

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

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AIRPORT LAND USE COMMISSION AGENDA

Thursday, April 1, 2021
9:00 AM or immediately following the Board Meeting

San Diego International Airport
SDCRAA Administration Building
3225 N. Harbor Drive
San Diego, California 92101

Ex-Officio Board Members

Gustavo Dallarda
Col. Charles B. Dockery
Gayle Miller

President / CEO

Kimberly J. Becker

This meeting of the Airport Land Use Commission of the San Diego County Regional Airport Authority Board will be conducted pursuant to the provisions of California Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act. During the current State of Emergency and in the interest of public health, all Board members will be participating in the meeting electronically. In accordance with the Executive Order, there will be no members of the public in attendance at the Board Meeting. We are providing alternatives to in-person attendance for viewing and participating in the meeting. In lieu of in-person attendance, members of the public may submit their comments in the following manner.

Comment on Non-Agenda Items

Public comments on non-agenda items must be submitted to the Authority Clerk at clerk@san.org, no later than 4:00 p.m. the day prior to the posted meeting in order to be eligible to be read into the record. The Authority Clerk will read the first 30 comments received by 4:00 p.m. the day prior to the meeting into the record. The maximum number of comments to be read into the record on a single issue will be 16. All other comments submitted, including those received after 4:00 p.m. the day prior and before 8:00 a.m. the day of the meeting, will be provided to the Authority Board and submitted into the written record for the meeting.

Comment on Agenda Items

Public comments on agenda items received no later than 8:00 a.m. on the day of the meeting will be distributed to the Board and included in the record.

If you'd like to speak to the Board live during the meeting, please follow these steps to request to speak:

- **Step 1:** Fill out the online [Request to Speak Form](#) to speak during the meeting via teleconference. The form must be submitted by 4 p.m. the day before the meeting or by 4:00 p.m. the Friday before a Monday meeting. After completing the form, you'll get instructions on how to call in to the meeting.

- **Step 2:** Watch the meeting via the Webcast located at the following link, <https://www.san.org/Airport-Authority/Meetings-Agendas/ALUC?EntryId=13918>
- **Step 3:** When the Board begins to discuss the agenda item you want to comment on, call in to the conference line, you will be placed in a waiting area. **Please do not call until the item you want to comment on is being discussed.**
- **Step 4:** When it is time for public comments on the item you want to comment on, Authority Clerk staff will invite you into the meeting and unmute your phone. Please mute the webcast to avoid any feedback. Staff will then ask you to state your name and begin your comments.

You may also view the meeting online at the following link: <https://www.san.org/Airport-Authority/Meetings-Agendas/ALUC?EntryId=13918>

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the Authority Clerk at (619) 400-2550 or <mailto:clerk@san.org>. The Authority is committed to resolving accessibility requests swiftly in order to maximize accessibility.

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 Board 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 Board Services 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 Board Member or employee of the Authority for the purpose of influencing any action of the Authority. To obtain Lobbyist Registration Statement Forms, contact the Board Services/Airport Authority Clerk Department.

CALL TO ORDER:

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 1-2):

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:

RECOMMENDATION: Approve the minutes of the March 4, 2021 regular meeting.

CONSISTENCY DETERMINATIONS

2. REPORT OF DETERMINATIONS OF CONSISTENCY WITH AIRPORT LAND USE COMPATIBILITY PLANS: BROWN FIELD MUNICIPAL AIRPORT OTAY RANCH SPECIFIC PLAN, VILLAGE 3, CITY OF CHULA VISTA; NAVAL AIR STATION NORTH ISLAND 130 ACACIA WAY, CITY OF CORONADO; SAN DIEGO INTERNATIONAL AIRPORT 4675 DEL MONTE AVENUE, CITY OF SAN DIEGO:

RECOMMENDATION: Receive the report.

(Planning & Environmental Affairs: Ralph Redman, Manager, Airport Planning)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

3. **MUNICIPAL CODE AMENDMENTS FOR OVERLAY ZONE TO IMPLEMENT THE SAN DIEGO INTERNATIONAL AIRPORT, NAVAL OUTLYING LANDING FIELD IMPERIAL BEACH, AND NAVAL AIR STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLANS AND TO AMEND THE OVERLAY ZONE FOR THE BROWN FIELD MUNICIPAL AIRPORT, GILLESPIE FIELD, MARINE CORPS AIR STATION MIRAMAR, AND MONTGOMERY-GIBBS EXECUTIVE AIRPORT - AIRPORT LAND USE COMPATIBILITY PLANS, CITY OF SAN DIEGO:**

RECOMMENDATION: Adopt Resolution No. 2021-0001 ALUC, finding the project inconsistent with the Marine Corps Air Station Miramar and San Diego International Airport - Airport Land Use Compatibility Plans and consistent with the Brown Field Municipal Airport, Gillespie Field, Montgomery-Gibbs Executive Airport, Naval Outlying Landing Field Imperial Beach, and Naval Air Station North Island Airport Land Use Compatibility Plans.

(Planning & Environmental Affairs: Ralph Redman, Manager, Airport Planning)

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 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.
- 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.
- 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 Administration Building. Bring your ticket to the third-floor receptionist for validation.

You may also reach the SDCRAA Building 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.

April 1, 2021
Board Meeting

NON-AGENDA
PUBLIC COMMENT



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March 26, 2021

Via email

clerk@san.org

Chair Johanna S. Schiavoni, johanna.schiavoni@calapplaw.com

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Gil Cabrera, gcabrera@san.org

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Airport Land Use Commission
San Diego County Regional Airport Authority
Third Floor, SDCRAA Administration Building
3225 North Harbor Drive
San Diego, California 92101

Re: **Gillespie Field 24-hour Commercial Distribution and Transportation Center**
(Airport Land Use Commission April 2021 Non-Agenda Item Public Comment

To the Chair and Airport Land Use Commission (“ALUC”):

This office represents a coalition of landowners, residents and interested parties formed together as an association known as Neighbors Against Noise and Traffic (“Client”) who stands to be severely impacted by the planned development of a converted and prior project that was a *day-use industrial park* and into a *24-hour commercial distribution and transportation center* (hereafter “Amazon Project”). The Amazon Project is proposed on an approximately 31.7-acre site owned by the County of San Diego (“County”) located west of the Gillespie Field Airport’s east/west aligned runway (“Project Site”). (See enclosed Gillespie Field Airport Layout Plan attached as Exhibit 1) The project consists of an approximately 142,000 sq. ft. distribution warehouse with 967 parking spaces that will operate a delivery operation 24 hours per day, 7 days a week.

The environmental review for the Amazon Project was limited to reliance on the City of El Cajon’s *CEQA Addendum for the Weld Boulevard Distribution Center Project* “EIR Addendum.” The EIR Addendum is to the City of El Cajon Forrester Creek Industrial Park Project 2009 Environmental Impact Report (“Forrester EIR”) for the substantially different and prior “Forrester Project.” Because of the limited and insufficient review of the Amazon Project in the EIR Addendum, a number of inconsistencies with the Gillespie Field Airport Land Use Compatibility Plan, as amended on December 20, 2010 (“2010 ALUCP”), went unaddressed in the planning of the Amazon Project. These inconsistencies render the Amazon Project incompatible with the 2010 ALUCP.

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My office and Client wish to comment and raise these incompatibilities for the ALUC's consideration during the consistency determination review for the Amazon Project.

A. Gillespie Field Usage Intensity Limitations

One of the primary goals of the 2010 ALUCP is to avoid increasing nonresidential intensity (i.e., number of people in a given area) on airport land, to minimize risks to both people and property on the ground and people onboard aircraft. (2010 ALUCP, Appendix D at p. 1.) The 2010 ALUCP asserts that usage intensity calculations should include *all* people expected to use a particular facility, including but not limited to employees, customers, and visitors who may be on the property at a single point in time, whether indoors or outdoors. (Id.) The 2010 ALUCP also stresses that estimating the number of people expected to use a particular facility is a complex exercise, further complicated by the uncertainties of relatively open uses without fixed seating. (Id.) Future modifications to a compatible use can also result in changes to the maximum number of occupants on-site such that the use is no longer compatible with the ALUCP. (Id.)

The Gillespie Field ALUCP limits usage intensity using six "safety zones" that depict risk contours reflecting where aircraft accidents are likely to occur. (Id. at Exhibit III-2 [Compatibility Policy Map: Safety].) The subject site is divided into three safety zones (Zone 1 through Zone 3¹), with Zone 2 encompassing the majority of the proposed development. (Cf. Exhibit 1 hereto and 2010 ALUCP Exhibit III-2 [showing the project site and applicable zones].) The 2010 ALUCP identifies Zone 2 as the area where the degree of risk of an accident is significant but less than the threat posed by aircraft in Zone 1. Table III-2 of the 2010 ALUCP limits the usage intensity for warehouses and distribution facilities within Zone 2 at 70 persons per gross acre.

On its face, it is extremely doubtful the Amazon Project can meet the usage limitations of the 2010 ALUCP. There are 43,560 sq. feet in an acre, for a total Project site size of 3.2599 gross acres. At a maximum of 70 persons per gross acre, there is a total usage intensity of 228.193 persons for the entire distribution warehouse consisting of 124,535 square feet of warehouse space and approximately 17,000 square feet of office space. The Amazon project includes 967 parking spaces, and will house 648 vehicles that will support delivery operations at the subject site, with anticipated growth of the fleet of drivers needed to respond to future business demands. This does not include the number of associates working inside the proposed distribution warehouse, a relatively open use facility without fixed seating, which must still be considered for the purpose of nonresidential intensity.

¹ The proposed Amazon Project designates a proposed stormwater basin to be located in Zone 1. To the extent that the Amazon Project is inclusive of "Zone 1" Table III-2 finds that warehouse distribution facilities are incompatible under any circumstances. (2010 ALUCP at pp. 3-49 to 3-50.)

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Additionally, the EIR Addendum prepared for the Amazon Project depicts the start and end times for future operation shifts. Many of the proposed shifts that include large volumes of employees tend to overlap, increasing the total number of people on the site at any given time, especially around the noon hour. As future business demands require more drivers and associates at the site, the Amazon Project will further exacerbate the risks associated with exceeding the usage limitations in an area identified as having a significant risk of an accident.

In determining whether the Amazon Project is compatible with usage intensity limitations, the ALUC should consider both the maximum intensity that is likely to occur during overlapping shift changes, as well as maximum growth in employees, drivers, and other personnel for the proposed 142,000 sq. ft. distribution facility.

B. Noise Contours and Other Safety Concerns

Another critical goal of the 2010 ALUCP is to minimize the public's exposure to excessive aircraft noise and other safety hazards. The Amazon Project is inconsistent with this goal.

The Project Site occupants will include warehouse distribution employees who will perform tasks in both indoor and outdoor environments at the distribution warehouse facility. Another approximately 17,000 sq. ft. of the distribution warehouse is dedicated to office space. The EIR Addendum for the Amazon Project failed to provide an updated analysis on the exposure that employees working in the project area would experience from aircraft noise, concluding that the impact would be less than significant.

Rather than reviewing the Amazon Project under current standards, the EIR Addendum instead refers to an outdated analysis provided for a different project ("Forrester Project") proposed on the same site in 2009 that used the noise contours and community noise equivalents levels ("CNELs") provided in the superseded 2004 version of the ALUCP. The noise impact analysis for the Forrester Project concluded that said project was consistent with the 2004 ALUCP; therefore, the noise analysis did not identify any mitigation measures for aircraft noise exposure to the occupants of the site. The noise contours and CNELs have since been updated in the 2010 ALUCP.

A significant change between the 2004 ALUCP and 2010 ALUCP is the update of the CNEL table, which no longer considers industrial uses like warehouses to be outright compatible with areas subject to a CNEL between 70-75 dB. (See enclosed CNEL comparison attached as Exhibit 2.) The 2010 ALUCP CNEL table (Table III-1) lists warehouses as a *conditional* compatible use that requires sound attenuation to be provided for associated office and other noise-sensitive indoor spaces sufficient to reduce the exterior noise to an interior maximum of 50 dB CNEL.

Comparing the 2010 ALUCP Exhibit III-1 "Compatibility Policy Map: Noise" to the Project site (Ex. 1), the Project site, including warehouse distribution, office, and parking, is within both the 60 dB CNEL and the 65 dB CNEL.

Per policy 3.3.4 of the 2010 ALUCP, the highest CNEL that a project is anticipated to be exposed to shall be used in evaluating the compatibility of the development over the entire site. Exhibit III-1 of the 2010 ALUCP (Compatibility Policy Map: Noise) depicts 75 dB CNEL as the highest CNEL that

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applies to the site and 60 as the lowest. The EIR Addendum for the Amazon Project does not include attenuation measures for the proposed office and warehouse distribution uses that require an inside 50 dB CNEL. (See ALUCP at 3-24 [“C Sound attenuation must be provided for associated office, retail, and other noise-sensitive indoor spaces sufficient to reduce exterior noise to an interior maximum of 50 dB CNEL”].) Thus, the Amazon Project is incompatible with the ALUCP noise safety policies.

The ALUC, in determining noise compatibility with the 2010 ALUCP should also consider the impacts from a 24-hour, 7 days a week delivery operation. Constant delivery operations will greatly increase noise impacts and raises concerns about cumulative noise impacts to the residential neighborhood located west and adjacent to the Project Site.

C. Procedural Concerns

While the ALUC does not issue or deny development permits, it does make consistency determinations using the appropriate Airport Land Use Compatibility Plan for each project before the ALUC. Although ALUC consistency determinations are not binding on local agencies, they are persuasive and inform local agencies of serious problems that need to be addressed before any entitlements or permits are granted. Per state law, an ALUC is also empowered to “coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.” (Pub. Util. Code §21674).

As stated above, the project raises several land use compatibility concerns that should have been brought before this Commission, *before* the County approved the underlying lease that facilitates the advancement of the Amazon Project. Procedurally, it is sensible to confirm that the Amazon Project is consistent with the ALUCP before any lease, entitlement, or permit is approved for the site. My office and Client continue to assert that the County of San Diego’s approval of the lease for the Amazon Project was ill-advised, premature, and unlawful. The acceptance of the lease has undermined the coordinated planning efforts of this Commission and placed the public at risk. Therefore, the ALUC should review the Amazon Project for compatibility with the 2010 ALUCP, and not simply accept the determination of the EIR Addendum or the County of San Diego’s approval of the lease for the Project Site.

D. Conclusion

This Commission should refrain from determining that the Amazon Project as proposed is consistent with the Gillespie Field ALUCP.

Sincerely,



Craig A. Sherman

- Encls. 1. Gillespie Field FAA-approved Airport Layout Plan, dated March 2015
2. 2010 and 2004 ALUCP CNELs Comparison Exhibit

NOTES:

1. Ground contour elevations are in feet above Mean Sea Level (MSL).
2. California Coordinate System, Zone 6 NAD 83.
3. All elevations are in feet above mean sea level (MSL) with NAVD 88 datum.
4. Air Traffic Contol Tower to be rehabilitated.
5. The airport is part of the Rancho El Cajon and has not been sectioned. The nearest section corner is approximately 3 miles south of the airport.
6. Rehabilitate airfield pavements every 10 years as per the Pavement Management Plan.
7. Ultimate replacement of VASI with PAPI.
8. Instrument approach procedure based on GPS.
9. Buildings within ATCT Line of Sight may be restricted based on height.
10. Service Road is 20' plus 15' of shoulder
11. All Plans of the 70 Acres are conceptual in nature and subject to change.
12. Acquisition of property and/or establishment of avigation easements are high priority in R/W 17/35 RSA, ROFA and RPZ.
13. For Threshold Sitings Surfaces Obstructions Table see Sheet 3.

ABBREVIATIONS:

- ARP Airport Reference Point
- ATCT Airport Traffic Control Tower
- AWOS Automated Weather Observing System
- BRL Building Restriction Line
- (E) Existing
- (F) Future
- MIRL Medium Intensity Runway Edge Lights
- OFZ Obstacle Free Zone
- (P) Potential
- PAPI Precision Approach Path Indicator
- REIL Runway End Identifier Lights
- ROFA Runway Object Free Area
- RPZ Runway Protection Zone
- RSA Runway Safety Area
- RVZ Runway Visibility Zone
- R/W Runway
- T/W Taxiway
- VASI Visual Approach Slope Indicator

LEGEND

	EXISTING	ULTIMATE
SEE PARCELS		
LOC CRITICAL AREA		
AIRFIELD PAVEMENT		
AIRPORT BOUNDARY		
AIRPORT REFERENCE POINT (ARP)		
AVIGATION EASEMENT		
CONCEPTUAL PROPERTY ACQUISITION		
BUILDING RESTRICTION LINE (BRL)		
BUILDINGS/AERONAUTICAL USE AREAS		
BUILDINGS TO BE REMOVED		
FENCE		
GROUND CONTOURS		
ATCT LINE OF SIGHT		
OBSTACLE FREE ZONE (OFZ)		
SERVICE ROAD (RSAT)		
RUNWAY LIGHTS/MIRL		
RUNWAY OBJECT FREE AREA (ROFA)		
RUNWAY SAFETY AREA (RSA)		
RUNWAY VISIBILITY ZONE (RVZ)		
BLAST PAD		
HOLDING MARKINGS		
MONUMENTS		
WINDSOCK/SEGMENTED CIRCLE		
RUNWAY LIGHTS/PAPI		
RUNWAY LIGHTS/VASI-2		
REIL		
RPZ		

Project Site

ANNUAL RATE OF CHANGE 0° 5' MIN/YEAR



NO.	DATE	ALP APPROVED BY FAA	REVISION	BY	APP.
6	03/2015	ALP UPDATE AS-BUILT AND CONCEPTUAL CAJON AIR CENTER		JP	
5	1/2010	ALP UPDATE PARCELS FOR AVIGATION EASEMENTS/ACQUISITION			
4	3/2009	ALP REVALIDATED WITH CONDITIONS OF 3/05 OUTSTANDING			
3	3/2005	ALP UPDATE & NARRATIVE REPORT			
2	9/2004	INCORPORATE FAA COMMENTS OF 6/4/04 AND 9/1/04			
1	5/23/83	ALP APPROVED BY FAA			

AIRPORTS ENGINEER:		DATE:	1-5-12
AIRPORT MANAGER:		DATE:	12-10-11
DIRECTOR OF AIRPORTS:		DATE:	1-6-12

Conditionally approved: Subject to Environmental Review

AIRPORT LAYOUT PLAN

GILLESPIE FIELD
EL CAJON, SAN DIEGO

COUNTY OF SAN DIEGO
DEPARTMENT OF PUBLIC WORKS
5555 OVERLAND AVENUE, SAN DIEGO CA 92123-1295

DESIGNED: J.P.	CHECKED: M.J.B.	SHEET 2 OF 7
DRAWN: J.P.	DATE: 03/2015	

FAA APPROVAL

Informal Minor Development/Correction Revision
to approved Airport Layout Plan dated
6.4.15
Refer to approval letter dated
1.19.17

The contents of this plan do not necessarily reflect the official views or policy of the FAA. Acceptance of this plan by the FAA does not in any way constitute a commitment on the part of the United States to participate in any development depicted thereon nor does it indicate that the proposed development is environmentally acceptable in accordance with appropriate public laws.

03/20/15, 10:38:53 AM, C:\Users\jnelson\Documents\Projects\Gillespie\Gillespie_Airport_Lay_Plan_2015.dwg, Plot Date: 3/20/15, 10:38:53 AM

2010 Updated Gillespie Field Airport Land Use Compatibility Plan (Current)

Table III-1
Noise Compatibility Criteria

Land Use Category ¹	Exterior Noise Exposure (dB CNEL)			
	60-65	65-70	70-75	75-80
<i>Note: Multiple categories may apply to a project</i>				
<i>Agricultural and Animal-Related</i>				
horse stables; livestock breeding or farming	A	A	A	
nature preserves; wildlife preserves				
interactive nature exhibits	A			
zoos	A	A		
agriculture (except residences and livestock); greenhouses; fishing				A
<i>Recreational</i>				
children-oriented neighborhood parks; playgrounds	A			
campgrounds; recreational vehicle/motor home parks				
community parks; regional parks; golf courses; tennis courts; athletic fields; outdoor spectator sports; fairgrounds; water recreation facilities		A		
recreation buildings; gymnasiums; club houses; athletic clubs; dance studios		50	50	
<i>Public</i>				
outdoor amphitheaters	A			
children's schools (K-12); day care centers (>14 children)	45			
libraries	45			
auditoriums; concert halls; indoor arenas; places of worship	45	45		
adult schools; colleges; universities ²	45	45		
prisons; reformatories		50		
public safety facilities (e.g., police, fire stations)		50	50	
cemeteries; cemetery chapels; mortuaries		45 A	45 A	
<i>Residential, Lodging, and Care</i>				
residential (including single-family, multi-family, and mobile homes); family day care homes (≤14 children)	45			
extended-stay hotels; retirement homes; assisted living; hospitals; nursing homes; intermediate care facilities	45			
hotels; motels; other transient lodging ³	45	45	45	
<i>Commercial and Industrial</i>				
office buildings; office areas of industrial facilities; medical clinics; clinical laboratories; radio, television, recording studios		50	50	
retail sales; eating/drinking establishments; movie theaters; personal services		50	50 B	
wholesale sales; warehouses; mini/other indoor storage			50 C	

2004 Gillespie Field Airport Land Use Compatibility Plan

Land Use	Annual Community Noise Equivalent Level (CNEL) in Decibels					
	55-60	60-65	65-70	70-75	75-80	80-85
1. Outdoor Amphitheaters						
2. Nature Preserves, Wildlife Preserves, Livestock Farming, Neighborhood Parks, and Playgrounds						
3. Schools, Preschools, Libraries		45				
4. Residential-Single Family, Multiple Family, Mobile Homes, Residential Hotels, Retirement Homes, Intermediate Care Facilities, Hospitals, Nursing Homes		45				
5. Hotels and Motels, Other Transient Lodging, Auditoriums, Concert Halls, Indoor Arenas, Churches		45	45			
6. Office Buildings-Business, Educational Professional and Personal Services; R&D Offices and Laboratories			50			
7. Riding Stables, Water Recreation Facilities, Regional Parks and Athletic Fields, Cemeteries, and Outdoor Spectator Sports, Golf Courses						
8. Commercial-Retail; Shopping Centers, Restaurants, Movie Theaters			50	50		
9. Commercial-Wholesale; Industrial; Manufacturing						
10. Agriculture (except Residences and Livestock), Extractive Industry, Fishing, Utilities, Public R-O-W						



COMPATIBLE

The outdoor community noise equivalent level ("NCEL") is sufficiently attenuated by conventional construction that the indoor noise level is acceptable, and both indoor and outdoor activities associated with the land use may be carried out with essentially no interference from aircraft noise.



45 CONDITIONALLY COMPATIBLE

The outdoor CNEL will be attenuated to the indoor noise level shown, and the outdoor noise level is acceptable for associated outdoor activities.



INCOMPATIBLE

The CNEL is severe. Although extensive mitigation techniques could make the indoor environment acceptable for performance of activities, the outdoor environment would be intolerable for outdoor activities associated with the land use.

SOURCE: San Diego County Regional Airport Authority, 2004

GILLESPIE FIELD ALUCP LAND USE COMPATIBILITY MATRIX

FIGURE 4.10-2

DRAFT
AIRPORT LAND USE COMMISSION
MINUTES
THURSDAY, MARCH 4, 2021
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM

CALL TO ORDER: Chair Schiavoni called the meeting of the Airport Land Use Commission to order at 10:41 a.m. on Thursday, March 4, 2021, electronically and via teleconference pursuant to Executive Order N-29-20 at the San Diego International Airport, Administration Building, 3225 North Harbor Drive, San Diego, CA 92101.

ROLL CALL:

PRESENT: Commissioners: Blakespear, Cabrera, Casillas Salas, Lloyd, McNamara, Robinson, Schiavoni, Vargas, von Wilpert

ABSENT: Commissioners: Dallarda (Ex-Officio), Dockery (Ex-Officio), Miller (Ex-Officio)

ALSO PRESENT: Kimberly J. Becker, President/CEO; Amy Gonzalez, General Counsel; Tony R. Russell, Director, Board Services/Authority Clerk; Dustin Heick, Assistant Authority Clerk I

NON-AGENDA PUBLIC COMMENT: None.

CONSENT AGENDA (Items 1-2):

ACTION: Moved by Commissioner Vargas and seconded by Commissioner Casillas Salas to approve the Consent Agenda. Motion carried by the following votes: YES – Blakespear, Cabrera, Casillas Salas, Lloyd, McNamara, Robinson, Schiavoni, Vargas, von Wilpert; NO – None; ABSENT – None; (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the February 4, 2021 regular meeting.

CONSISTENCY DETERMINATIONS

2. REPORT OF DETERMINATIONS OF CONSISTENCY WITH AIRPORT LAND USE COMPATIBILITY PLANS: MCCLELLAN-PALOMAR AIRPORT GENERAL PLAN AMENDMENT FOR HOUSING ELEMENT UPDATE, CITY OF CARLSBAD; SAN DIEGO INTERNATIONAL AIRPORT 3280 BARNETT AVENUE, CITY OF SAN DIEGO, 2915 E STREET, CITY OF SAN DIEGO, 801 BROADWAY, CITY OF SAN DIEGO:

RECOMMENDATION: Receive the report.

PUBLIC HEARINGS: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

COMMISSION COMMENT: None.

ADJOURNMENT: The meeting adjourned at 10:42 a.m.

APPROVED BY A MOTION OF THE AIRPORT LAND USE COMMISSION THIS 1ST DAY OF APRIL, 2021.

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Airport Land Use Commission
Report of Determinations of Consistency with Airport Land
Use Compatibility Plans

Item No.
2

Meeting Date: **April 1, 2021**

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 issued the following consistency determinations per their respective ALUCPs:

Brown Field Municipal Airport ALUCP

Rezone and Amendment to the Otay Ranch Specific Plan, Village 3, City of Chula Vista

Deemed Complete & Conditionally Consistent on March 5, 2021

Description of Project: The project involves a rezone and amendment to the Otay Ranch Specific Plan to rezone properties within Village 3 and reallocate permitted density from Village 9 to Village 3: one plan area from Professional and Office to High Residential, one plan area from Limited Industrial to Medium-High Residential, and one plan area from Medium Residential to Medium-High Residential. There is no actual development proposed by the current project.

Noise Contours: The proposed project does not involve any actual development and thus does not impact any noise exposure contours. However, the project area lies outside of the 60 dB CNEL noise contour. The ALUCP identifies all uses outside of the 60 dB CNEL noise contour as compatible with airport uses.

Airspace Protection Surfaces: The proposed project does not involve any actual development and thus does not impact any airspace protection surfaces. However, all future development is subject to notification of the Federal Aviation Administration (FAA) based upon FAA notice criteria. Therefore, as a condition of approval, any future development must receive a determination of no hazard to air navigation issued by the FAA or have the project sponsor certify that notice of construction is not required to the FAA because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Safety Zones: The proposed project does not involve any actual development and thus does not impact any safety zones. However, the Medium-High Residential plan areas of the proposed project are partially located within Safety Zone 6. The ALUCP identifies residential uses located within Safety Zone 6 as compatible with airport uses.

Overflight Notification: The proposed project does not involve any actual development and thus does not impact any overflight notification requirements. However, the project are is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. Therefore, as a condition of approval, any future development involving new residential land uses must provide a means of overflight notification.

Naval Air Station North Island ALUCP

Construction of Residential Unit and Detached Guest Quarters at 130 Acacia Way, City of Coronado

Deemed Complete & Conditionally Consistent on March 5, 2021

Description of Project: The project involves the construction of a primary residence and a detached, accessory guest quarters.

Noise Contours and Safety Zones: The proposed project lies outside all safety zones, but within the 65-70 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contour. The ALUCP identifies residential uses located outside all safety zones, but within the 65-70 dB CNEL noise contour as conditionally compatible with airport uses, provided that any new residence or expanded area of an existing one in excess of 50 percent of the existing habitable space is sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the residence and guest quarters must be sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The maximum height of the proposed project structures will be approximately 34 feet above mean sea level (27 feet above ground level). The proposed project is in compliance with the ALUCP airspace protection surfaces because the project sponsor has certified that notice of construction is not required to the Federal Aviation Administration (FAA) because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Overflight Notification: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. Therefore, as a condition of approval, a means of overflight notification must be provided.

San Diego International Airport ALUCP**Construction of a Detached Residential Unit at 4675 Del Monte Avenue, City of San Diego**

Deemed Complete & Conditionally Consistent on March 5, 2021

Description of Project: The project involves the construction of a detached residential unit on a property with an existing residence to remain.

Noise Contours: The proposed project lies within the 60-65 decibel Community Noise Equivalent Level (dB CNEL) noise exposure contour. The ALUCP identifies residential uses located within the 60-65 dB CNEL noise contour as conditionally compatible with airport uses, provided that the new residence is sound attenuated to 45 dB CNEL interior noise level. Therefore, as a condition of project approval, the new residence must be sound attenuated to 45 dB CNEL interior noise level.

Airspace Protection Surfaces: The maximum height of the proposed project structure will be approximately 123 feet above mean sea level (26 feet above ground level). The proposed project is located outside the SDIA Threshold Siting Surface (TSS). The proposed project is in compliance with the ALUCP airspace protection surfaces because the project sponsor has certified that notice of construction is not required to the Federal Aviation Administration (FAA) because the project is located within an urbanized area, is substantially shielded by existing structures or natural terrain, and cannot reasonably have an adverse effect on air navigation.

Safety Zones: The proposed project is located outside all Safety Zones.

Overflight Notification: The proposed project is located within the overflight notification area. The ALUCP requires that a means of overflight notification be provided for new residential land uses. Therefore, as a condition of project approval, a means of overflight notification must be provided.

CONSISTENCY DETERMINATION
MUNICIPAL CODE AMENDMENTS FOR OVERLAY ZONE TO
IMPLEMENT THE SAN DIEGO INTERNATIONAL AIRPORT, NAVAL
OUTLYING LANDING FIELD IMPERIAL BEACH, AND NAVAL AIR
STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLANS
AND TO AMEND THE OVERLAY ZONE FOR THE BROWN FIELD
MUNICIPAL AIRPORT, GILLESPIE FIELD, MARINE CORPS AIR STATION
MIRAMAR, AND MONTGOMERY-GIBBS EXECUTIVE AIRPORT -
AIRPORT LAND USE COMPATIBILITY PLANS, CITY OF SAN DIEGO
April 1, 2021

Item # 3 Resolution # 2021-0001 ALUC

Recommendation:

Consistent –Brown Field Municipal Airport, Gillespie Field, Montgomery-Gibbs Executive Airport, Naval Outlying Landing Field Imperial Beach, Naval Air Station North Island - Airport Land Use Compatibility Plans

Inconsistent – Marine Corps Air Station Miramar and San Diego International Airport - Airport Land Use Compatibility Plans

Description of Project: The project proposes amendments to the City of San Diego Land Development Code (LDC) via the Airport Land Use Compatibility Overlay Zone (ALUCOZ) to apply the requirements of adopted Airport Land Use Compatibility Plans (ALUCPs) to the use of properties located within Airport Influence Areas (AIAs).

The ALUCOZ was originally adopted by the City of San Diego on October 25, 2011, to implement the ALUCPs for Brown Field Municipal Airport, Montgomery-Gibbs Executive Airport, Marine Corps Air Station (MCAS) Miramar, and Gillespie Field. The ALUCOZ establishes land use and development regulations for proposed new development that falls within an AIA and the jurisdiction of the City of San Diego. Since the adoption of the ALUCOZ, new ALUCPs have been prepared and adopted by the Airport Land Use Commission (ALUC) for San Diego International Airport (SDIA), Naval Outlying Landing Field Imperial Beach (NOLF IB) and Naval Air Station North Island (NASNI).

The proposed ALUCOZ amendments to the LDC would implement the ALUCPs for SDIA, NOLF IB, and NASNI and amend the application of standards for the City's implementation of the ALUCPs for Brown Field Municipal Airport, Gillespie Field, MCAS Miramar, and Montgomery-Gibbs Executive Airport.

This project fulfills the statutory mandate under §21676(b) of the Public Utilities Code (PUC) and §65302.3(a) of the Government Code for an affected local agency to make its general plan and zoning ordinance consistent with adopted ALUCPs within agency jurisdiction. Because this project would incorporate the standards of the ALUCPs into

the City of San Diego LDC via an overlay zone, which applies to the permitting of all land uses within the AIAs of its jurisdiction, individual project consistency determinations would be required from the ALUC only for specified land use actions in accordance with PUC §21676.5(b).

Those land use actions specified by the PUC (§§21661.5; 21664.5; and 21676) and applicable ALUCPs would continue to require consistency determinations by the ALUC. These include approval of and/or an amendment to a general, specific, or other land use plan, zoning ordinance (including rezones), or building regulation; any project proposed in a military airport Clear Zone or public-use airport Safety Zone 1; any project that has been determined to be an airspace hazard by the Federal Aviation Administration (FAA); any master plan for the expansion of an existing airport or construction of a new airport; and any project that would include nonaviation uses on public-use airport property.

In accordance with PUC § 21676.5(b), once a local agency has revised its general plan, specific plans, or zoning code to be consistent with an adopted ALUCP or overruled the ALUCP in whole or in part pursuant to PUC §21676(a), the local agency can voluntarily refer individual projects to the ALUC for an advisory, non-binding review.

Noise: The proposed project contains properties that lie within all associated ALUCP Community Noise Equivalent Level (CNEL) noise contours. The project does not propose any physical development, but any future, occupied structures are subject to noise compatibility standards of the applicable ALUCP, to include conditions of sound attenuation of certain residences and buildings as specified by the applicable ALUCP and recordation of an avigation easement to the airport operator for certain, specified, noise-sensitive uses. Some uses are considered incompatible by the applicable ALUCP and may not be permitted.

The proposed project is compatible with noise because it implements the noise compatibility policies of the applicable ALUCPs, with one exception, which would constitute an overrule of the MCAS Miramar ALUCP with respect to applying the standards of ALUCP noise standards to properties within more than one noise contour.

The City is proposing to apply the standards to the entire structure of the noise contour range in which 50 percent or more of a structure's gross floor area lies. As written, the MCAS Miramar ALUCP applies a standard in which the highest noise contour standards apply to the entire building.

Because the City proposes to employ a less restrictive standard than that of the MCAS Miramar ALUCP as written, the proposed project would not be compatible with the noise factor of that ALUCP, and, therefore, the City of San Diego would have to overrule the ALUCP with respect to applying the proposed project policy.

The proposed project would be compatible with application of the noise compatibility policies of the SDIA and NOLF IB ALUCPs. The ALUCOZ noise standards of the

Brown Field Municipal Airport and Montgomery-Gibbs Executive Airport ALUCPs would be amended to uniformly apply the same noise compatibility standards as all other ALUCPs in instances of properties lying within more than one contour, but this would be more restrictive than the existing ALUCPs for those airports and thus would not require any overrule. No portion of land within City of San Diego land use jurisdiction lies within any airport noise contour of the Gillespie Field or NASNI ALUCPs.

Airspace: The proposed project contains properties that lie within the airspace of all AIAs, but does not propose any physical development. The proposed project is compatible with each of the applicable ALUCP airspace protection surfaces because the project does not allow future construction to be permitted that would exceed an airspace threshold which would require an obstruction evaluation from the Federal Aviation Administration (FAA) unless the construction included marking and lighting in accordance with the FAA determination. Moreover, any new construction may not constitute a hazard as determined by the FAA nor reduce the operational efficiency or capacity of the airport.

Safety: The proposed project contains properties that lie within all associated ALUCP safety zones, but does not propose any physical development. Future land uses are subject to the safety compatibility policies of the applicable ALUCP, to include conditions of residential density and nonresidential intensity of development. Some uses are considered incompatible by the applicable ALUCP and may not be permitted.

The proposed project is compatible with safety because it implements the safety compatibility policies of the applicable ALUCPs, with two exceptions, which would require an overrule of the SDIA and MCAS Miramar ALUCPs with respect to proposed project policies.

First, the proposed project would not be compatible with the safety standard for residential density within mixed-use developments for the SDIA ALUCP, and, therefore, the City of San Diego would have to overrule the SDIA ALUCP with respect to applying the proposed project policy. The SDIA ALUCP limits the residential component of a mixed-use development to no more than 50 percent of its permissible total occupancy. The City proposes to eliminate the 50 percent cap within certain safety zones, potentially allowing a much greater portion of a mixed-use development to be residential units, up to the maximum permissible number of units allowed by local agency density bonuses.

Additionally, the proposed project would not be compatible with the safety residential density limit of 20 dwelling units per acre within the Transition Zone of the MCAS Miramar ALUCP, and, therefore, the City of San Diego would have to overrule the MCAS Miramar ALUCP with respect to applying the project proposal of 60 dwelling units per acre.

The proposed project would be compatible with application of the safety compatibility policies of the Brown Field Municipal Airport, Montgomery-Gibbs Executive Airport, and

NOLF IB ALUCPs. No portion of land within City of San Diego land use jurisdiction lies within any airport safety zone of the Gillespie Field or NASNI ALUCPs.

Overflight: The proposed project contains properties that lie within all associated ALUCP overflight notification areas, but does not propose any physical development. Future new, residential land uses are subject to the overflight notification policies of the applicable ALUCP to ensure that those who acquire residential property are advised of the proximity of the airport and the effects associated with the legal operation of aircraft within the AIA. The proposed project is compatible with the ALUCP overflight notification policies by codifying that the ALUCOZ constitutes property owner notification. Additionally, State law binds those who offer residential property for sale or lease within an AIA to disclose the proximity of an airport and potential for aircraft overflight and corresponding effects, and the ALUCOZ reinforces this requirement by reference.

Recommendation: Based on review of the proposed project, staff recommends that the ALUC make the determination that the project is consistent with the Brown Field Municipal Airport, Gillespie Field, Montgomery-Gibbs Executive Airport, NOLF IB, and NASNI ALUCPs and inconsistent with the MCAS Miramar and SDIA ALUCPs.

Staff additionally recommends that the ALUC advise the City of San Diego of several needed corrections to project text and tables (see attached table) that were identified during the review of the LDC. If left uncorrected, these items would make the proposed project additionally incompatible with one or more ALUCP compatibility factors and would thus require additional overrules. However, City of San Diego staff have communicated that these additional items were not intended to differ from the ALUCPs and have requested that the ALUC inform the City of San Diego of these items, so that they may be corrected through the City's own approval process of the proposed LDC ALUCOZ amendments, rather than overruling the ALUCPs.

RESOLUTION NO. 2021-0001 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY MAKING A DETERMINATION THAT THE PROPOSED PROJECT: MUNICIPAL CODE AMENDMENTS FOR OVERLAY ZONE TO IMPLEMENT THE SAN DIEGO INTERNATIONAL AIRPORT, NAVAL OUTLYING LANDING FIELD IMPERIAL BEACH, AND NAVAL AIR STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLANS AND TO AMEND THE OVERLAY ZONE FOR THE BROWN FIELD MUNICIPAL AIRPORT, GILLESPIE FIELD, MARINE CORPS AIR STATION MIRAMAR, AND MONTGOMERY-GIBBS EXECUTIVE AIRPORT - AIRPORT LAND USE COMPATIBILITY PLANS, CITY OF SAN DIEGO, IS CONSISTENT WITH THE BROWN FIELD MUNICIPAL AIRPORT, GILLESPIE FIELD, MONTGOMERY-GIBBS EXECUTIVE AIRPORT, NAVAL OUTLYING LANDING FIELD IMPERIAL BEACH, AND NAVAL AIR STATION NORTH ISLAND AIRPORT LAND USE COMPATIBILITY PLANS AND IS NOT CONSISTENT WITH THE MARINE CORPS AIR STATION MIRAMAR AND SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLANS

WHEREAS, the San Diego County Regional Airport Authority (Airport Authority), acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, was requested by the City of San Diego to determine the consistency of a proposed project: Municipal Code Amendments for Overlay Zone to Implement the San Diego International Airport (SDIA), Naval Outlying Landing Field Imperial Beach (NOLF IB), and Naval Air Station North Island (NASNI) Airport Land Use Compatibility Plans (ALUCPs) and to Amend the Overlay Zone for the Brown Field Municipal Airport, Gillespie Field, Marine Corps Air Station (MCAS) Miramar, and Montgomery-Gibbs Executive Airport ALUCPs; and

WHEREAS, the proposed project consists of amendments to the City of San Diego Land Development Code that applies the policies and standards of the ALUCPs to the use of properties located within Airport Influence Areas (AIAs) through the Airport Land Use Compatibility Overlay Zone (ALUCOZ); and

WHEREAS, the proposed project would integrate the noise, airspace protection, safety, and overflight notification compatibility criteria of the ALUCPs for SDIA, NOLF IB, and NASNI into the ALUCOZ; and

WHEREAS, the proposed project would amend the applicability of certain policies and standards of the existing ALUCOZ for Brown Field Municipal Airport, Gillespie Field, Montgomery-Gibbs Executive Airport, and MCAS Miramar; and

WHEREAS, a local agency is required to implement ALUCPs by either referring all proposed land use projects located within AIAs to the ALUC for a determination of consistency with the ALUCP, to amend its applicable codes to incorporate the ALUCP policies and standards to accomplish the same ALUCP consistency in its own project reviews, or overrule the ALUCP in whole or in part according to statutory procedures; and

WHEREAS, referral of individual land use projects to the ALUC is not mandatory when the ALUC has either deemed a local agency's plan and implementing ordinance consistent with the ALUCPs or when the local land use jurisdiction has overruled the ALUC pursuant to Public Utilities Code (PUC) §21676(a), except for the following actions: (1) the approval of and/or amendment to a general, specific, or other land use plan, zoning ordinance (including rezones), or building regulation; (2) any project proposed in a military airport Clear Zone or public-use airport Safety Zone 1; (3) any project that has been determined to be an airspace hazard by the Federal Aviation Administration (FAA); (4) any master plan for the expansion of an existing airport or construction of a new airport; and (5) any project that would include nonaviation uses on public-use airport property; and

WHEREAS, once a local agency has revised its general plan, specific plans, or zoning code to be consistent with an adopted ALUCP or overruled the ALUC pursuant to PUC §21676(a), the local agency can still voluntarily refer individual projects to the ALUC for a non-binding, advisory review; and

WHEREAS, ALUC staff evaluation of the proposed project finds that the ALUCOZ implements the Brown Field Municipal Airport, Gillespie Field, Montgomery-Gibbs Executive Airport, NOLF IB, and NASNI ALUCPs, such that the proposed project is consistent with those ALUCPs; and

WHEREAS, ALUC staff evaluation of the proposed project finds that the ALUCOZ deviates with respect to applying the policies and standards of the MCAS Miramar and SDIA ALUCPs, such that the proposed project is not consistent with those ALUCPs; and

WHEREAS, in instances in which a local agency proposes to deviate from the compatibility policies and standards of an ALUCP, the agency must follow a procedure prescribed by State law to overrule that portion of the ALUCP with which its implementation deviates from the ALUCP; 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, the U.S. Marine Corps, the U.S. Navy, 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: Municipal Code Amendments for Overlay Zone to Implement the SDIA, NOLF IB, and NASNI ALUCPs and to Amend the Overlay Zone for the Brown Field Municipal Airport, Gillespie Field, MCAS Miramar, and Montgomery-Gibbs Executive Airport ALUCPs, is consistent with the Brown Field Municipal Airport, Gillespie Field, Montgomery-Gibbs Executive Airport, NOLF IB, and NASNI ALUCPs and is not consistent with the MCAS Miramar and SDIA ALUCPs, based upon the following facts and findings:

- (1) The proposed project would amend the ALUCOZ to integrate the noise, airspace protection, safety, and overflight notification compatibility criteria of the ALUCPs for SDIA, NOLF IB, and NASNI into the City of San Diego Land Development Code and apply those criteria to the permitted uses of properties located within those airport AIAs, as well as to amend the applicability of certain ALUCOZ policies and standards for Brown Field Municipal Airport, Gillespie Field, Montgomery-Gibbs Executive Airport, and MCAS Miramar.
- (2) Pursuant to Public Utilities Code §21676.5, referral of only certain specified actions to the ALUC for consistency determination continues to be mandatory after the ALUC has deemed a local agency's implementation plan consistent with the applicable ALUCPs or the local land use jurisdiction has overruled the ALUC pursuant to PUC §21676(a). ALUC review of the following actions remains mandatory: (a) the approval of and/or amendment to a general, specific, or other land use plan, zoning ordinance (including rezones) or building regulation; (b) any project proposed in a military airport Clear Zone or public-use airport Safety Zone 1; (c) any project that has been determined to be an airspace hazard by the FAA; (d) any master plan for the expansion of an existing airport or construction of a new airport; (e) any project that would include nonaviation uses on public-use airport property.
- (3) The ALUCOZ implements the Brown Field Municipal Airport, Gillespie Field, Montgomery-Gibbs Executive Airport, NOLF IB, and NASNI ALUCPs, such that the proposed project is consistent with those ALUCPs, but the ALUCOZ deviates with respect to applying the policies and standards of the MCAS

Miramar and SDIA ALUCPs, such that the proposed project is not consistent with those ALUCPs.

- (4) The specific deviations of the ALUCOZ from the MCAS Miramar and SDIA ALUCPs consist of the following: (a) applying to the entire structure the standards of the noise contour range in which 50 percent or more of a structure's gross floor area lies instead of applying the highest noise contour standards to the entire building as specified in the MCAS Miramar ALUCP; (b) eliminating the limit of residential units within mixed-use developments to no more than 50 percent of the calculated total people per acre permissible for the project within certain safety zones of the SDIA ALUCP; and (c) increasing the maximum number of residential units per acre within the Transition Zone of the MCAS Miramar ALUCP from 20 to 60.
- (5) Additional corrections to the ALUCOZ would be necessary to redress unintentional deviations from ALUCPs, and, unless these were corrected to accord with the attached table, these deviations would constitute additional inconsistencies of the ALUCOZ with ALUCPs and would be subject to the requirements of the statutory overrule procedure as specified below.
- (6) Therefore, in instances in which a local agency proposes to deviate from the compatibility policies and standards of an ALUCP, the agency must follow the procedure and timeline prescribed by Public Utilities Code §21676(b) to overrule that portion of the 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, is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106, and requires no federal approvals warranting review under the National Environmental Policy Act (NEPA).

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 1st day of April, 2021, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

LDC Section	Description of Conflict with Adopted ALUCP Policies	Recommended Correction
Table 132-15D	Commercial Services/Assembly and Entertainment - No sound attenuation footnote shown for 60-65 dB contour	Revise 60-65 dB contour to be "P ³ "
Table 132-15D	Commercial Services/Assembly and Entertainment- Footnote for 65-70 dB contour should be Footnote 3, not Footnote 2	Revise 65-70 dB to be "P ³ "
Table 132-15D	Commercial Services/Assembly and Entertainment- 70-75 dB column should be "-", not P2	Revise 70-75 dB to be "-"
Table 132-15D	Commercial Services/Visitor Accommodations- Use is not compatible in the 70-75 dB contour	Revise 70-75 dB contour to be "-"
Table 132-15D	Separately Regulated Commercial Services Uses/Assembly and Entertainment Uses, including Places of Religious Assembly- No sound attenuation footnote shown in the 60-65 and 65-70 dB contours	Revise 60-65 and 65-70 dB contours to be "P ³ " (footnote 1 can remain)
Table 132-15D	Separately Regulated Commercial Services Uses/Boarding Kennels / Pet Day Care- No sound attenuation footnote shown in the 60-65 and 65-70 dB contours for Brown and Montgomery (no attenuation required for Miramar in these contours). Use is incompatible in 70-75 dB contour for Miramar only	Revise 60-65 and 65-70 dB contour to be "P ² " for Brown and Montgomery and revise 70-75 dB contour to be "-" for Miramar
Table 132-15D	Separately Regulated Commercial Services Uses/Theaters that are outdoor or over 5,000 square feet in size- No sound attenuation footnote shown in the 65-70 dB column	Revise 65-70 dB contour to be "P ² "
Table 132-15D	Separately Regulated Commercial Services Uses/Veterinary Clinics & Animal Hospitals- No sound attenuation footnote shown in the 70-75 dB contour	Revise 70-75 dB contour to be "P ² "
Table 132-15D	Industrial/Testing Labs- No sound attenuation footnote shown in the 70-75 dB contour	Revise 70-75 dB contour to be "P ² "

Table 132-15D	Separately Regulated Industrial Uses/Artisan Food and Beverage Producer- No sound attenuation footnote shown when it's required in the 70-75 dB contour	Revise 70-75 dB contour to be "P ² "
Table 132-15E	Private Clubs, Lodges and Fraternal Organizations - No sound attenuation or avigation easement footnotes shown in the 65-70, 70-75, and 75-80 dB contours	Revise 65-70, 70-75, and 75-80 dB contours to be "P ¹²⁴ "
Table 132-15E	Private Clubs, Lodges and Fraternal Organizations - No sound attenuation footnote shown in the 60-65 dB contour	Revise 60-65 dB contour to be "P ² "
Table 132-15E	Theaters that are Outdoor or Over 5,000 Square Feet in Size - No sound attenuation footnote shown in the 65-70, 70-75, and 75-80 dB contours	Revise 65-70, 70-75, and 75-80 dB contours to be "P ¹² "
Table 132-15E	Urgent Care Facilities - No sound attenuation footnote shown when it's required in the 60-65 dB contour	Revise 60-65 dB contour to be "P ² "
132.1515(c)(4)(C)(i)	"No safety zone restrictions apply to a structure where more than 50 percent of the structure footprint is located outside a safety zone."	Revise to include "as determined by gross floor area", similar to 132.1515(c)(4)(C)(ii)
Table 132-15H	Movable Tiny Houses	Revise Safety Zones 1, 2, and 5 to be "-"; Revise Safety Zones 3, 4, and 6 to be "P"
Table 132-15H	Urgent Care Facilities - Use is shown as "L" in Safety Zones 2	Revise Safety Zone 2 intensity to be "-"
Table 132-15H	Urgent Care Facilities - Use is shown as "L" in Safety Zones 5	Revise Safety Zone 5 intensity to be "-"
Table 132-15H	Cannabis Production Facilities - Hazardous materials footnote is not shown in Safety Zone 6	Revise Safety Zone 6 intensity to be "P ⁸ "
Table 132-15I	Electric Vehicle Charging Stations - Use is limited to Controlled Activity Area outside of Central Portion of the RPZ	Revise Little Italy, Safety Zone 1 intensity to include footnote limiting use to Controlled Activity Area outside of Central Portion of the RPZ
Table 132-15I	Cannabis Outlets - Use is shown as "L/1.56" in Uptown Safety Zone 2E	Revise Uptown Safety Zone 2E intensity to be "L/1.06"

Table 132-15I	Assembly and Entertainment Uses, including Places of Religious Assembly - Minor oriented facilities footnote is not shown in Uptown Safety Zone 3SE	Revise Uptown Safety Zone 3SE intensity to be "L/.93 ³ "
Table 132-15I	Assembly and Entertainment Uses, including Places of Religious Assembly - Minor oriented facilities footnote is not shown in Balboa Park Safety Zone 4E	Revise Balboa Park Safety Zone 4E to be "L/.33 ³ "
Table 132-15I	Assembly and Entertainment Uses, including Places of Religious Assembly - Minor oriented facilities footnote is not shown in Cortez Safety Zone 3SE	Revise Cortez Safety Zone 3SE to be "L/1.16 ³ "
Table 132-15I	Assembly and Entertainment Uses, including Places of Religious Assembly - Minor oriented facilities footnote is not shown in Cortez Safety Zone 4E	Revise Cortez Safety Zone 4E to be "L/.33 ³ "
Table 132-15I	Assembly and Entertainment Uses, including Places of Religious Assembly - Minor oriented facilities footnote is not shown in East Village Safety Zone 4E	Revise East Village Safety Zone 4E to be "L/.33 ³ "
Table 132-15I	Assembly and Entertainment Uses, including Places of Religious Assembly - Minor oriented facilities footnote is not shown in Little Italy Safety Zone 3E	Revise Little Italy Safety Zone 3E to be "L/1.01 ³ "

AIRPORT
LAND USE
COMMISSION

City of San Diego
Land Development
Code Amendment
**ALUCP Consistency
Determination**

April 1, 2021

Presented by:

Ralph Redman, Manager, Airport Planning

Proposed Project

Amend the Airport Land Use Compatibility Overlay Zone (ALUCOZ) of the City of San Diego Land Development Code (LDC) to:

- Implement ALUCPs for
 - San Diego International Airport (SDIA)
 - Naval Outlying Landing Field Imperial Beach (NOLF IB)
 - Naval Air Station North Island (NASNI)
- Amend standards for previous, implemented ALUCPs

City of SD ALUCP Implementation

Implementation Status	Airport ALUCP
Proposed 2020 Amendment	San Diego International Airport (SDIA)
	Naval Outlying Landing Field Imperial Beach (NOLF IB)
	Naval Air Station North Island (NASNI)
Implemented 2011, Proposed 2020 Amendment	Gillespie Field
	Montgomery-Gibbs Executive Airport
	Brown Field Municipal Airport
	Marine Corps Air Station (MCAS) Miramar

ALUCP Implementation

- Lead agency updates plans, zoning ordinances and/or codes to incorporate all standards of ALUCP(s)
- Post implementation
 - Lead agency reviews all individual projects
 - ALUC reviews all rezones, plan amendments, and other projects with specific circumstances (e.g., determined by FAA as an airspace hazard)

ALUCP Overrule

- State law provides the local agency option to overrule all or part of an adopted ALUCP
- Overrule requires:
 - 2/3 vote needed of governing body
 - adopted findings submitted to ALUC & Caltrans
- City of San Diego has identified three potential overrules of adopted ALUCP polices

Consistency Review

Noise

- **Applicability to parcels within multiple noise contours to 50% of Gross Floor Area (GFA) for **MCAS Miramar****

Airspace

- **All components of LDC language consistent with the adopted ALUCPs**

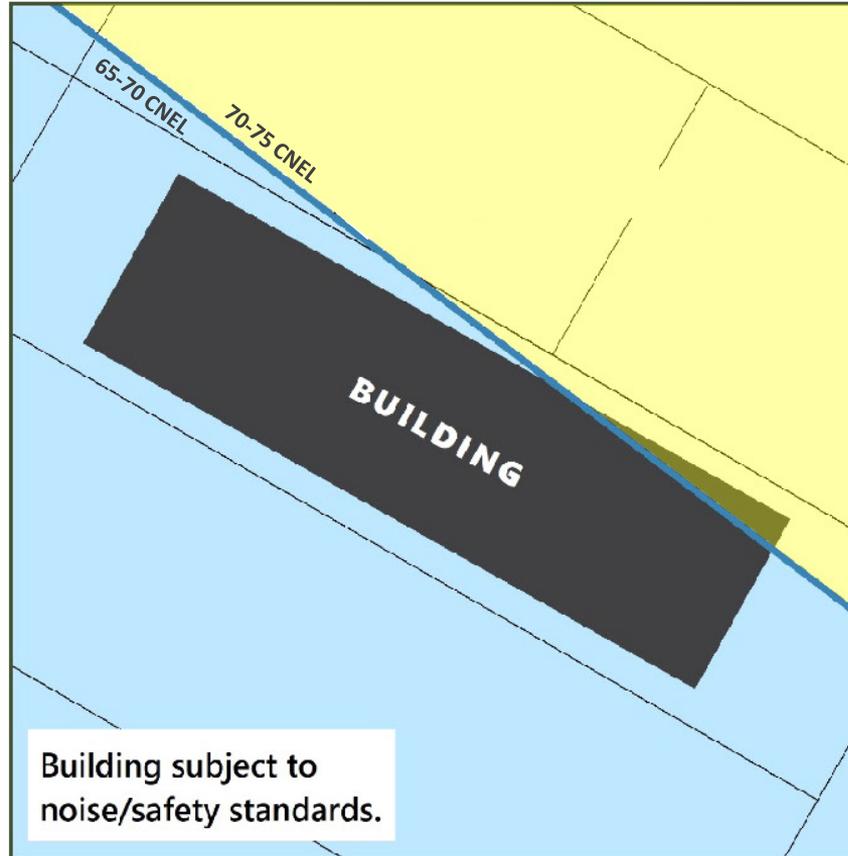
Overflight

- **All components of LDC language consistent with the adopted ALUCPs**

Safety

- **Modify max residential density limit in **MCAS Miramar** Transition Zone from 20 du/ac to 60 du/ac**
- **Modify density limit calculation for mixed-used projects w/density bonus surrounding **SDIA****

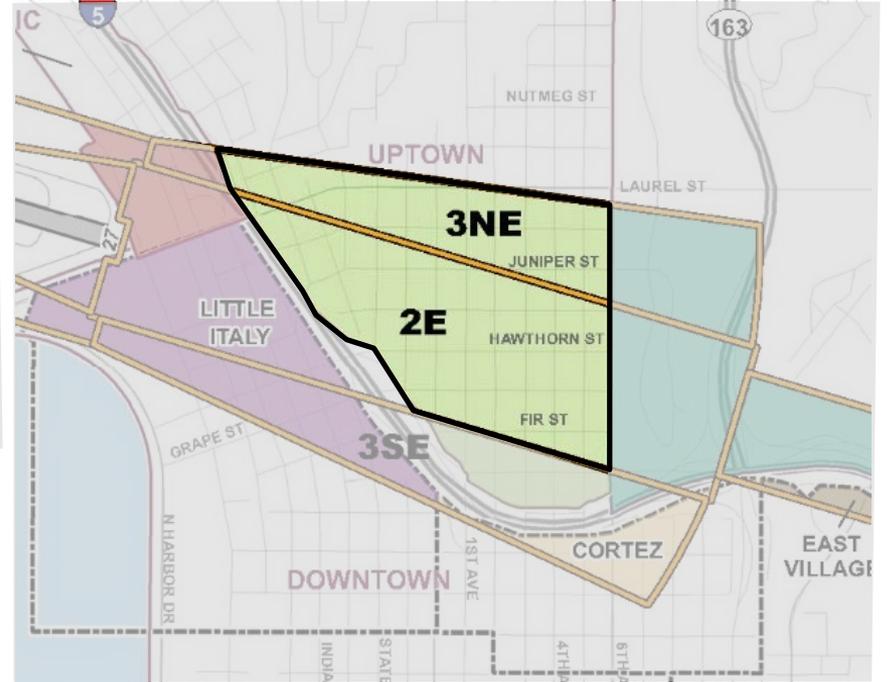
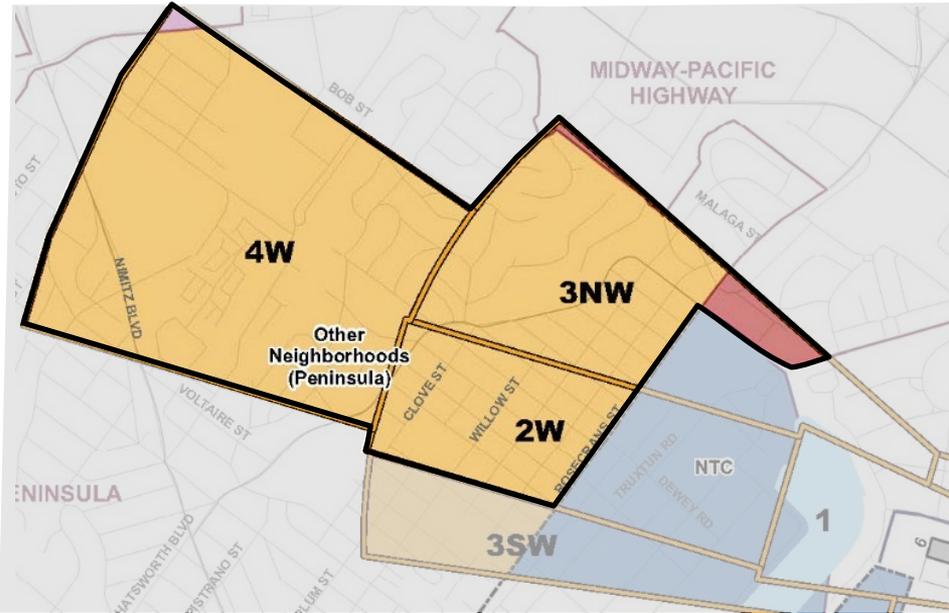
Noise Compatibility



Example: 70 – 75 dB CNEL standards would be applicable under MCAS Miramar ALUCP, as written

Safety Compatibility

City proposes to allow more dwelling units within mixed-use development of certain safety zones when density bonus requested



Administrative Corrections

- Several needed corrections to project text and tables also identified during the review of the LDC

Examples of recommended corrections		
LDC Section	Description of Conflict with Adopted ALUCP Policies	Recommended Correction
Table 132-15D	Commercial Services/Assembly and Entertainment - No sound attenuation footnote shown for 60-65 dB contour	Revise 60-65 dB contour to be "P ³ "
Table 132-15D	Commerical Services/Assembly and Entertainment- Footnote for 65-70 dB contour should be Footnote 3, not Footnote 2	Revise 65-70 dB to be "P ³ "

Recommendation

- Three components found to be inconsistent with adopted ALUCPs
- Advise City of San Diego of other needed corrections to project text and tables
- Inconsistent determination will allow City to move forward with overrule and implementation process



Questions?