

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

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SPECIAL AIRPORT LAND USE COMMISSION AGENDA

Thursday, January 5, 2017
9:30 A.M. or immediately following the Board Meeting

San Diego International Airport
SDCRAA Administration Building – 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/Airport-Authority/Meetings-Agendas/ALUC>***

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 the Corporate & Information Governance/Authority Clerk Department 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.***

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.

NEW BUSINESS:

1. CONSISTENCY DETERMINATION – SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN – UPTOWN COMMUNITY PLAN AND REZONES, 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. 2017-0003 ALUC, making the determination that the project is conditionally consistent with the San Diego International Airport - Airport Land Use Compatibility Plan.

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

You may also reach the Administration Building by using public transit via the San Diego Metropolitan Transit System, Route 992. The MTS bus stop at Terminal 1 is a very short walking distance from the Administration Building. ADA paratransit operations will continue to serve the Administration Building as required by Federal regulation. For MTS route, fare and paratransit information, please call the San Diego MTS at (619) 233-3004 or 511. For other Airport related ground transportation questions, please call (619) 400- 2685.

UPCOMING MEETING SCHEDULE

<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
February 2	Thursday	9:00 AM	Regular	Board Room

**CONSISTENCY DETERMINATION
SAN DIEGO INTERNATIONAL AIRPORT (SDIA)
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
January 5, 2017**

Item # 1

Resolution # 2017-0003 ALUC

Recommendation: Conditionally Consistent

UPTOWN COMMUNITY PLAN AND REZONES, CITY OF SAN DIEGO

Description of Project: Based on plans submitted to the ALUC, the project proposes an update of the Uptown Community Plan and associated rezones of properties covered by the plan area. The application was deemed complete by ALUC staff on December 20, 2016.

Noise Contours: The proposed project is located within the 60-65, 65-70, 70-75, and 75+ decibel Community Noise Equivalent Level (dB CNEL) noise contours. (See the attached map.) The ALUCP identifies a variety of residential, commercial, institutional and industrial uses located within the noise contours as compatible, conditionally compatible, or incompatible with airport uses. Conditionally compatible uses require sound attenuation to 45 or 50 dB CNEL, and residential and assembly uses additionally require dedication of an aviation easement to the airport. Uses involving medical care and children, where excessive noise exposure may create a disruptive environment, are considered incompatible. The proposed project makes reference to airport noise exposure in its noise element, with reference to sound attenuation for residential uses only. As a condition in order to be compatible with the ALUCP, the project must include references and policies to address airport noise compatibility with other nonresidential uses and incompatible uses.

Airspace Protection Surfaces: The proposed project does not include any physical construction, but maintains the existing City Airport Approach Overlay Zone (AAOZ) within the plan area, which does not allow for structure height penetrations into Federal Aviation Administration (FAA) airspace protection surfaces, and even includes a 50-foot buffer below many of those surfaces. Moreover, prior to issuance of any permits for new structures or increases in the heights of existing structures, the City requires the project sponsor to secure a determination of no hazard to air navigation issued by the FAA or, alternatively, has the project design professional self-certify on professional licensure that the project does not meet FAA notification criteria because it 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 includes areas located within Safety Zones 2 and 3. (See the attached map.) The ALUCP identifies a variety of residential, commercial, institutional, utility, open space and industrial uses located within Safety Zones 2 and 3 as compatible, conditionally compatible, or incompatible with airport uses. Conditionally compatible uses require compliance with limitations of residential unit density or people per acre nonresidential intensity, while certain assembly, critical community infrastructure, hazardous uses, and uses involving vulnerable occupants with limited mobility are considered incompatible by the ALUCP. The proposed project makes generic references to the City General Plan and Airport Land Use Compatibility Overlay Zone (ALUCOZ) development regulations—which do not yet exist for properties within the vicinity of the SDIA ALUCP. As a condition in order to be compatible with the ALUCP, the project must include references and policies to transparently disclose that certain uses which may be allowed by community plan land use designations and corresponding zones may be limited in density and intensity or are incompatible uses with the ALUCP.

Overflight Notification Area: The proposed project is located within the overflight notification area. The City provides overflight notification to new residential uses through the Airport Environs Overlay Zone (AEOZ), but no physical construction is proposed by this project.

Interests Disclosure: The properties within the community plan area are owned by numerous private and public agency owners, but no physical construction is proposed by this project.

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

Conditions: 1) Include noise policy language to address airport noise compatibility with nonresidential uses and incompatible uses.
2) Include land use policy language to address ALUCP safety zone density and intensity limitations and incompatible uses.
OR, alternatively to 1 & 2,
3) Refer all land use actions, plans, and regulations to the ALUC for consistency determination until such time as the ALUC deems consistent a municipal implementing mechanism to apply the SDIA ALUCP, such as an ALUCOZ which includes properties within the vicinity of SDIA.

Uptown CPU with Safety Zones

Legend

San Diego International Airport Safety Zones(C-949)

Residential

- Residential - Low : 5-9 Du/Ac
- Residential - Low Medium : 10-15 Du/Ac
- Residential - Medium : 16-29 Du/Ac
- Residential - Medium High : 30-44 Du/Ac
- Residential - High : 45-73 Du/Ac
- Residential - Very High : 74-109 Du/Ac

- Neighborhood Commercial : 0-15 Du/Ac
- Neighborhood Commercial : 0-29 Du/Ac
- Neighborhood Commercial : 0-44 Du/Ac
- Neighborhood Commercial : 0-73 Du/Ac
- Office Commercial : 0-29 Du/Ac
- Office Commercial : 0-44 Du/Ac
- Office Commercial : 0-73 Du/Ac
- Office Commercial : 0-109 Du/Ac

Commercial, Employment, Retail, and Services

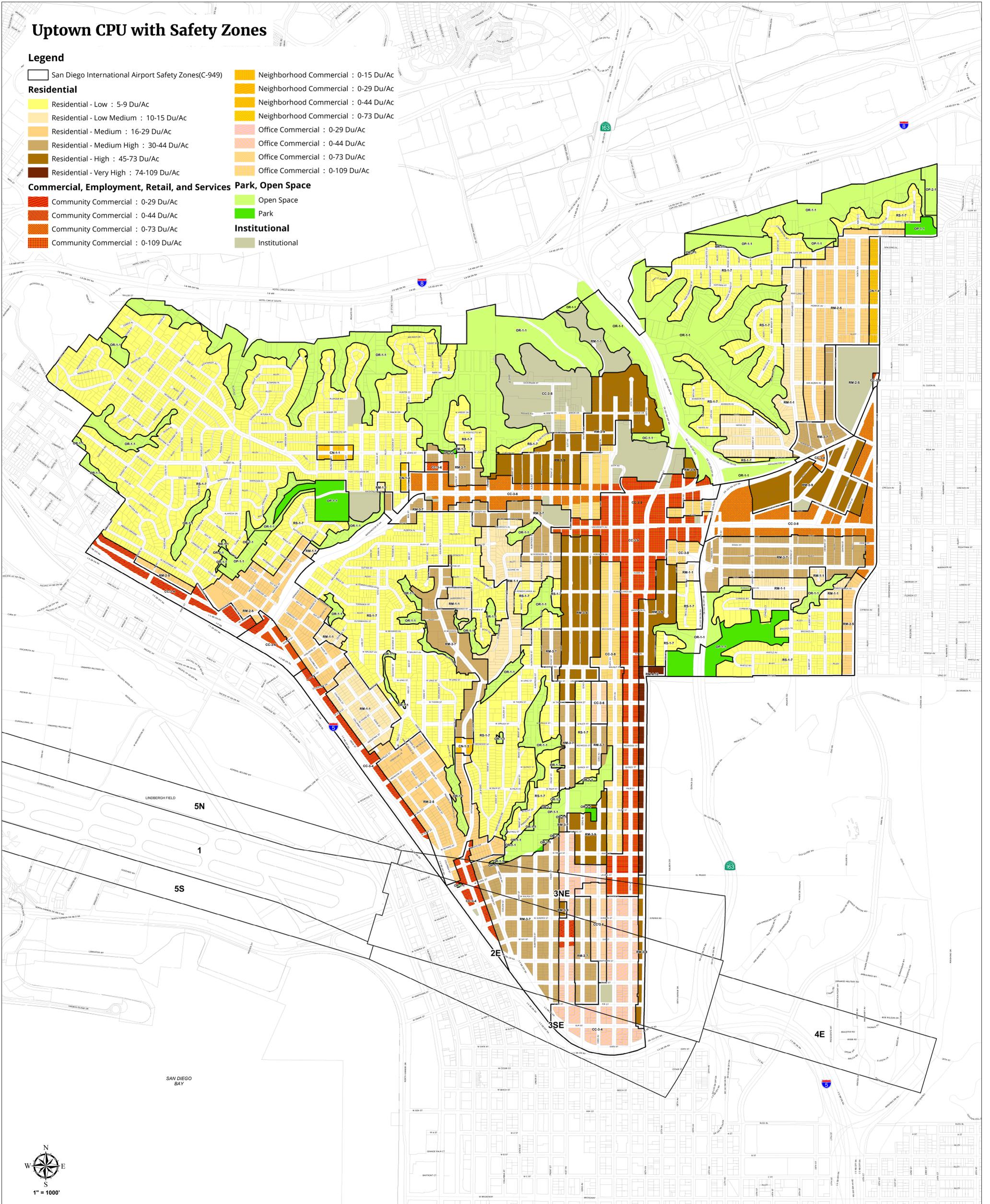
- Community Commercial : 0-29 Du/Ac
- Community Commercial : 0-44 Du/Ac
- Community Commercial : 0-73 Du/Ac
- Community Commercial : 0-109 Du/Ac

Park, Open Space

- Open Space
- Park

Institutional

- Institutional



RESOLUTION NO. 2017-0003 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY MAKING A DETERMINATION THAT THE PROPOSED PROJECT: UPTOWN COMMUNITY PLAN AND REZONES, 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 §21670.3 of the California Public Utilities Code, was requested by the City of San Diego to determine the consistency of a proposed project: Uptown Community Plan and Rezones, 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), adopted and amended in 2014; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve an update of the Uptown Community Plan and associated rezones of properties covered by the plan area; and

WHEREAS, the proposed project would be located within the 60-65, 65-70, 70-75, and 75+ decibel Community Noise Equivalent Level (dB CNEL) noise contours, and the ALUCP identifies a variety of residential, commercial, institutional and industrial uses located within the noise contours as compatible, conditionally compatible, or incompatible with airport uses; and

WHEREAS, the proposed project does not include any physical construction, but is located within the Threshold Siting Surface (TSS) and maintains existing structural height limitations with the Airport Approach Overlay Zone (AAOZ); and

WHEREAS, the proposed project includes areas located within Safety Zones 2 and 3, and the ALUCP identifies a variety of residential, commercial, institutional, utility, open space and industrial uses located within Safety Zones 2 and 3 as compatible, conditionally compatible, or incompatible with airport uses; and

WHEREAS, the proposed project is located within the overflight notification area, and, while not including any physical construction, the City provides overflight notification to new residential uses through the Airport Environs Overlay Zone (AEOZ); 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: Uptown Community Plan and Rezones, City of San Diego, is conditionally consistent with the SDIA ALUCP, which was adopted and amended in 2014, based upon the following facts and findings:

- (1) The proposed project involves an update of the Uptown Community Plan and associated rezones of properties covered by the plan area.
- (2) The proposed project is located within the 60-65, 65-70, 70-75, and 75+ dB CNEL noise contours. The ALUCP identifies a variety of residential, commercial, institutional and industrial uses located within the noise contours as compatible, conditionally compatible, or incompatible with airport uses. Conditionally compatible uses require sound attenuation to 45 or 50 dB CNEL, and residential and assembly uses additionally require dedication of an aviation easement to the airport. Uses involving medical care and children are incompatible. The proposed project makes reference to airport noise exposure in its noise element, with reference to sound attenuation for residential uses only. As a condition in order to be compatible with the ALUCP, the project must include references and policies to address airport noise compatibility with other nonresidential uses and incompatible uses.
- (3) The proposed project does not include any physical construction, but is located within the TSS and maintains existing structural height limitations through the AAOZ. Moreover, prior to issuance of any permits for new structures or increases in the heights of existing structures, the City requires the project sponsor to secure a determination of no hazard to air navigation issued by the Federal Aviation Administration (FAA) or, alternatively, has the project design professional self-certify on professional licensure that the project does not meet FAA notification criteria because it 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.
- (4) The proposed project includes areas located within Safety Zones 2 and 3. The ALUCP identifies a variety of residential, commercial, institutional, utility, open space and industrial uses located within Safety Zones 2 and 3 as compatible, conditionally compatible, or incompatible with airport uses. Conditionally compatible uses require compliance with limitations of residential unit density or people per acre nonresidential intensity, while certain assembly, critical community infrastructure, hazardous uses, and uses involving vulnerable occupants with limited mobility are considered

incompatible by the ALUCP. The proposed project makes generic references to the City General Plan and Airport Land Use Compatibility Overlay Zone (ALUCOZ) development regulations, which do not yet apply to properties within the vicinity of the SDIA ALUCP. As a condition in order to be compatible with the ALUCP, the project must include references and policies to transparently disclose that certain uses which may be allowed by community plan land use designations and corresponding zones may be limited in density and intensity or are incompatible uses with the ALUCP.

- (5) The proposed project is located within the overflight notification area. The City provides overflight notification to new residential uses through the AEOZ, but no physical construction is proposed by this project.
- (6) As an alternative to both conditions as stated in findings (2) and (4) above, the City may refer all land use actions, plans, and regulations to the ALUC for consistency determination until such time as the ALUC deems consistent a municipal implementing mechanism to apply the SDIA ALUCP, such as an ALUCOZ which includes properties within the vicinity of SDIA
- (7) 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 the ALUC finds this determination is not a “project” as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065, and is not a “development” as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a special meeting this 5th day of January, 2017, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

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

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL