

**CONSISTENCY DETERMINATION
MCCLELLAN-PALOMAR AIRPORT
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
MARCH 3, 2011**

Item # 3 Resolution # 2011-0005 ALUC

Recommendation: Conditionally Consistent

**GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION TO
CONSTRUCT 19 SINGLE-FAMILY RESIDENTIAL UNITS AT RANCHO
MILAGRO TRACT, CITY OF CARLSBAD**

Description of Project: Based on plans submitted to the ALUC, the project proposes a general plan amendment and zone reclassification to construct 19 single-family residential units on a 43.19 acre property.

Noise Contours: The proposed project is located outside the 60 decibel Community Noise Equivalent Level (dB CNEL) noise contour. (See the attached map.) The ALUCP identifies residential uses located outside the 60 dB CNEL noise contour as conditionally compatible with airport uses.

Airspace Protection Surfaces: The maximum height of potential structures by the proposed project would be 35 feet above ground level. The height of the proposed project is consistent with the ALUCP because it allows structures up to a maximum of 35 feet (PAL 3.5.4(b)).

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

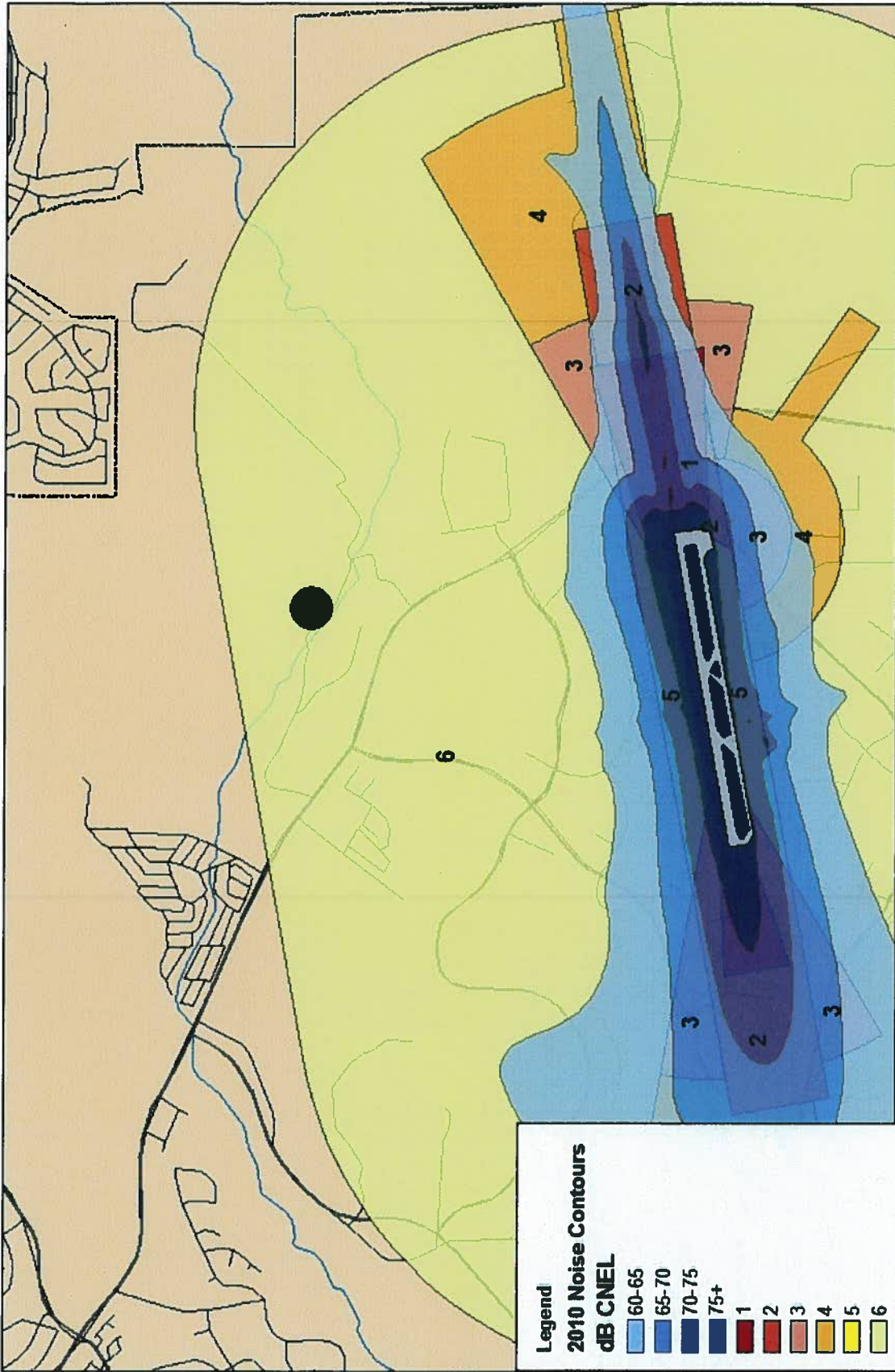
Overflight Notification Area: The proposed project is located within the overflight notification area. The ALUCP requires that an overflight notification for new residential land uses be recorded with the County Recorder.

Ownership: The property is owned by Lyall Enterprises Inc. of Pauma Valley. The engineer is Manitou Engineering Company of Escondido.

Recommendation: Based on review of the materials submitted in connection with the proposed project and the policies in the McClellan-Palomar Airport ALUCP adopted in 2010, staff recommends that the ALUC make the determination that the project is conditionally consistent with the McClellan-Palomar Airport ALUCP.

Conditions: Recordation of an overflight notification with the County Recorder.

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**Rancho Milagro Tract
(APN: 209-060-61)**



Legend

2010 Noise Contours

dB CNEL

60-65	1
65-70	2
70-75	3
75+	4
1	5
2	6
3	fwy
4	majorrds
5	roads
6	

RESOLUTION NO. 2011-0005 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY MAKING A DETERMINATION THAT THE PROPOSED PROJECT: GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION TO CONSTRUCT 19 SINGLE-FAMILY RESIDENTIAL UNITS AT RANCHO MILAGRO TRACT, CITY OF CARLSBAD, IS CONDITIONALLY CONSISTENT WITH THE MCCLELLAN - PALOMAR AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, was requested by the City of Carlsbad to determine the consistency of a proposed development project: General Plan Amendment and Zone Reclassification to Construct 19 Single-Family Residential Units at Rancho Milagro Tract, City of Carlsbad, which is located within the Airport Influence Area (AIA) for the McClellan-Palomar Airport - Airport Land Use Compatibility Plan (ALUCP), originally adopted on January 25, 2010 and amended on March 4, 2010; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve a general plan amendment and zone reclassification to construct 19 single-family residential units; and

WHEREAS, the proposed project would be located outside the 60 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies residential uses located outside the 60 dB CNEL noise contour as compatible with airport uses; and

WHEREAS, the proposed project is in compliance with the ALUCP airspace protection surfaces because the maximum potential height of structures does not exceed the 35 foot height limit as specified by the ALUCP; and

WHEREAS, the proposed project is located within Safety 6, and the ALUCP identifies residential uses located within Safety Zone 6 as compatible with airport uses; and

WHEREAS, the proposed project is located within the overflight notification area, and the ALUCP requires recordation of an overflight notification with the County Recorder for new residential land uses; and

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

WHEREAS, the ALUC has provided an opportunity for the City of Carlsbad 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: General Plan Amendment and Zone Reclassification to Construct 19 Single-Family Residential Units at Rancho Milagro Tract, City of Carlsbad, is conditionally consistent with the McClellan-Palomar Airport ALUCP, which was adopted and amended in 2010, based upon the following facts and findings:

- (1) The proposed project involves a general plan amendment and zone reclassification to construct 19 single-family residential units.
- (2) The proposed project is located outside the 60 dB CNEL noise contour. The ALUCP identifies residential uses located outside the 60 dB CNEL noise contour as compatible with airport uses.
- (3) The proposed project is in compliance with the ALUCP airspace protection surfaces because the maximum potential height of structures does not exceed the 35 foot height limit as specified by the ALUCP.
- (4) The proposed project is located within Safety Zone 6. The ALUCP identifies residential uses located within Safety Zone 6 as compatible with airport uses.
- (5) The proposed project is located within the overflight notification area. The ALUCP requires that an overflight notification be recorded with the County Recorder for new residential land uses. Therefore, as a condition of project approval, an overflight notification must be recorded for the project with the County Recorder.
- (6) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the McClellan-Palomar Airport ALUCP.

BE IT FURTHER RESOLVED that this ALUC determination is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub.

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Res. Code Section 21065, and is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

PASSED, ADOPTED AND APPROVED by the ALUC for San Diego County at a regular meeting this 3rd day of March, 2011, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL