AMENDMENT TO THE SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN, AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT

WHEREAS, on April 3, 2014, the San Diego County Regional Airport Authority (Airport Authority), acting in its capacity as the Airport Land Use Commission (ALUC) for each public-use and military airport in the County of San Diego (County), pursuant to Section 21670.3 of the Public Utilities Code, adopted an Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (SDIA); and

WHEREAS, the ALUC concurrently certified the Environmental Impact Report (EIR) (State Clearinghouse No. 2013031060) prepared for the adopted SDIA ALUCP, which concluded that there was substantial evidence that the ALUCP would have a significant and unavoidable impact on the environment, which was deemed acceptable in light of the benefits identified in the Statement of Overriding Considerations (Resolution No. 2014-0003 ALUC); and

WHEREAS, the ALUC is required to prepare, adopt and amend (as necessary) an ALUCP for each of the airports in its jurisdiction (Pub. Util. Code, §§21674, subd. (c); 21675, subd. (a)); and

WHEREAS, on April 3, 2014, the ALUC directed ALUC staff to develop alternatives for calculating density and intensity for project sites that are bisected by safety zones; and

WHEREAS, the ALUC finds it appropriate to amend the adopted SDIA ALUCP, so as to correct a typographical error and provide more policy options for parcels that are split by safety zones; and

WHEREAS, the amendment of the adopted SDIA ALUCP will ensure that the Airport Authority, acting in its capacity as the ALUC, and the affected local agencies, have the most accurate technical data regarding the proposed revisions before them when rendering consistency determinations and/or implementing the SDIA ALUCP; and

WHEREAS, in conjunction with extensive public outreach, community involvement and collaboration efforts between the ALUC, SDIA Steering Committee, affected local agencies and the general public, the ALUC has prepared an ALUCP for SDIA that is consistent with the overall objectives of the State Aeronautics Act and the guidance provided by the Caltrans *Handbook*; and

WHEREAS, ALUC staff has prepared and revised the affected policy to reflect the clarification; and

WHEREAS, in compliance with the requirements of the California Environmental Quality Act (CEQA; Pub. Resources Code, §2100, et seq.), the CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.), and the Airport Authority's own CEQA Procedures, ALUC staff has evaluated the environmental ramifications of the proposed amendment to the adopted SDIA ALUCP; and

WHEREAS, ALUC staff has prepared an Addendum to the previously certified EIR (State Clearinghouse No. 2013031060); and

WHEREAS, the Addendum concludes the previously certified EIR addresses all impacts associated with the implementation of the proposed amendment to the adopted SDIA ALUCP; and

WHEREAS, the Addendum also concludes that any potential environmental impacts associated with the revision to the affected policy was identified within the scope of the previously certified EIR, and that the environmental ramifications associated with the proposed amendment is the same as or less than that identified in the previously certified EIR; and

WHEREAS, the Addendum further finds that no new or substantially more severe environmental effects would result from the ALUC's decision to amend the adopted SDIA ALUCP; and

WHEREAS, the Addendum concludes that no new information has been presented regarding the adopted SDIA ALUCP's environmental effects that gives rise to any new or more severe environmental effects than were previously identified in the certified EIR; and

WHEREAS, the ALUC considered the Addendum for the proposed amendment to the adopted SDIA ALUCP, along with the previously certified EIR, and the ALUC, based on its independent judgment and analysis, agrees with the conclusions reached in the Addendum.

NOW, THEREFORE, BE IT RESOLVED that the ALUC adopts the Addendum (Attachment A) to the previously certified EIR (State Clearinghouse No. 2013031060), as described therein, and orders that ALUC staff prepare and file a Notice of Determination within five (5) days of the certification of this Resolution.

BE IT FURTHER RESOLVED that the ALUC approves an amendment to the SDIA ALUCP, as previously adopted by the ALUC on April 3, 2014, so as to include a revision to affected policy, to be effective immediately upon certification of this Resolution; and

BE IT FURTHER RESOLVED by the ALUC that it finds that this ALUC action is not a "development" as defined by the California Coastal Act (California Public Resources Code §30106).

PASSED, ADOPTED, AND APPROVED by the ALUC for San Diego County at a regular meeting this 1st day of May, 2014, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE &
INFORMATION GOVERNANCE /
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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ATTACHMENT A

ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE SAN DIEGO INTERNATIONAL AIRPORT ALUCP (STATE CLEARINGHOUSE NO. 2013031060)

April 17, 2014

1.0 INTRODUCTION

This document is an Addendum to the previously certified Environmental Impact Report (EIR) (State Clearinghouse No. 2013031060) for the Airport Land Use Compatibility Plan (ALUCP) prepared for San Diego International Airport (SDIA) (approved Project). The EIR evaluated the environmental impacts associated with implementation of the SDIA ALUCP, and concluded that there was substantial evidence that the ALUCP would have a significant and unavoidable impact on the environment, which was deemed acceptable in light of the benefits identified in the Statement of Overriding Considerations. On April 3, 2014, after a public hearing, the San Diego County Regional Airport Authority (Airport Authority), acting in its capacity as the Airport Land Use Commission (ALUC) for the County of San Diego, certified the legal adequacy of the EIR, pursuant to the California Environmental Quality Act (CEQA; Pub. Resources Code, §21000 et seq.), the CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.), and the Airport Authority's CEQA Procedures.

This Addendum examines the environmental effects of proposed amendment to the approved Project. The amendment is being made in response to comments provided by the ALUC at the meeting on April 3, 2014 to adopt the SDIA ALUCP. The proposed amendment contemplated in this Addendum would provide policy options for developers of properties that are bisected by a safety zone or zones.

As discussed in greater detail in the Addendum below, the proposed amendment to the approved Project would reduce the amount of potential displacement of future development identified in the previously certified EIR for the approved Project, such that potential displacement would be less than previously anticipated.

2.0 PURPOSE OF AN ADDENDUM

Under CEQA, a lead agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. (Cal. Code Regs., tit. 14, §15164, subd. (a).) Here, the proposed amendment does not trigger preparation of a subsequent EIR, thereby rendering preparation of an addendum appropriate.

Notably, when an EIR has already been certified for a project, no subsequent environmental review is required for that project unless the lead agency determines, based on substantial evidence in the record before it, that one or more specified circumstances has occurred. (Cal. Code Regs., tit. 14, §15162, subd. (a).) Those circumstances are:

- (1) Substantial changes to the project are proposed that will require major revision of the previously adopted negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

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- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(Cal. Code Regs., tit. 14, §15162, subd. (a).)

This Addendum to the previously certified EIR for the approved Project has been prepared because ALUC staff has concluded, following an evaluation of the environmental effects of the proposed minor amendment, that the proposed amendment does not give rise to any of the circumstances requiring preparation of a subsequent EIR, as identified above. The evidence supporting ALUC staff's determination is contained in **Section 4.0**, Environmental Analysis, below.

3.0 BACKGROUND

3.1 DESCRIPTION OF THE APPROVED PROJECT

The approved Project is an airport land use compatibility plan, which is inherently regulatory in nature and designed to promote compatibility between SDIA and the surrounding land uses, to the extent that these areas are not already devoted to incompatible uses. (Pub. Util. Code, §21674, subd. (a).) The SDIA ALUCP accomplishes this, in part, by regulating the future development of new residential dwellings, nonresidential development, and other noise- or risk-sensitive land uses within the Airport Influence Area (AIA), based upon multiple factors established in the ALUCP. Accordingly, the SDIA ALUCP serves two complementary purposes: (i) the ALUCP provides for the orderly growth of the area surrounding SDIA in a manner that is compatible and consistent with the Airport's operations; and (ii) the ALUCP safeguards the general welfare of the inhabitants within the Airport's vicinity and the public in general. (*Id.* at §21670, subd. (a)(1)-(2).)

The SDIA ALUCP contains compatibility criteria applicable to land lying within the AIA. The boundaries of the AIA, which establish the jurisdictional boundaries of the Airport Authority, acting in its capacity as the ALUC, and the ALUCP, are set, on a cumulative basis. Specifically, the AIA's geographic coverage is established by the four factors/layers of land use planning related to aeronautical activities: (i) noise; (ii) safety; (iii) airspace protection; and (iv) overflight. The ALUCP's compatibility

criteria identify whether a particular land use is compatible, conditionally compatible, or incompatible with the Airport's operations based on the proximity of the land uses to the Airport and the four factors/layers. These criteria are then used by the ALUC to determine whether development projects and local plans lying within the AIA for SDIA are consistent with the ALUCP. In addition, these criteria are used by local agencies during the preparation or amendment of general plans and/or other land use plans and ordinances, and by landowners during the design of new development projects.

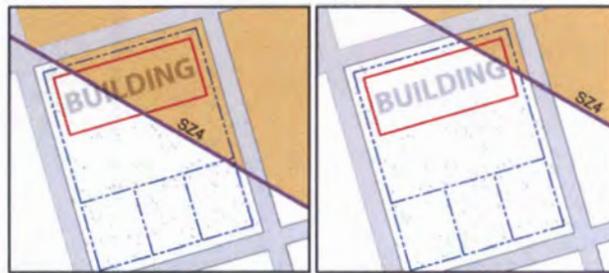
The previously certified EIR, as discussed above, evaluated the environmental impacts of implementation of the SDIA ALUCP. As certified by the Airport Authority on April 3, 2014, the EIR concluded that there was substantial evidence that the ALUCP would have a significant and unavoidable impact on the environment, which was deemed acceptable in light of the benefits identified in the Statement of Overriding Considerations.

3.2 CURRENT PROPOSED ACTION

The specific amendment to the approved Project contemplated in this Addendum would provide an additional policy option for sites that are bisected by more than one safety zone. Developers would be allowed to calculate allowable density/intensity based on the amount of land area located within each safety zone and then distribute that density/intensity across the entire site, regardless of safety zone boundaries. This revision would correct a typographical error and provide flexibility in the application of density/intensity calculations.

Policy S.10 Buildings Located Partially Within a Single Safety Zone

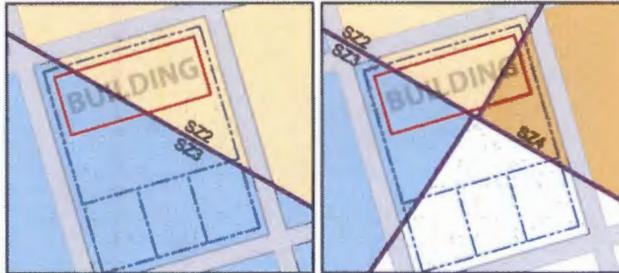
When 50 percent or more of the building, as determined by gross floor area (in square feet), is located within a safety zone, the requirements of that safety zone apply. When more than 50 percent of the building is located outside a safety zone, no safety restrictions apply. However, no building or portion of a building is permitted within Safety Zone 1.



For Illustrative Purposes Only

Policy S.11 Building Located Within Two or More Safety Zones

When a building is located within two or more safety zones, the standards of the safety zone in which the greatest portion of the building, as determined by gross floor area (in square feet), is located apply. However, no building or portion of a building is permitted within Safety Zone 1.



For Illustrative Purposes Only

As an alternative, the portions of the project site within each safety zone can be used to calculate allowable densities/intensities. The resulting density/intensity calculations are then added together to derive total maximum densities/intensities for the entire site. The building(s) can be located anywhere on the entire site, regardless of safety zone boundaries. However, no building or portion of a building is permitted within Safety Zone 1.

How would you calculate densities/intensities for a parcel split by more than one safety zone?

Project example: 0.58 acre or 25,000 sf site in Little Italy in the Downtown CPA is split between Safety Zones 2E and 3SE:

Maximum allowable density (from Table 3-1): SZ 2E – 40 du/acre; SZ 3SE – 154 du/acre

Maximum allowable intensity (from Table 3-1): SZ 2E – 255 people/acre; SZ 3SE – 732 people/acre

For a residential-only project:

0.28 acre is within Safety Zone 2E = **11 dwelling units** (0.28 x 40)

0.30 acre is within Safety Zone 3SE = **46 dwelling units** (0.30 x 154)

Total maximum project dwelling units = **57 dwelling units**

For a nonresidential-only project:

0.28 acre is within Safety Zone 2E = **71 people per acre** (0.28 x 255)

0.30 acre is within Safety Zone 3SE = **220 people per acre** (0.30 x 732)

Total maximum project intensity = **291 people per acre**

For a mixed-use project (refer to Policy S.8 for details on mixed-use projects):

0.28 acre is within Safety Zone 2E = **71 people per acre** (0.28 x 255)

0.30 acre is within Safety Zone 3SE = **220 people per acre** (0.30 x 732)

Total maximum project intensity = **291 people per acre**

Residential component: $291/2 = 146$ people. $146/1.54$ persons per household (PPH) (average of 1.51 PPH for SZ 2E and 1.57 PPH for SZ 3SE) = 95 dwelling units total for the project

Nonresidential component: $291-146 = 145$ people per acre total for the nonresidential component

Note: Totals may not sum as indicated due to rounding.

Policy S.12 Building Located Equally Within Two or More Safety Zones

When a building is located equally within two or more safety zones, the standards of the most restrictive safety zone in which the building is located apply. However, no building or portion of a building is permitted within Safety Zone 1.



For Illustrative Purposes Only

4.0 ENVIRONMENTAL ANALYSIS

As discussed further below, the proposed amendment to the approved Project would not alter the conclusions reached in the previously certified EIR regarding the potential environmental impacts associated with the approved Project; the potential impacts resulting from the approved Project, as amended, would be the same as or less than those previously identified. (The previously certified EIR is hereby incorporated by reference and is available for public inspection during regular business hours at the Airport Authority's offices, which are located at 3225 North Harbor Drive, Third Floor, Commuter Terminal, San Diego, California 92101.)

First, the proposed amendment, like the approved Project, does not propose or entail any new development, construction, or physical changes to existing land uses or the environment. Therefore, the proposed amendment would not directly impact the environment or result in any direct impacts to any of the environmental impact categories contemplated in Appendix G of the CEQA Guidelines, as identified in the previously certified EIR.

Second, while the proposed amendment may indirectly influence future land use development in the vicinity of the Airport by facilitating development in some locations and constraining development at other locations, any potential indirect effects that may arise are uncertain from a timing and location standpoint. Therefore, it is speculative to anticipate the specific characteristics of any development with which it would be associated. As discussed in the previously certified EIR, one possibility is that land uses in much of the Airport's environs would remain unchanged when compared to existing conditions. Another possibility is that implementation of the proposed amendment may indirectly result in shifting future land uses to other locations designated or zoned to allow for such uses. Since such potential shifts cannot be accurately predicted, particularly as to the rate, timing, location, and extent, it is not considered reasonable to conclude that any potential shifts would be significant. Absent information to the contrary, any such shifts are reasonably considered less than significant.

Such conflicts also are considered less than significant under CEQA because state law (Gov. Code §65302.3) requires that the applicable local planning document(s) be consistent with an adopted ALUCP; and, in the event of an inconsistency, such document(s) must be amended promptly (or go through the special process required to overrule the ALUC pursuant to section 21676 of the Public Utilities Code). The ALUC finds that, by adopting the proposed amendment, any such conflicts can be avoided or substantially lessened by local agency action. The ALUC further finds that such action is within the responsibility and jurisdiction of the respective local agencies, and not the ALUC.

Importantly, the proposed amendment is *less* restrictive than the existing compatibility criteria and policies adopted on April 3, 2014. As such, the environmental analysis for the approved Project represents the worst-case scenario, such that the environmental effects of the proposed amendment are less than those previously studied and reported in the certified EIR.

5.0 CONCLUSION

After reviewing the previously certified EIR, ALUC staff finds that: (i) the EIR, previously certified by the Airport Authority on April 3, 2014 (pursuant to Resolution No. 2014-0003 ALUC), addresses all impacts associated with implementation of the approved Project; (ii) any potential environmental impacts associated within the proposed amendment were identified within the scope of the previously certified

EIR; (iii) no new or substantially more severe environmental effects would result from the Airport Authority's decision to adopt the proposed amendment; and (iv) no new information has been presented regarding the approved Project's environmental effects that gives rise to any new or more severe environmental effects than were previously identified in the certified EIR. Therefore, the legal requirements for preparation of a subsequent EIR are inapplicable, and preparation of an addendum to the previously certified EIR is appropriate under the present circumstances.

This Addendum relies on the previously certified EIR and the related administrative record, in addition to the new documentation that has been prepared to support the Addendum.

Adoption of an Amendment to the San Diego International Airport – Airport Land Use Compatibility Plan – and Addendum to the Previously Certified Environmental Impact Report

May 1, 2014



Policy Amendment: Parcels Split by Safety Zone(s)



Policy S.10 Buildings Located Partially Within a Single Safety Zone

When 50 percent or more of the building, as determined by gross floor area (in square feet), is located within a safety zone, the requirements of that safety zone apply. When more than 50 percent of the building is located outside a safety zone, no safety restrictions apply. However, no building or portion of a building is permitted within Safety Zone 1.



For Illustrative Purposes Only

Existing Policy



Proposed Option



Policy Options



Policy S.11 Building Located Within Two or More Safety Zones

When a building is located within two or more safety zones, the standards of the safety zone in which the greatest portion of the building, as determined by gross floor area (in square feet), is located apply. However, no building or portion of a building is permitted within Safety Zone 1.



For Illustrative Purposes Only

Policy Options

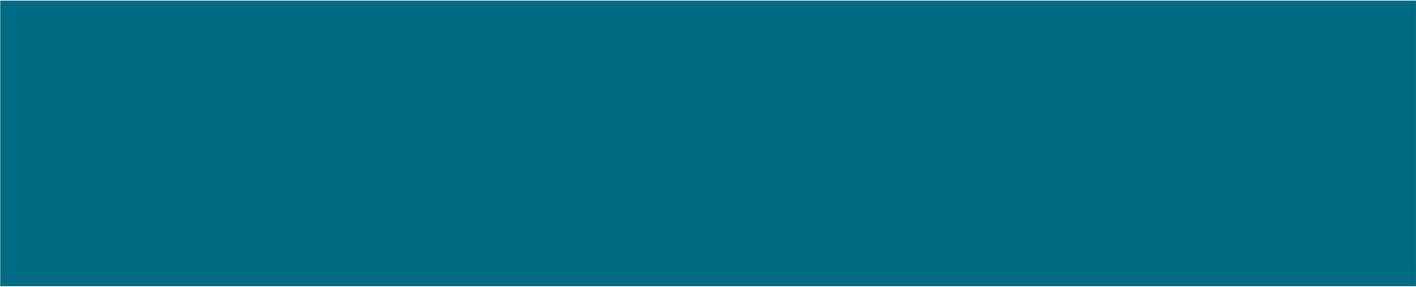


As an alternative, the portions of the project site within each safety zone can be used to calculate allowable densities/intensities. The resulting density/intensity calculations are then added together to derive total maximum densities/intensities for the entire site. The building(s) can be located anywhere on the entire site, regardless of safety zone boundaries. However, no building or portion of a building is permitted within Safety Zone 1.

Staff Recommendation



- Adopt the Amendment to the SDIA ALUCP
- Adopt the Addendum to the previously certified Environmental Impact Report for the SDIA ALUCP



Questions?