



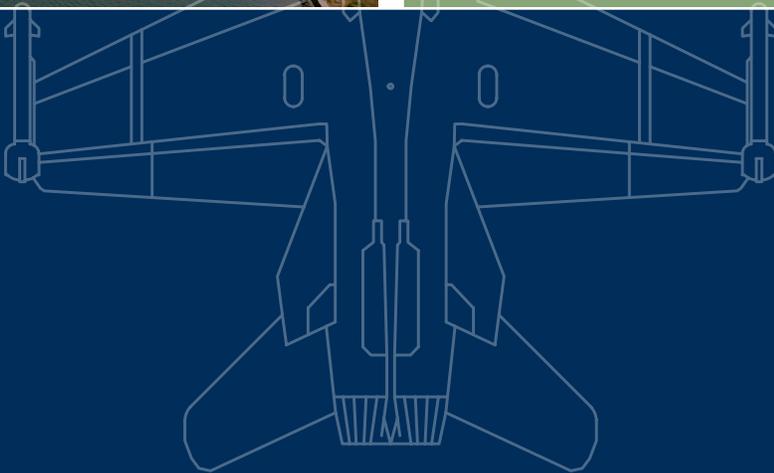
AIRPORT LAND USE COMMISSION
San Diego County Regional Airport Authority

Naval Air Station North Island

**AIRPORT LAND USE
COMPATIBILITY PLAN**

ADOPTED OCTOBER 1, 2020

SAN DIEGO
COUNTY
REGIONAL
AIRPORT
AUTHORITY



Airport Land Use Compatibility Plan for Naval Air Station North Island



PREPARED FOR:

San Diego County Regional Airport Authority

Adopted October 1, 2020

PREPARED BY:

Ricondo & Associates, Inc.

RESOLUTION NO. 2020-0002 ALUC

A RESOLUTION OF THE AIRPORT LAND USE
COMMISSION FOR SAN DIEGO COUNTY,
ADOPTING THE AIRPORT LAND USE
COMPATIBILITY PLAN FOR NAVAL AIR STATION
NORTH ISLAND

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, is required to prepare and adopt an Airport Land Use Compatibility Plan (ALUCP) for Naval Air Station North Island (NASNI) (see Pub. Util. Code, §21670.3(a); 21675(b)); and

WHEREAS, the ALUC is required to prepare and adopt an ALUCP for each public-use and military airport and the areas surrounding such airport within its jurisdiction in order to provide for the orderly growth of that airport and safeguard the general welfare of the public (Pub. Util. Code, §§21674(c); 21675(b)); and

WHEREAS, ALUCPs are the fundamental tool used by ALUCs in fulfilling their purpose of promoting airport land use compatibility; and

WHEREAS, the ALUC is required to be guided by the *California Airport Land Use Planning Handbook*, State of California, Department of Transportation Division of Aeronautics (*Caltrans Handbook*) in preparing ALUCPs (Pub. Util. Code, §21674.7(a)); and

WHEREAS, an Air Installations Compatible Use Zones (AICUZ) study update for Naval Air Station North Island (NASNI) was completed in 2011, intended to serve as a guide for the review and update of the community plans and general plans for the City of Coronado in order to protect the health, safety and welfare of those living near a military airfield while preserving the operational capability of the airfield; and

WHEREAS, ALUCPs for military airports are required to be “consistent with the safety and noise standards” in the AICUZ prepared for that airport (Pub. Util. Code §21675(b)); and

WHEREAS, the ALUC, the lead agency for the NASNI ALUCP, also prepared and circulated an Environmental Impact Report (EIR) for the proposed ALUCP in accordance with the requirements of the California Environmental Quality Act (CEQA), which is set forth in the Public Resources Code, section 21000 et seq.), and the State CEQA Guidelines (CEQA Guidelines), which are set forth in the California Code of Regulations, Title 14, section 15000 et seq., and the Airport Authority's own CEQA Procedures; and

WHEREAS, the ALUC held a scoping meeting on May 6, 2019, in order to provide additional opportunity for public comment on the proposed ALUCP; and

WHEREAS, the ALUC provided the public the opportunity to comment on the proposed NASNI ALUCP for sixty-two (62) days, beginning on December 19, 2019, and concluding on February 18, 2020; and

WHEREAS, the ALUC provided notice of the opportunity to comment on the proposed ALUCP to interested individuals, organizations, agencies, and the affected local agencies (i.e., the cities of Chula Vista, Coronado, Imperial Beach, National City, and San Diego; the County of San Diego; and the San Diego Unified Port District); and

WHEREAS, the ALUC received fifty five (55) written public comments on the NASNI ALUCP from state/local agencies, organizations and individuals; and

WHEREAS, the ALUC staff prepared detailed individual responses to each of the comment letters received on the Draft EIR, as well as eighteen (18) topical responses for areas addressed in a number of the comment letters received on the Draft EIR; and

WHEREAS, the ALUC also made minor changes to the proposed ALUCP to provide clarifying information related to definitions, exemptions from ALUC review, ALUC review details, local agency ALUCP implementation options, and ALUC project submission requirements; and

WHEREAS, on August 20, 2020, the ALUC made available to the public: (i) minor revisions to the proposed ALUCP (as necessary and/or in response to comments received) depicted in redline/strikeout, (ii) comments received during the public comment period that were bracketed by issue, and (iii) responses to public comments on the ALUCP; and

WHEREAS, in conjunction with extensive public outreach, community involvement and collaboration efforts between the ALUC, NASNI Working Group, affected local agencies and the general public, the ALUC has prepared an ALUCP for NASNI that is consistent with the overall objectives of the State Aeronautics Act, consistent with the noise and safety policies in the 2011 NASNI AICUZ study, and the guidance provided by the Caltrans *Handbook*; and

WHEREAS, State statutes require that, once an airport land use commission has adopted or amended an ALUCP, general plans and any applicable specific plans be amended, as necessary, in order to be consistent with the ALUCP (Government Code §65302.3(a)-(b)). Alternatively, local agencies have the option of taking the special steps necessary to overrule all or part of the ALUCP; and

WHEREAS, the ALUC finds that local plan(s) that do not meet the compatibility and review criteria included in the NASNI ALUCP are inconsistent with the NASNI ALUCP; and

WHEREAS, the Caltrans Handbook states that the onus for revising a local plan to be consistent with an ALUCP plan rests with the local agency. And, local agencies still must go through the steps of submitting the specific policy language, maps, and other plan components to the ALUC for formal review and approval; and

WHEREAS, the ALUC held a duly noticed public hearing on October 1, 2020, to receive and consider public testimony with respect to the NASNI ALUCP and the completeness and adequacy of the Final EIR for the proposed ALUCP; and

WHEREAS, the ALUC has reviewed all of the CEQA documentation for the NASNI ALUCP and determined that, on the basis of the whole record before it, there is substantial evidence that the proposed ALUCP will have a significant and unavoidable impact on Land Use and Planning; this impact is acceptable in light of the benefits identified in the Statement of Overriding Considerations; the Final EIR reflects the ALUC's independent judgment and analysis; and, the Final EIR is complete, adequate and fully complies with all requirements of CEQA, the State CEQA Guidelines and the Airport Authority's CEQA Procedures; and

WHEREAS, on October 1, 2020, the ALUC approved Resolution No. 2020-0001 ALUC certifying the Final EIR prepared for the NASNI ALUCP on the basis of the findings summarized above and more extensively detailed in Resolution No. 2020-0001.

NOW, THEREFORE, BE IT RESOLVED that the ALUC hereby approves and adopts for implementation the Airport Land Use Compatibility Plan for Naval Air Station North Island; 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 (Pub. Res. Code §30106).

PASSED, ADOPTED, AND APPROVED by the Airport Land Use Commission for San Diego County at a regular meeting this 1st day of October 2020, by the following vote:

AYES: Commissioners: Cox, Kersey, Lloyd, McNamara, Robinson,
Schiavoni

NOES: Commissioners: None

ABSENT: Commissioners: Blakespear, Boling, West

ATTEST:



TONY R. RUSSELL
DIRECTOR, BOARD SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:



AMY GONZALEZ
GENERAL COUNSEL

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Purpose and Scope of the Plan

This Airport Land Use Compatibility Plan (ALUCP) for Naval Air Station North Island (the Airport or NASNI) has been prepared by the San Diego County Regional Airport Authority (SDCRAA), acting in its capacity as the San Diego County Airport Land Use Commission (ALUC), in fulfillment of the state mandate to prepare ALUCPs.¹

This ALUCP promotes compatibility between NASNI and surrounding land uses to protect public health, safety and welfare in areas around the Airport, to the extent that these areas are not already devoted to incompatible uses.²

As required by state law,³ this ALUCP is consistent with the safety and noise standards of the 2011 Air Installations Compatible Use Zones (AICUZ) study prepared by the United States Navy for NASNI.⁴ The AICUZ study recognizes that various land uses that are incompatible based on AICUZ guidance have already been developed within the noise contours and safety zones. In this situation, the AICUZ study advises that local agencies “not take actions that would make an existing land use compatibility (or incompatibility) situation worse (for example, by allowing increased densities in the redevelopment of currently low density incompatible land uses).”⁵ The policies of this ALUCP ensure that these existing incompatible land uses can be continued, maintained, and modified, subject to specified standards that would prevent an increase in the level of incompatibility.

The ALUC is responsible for administering and applying the policies of this ALUCP unless local agencies take steps to implement or overrule the plan. See Section 6, Implementation or Overrule of ALUCP and **Appendix B, Implementation Tools and Documents**, for details on implementation.

1.1 Effective Date and Severability

This ALUCP becomes effective on the date of its adoption by the ALUC. If any term, policy, or provision in this ALUCP is found to be invalid, void, or unenforceable, the remainder shall remain in full force and effect and shall in no way be affected, impaired, or invalidated. The adoption and administration of this ALUCP by the ALUC is not a “development” as defined by the California Coastal Act.⁶

¹ California Public Utilities Code §§ 21670.3(a), 21674, 21675.

² California Public Utilities Code § 21675(a).

³ California Public Utilities Code § 21675(b).

⁴ The Onyx Group, *Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011.

⁵ The Onyx Group, *Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, p. 7-3.

⁶ California Public Resources Code § 30106.

1.2 Amendment of ALUCP

Major amendments (revising or adding policies, standards, or maps) to the ALUCP cannot be done more than once per calendar year.⁷ Minor amendments (addressing grammatical, typographical, or minor technical errors that do not affect policies or the manner in which those policies are applied) can be done as often as needed.⁸ ALUCP amendments may address any issue deemed appropriate by the ALUC.

If a new AICUZ for NASNI is issued by the U.S. Navy, the ALUC is required to amend the ALUCP as needed to reflect the updated noise contours and safety zones of the new AICUZ.

1.3 Goals and Objectives of this ALUCP

The goals of the land use compatibility policies of this ALUCP are to protect the public health, safety, and welfare and are listed in **Table 1, NASNI ALUCP Goals and Objectives**.

Table 1 NASNI ALUCP Goals and Objectives

<p>Promote the compatibility of land uses within noise contours by:</p> <ul style="list-style-type: none"> Limiting new noise-sensitive development within the 65 dB CNEL and higher noise contours to avoid an increase in existing land use incompatibility Ensuring that new noise-sensitive development within the 65 dB CNEL and higher noise contours meets interior sound level standards
<p>Protect public safety by:</p> <ul style="list-style-type: none"> Limiting new risk-sensitive land uses within the safety zones Avoiding an increase in existing land use incompatibility within the safety zones
<p>Protect NASNI airspace and the safety of flight by:</p> <ul style="list-style-type: none"> Limiting the height of new structures and objects within the airspace protection boundary per FAA standards Limiting potential hazards to flight within the airspace protection boundary
<p>Promote awareness to prospective buyers of new housing regarding the potential effects of aircraft overflights within the AIA</p>

⁷ California Public Utilities Code § 21675(a).

⁸ California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, § 2.4.2 ALUCP Amendments.

1.4 Airport Influence Area

This ALUCP applies within the Airport Influence Area (AIA), as depicted in **Exhibit 1, Airport Influence Area**, which is “the area in which current and projected future airport-related noise, safety, airspace protection, or overflight factors/layers may significantly affect land use or necessitate restrictions on land use.”⁹ This ALUCP provides airport land use compatibility policies related to the four factors of noise, safety, airspace protection, and overflight that apply within the AIA.

The AIA defines the area in which any person who offers residential property for sale or lease is required by state law to disclose the proximity of the airport and the potential for aircraft overflights and annoyances and inconveniences associated with aircraft overflights.¹⁰

1.5 Definitions

The following terms used in this ALUCP have specific meanings, as defined in this section.

Compatibility - Evaluation of how a proposed land use action complies with each factor (noise, safety, airspace protection, or overflight) contained in this ALUCP.

Consistency - The determination made by the ALUC or ALUC staff of a proposed land use action’s compatibility with all of the noise, safety, airspace protection and overflight standards and policies of this ALUCP. For example, a proposed project that is compatible with the noise policies and standards but is incompatible with the airspace protection standards is inconsistent with this ALUCP.

Gross Floor Area - The total amount of space (measured in square feet) contained within a building measured to the external walls, as well as any attached patios, decks, or balconies. Gross floor area does not include attached or detached garages or parking structures.

Habitable Space - The total amount of space (measured in square feet) contained within a residence measured to the external walls, excluding any attached or detached garages, patios, decks, or balconies.

Land Use Action - Any land use project, land use plan, zoning ordinance or amendment, or land use regulation.

Land Use Plan - A comprehensive set of goals for the use and development of land for a specified site, community, or region, which typically includes accompanying maps. Includes general plans, community plans, specific plans, precise plans, master plans, etc.

Land Use Regulations - The public policy rules with legal effect for the use and development of land, such as a zoning ordinance.

Land Use Project - Any use or development of land by a local agency or a private entity in accordance with regulatory approval or permitting by a local agency (whether involving a ministerial permit, discretionary permit, certificate of occupancy, or business license).

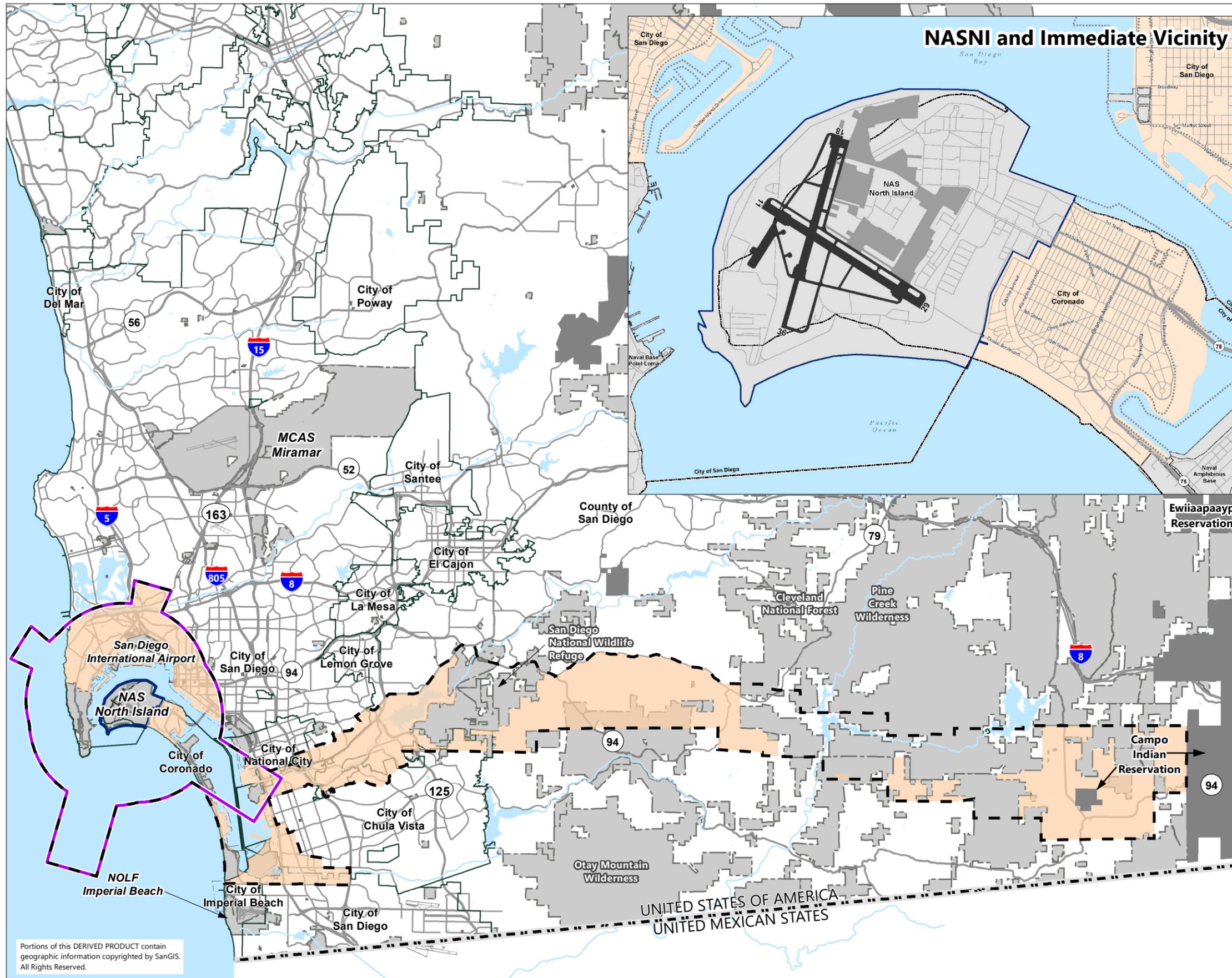
Reconstruction - The rebuilding of all or a portion of an existing residential or nonresidential building.

Remodel - The improvement or reconfiguration of space within an existing residential or nonresidential building footprint.

⁹ California Business and Professions Code § 11010(b)(13)(B).

¹⁰ California Business and Professions Code § 11010(a) and (b)(13); California Civil Code §§ 1102.6, 1103.4 and 1353; California Code of Civil Procedure § 731a.

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LEGEND

- Major Roads
- Highways
- ▭ Naval Air Station Property Boundary
- ▭ Native American/Tribal Reservation
- ▭ Federal Lands
- ▭ San Diego Unified Port District
- ▭ Municipal Boundaries
- ▭ International Boundary
- ▭ Water
- ▭ Airspace Protection Boundary
- ▭ Airport Influence Area: the AIA is the area within which real estate disclosure is required per State law*
- ▭ Portion of AIA where development could be subject to ALUCP policies

* California Business and Professions Code Section 11010(b)(13); California Civil Code, Sections 1103.4 and 1353 (a)(1).



Sources: SanGIS, County of San Diego, 2019 (roads); SanGIS, County of San Diego Assessor's Office, Mapping Division, 2019 (Native American lands); California Department of Water Resources, 2019 (federal lands); Unified Port of San Diego, 2015 (port district boundary); County Assessor, SanGIS, San Diego Local Agency Formation Commission, 2019 (municipal boundaries); US Department of State, 2015 (international boundary); SanGIS, County of San Diego, 2015 (hydrology); San Diego County Regional Airport Authority, Airport Land Use Commission (AIA and airspace protection boundary); The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, Figure 2-2 on page 2-3 (airport property line), Figure 3-1 on page 3-2 (airfield and runways).

Prepared By: Ricondo & Associates, Inc., October 2019.

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Exhibit 1

Airport Influence Area

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Stakeholders Involved with this ALUCP

This ALUCP involves four groups – the ALUC, local agencies, project sponsors, and the U.S. Navy. **Table 2, Stakeholders**, briefly describes their roles in using or implementing this ALUCP.

Table 2 Stakeholders

ALUC	The SDCRAA Board serves as the ALUC for San Diego County, and its role is to adopt and apply the ALUCP.
Local Agencies	Any agency with jurisdiction over property within the AIA including the Cities of Chula Vista, Coronado, Imperial Beach, National City, and San Diego; the County of San Diego; and the San Diego Unified Port District. It also includes school districts, community college districts, and special districts with the authority to build and operate public buildings and facilities. ¹¹
Project Sponsors	Any person or entity having an interest in a property within the AIA, including a local agency, landowner, landowner’s agent, or nonresidential tenant, who submits an application to a local agency for approval of a proposed project within the AIA.
U.S. Navy	The Navy operates NASNI and prepared the AICUZ Study upon which this ALUCP is based. NASNI officials are resources who may be consulted, at the discretion of the ALUC and local agencies, about the airspace and flight safety implications of proposed land use actions.

¹¹ California Public Utilities Code § 21670(f).

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Limits of ALUC Authority

3.1 Property Not Subject to this ALUCP

This ALUCP does not apply to any property owned by the United States government, the State of California, or any Native American tribe.¹²

3.2 Naval Air Station North Island Operations and Facilities

The ALUC has no authority over NASNI airport layout, operations, or expansion.¹³ Other potential impacts created by NASNI within its environs (e.g., air or water quality, resource impacts, or surface traffic) are addressed by other federal and state laws and are not within the statutory authority for the ALUC to review.

3.3 Exemptions from ALUC Review

Local agencies are not required to refer the following projects listed in **Table 3, Exemptions from ALUC Review**, to the ALUC for review. However, Federal Aviation Administration (FAA) review for structures and objects may still be required apart from this ALUCP; see Section 4, ALUC Review Process.

Table 3 (1 of 2) Exemptions from ALUC Review

Existing Land Uses ¹⁴	Any use occurring as of the effective date of this ALUCP that remains constant without increase in density or height of habitable space or physical change to a nonresidential structure's gross floor area or height that would increase intensity (see Alterations to Existing Residential and Nonresidential Uses below)
Uses with Vested Rights	<p>A land use is considered existing if a vested right is obtained in any of the following ways prior to adoption of this ALUCP:</p> <ul style="list-style-type: none"> • Issuance of a valid building permit or other development permit with substantial work performed and substantial liabilities incurred in good faith reliance on the permit¹⁵ • An executed and valid development agreement¹⁶ • An approved and unexpired vesting tentative map¹⁷

¹² California Department of Transportation, Division of Aeronautics, *California Airport Land Use Planning Handbook*, October 2011, p. 6-8.

¹³ California Public Utilities Code § 21674(e).

¹⁴ California Public Utilities Code §§ 21670(a)(2), 21674(a).

¹⁵ Pursuant to the California Supreme Court decision in *Avco Community Developers, Inc. v. South Coast Regional Com.* (1976) 17 Cal.3d 785,791, and its progeny.

¹⁶ California Government Code § 65866.

¹⁷ California Government Code § 66498.1.

Table 3 (2 of 2) Exemptions from ALUC Review

Alterations to Existing Residential Uses	<ul style="list-style-type: none"> • Repair, maintenance, and remodeling of an existing residential dwelling unit with no increase in height and without the addition of another dwelling unit • Reconstruction of less than 50 percent of the existing habitable space of the residential dwelling unit with no increase in height and without the addition of another dwelling unit • Expansion/addition of less than 50 percent of the existing habitable space of the residential dwelling unit with no increase in height and without the addition of another dwelling unit
Alterations to Existing Nonresidential Uses	<ul style="list-style-type: none"> • Repair, maintenance, and remodeling within existing gross floor area with no increase in height • Tenant changes in an existing structure to any use other than an incompatible use, as described in Table 4, Standards for Noise and Safety Compatibility • Reconstruction of less than 50 percent of the existing gross floor area of the nonresidential building with no increase in height or gross floor area
Projects outside Noise and Safety Zones within Airport Influence Area (Exhibit 1)	<p>Provided that:</p> <ul style="list-style-type: none"> • The project sponsor supplies either of the following to the local agency: <ul style="list-style-type: none"> ○ FAA Determination of No Hazard to air navigation with no conditions; or ○ Certification by an appropriate licensed professional, in the State of California, that there is no need to file notice for construction or alteration per Title 14 Code of Federal Regulations § 77.9(e)(1) • The project does not involve any potential hazards to flight, as described in Section 5.2.5, Standards for the Protection of Flight Safety
Unoccupied Accessory Structures	Structures not designed as habitable space, such as sheds, garages, decks and patios, and utility attachments such as solar panels or satellite antennas, with no increase in overall height to existing structures on the property
Temporary Uses and Activities	Tents, concert stages, participant sports, spectator events, and receptions that do not require local agency use permits
Resumption of a Discontinued Use	Resumption of an existing incompatible land use that has been discontinued for no more than 24 consecutive months

ALUC Review Process

ALUC review is required for all new or amended land use plans, regulations, and projects within the AIA, unless exempt per Section 3.3, Exemptions from ALUC Review, as described in this section.

4.1 Consistency Determination

4.1.1 Proposed Land Use Plans and Regulations Always Subject to ALUC Review

The following proposed land use plans and regulations are always subject to ALUC review for consistency with the ALUCP.

1. Proposed adoption of or amendment to a General Plan
2. Proposed adoption of or amendment to a Community/Specific/Precise Plan/Master Plan
3. Proposed adoption of or amendment to a Zoning Ordinance, including a Zoning Map amendment (rezone)
4. Proposed adoption of a local building regulation, other than the State Building Code, which would pertain to the land use policies and standards of this ALUCP
5. Proposed adoption of or amendment to any school district, community college district, or special district master plan

4.1.2 Proposed Land Use Actions Subject to ALUC Review Until Local Agency Implements or Overrides the ALUCP

Until a local agency implements or overrides the ALUCP, as described in Section 6.1, Local Agency Options after ALUC Adoption of ALUCP, proposals to establish new land uses or modify existing land uses by any means (ministerial permit, discretionary permit, certificate of occupancy, business license, or sponsorship by a local agency) are subject to review by the ALUC for consistency with the ALUCP. Land use actions that involve the following are subject to ALUC review:

1. Construction of a new residence or building, unless exempt per **Table 3, Exemptions from ALUC Review;**
2. Reconstruction of or addition to an existing residence, unless exempt per **Table 3, Exemptions from ALUC Review;**
3. Subdivision of property;
4. Reconstruction of a building occupied by or proposed for occupancy by a nonresidential use, unless exempt per **Table 3, Exemptions from ALUC Review;**

5. An addition to an existing building occupied by or proposed for occupancy by a nonresidential use;
6. Land use projects that have obtained an FAA Determination of Hazard (DOH) or a Determination of No Hazard (DNH) to air navigation with conditions (e.g., marking and lighting); and
7. Change of use in an existing residence or nonresidential building to an incompatible use per **Table 4, Standards for Noise and Safety Compatibility**

4.1.3 Consistency Determination Review Process

Exhibit 2, ALUC Consistency Determination Review Process, depicts the steps and timelines of the local agency submittal to the ALUC and the ALUC consistency review process.

ALUC	Local Agency
<ul style="list-style-type: none"> • Determines consistency of land use actions (plans, regulations, and projects) with ALUCP • Does not issue permits, nor does it approve or disapprove development 	<ul style="list-style-type: none"> • Issues all permits • Determines if development rights are vested • Has two options after ALUC inconsistency determination: <ul style="list-style-type: none"> ○ Disapprove land use action; or ○ Overrule the ALUC and approve the land use action per state-mandated procedures¹⁸

Land use actions should be referred to the ALUC at the earliest reasonable time so that the ALUC’s review can be duly considered before final action by the local agency. Depending upon the type of land use action and the normal scheduling of meetings, ALUC review can be completed before or concurrently with the review by the local planning commission and other advisory bodies but must be accomplished before final action by the local agency.

4.1.3.1 Review of Application for Completeness

ALUC staff must determine if the application for consistency determination from the local agency is complete and notify the local agency of application completeness in writing within 30 calendar days after receipt of an application.

If the application for consistency determination is incomplete, ALUC staff will identify the information required to complete the application and inform the local agency. If additional information is required, a new 30-calendar day review period begins after the additional information is received by ALUC staff.

If ALUC staff does not make a written determination of completeness within 30 calendar days after receipt of an application for consistency determination, the application is considered complete.

4.1.3.2 Consistency Review Timeframe

The ALUC must respond to a local agency’s request for consistency determination within 60 calendar days after the application is deemed complete by ALUC staff.

The 60 calendar day review period may be extended if the local agency agrees in writing or so states at an ALUC meeting.

¹⁸ California Public Utilities Code §§ 21676(a) and 21676.5. Refer to Section 6.2, Local Agency Overrule, for a description of the required procedures.

If the ALUC fails to act within 60 calendar days, the proposed land use plan, regulation or project is considered consistent with this ALUCP.¹⁹

4.2 Changes to Land Use Projects with Previous Consistency Determinations

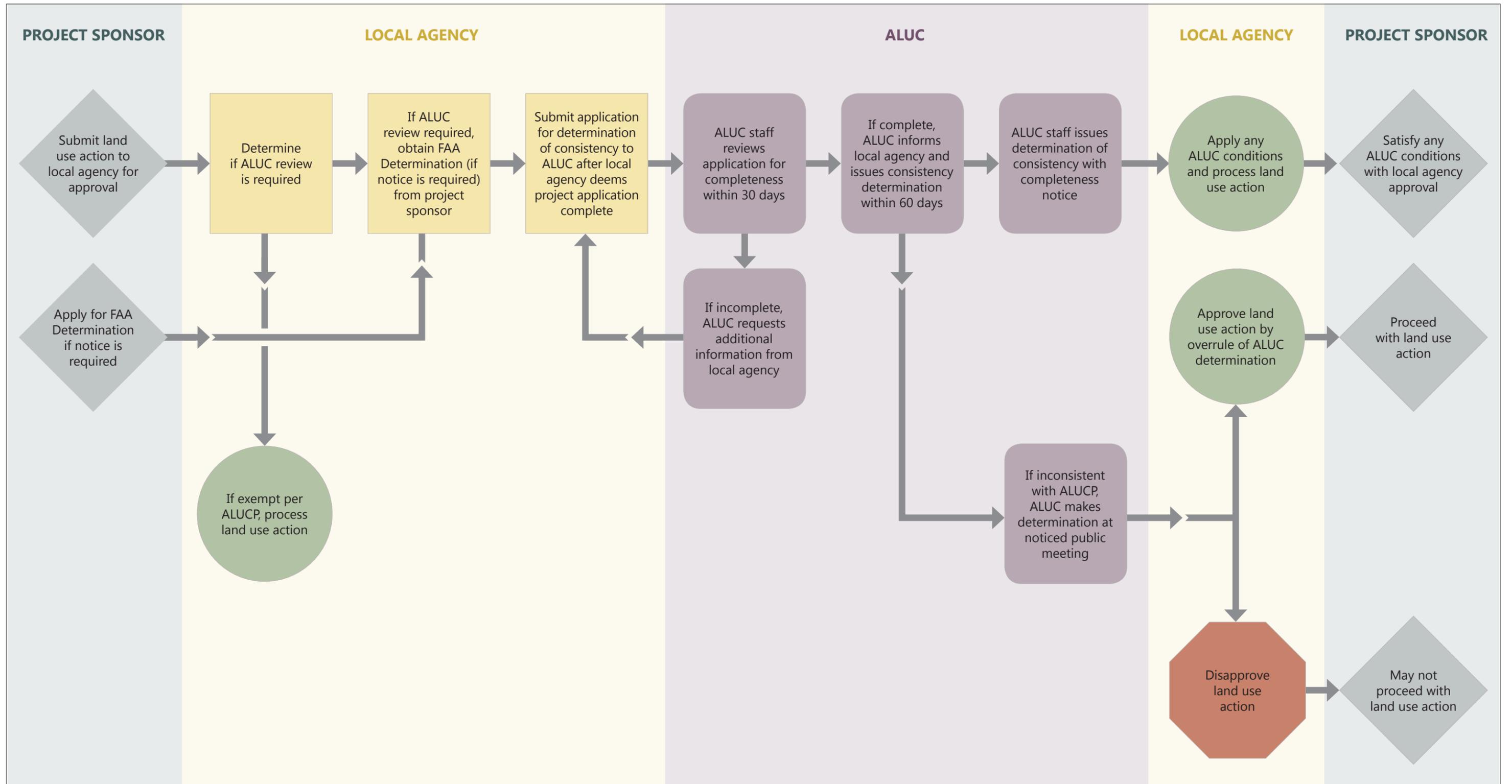
An ALUC consistency determination does not expire and is limited to the project plans and description as reviewed by the ALUC. Land use projects with ALUC consistency determinations require additional consistency review if any of the following changes occur prior to issuance of permits (or amended permits) by a local agency:

- An increase in the proposed residential density (number of dwelling units per acre, excluding accessory dwelling units)
- A proposed increase in gross floor area of a nonresidential land use
- A proposed change to or addition of a new land use
- An increase in proposed height that results in either a Determination of Hazard or a Determination of No Hazard subject to marking and lighting requirements from the FAA
- A proposed addition of a characteristic that could create a hazard to air navigation (e.g., glare, thermal plumes, wildlife attractants) or adversely impact flight operations (see Section 5.2.5, Standards for the Protection of Flight Safety, for information about the characteristics that could create hazards to air navigation)

A consistency determination is transferable to a modified project only if there are no changes as listed in any of the preceding bullets.

¹⁹ California Public Utilities Code § 21676(d).

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Airport Land Use Compatibility Policies

This section provides compatibility policies related to noise, safety, airspace protection, and overflight notification. Proposed land use actions are subject to all policies and standards discussed in Section 5.1, Noise and Safety Compatibility, Section 5.2, Airspace Compatibility, and Section 5.3, Overflight Notification.

The City of Coronado is affected by all four compatibility factors. **Exhibit 3, NASNI ALUCP Factor Areas within the City of Coronado**, depicts the City of Coronado in relation to the compatibility factor boundaries.²⁰

5.1 Noise and Safety Compatibility

This ALUCP establishes the zones where noise and safety policies and standards apply, as depicted on **Exhibit 4, Safety Zones and Noise Contours**. As discussed in **Appendices E2, Technical Analysis: Noise Compatibility**, and **E3, Technical Analysis: Safety Compatibility**, and acknowledged in the AICUZ,²¹ the land within the safety zones and noise contours is almost entirely built out with uses that are incompatible with AICUZ guidance.²² There is also minimal opportunity for development of new land uses within these areas. Therefore, this ALUCP addresses the potential for reconstruction of and changes to existing land uses without increasing the level of existing incompatibility, as advised in the AICUZ study.²³

5.1.1 Noise and Safety Compatibility Standards

Table 4, Standards for Noise and Safety Compatibility, combines noise and safety compatibility standards for redevelopment and the reconstruction of, additions to, or changes in the use of existing residences and nonresidential buildings. Users of **Table 4** must refer to **Exhibit 4** to determine both the safety zone and the noise contour within which the proposed land use action is located. For each

²⁰ Other local agencies affected by all four compatibility factors are the Southwestern Community College District and the Coronado Unified School District.

²¹ The Onyx Group, *Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, p. ES-2, and 6-8 through 6-16.

²² The Onyx Group, *Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, Tables C-1 and C-2, p. C-1 through C-10. In Table 4, Standards for Noise and Safety Compatibility, incompatible land uses, according to AICUZ guidance, that exist within the various noise and safety zones are considered “compatible” subject to compliance with the standards described in the last column of the table. ALUCP policies ensure that these existing land uses can be continued, maintained, and modified, subject to specified conditions, without increasing the level of incompatibility.

²³ “... [W]hen land is already developed the focus is often on redevelopment and infill. From this AICUZ study’s perspective, local governments should encourage fair disclosure to the public of the noise and APZ situation, and not take actions that would make an existing land use compatibility (or incompatibility) situation worse (for example by allowing increased densities in redevelopment of currently low density incompatible land uses)”. The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update, Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, 2011, p. 7-3.

land use category row, the ALUCP safety and noise compatibility standards are indicated in the three safety zone columns and a column for the 65 dB CNEL contour outside the safety zones.

5.1.2 Land Uses Not Specified in Table 4

Prior to local agency implementation of the ALUCP (see Section 6, Implementation or Overrule of ALUCP), when the ALUC receives a request for a consistency determination from the local agency, the ALUC determines the most similar land use for any proposed land use that is not specified in **Table 4, Standards for Noise and Safety Compatibility**, based upon the land use definitions and guidance in **Appendix A, Land Use Classification Definitions**. The standards for the most similar land use would apply.

Considerations in determining the most similar land use include:

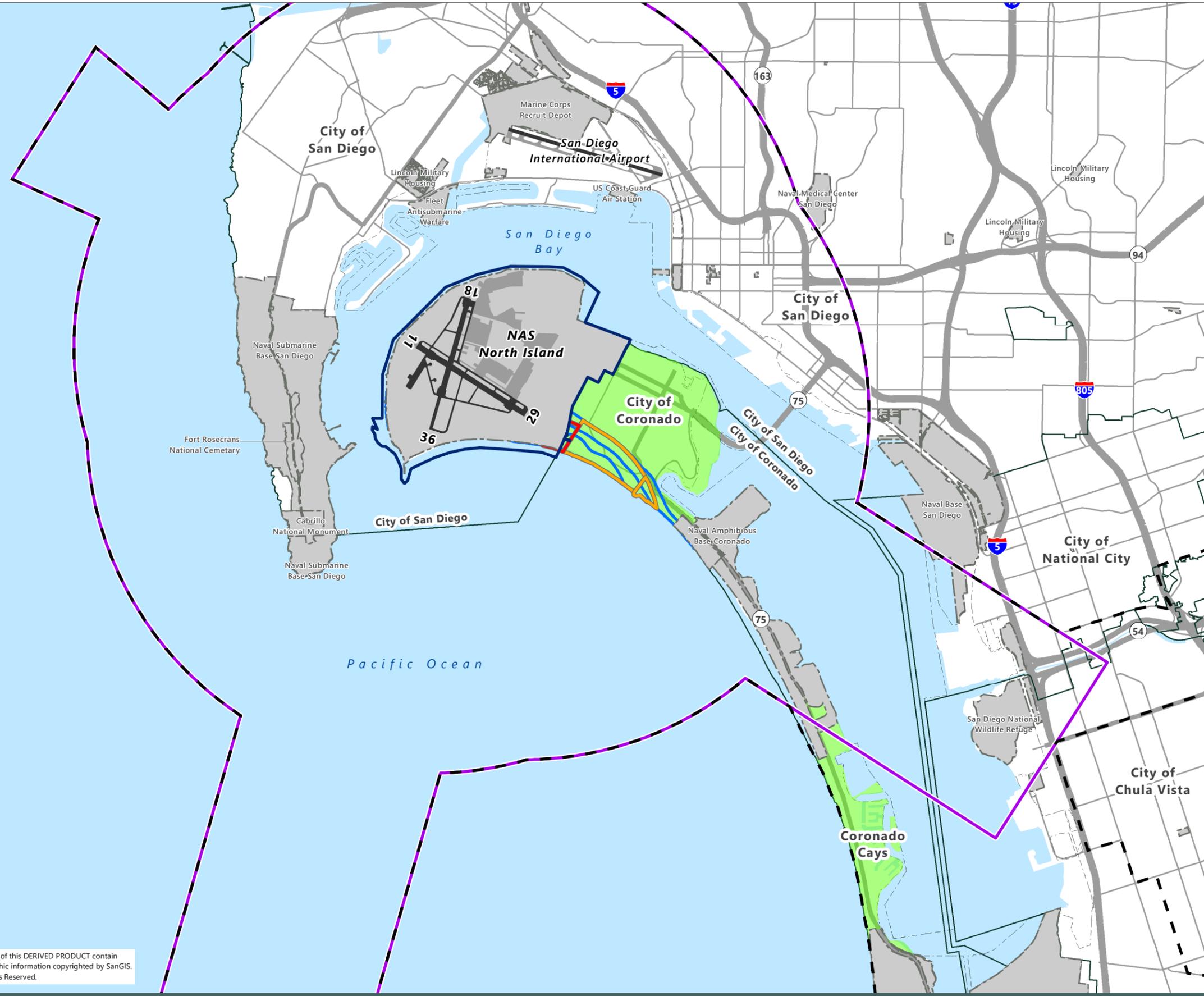
- The degree of concentration of people within a limited area (such as a restaurant compared to a warehouse), because high concentrations of people can impede swift evacuation in the event of an aviation accident
- The degree of openness and coverage of land (such as passive recreational fields compared to offices), which can limit options where aircraft in distress can attempt emergency landings
- The presence of less-mobile, vulnerable occupants (such as children, the elderly, or incarcerated individuals) who cannot be readily evacuated in the event of an aviation accident
- The presence of hazardous materials, which could release contained substances and pose danger to people nearby in the event of an aviation accident
- The presence of critical community infrastructure (such as major utilities), which could cause widespread impacts to the public-at-large beyond just the immediate facility in the event of damage by an aviation accident
- Whether the land use involves sleeping rooms and activities where a quiet indoor environment is needed

5.1.3 Accessory Dwelling Unit Development Right

Accessory dwelling units, as defined by state law, are compatible with the noise and safety policies, subject to the standards described in **Table 4, Standards for Noise and Safety Compatibility**.

5.1.4 Density Bonus

The maximum compatible residential densities established in **Table 4, Standards for Noise and Safety Compatibility**, include any density bonuses that local agencies may provide for affordable housing developed in accordance with state law or local ordinance. Land use projects with density bonuses cannot exceed the maximum compatible densities established in **Table 4**.



LEGEND

- Major Roads
- Highways
- ▭ Naval Air Station Property Boundary
- ▭ Federal Lands
- ▭ San Diego Unified Port District
- ▭ Municipal Boundaries
- ▭ Water

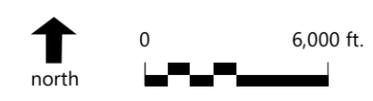
ALUCP Compatibility Factor Areas Applying in Coronado

- Clear Zone Boundary
- Accident Potential Zone (APZ) I & II Boundaries
- Prospective Noise Contours
- Overflight Notification Area

Airport Influence Area: the AIA is the area within which real estate disclosure is required per State law*

- Airport Influence Area
- Airspace Protection Boundary

* California Business and Professions Code Section 11010(b)(13); California Civil Code, Sections 1103.4 and 1353 (a)(1).



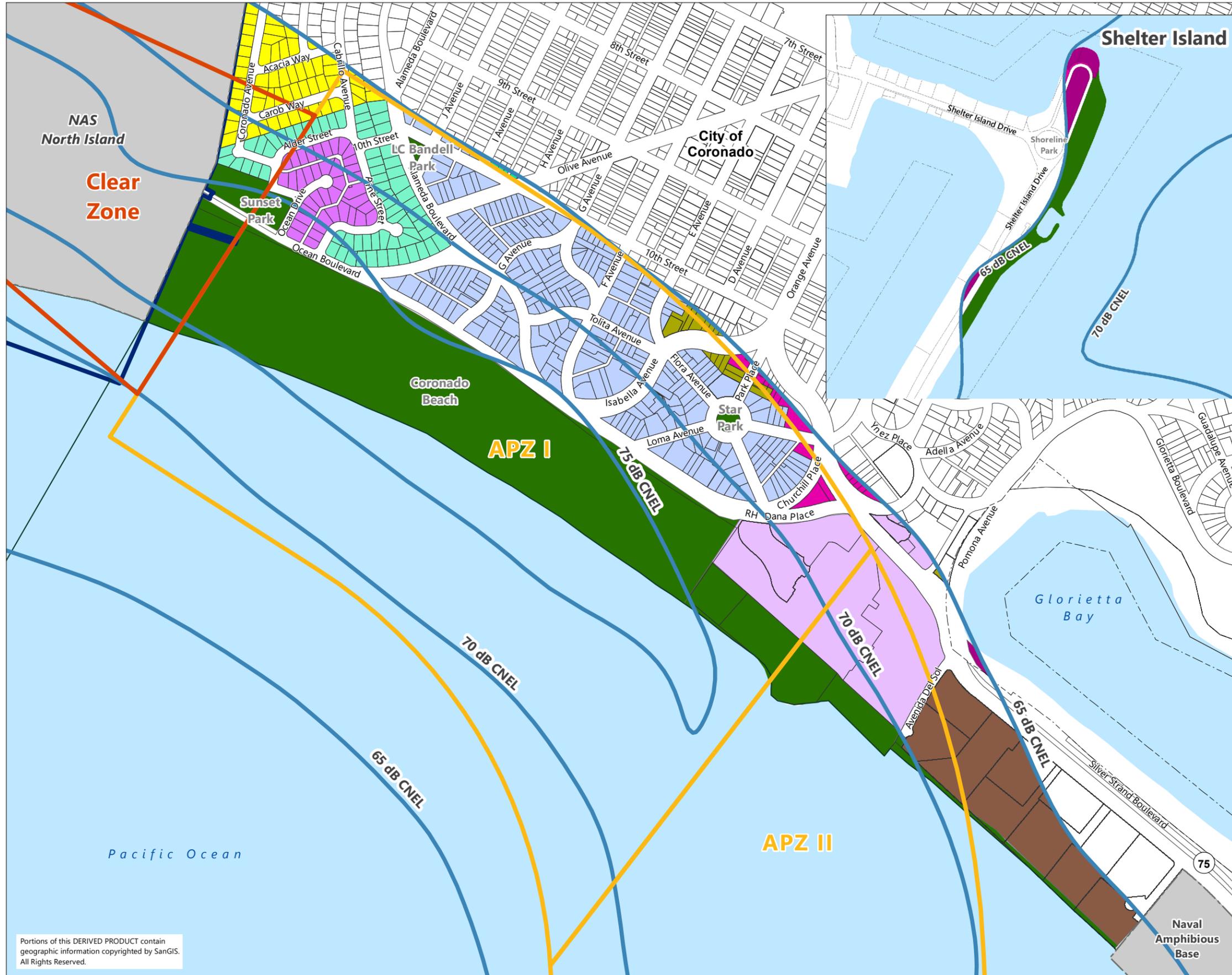
Sources: SanGIS, County of San Diego, 2019 (roads); California Department of Water Resources, 2019 (federal lands); Unified Port of San Diego, 2015 (port district boundary); County Assessor, SanGIS, San Diego Local Agency Formation Commission, 2019 (municipal boundaries); US Department of State, 2015 (international boundary); SanGIS, County of San Diego, 2015 (hydrology); San Diego County Regional Airport Authority, Airport Land Use Commission (AIA, overflight notification area, and airspace protection boundary); The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, Figure 2-2 on page 2-3 (airport property line), Figure 3-1 on page 3-2 (airfield and runways), Figure 5-3 on page 5-7 (safety zones), Figure 4-8 on page 4-12 (prospective noise contours).

Prepared By: Ricondo & Associates, Inc., October 2019.

Exhibit 3
NASNI ALUCP Factor Areas within the City of Coronado

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LEGEND

- Naval Air Station Property Boundary
- Federal Lands
- San Diego Unified Port District
- Municipal Boundaries
- Water
- Clear Zone Boundary
- Accident Potential Zone (APZ) I & II Boundaries
- Prospective Noise Contours

Existing Zoning and Minimum Residential Lot Size or Maximum Density

- R-1A(CC-1) - Single-Family Residential (7,500 sq ft)
- R-1A(CC-2) - Single-Family Residential (6,600 sq ft)
- R-1A(CC-3) - Single-Family Residential (6,000 sq ft)
- R-1A - Single-Family Residential (5,500 sq ft)
- R-1A(E) - Single-Family Residential (5,250 sq ft)
- R-1B - Single-Family Residential (3,500 sq ft)
- R-3 - Multiple-Family Residential (28 du/ac)
- R-5 - Multiple-Family Residential (47 du/ac)
- C - Commercial
- C-R - Commercial Recreation
- H-M - Hotel-Motel
- OS - Open Space
- MZ - Military Zone



Sources: SanGIS, County of San Diego, 2019 (roads); California Department of Water Resources, 2019 (federal lands); Unified Port of San Diego, 2015 (port district boundary); County Assessor, SanGIS, San Diego Local Agency Formation Commission, 2019 (municipal boundaries); SanGIS, County of San Diego, 2015 (hydrology); The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, Figure 2-2 on page 2-3 (airport property line), Figure 3-1 on page 3-2 (airfield and runways), Figure 4-8 on page 4-12 (prospective noise contours), Figure 5-3 on page 5-7 (safety zones); City of Coronado, Community Development Department, 2004, <https://www.coronado.ca.us/cms/one.aspx?pageId=1619276>, accessed June 28, 2019, (zoning).

Prepared By: Ricondo & Associates, Inc., September 2019.

Exhibit 4

Safety Zones and Noise Contours

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Table 4 (1 of 4) Standards for Noise and Safety Compatibility

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 dB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
10 Residences and Lodging						
111	Single-Family including accessory dwelling units; Supportive housing; Transitional housing	45	45	45	45	CZ, APZ I/II: One dwelling unit per legal lot of record at the time of ALUCP adoption, in addition to an accessory dwelling unit All Zones: For new or reconstructed or expanded portions of buildings, interior noise must perform to sound level indicated.
112, 113, 12	Multi-Family; Group quarters; Bed and breakfast inn		45	45	45	APZ I/II: Residential density limited to the density existing at time of ALUCP adoption; for new or reconstructed or expanded portions of buildings, interior noise must perform to sound level indicated. Inside 65 dB CNEL: For new or reconstructed or expanded portions of buildings, interior noise must perform to 45 dB CNEL.
13, 14, 15, 19	Residential Hotel; Mobile home park; Hotel/motel				45	Inside 65 dB CNEL: For new or reconstructed or expanded portions of buildings, interior noise must perform to 45 dB CNEL in sleeping areas.
20-30 Manufacturing						
23, 28, 29, 31, 35, 3999	Manufacturing: Apparel; Chemicals; Hazardous materials; Petroleum; Rubber; Plastic; Precision instruments					
21, 22, 32-34	Manufacturing: Food; Metals; Stone, clay, and glass; Textiles			50		APZ II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for public reception and office areas of new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
24-27, 39	Manufacturing: Furniture and fixtures; Lumber and wood products; Paper; Printing and publishing; Miscellaneous manufacturing		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for public reception and office areas of new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.

Table 4 (2 of 4) Standards for Noise and Safety Compatibility

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 DB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
40 Transportation, Communication, and Utilities						
41-46, 49	Auto parking; Boat launch ramp; Vehicle, freight, equipment storage					APZ I/II: No passenger facilities
47, 48	Communication: Telephone, radio, television; Utilities: Electrical, including wind and solar farms; Gas; Water; Wastewater					
485	Refuse Disposal: Sanitary landfill, solid waste/recycling center ⁵					
50 Trade						
51-59	Wholesale/Retail Trade, including eating/drinking establishment		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
60 Services						
61, 62, 63, 65, 67, 69	Office: Finance, insurance, real estate, medical/dental; Services: Personal/professional/government; Research & Development		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
6242, 637, 64, 66	Cemetery; Warehousing/storage (not including hazardous materials); Repair, including auto, electronics, furniture; Contract construction services		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; for public reception and office areas of new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
6379	Warehousing/storage of hazardous materials					
6513, 6516	Hospital; Congregate care/nursing/convalescent facility; Large residential care facility				45	Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.
68	Day care; Nursery school; Elementary, middle/junior high, and high school; College/university				45	Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.
6911, 6994	Indoor Public Assembly: Religious, fraternal				45	Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.

Table 4 (3 of 4) Standards for Noise and Safety Compatibility

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 DB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
70	Culture, Entertainment, and Recreation					
71	Library; Museum; Art gallery; Planetarium; Aquarium		45	45	45	APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; new or reconstructed portions of buildings, interior noise must perform to sound level indicated. Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.
723	Indoor Entertainment Assembly: Auditorium, concert hall, theater				45	Inside 65 dB CNEL: Interior noise must perform to 45 dB CNEL.
721, 722	Outdoor Assembly: Amphitheater, music shell; Spectator sports arena, stadium					
7123, 7124, 741, 743, 744,	Outdoor Participant Sports: Golf course, tennis court, riding stable, water recreation; Botanical garden; Zoo					APZ I/II: No clubhouse, indoor meeting place, or auditorium.
73	Amusement park; Golf driving range; Go-cart track; Miniature golf course					
742, 7414, 7415, 7417, 79	Athletic club; Gym; Fitness facility; Bowling alley; Recreation center; Skating rink		50	50		APZ I/II: No increase in gross floor area of existing uses; reconstructed buildings limited to gross floor area at time of ALUCP adoption; in new or reconstructed portions of buildings within the 70+ dB CNEL contour, interior noise must perform to sound level indicated.
76	Park					CZ: No above-ground structures APZ I/II: No clubhouse, indoor meeting place, or auditorium.
749, 752	Campground				45	Inside 65 dB CNEL: In new or reconstructed portions of buildings, interior noise must perform to 45 dB CNEL in sleeping areas.
751	Resort		45/50	45/50	45	APZ I/II: No increase in gross floor area of existing uses; reconstructed building(s) limited to gross floor area at time ALUCP adoption; interior noise in new or reconstructed portion of building must perform to 45 dB CNEL in sleeping areas and 50 dB CNEL in all other areas; no new uses that are classified as incompatible in this table. Inside 65 dB CNEL: In new or reconstructed portions of buildings, interior noise must perform to 45 dB CNEL in sleeping areas.

Table 4 (4 of 4) Standards for Noise and Safety Compatibility

SLUCM ² CODE	LAND USE TYPE ¹	CZ	APZ I	APZ II	INSIDE 65 DB CNEL ³ & OUTSIDE SAFETY ZONES	STANDARDS ⁴
80	Resource Production and Extraction					
81-85, 89	Agriculture, aquaculture, mining					

KEY TO TABLE 4:

	Compatible land use. Not subject to any noise or safety standards
	Compatible land use if the indicated standards are met
45, 50	Maximum interior sound level (in dB CNEL) from exterior noise sources with windows and doors closed. Interior sound level in new, reconstructed, or expanded portion of building, or in certain parts of building as described in the Standards columns, must perform to the level indicated. It is the responsibility of the project sponsor to demonstrate that the building, as designed, can achieve the interior sound level. This may be accomplished by the certification of an appropriately licensed design professional (engineer, architect, or acoustician with building design experience). The degree of acoustical treatment that is necessary will vary based on building design and the noise exposure level to which the building is exposed.
	Incompatible land use

NOTES TO TABLE 4:

- 1 The reuse of any land use for an incompatible use per this table is inconsistent with this ALUCP.
- 2 *Standard Land Use Coding Manual*, U.S. Department of Commerce, Urban Renewal Administration and Bureau of Public Roads, 1965. The SLUCM is a comprehensive land use classification system defined with a hierarchical set of codes. The most detailed level of classification uses 4 digits (say, 6911 for "churches, synagogues, and temples"), the next most detailed level uses three digits (691 for "religious activities"), a more generalized level uses two digits (69 for "miscellaneous services"), and the most generalized level uses one digit (6 for "services"). In this land use compatibility table, the generalized two-digit SLUCM codes have been used where possible. The standards applicable to each two-digit level of land uses apply to all of the more detailed land uses (using three-digit and four-digit codes) within the two-digit category, unless a more detailed SLUCM Code is used elsewhere in the table. For example, in the second row of the "Transportation, Communication and Utilities" category, SLUCM Codes 47 and 48 include communications and utilities land uses. In the third row, however, SLUCM Code 485, refuse disposal, is called out as a distinct land use for purposes of land use compatibility. Thus, SLUCM Code 48, in the second row, should be interpreted as including all uses described in the SLUCM under the "48 code," except for Code 485.
- 3 Community Noise Equivalent Level
- 4 Per Section 5.1.6 of the ALUCP, Reconstruction of Existing Nonresidential Uses, gross floor area includes vested development.
- 5 While refuse disposal and related uses are not noise-sensitive, they are considered incompatible within the 65 dB CNEL contour because of their tendency to attract birds, a potential hazard to flight. These uses are considered incompatible throughout the Airspace Protection Area, which includes all areas within the 65 dB CNEL contour. See Section 5.2.5.6, Wildlife Attractants of the ALUCP.

SOURCES: San Diego County Airport Land Use Commission, October 2020. Adapted from Tables C-1 and C-2 in the 2011 AICUZ (The Onyx Group, *Air Installations Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, pages C-1 - C-10.)

5.1.5 **Expansion of Existing Nonresidential Uses is Incompatible in Safety Zones**

Because expansion of existing nonresidential uses would increase the intensity of the use (by, for example, increasing the number of people working at or otherwise using the land use), increases in the gross floor area of buildings occupied by existing nonresidential uses are not compatible within the Clear Zone or Accident Potential Zones I and II (see **Exhibit 4, Safety Zones and Noise Contours**).

5.1.6 **Reconstruction of Existing Nonresidential Uses**

Reconstructed nonresidential buildings within the safety zones are limited in size to the gross floor area (including the gross floor area of vested development) as of the effective date of this ALUCP. See **Table 4, Standards for Noise and Safety Compatibility**.

5.1.7 **Consistency of Land Use Plan and Zoning Amendments with ALUCP within the Noise Contours and Safety Zones**

General Plan, community/specific/precise/master plan, (collectively, land use plans) and zoning amendments, including zoning map amendments (rezones), are subject to ALUC review as described in Section 4.1.1, Proposed Land Use Plans and Regulations Always Subject to ALUC Review. The following standards apply to land use plan and zoning amendment consistency determinations.

5.1.7.1 **Amendments that would Increase Allowable Residential Density**

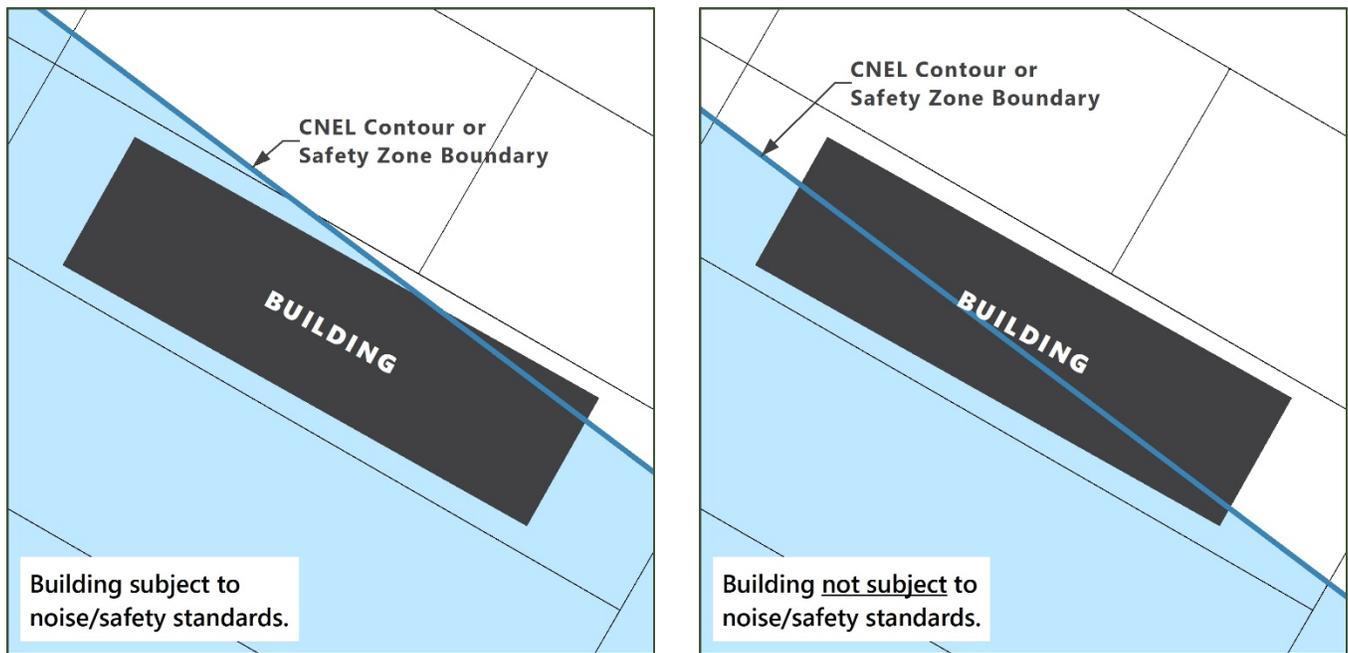
Land use plan or zoning ordinance amendments (including zoning map amendments or rezones) that would increase the allowable residential density (the number of dwelling units per acre) in the safety zones are incompatible.

5.1.7.2 **Amendments that would Change Open Space Designations**

Land use plan or zoning ordinance amendments that would change the land use designation of, or rezone, areas designated as Open Space on **Exhibit 4, Safety Zones and Noise Contours**, within the safety zones are incompatible.

5.1.8 **Parcels Split by a Safety Zone Boundary or a CNEL Noise Contour**

Many parcels are split by safety zone boundaries and/or noise contours. The applicability of safety and noise standards to these split parcels is based on the proportion of the affected building within the safety zone and/or noise contour. New or reconstructed buildings are subject to the conditions of the safety zone or noise contour in which the greatest proportion of habitable space, for a residential building, or gross floor area for a nonresidential building, is located. If the greatest proportion of habitable space, for a residential building, or gross floor area for a nonresidential building, is located outside all safety zones and noise contours no standards apply to the affected building. Buildings that are equally divided between two zones are subject to the standards of the more restrictive zone.



For Illustration Purposes Only

5.2 **Airspace Compatibility**

The airspace protection boundary, as depicted on **Exhibit 5, Airspace Protection Boundary**, establishes the area within which airspace protection and flight safety policies and standards apply. The basis for the airspace protection boundary is described in **Appendix E4, Technical Analysis: Airspace Protection**. The policies of this section apply to proposed land use projects any portions of which are within the airspace protection boundary.

5.2.1 **FAA Notification Requirements**

Sponsors of proposed land use projects must comply with Federal law that requires notice to the FAA for proposed construction or alteration of structures or objects exceeding certain heights or that could potentially interfere with navigational aids by filing Form 7460-1 with the FAA, if required.²⁴ The FAA notice requirements apply to permanent and temporary structures and objects, including construction equipment such as cranes and derricks.

5.2.1.1 **Determining Need for FAA Notification**

Sponsors of proposed land use projects within the airspace protection boundary depicted on **Exhibit 5** must determine if they are required to file a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Project sponsors can refer to the FAA Notice Criteria Tool online to determine if they are required to file Form 7460-1 with the FAA.²⁵ The project sponsor must consider both the proposed structure and equipment required to erect the structure or object, such as cranes and derricks.

As an alternative, sponsors of proposed land use projects involving structures or objects of 200 feet or less in height may certify and provide evidence satisfactory to the ALUC and local agency that the object proposed for construction or alteration “will be shielded by existing structures of a permanent and

²⁴ Title 14 Code of Federal Regulations Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, § 77.9.

²⁵ <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>. This site provides the FAA’s on-line Notice Criteria Tool, which is provided to the public by the FAA’s Obstruction Evaluation Group to facilitate compliance with the FAA’s Obstruction Evaluation / Airport Airspace Analysis (OE/AAA) process.

substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation.”²⁶

Regardless of location, sponsors of proposed land use projects are required by federal law to notify the FAA of proposed structures or objects exceeding 200 feet above ground level by filing Form 7460-1.²⁷

When do you need to file Form 7460-1 with the FAA?

- Within the airspace protection boundary depicted on Exhibit 5, as advised by the FAA [Notice Criteria Tool](#).
- Anywhere for proposed projects taller than 200 feet [14 CFR § 77.9(a)].

5.2.1.2 Submitting FAA Determination or Certification of Shielding with ALUCP Consistency Application

If FAA review is required, local agencies must include a copy of the FAA notice of determination letter with its consistency application to the ALUC. Alternatively, local agencies may submit the project sponsor’s certification that the object proposed for construction will be shielded by existing structures of a permanent nature per Section 5.2.1.1, Determining Need for FAA Notification.²⁸

5.2.2 Compatible Structure or Object

After receiving a Form 7460-1 Notice of Proposed Construction or Alteration, the FAA undertakes an obstruction evaluation and aeronautical study to determine the effect of the proposed structure or object on the use of airspace. The FAA determines if the proposed structure or object would be a hazard to air navigation.

A proposed structure or object is compatible with the airspace policies if the FAA issues a Determination of No Hazard to Air Navigation with no conditions. A proposed structure or object not requiring FAA review is also compatible with the airspace protection policies.

5.2.3 Conditionally Compatible Structure or Object

A proposed structure or object is conditionally compatible with the airspace policies if the FAA issues a Determination of No Hazard to Air Navigation with conditions and is designed to comply with those conditions.²⁹

5.2.4 Incompatible Structure or Object

A proposed structure or object is incompatible with the airspace policies if either of the following apply:

1. The FAA has issued a Determination of Hazard to Air Navigation; or
2. NASNI analysis determines that the proposed structure or object would increase the ceiling or visibility minimums for an existing or planned instrument procedure, airway, route, or minimum vectoring altitude or conflict with instrument or visual flight rules airspace.

²⁶ Title 14 Code of Federal Regulations Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, § 77.9(e)(1).

²⁷ Title 14 Code of Federal Regulations Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, § 77.11.

²⁸ Title 14 Code of Federal Regulations Part 77, *Safe, Efficient Use, and Preservation of the Navigable Airspace*, § 77.15.

²⁹ Federal Aviation Administration, Advisory Circular 70/7460-1L, *Obstruction Marking and Lighting*.

5.2.5 Standards for the Protection of Flight Safety

This section includes standards for determining when certain conditions may constitute flight safety hazards and be incompatible with the airspace protection and flight safety policies.

As part of the local agency's ALUC application, the project sponsor must complete the certification statement found in **Appendix B, Implementation Tools and Documents**, certifying that all of the following characteristics are avoided or, if present with the project, are mitigated below the threshold of a hazard to flight safety to the written concurrence of the commanding officer of NASNI or his or her designee.

5.2.5.1 Sources of Glare/Glint

Highly reflective materials that may cause visual after-images or flash blindness in pilot or controller vision are incompatible with the airspace and flight safety policies. An analytical model has been developed to evaluate the potential problems of glare/glint caused by solar energy installations. The tool may also be used to evaluate glare/glint from other highly reflective surfaces. See **Appendix B** for information about the Solar Glare Hazard Analysis Tool.

5.2.5.2 Lighting

Any lighting systems that mimic airport identification lighting, runway end identification lighting, or runway approach lighting are incompatible with the airspace and flight safety policies. The following lighting systems, which may be confused with airport lighting systems, are incompatible with this ALUCP when casting light toward the approach paths of aircraft:

- Searchlights
- Laser lights
- Sequenced flashing lights
- Stroboscopic lights

Additionally, outdoor lighting, such as parking lot lights, which are not shielded and directed downward are incompatible with the airspace and flight safety policies.

5.2.5.3 Sources of Dust, Water Vapor and Smoke

Land use projects that may create columns of dust, steam, water vapor, or smoke dense enough to impair pilot or controller vision and compromise flight safety are incompatible with the airspace and flight safety policies.

5.2.5.4 Sources of Thermal Plumes

Land use projects that create thermal plumes with the potential to interfere with the safe control of the smallest aircraft operating at NASNI are incompatible with the airspace and flight safety policies. An analytical model has been developed to evaluate the potential problems for aircraft in flight caused by thermal plumes. See **Appendix B** for information about the Exhaust Plume Analyzer.

LEGEND

- Major Roads
- Highways
- ▭ Naval Air Station Property Boundary
- ▭ Federal Lands
- - - San Diego Unified Port District
- ▭ Municipal Boundaries
- ▭ Water
- Airspace Protection Boundary

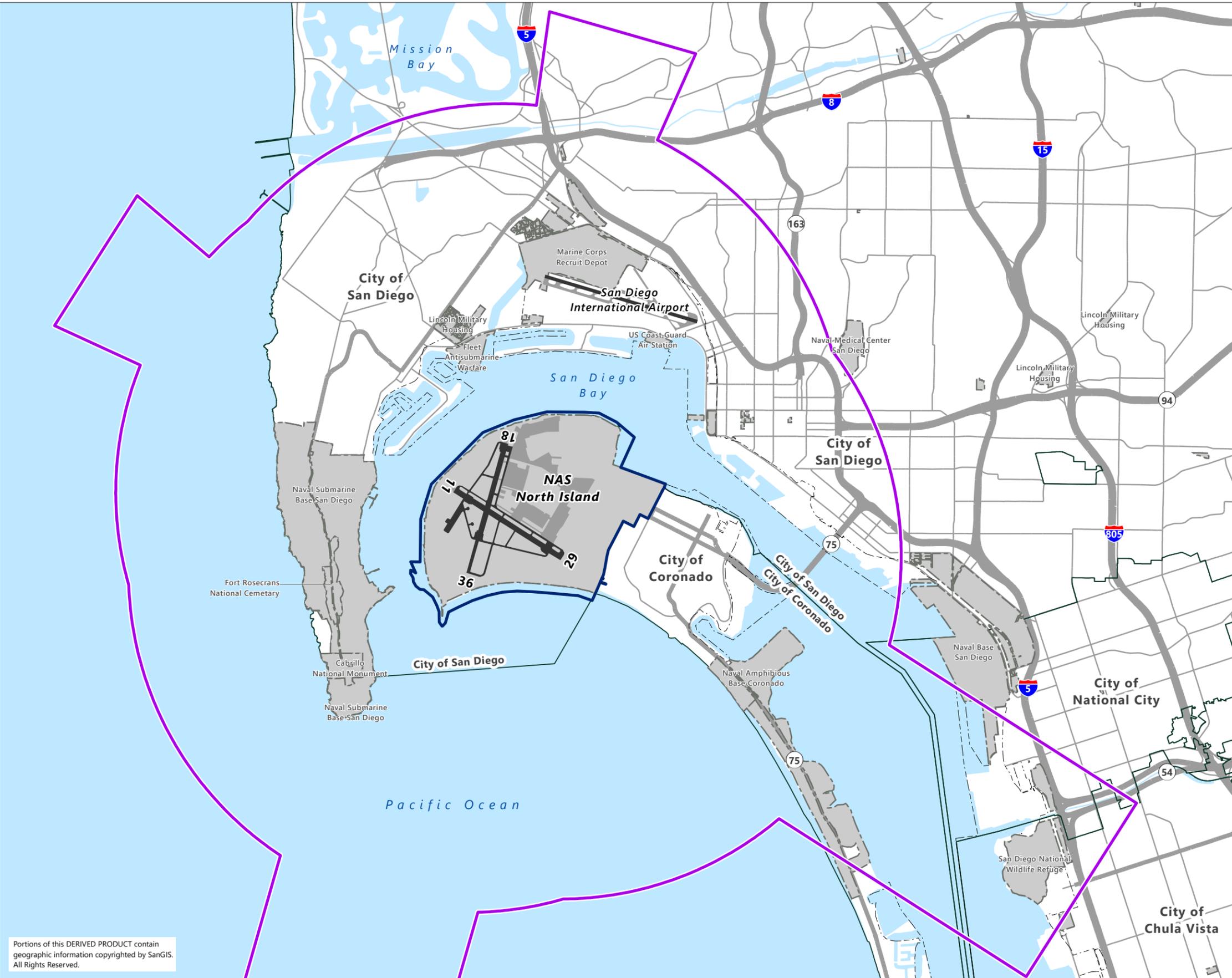


Sources: SanGIS, County of San Diego, 2019 (roads); California Department of Water Resources, 2019 (federal lands); Unified Port of San Diego, 2015 (port district boundary); County Assessor, SanGIS, San Diego Local Agency Formation Commission, 2019 (municipal boundaries); SanGIS, County of San Diego, 2015 (hydrology); San Diego County Regional Airport Authority, Airport Land Use Commission (airspace protection boundary); The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, Figure 2-2 on page 2-3 (airport property line), Figure 3-1 on page 3-2 (airfield and runways).

Prepared By: Ricondo & Associates, Inc., August 2019.

Exhibit 5

Airspace Protection Boundary



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5.2.5.5 Electromagnetic Interference

Sources of electromagnetic interference with pilot and controller communications, aircraft instrumentation, ground-based radar, and navigational aids are incompatible with the airspace and flight safety policies.

5.2.5.6 Wildlife Attractants

The following land uses that have the potential to attract wildlife are incompatible with the airspace and flight safety policies.³⁰

1. Agricultural, recreational, open space activities, and facilities that include:
 - a. Aquaculture activities conducted outside fully enclosed buildings;
 - b. A water feature incorporated into landscaping, open space areas, or golf courses with more than 2,500 square feet of water surface area and without sufficient hazardous wildlife control measures.
2. Waste Management Operations:
 - a. Solid waste landfills;
 - b. Transfer stations that handle waste outside fully enclosed buildings, or that lack ventilation and air filtration systems adequate to control odors escaping to the outdoors; (odor masking measures are not acceptable);
 - c. Commercial or institutional food waste composting operations.
3. Water Management Facilities:
 - a. Stormwater management surface detention areas, unless required by other provisions of municipal, county, or state law. Where stormwater detention areas are necessary and must be allowed, measures should be taken to minimize the risks of attracting potentially hazardous wildlife.
 - b. Wastewater treatment facilities and associated settling ponds, including any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes and artificial marshes designed for wastewater treatment. Where engineering imperatives or provisions of municipal, county, or state law require the installation of these facilities within the airspace protection boundary, measures should be taken to minimize the risk of attracting birds.
 - c. Wetlands mitigation projects, unless they provide unique functions that must remain onsite or are otherwise directed by state or federal law, state or federal regulatory decision, or court order.
 - d. Dredge spoil containment/disposal areas if the spoils contain material that would attract hazardous wildlife.

5.3 Overflight Notification

Exhibit 6, Overflight Notification Area, depicts the area within which the overflight notification policy of the ALUCP applies. For any land use project involving a new or completely reconstructed dwelling unit (or accessory unit) within the overflight notification area boundary, local agencies should provide a means for the owner of the dwelling unit to be notified of the potential effects of aircraft overflight.

³⁰ Federal Aviation Administration, Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or Near Airports*.

Potential methods of implementing overflight notice requirements include:

- An ordinance requiring a recorded deed agreement (see **Appendix B, Implementation Tools and Documents**, for a sample overflight agreement)
- Provision of notice to the property owner upon issuance of building permits
- An overlay zoning ordinance containing overflight notice language

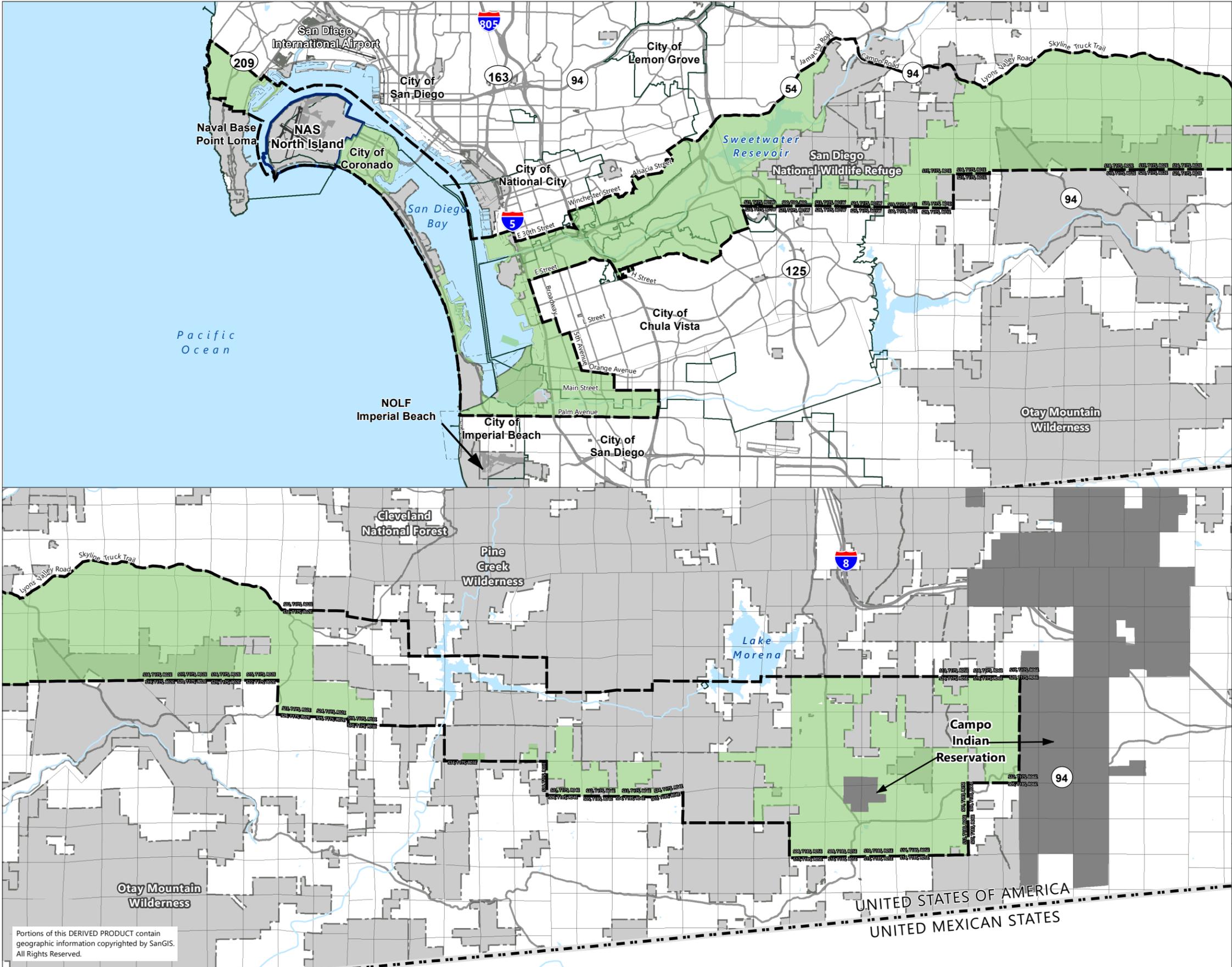
Alternative methods of providing overflight notification are acceptable if approved by the ALUC. At a minimum, any notice should include the following language:³¹

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

The state law that requires any person who offers residential property for sale or lease to disclose the proximity of the Airport to the property is adequate to fulfill the overflight notification policy of this ALUCP.³²

³¹ California Business and Professions Code § 11010(a) and (b)(13); California Civil Code §§ 1102.6, 1103.4 and 1353; California Code of Civil Procedure § 731a.

³² California Business and Professions Code § 11010(a) and (b)(13); California Civil Code §§ 1102.6, 1103.4 and 1353; California Code of Civil Procedure § 731a.



LEGEND

- Major Roads
- Highways
- ▭ Naval Air Station Property Boundary
- ▭ Native American/Tribal Reservation
- ▭ Federal Lands
- - - San Diego Unified Port District
- ▭ Municipal Boundaries
- ▭ Township and Range Survey Lines
- - - International Boundary
- ▭ Water
- ▭ Overflight Notification Area Boundary
- ▭ Overflight Notification Area



Sources: SanGIS, County of San Diego, 2019 (roads); SanGIS, County of San Diego Assessor's Office, Mapping Division, 2019 (Native American lands); California Department of Water Resources, 2019 (federal lands); Unified Port of San Diego, 2015 (port district boundary); County Assessor, SanGIS, San Diego Local Agency Formation Commission, 2019 (municipal boundaries); US Department of State, 2015 (international boundary); SanGIS, County of San Diego, 2015 (hydrology); San Diego County Regional Airport Authority, Airport Land Use Commission (AIA and airspace protection boundary); The Onyx Group, *Air Installation Compatible Use Zones (AICUZ) Update for Naval Air Station North Island and Naval Outlying Landing Field Imperial Beach, California*, Naval Facilities Engineering Command Southwest, 2011, Figure 2-2 on page 2-3 (airport property line), Figure 3-1 on page 3-2 (airfield and runways); San Diego County Regional Airport Authority, Airport Land Use Commission (overflight notification area).

Prepared By: Ricondo & Associates, Inc., October 2019.

**Exhibit 6
Overflight
Notification Area**

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Implementation or Overrule of ALUCP

This section describes the process for consistency determinations after a local agency amends its land use plans and regulations to be consistent with this ALUCP or overrules all or part of this ALUCP.

6.1 Local Agency Options after ALUC Adoption of ALUCP

Within 180 calendar days³³ of the ALUC's adoption or amendment of this ALUCP, each local agency subject to this ALUCP must either:

- Amend its land use plans and regulations, if necessary, to be consistent with the ALUCP, or
- Overrule all or part of this ALUCP (see Section 6.2, Local Agency Overrule).³⁴

Until the local agency either acts to make its land use plans and regulations consistent with this ALUCP or overrules this ALUCP, the ALUC review procedures described in Section 4.1.2, Proposed Land Use Actions Subject to ALUC Review Until Local Agency Implements or Overrules the ALUCP, remain in effect.

If the local agency's land use plans and regulations are consistent with this ALUCP, no action to adopt additional policies or regulations is required. However, only the ALUC can determine whether or not a local agency's land use plans and regulations are consistent with this ALUCP.

Refer to **Appendix B, Implementation Tools and Documents**, for documents and tools to assist local agencies in implementing this ALUCP.

6.2 Local Agency Overrule

A local agency can overrule the entire ALUCP, a part of the ALUCP, or any ALUC determination of inconsistency by approval with a two-thirds majority vote of its governing body. The overrule decision must include findings describing how the local agency's current land use plans, regulations, proposed plan or regulatory amendments, or proposed projects are consistent with the purposes of the airport land use compatibility planning statute as stated in California Public Utilities Code, Section 21670. The overrule decision must be provided to Caltrans and the ALUC at least 45 days prior to the decision to overrule the ALUC, in order to provide those agencies an opportunity to comment on the proposed overrule decision.³⁵

³³ California Government Code § 65302.3(a), (b) and (c).

³⁴ California Public Utilities Code §§ 21676(a) and 21676.5.

³⁵ California Public Utilities Code §§ 21676(a) and 21676.5.

6.3 ALUC Review of Proposed Land Use Plans and Regulations

Regardless of whether local agencies have implemented or overruled this ALUCP, local agencies must submit applications for consistency determinations to the ALUC for all proposed land use plans and regulations, as listed in Section 4.1.1, Proposed Land Use Plans and Regulations Always Subject to ALUC Review.³⁶

³⁶ California Public Utilities Code § 21676(b).



Aerial Image on front: Google Earth Pro, 2019; TerraMetrics, 2019;
Data SIO, NOAAm U.S. Navy, NGA, GEBCO (aerial photography - for
visual reference only, may not be to scale).