

**CONSISTENCY DETERMINATION  
SAN DIEGO INTERNATIONAL AIRPORT (SDIA), MARINE  
CORPS AIR STATION (MCAS) MIRAMAR, BROWN FIELD  
MUNICIPAL AIRPORT, MONTGOMERY FIELD AND  
GILLESPIE FIELD  
AIRPORT LAND USE COMPATIBILITY PLANS (ALUCPs)  
January 10, 2013**

**Item # 3                      Resolution # 2013-0001 ALUC**

**Recommendation: Conditionally Consistent**

**CITY OF SAN DIEGO GENERAL PLAN HOUSING ELEMENT UPDATE 2013-2020**

**Description of Project:** Based on plans submitted to the ALUC, the project consists of a comprehensive plan of goals, policies and programs to address critical housing needs and foster the development of regional, sustainable communities in support of the State's greenhouse gas emission reduction targets in the City of San Diego.

**Noise Contours:** The proposed project contains properties located within all Community Noise Equivalent Level (CNEL) noise contours of all affected airport ALUCPs. The ALUCPs identify residential uses located within any contour over 60 decibels (dB) CNEL as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level and recordation of an aviation easement with the County Recorder. The ALUCPs for MCAS Miramar, Brown Field Municipal Airport, Montgomery Field, and Gillespie Field define any residential use within a noise contour of 65 or greater dB CNEL as incompatible with airport uses.

**Airspace Protection Surfaces:** No construction is proposed by the project. Any future structure constructed would be consistent with the ALUCP if it does not exceed an airspace threshold which would require an obstruction evaluation from the Federal Aviation Administration (FAA), or if a determination of no hazard to air navigation has been issued by the FAA for those structures meeting its notice criteria. Projects within the City of San Diego Airport Approach Overlay Zone (AAOZ) of SDIA would be consistent with the ALUCP if each structure abides by the maximum allowable height above mean sea level (AMSL) as dictated by that municipal ordinance and incorporated by reference in the ALUCP. The SDIA ALUCP provides that projects located within the eastern approach surfaces of the AAOZ, with certain limited exceptions for Cortez Hill and Little Italy, may not

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"intensify human occupancy of the site to an extent greater than 110 percent of the average intensity of existing uses . . . within a one quarter mile radius of the project site." Any future project within that specified area must comply with these density restrictions.

**Safety Zones:** The proposed project contains properties located within almost all Safety Zones of all affected airport ALUCPs. The ALUCPs identify residential uses located within Safety Zone 1, the Runway Protection Zone (RPZ), Clear Zone (CZ), or Accident Potential Zone (APZ) 1 as incompatible with airport uses. Residential uses located within Safety Zones 2 through 5 inclusive or APZ 2 or the TZ are identified as conditionally compatible with applicable ALUCPs subject to density limitations as specified by the respective ALUCP. The ALUCPs identify residential uses located within Safety Zone 6 as compatible with airport uses.

**Overflight Notification Area:** The proposed project contains properties located within the overflight notification area. The ALUCPs require that an overflight notification for new residential land uses or an aviation easement for structures in high terrain areas identified within the ALUCPs be recorded with the County Recorder.

**Ownership:** The project is sponsored by the City of San Diego.

**Recommendation:** Based on review of the materials submitted in connection with the proposed project and the policies in the SDIA, MCAS Miramar, Brown Field Municipal Airport, Montgomery Field, and Gillespie Field ALUCPs, staff recommends that the ALUC make the determination that the project is conditionally consistent with the SDIA, MCAS Miramar, Brown Field Municipal Airport, Montgomery Field, and Gillespie Field ALUCPs.

**Conditions:**

- 1) Sound attenuation to an interior noise level of 45 dB CNEL if required by the applicable ALUCP.
- 2) Compliance with FAA notice criteria for hazard or obstruction determinations or City of San Diego AAOZ, including both height and density restrictions, as applicable.
- 3) Compliance with Safety Zone density limitations if applicable, as required by the applicable ALUCP.
- 4) Recordation of an aviation easement or overflight notification with the County Recorder if required by the applicable ALUCP.

RESOLUTION NO. 2013-0001 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY, MAKING A DETERMINATION THAT THE PROPOSED PROJECT: CITY OF SAN DIEGO GENERAL PLAN HOUSING ELEMENT UPDATE 2013-2020, IS CONDITIONALLY CONSISTENT WITH THE SAN DIEGO INTERNATIONAL AIRPORT, MARINE CORPS AIR STATION MIRAMAR, BROWN FIELD MUNICIPAL AIRPORT, MONTGOMERY FIELD AND GILLESPIE FIELD AIRPORT LAND USE COMPATIBILITY PLANS.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, was requested by the City of San Diego to determine the consistency of a proposed development project: City of San Diego General Plan Housing Element Update 2013-2020, which is located within the Airport Influence Areas (AIAs) for the San Diego International Airport (SDIA), Marine Corps Air Station (MCAS) Miramar, Brown Field Municipal Airport, Montgomery Field and Gillespie Field Airport Land Use Compatibility Plans (ALUCPs); and

WHEREAS, the project submitted to the ALUC consists of a comprehensive plan of goals, policies and programs to address critical housing needs and foster the development of regional, sustainable communities in support of the State's greenhouse gas emission reduction targets in the City of San Diego; and

WHEREAS, the proposed project would be located within all Community Noise Equivalent Level (CNEL) noise contours of all affected airport ALUCPs, and the ALUCPs identify residential uses located within specified CNEL noise contours as compatible, conditionally compatible or incompatible with airport uses, according to noise contour location and the applicable ALUCP; and

WHEREAS, the proposed project would be in compliance with the ALUCP airspace protection surfaces because any future structures must comply with notice criteria and hazard or obstruction determinations of the Federal Aviation Administration (FAA), or City of San Diego Airport Approach Overlay Zone (AAOZ) height and density restrictions for SDIA, as applicable; and

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WHEREAS, the proposed project would be located within almost all Safety Zones of all affected airport ALUCPs, and the ALUCPs identify residential uses located within respective ALUCP Safety Zones as compatible, conditionally compatible or incompatible with airport uses, according to density criteria per Safety Zone of the applicable ALUCP; and

WHEREAS, the proposed project contains properties located within the overflight notification area, and the ALUCPs require that an overflight notification or an avigation easement be recorded with the County Recorder according to conditions within the applicable ALUCP; and

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

WHEREAS, the ALUC has provided an opportunity for the City of San Diego, the U.S. Marine Corps, 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: City of San Diego General Plan Housing Element Update 2013-2020, is conditionally consistent with the SDIA, MCAS Miramar, Brown Field Municipal Airport, Montgomery Field and Gillespie Field ALUCPs, based upon the following facts and findings:

- (1) The proposed project consists of a comprehensive plan of goals, policies and programs to address critical housing needs and foster the development of regional, sustainable communities in support of the State's greenhouse gas emission reduction targets in the City of San Diego.
- (2) The proposed project would be located within all Community Noise Equivalent Level (CNEL) noise contours of all affected airport ALUCPs. The ALUCPs identify residential uses located within any contour over 60 decibels (dB) CNEL as conditionally compatible with airport uses, provided that the residences are sound attenuated to 45 dB CNEL interior noise level and recordation of an avigation easement with the County Recorder. The ALUCPs for MCAS Miramar, Brown Field Municipal Airport, Montgomery Field, and Gillespie Field define any residential use within a noise contour of 65 or greater dB CNEL as incompatible with airport uses. Therefore, as a condition of project approval, any residences must be sound attenuated to 45 dB CNEL interior noise level and an avigation easement must be recorded with the County Recorder if required by the applicable ALUCP, or not permitted if incompatible with the applicable ALUCP.

- (3) The proposed project would be in compliance with the ALUCP airspace protection surfaces if proposed structures do not exceed an airspace threshold which would require an obstruction evaluation from the FAA, or if a determination of no hazard to air navigation has been issued by the FAA for those structures meeting its notice criteria. Projects within the City of San Diego AAOZ of SDIA would be consistent with the ALUCP if each structure abides by the maximum allowable height above mean sea level (AMSL) as specified by the AAOZ. The SDIA ALUCP provides that projects located within the eastern approach surfaces of the AAOZ, with certain limited exceptions for Cortez Hill and Little Italy, may not "intensify human occupancy of the site to an extent greater than 110 percent of the average intensity of existing uses . . . within a one quarter mile radius of the project site." Therefore, as a condition of project approval, any future structures must comply with FAA or AAOZ height and density limitations as applicable.
- (4) The proposed project would be located within almost all Safety Zones of all affected airport ALUCPs. The ALUCPs identify residential uses located within Safety Zone 1, the Runway Protection Zone (RPZ), Clear Zone (CZ), or Accident Potential Zone (APZ) 1 as incompatible with airport uses. Residential uses located within Safety Zones 2 through 5 inclusive or APZ 2 or the TZ are identified as conditionally compatible with applicable ALUCPs subject to density limitations as specified by the respective ALUCP. The ALUCPs identify residential uses located within Safety Zone 6 as compatible with airport uses. Therefore, as a condition of project approval, any residences must comply with density limitations of the applicable ALUCP, or not be permitted if incompatible with the applicable ALUCP.
- (5) The proposed project contains properties located within the overflight notification area. The ALUCPs require that an overflight notification for new residential land uses or an avigation easement for structures in high terrain areas identified within the ALUCPs be recorded with the County Recorder. Therefore, as a condition of project approval, an overflight notification or avigation easement shall be recorded with the County Recorder as required by the applicable ALUCP.
- (6) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the SDIA, MCAS Miramar, Brown Field Municipal Airport, Montgomery Field and Gillespie Field ALUCPs.

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

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**PASSED, ADOPTED AND APPROVED** by the ALUC for San Diego County at a special meeting this 10<sup>th</sup> day of January, 2013, by the following vote:

**AYES:** Commissioners:

**NOES:** Commissioners:

**ABSENT:** Commissioners:

**ATTEST:**

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**TONY R. RUSSELL**  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

**APPROVED AS TO FORM:**

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**BRETON K. LOBNER**  
GENERAL COUNSEL