

DRAFT

**AIRPORT LAND USE COMMISSION
MINUTES
THURSDAY, NOVEMBER 1, 2012
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM**

CALL TO ORDER: Chair Gleason called the meeting of the Airport Land Use Commission to order at 10:22 a.m. on Thursday, November 1, 2012 in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 North Harbor Drive, San Diego, CA 92101.

ROLL CALL:

PRESENT: Commission Members: Berman (Ex-Officio), Boland, Cox, Desmond, Gleason, Hubbs, Robinson, Smisek, Young

ABSENT: Commission Members: Panknin, Reyes (Ex Officio)

ALSO PRESENT: Thella F. Bowens, President/CEO; Breton K. Lobner, General Counsel; Tony R. Russell, Director, Corporate Services/Authority Clerk, Lorraine Bennett, Assistant Authority Clerk II

NON-AGENDA PUBLIC COMMENT: None.

CONSENT AGENDA:

ACTION: Moved by Commissioner Robinson and seconded by Commissioner Cox to approve the Consent Agenda. Motion carried by the following vote: YES – Boland, Cox, Desmond, Gleason, Hubbs, Robinson, Smisek, Young; NO – None; ABSENT – Panknin. (Weighted Vote Points: YES – 92; NO – 0; ABSENT – 8)

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the October 4, 2012, regular meeting.

CONSISTENCY DETERMINATIONS

2. CONSISTENCY DETERMINATION – REPORT OF LAND USE ACTIONS DETERMINED TO BE CONSISTENT WITH AIRPORT LAND USE COMPATIBILITY PLANS:

RECOMMENDATION: Receive the report.

PUBLIC HEARINGS: None.

NEW BUSINESS:

3. PRESENTATION AND POSSIBLE POLICY DIRECTION REGARDING DRAFT SAN DIEGO INTERNATIONAL AIRPORT - AIRPORT LAND USE COMPATIBILITY PLAN:

Angela Jamison, Manager, Airport Planning, provided a presentation on Possible Policy Direction Regarding Draft San Diego International Airport – Airport Land Use Compatibility Plan, which included SDIA ALUCP Process Overview, Public Outreach, Content of Draft SDIA ALUCP (Implementation, Noise, Safety, Airspace, Overflight, Appendices), Local Agency Concerns, Governing ALUCP, Environmental Process, and AIA Current ALUCP.

Commissioner Desmond questioned whether a timeline could be established for when projects are deemed complete by the local agency and the ALUC.

MATT ADAMS, SAN DIEGO, stated that the issue regarding the ALUC versus local agency deemed complete date could impede the project design process for developers. He suggested adopting the language that appears in the existing Urban Plan.

JOHN ZIEBARTH, SAN DIEGO, spoke in support of the proposed Environmental Impact Report. He recommended the inclusion of an appeal provision allowing re-establishment of nonconforming uses beyond 3 years.

NEIL HYYTIMEN, SAN DIEGO, requested that the ALUC duplicate the deemed complete provision that currently exists in the Urban ALUCP's.

Commissioner Desmond spoke in support of an appeal process after 36 months for discontinued nonconforming uses. He suggested that staff work with stakeholders on a conditional approval process for project reviews. He stated the need for more flexibility with the process.

Commissioner Smisek stated his preference for the local agency deemed complete date for project review. He spoke in support of an appeal provision for the re-establishment of a nonconforming use beyond 36 months.

In response to the question by Commissioner Cox regarding any aversion staff may have to an appeal provision, Breton Lobner, General Counsel, responded that the General Counsel has previously advised the Board that approving a discretionary decision procedure within the process, would expose the Authority to litigation in the future.

Commissioner Boland suggested that the appeal process be vetted at a future meeting.

RECOMMENDATION: Receive the report and provide possible policy direction for the draft Airport Land Use Compatibility Plan.

ACTION: Moved by Commissioner Hubbs and seconded by Commissioner Robinson, to direct staff to move forward the Airport Land Use Compatibility Plan as presented for purposes of preparing the Environmental Impact Report, and requested further discussion regarding an appeal provision; and the ALUC versus local agency deemed complete date for projects at its January meeting. Motion carried by the following vote: YES – Boland, Cox, Desmond, Gleason, Hubbs, Robinson, Smisek, Young; NO – None; ABSENT – Panknin. (Weighted Vote Points: YES – 92; NO – 0; ABSENT – 8)

COMMISSION COMMENT: None.

ADJOURNMENT: The meeting was adjourned at 11:50 a.m.

APPROVED BY A MOTION OF THE AIRPORT LAND USE COMMISSION THIS 13th DAY OF DECEMBER, 2012.

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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