

**CONSISTENCY DETERMINATION
MCCLELLAN-PALOMAR AIRPORT
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)
FEBRUARY 10, 2011**

Item # 2 Resolution # 2011-0003 ALUC

Recommendation: Conditionally Consistent

**GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION TO
CONSTRUCT 29 MULTI-FAMILY RESIDENTIAL UNITS AT SUNNY CREEK
ROAD AND COLLEGE BOULEVARD, 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 29 multi-family residential units with surface parking on a 2.64 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 compatible with airport uses.

Airspace Protection Surfaces: The height of the proposed project structures will be 44 feet above ground level. The height of the proposed project is consistent with the ALUCP because a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA).

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.

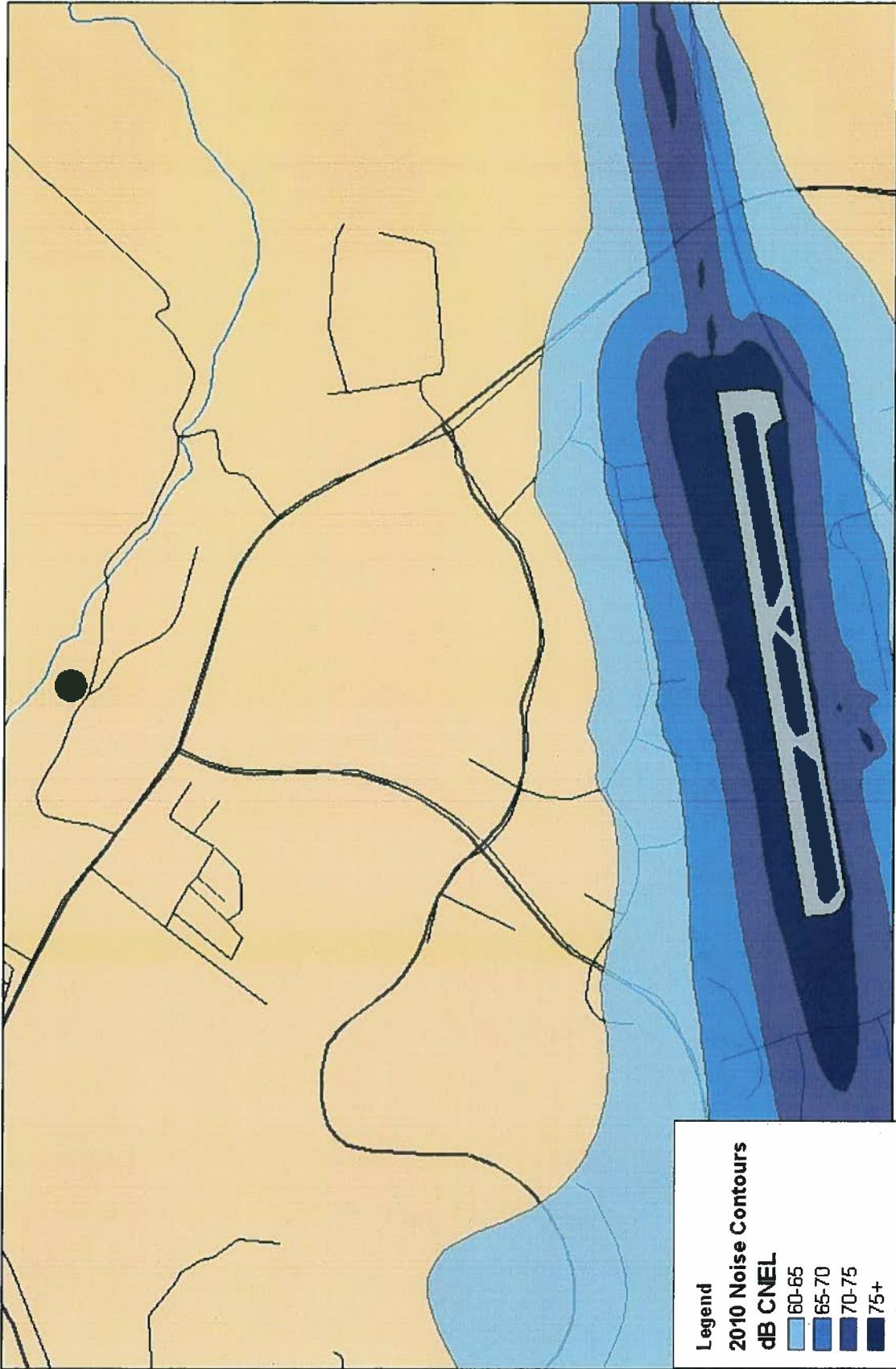
Ownership: The property is owned by West Senior Living R/E LLC of Carlsbad. The architect is Irwin Partners of Costa Mesa.

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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ATTACHMENT A



Legend

2010 Noise Contours

dB CNEL

- 60-65
- 65-70
- 70-75
- 75+

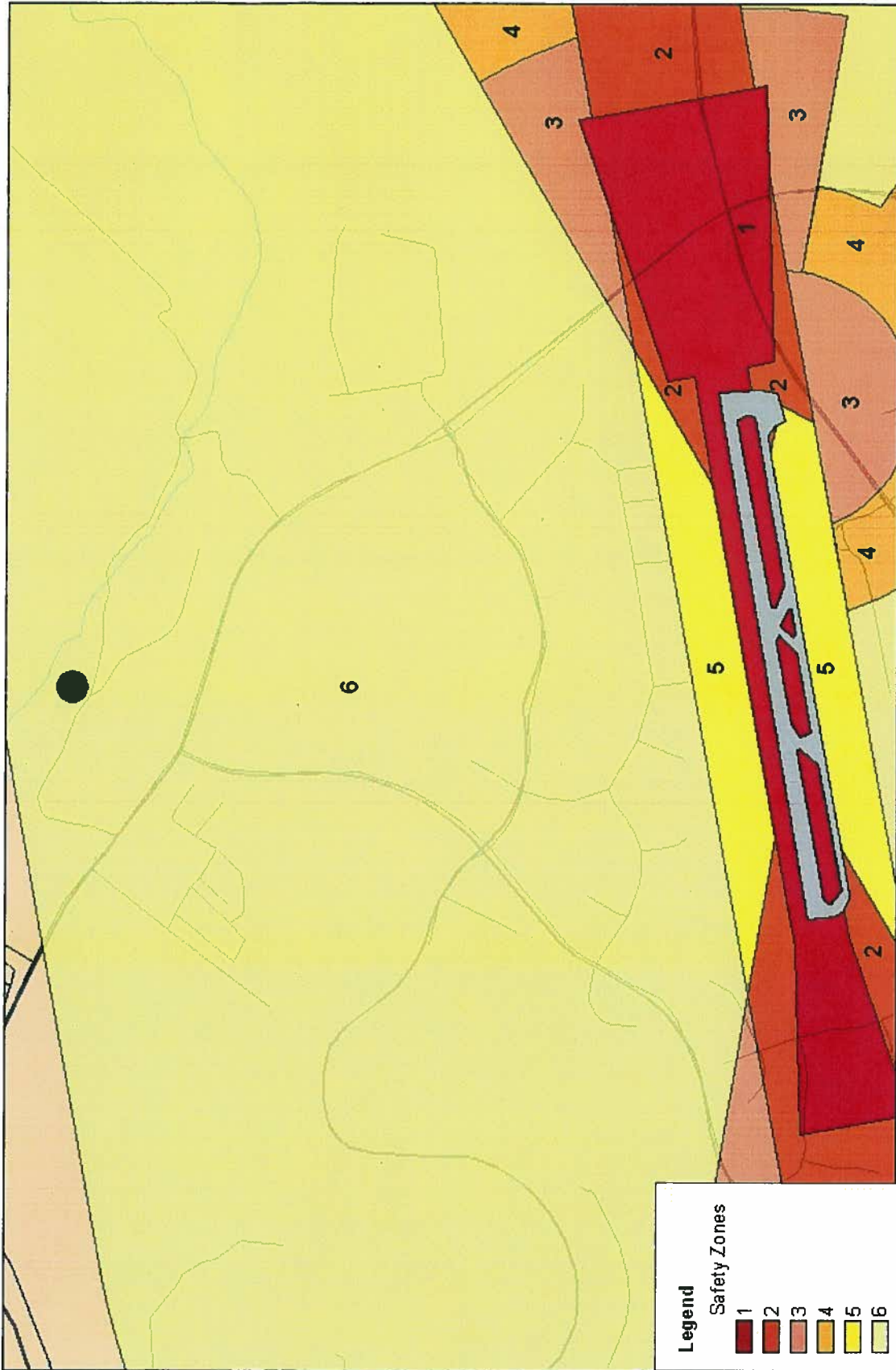
— fwy
— majorrds
— roads



Sunny Creek Road @ College Boulevard
(APN: 209-060-68)



ATTACHMENT B



Legend

Safety Zones

- 1
- 2
- 3
- 4
- 5
- 6

fwy
major roads
roads



Sunny Creek Road @ College Boulevard
(APN: 209-060-68)

0 0.1 0.2 Miles

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RESOLUTION NO. 2011-0003 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 29 MULTI-FAMILY RESIDENTIAL UNITS AT SUNNY CREEK ROAD AND COLLEGE BOULEVARD, 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: Construction of 29 Multi-Family Residential Units at Sunny Creek Road and College Boulevard, 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 29 multi-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 a determination of no hazard to air navigation has been issued by the Federal Aviation Administration (FAA); and

WHEREAS, the proposed project is located within Safety Zone 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 that an overflight notification for new residential land uses be recorded with the County Recorder; 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: Construction of 29 Multi-Family Residential Units at Sunny Creek Road and College Boulevard, City of Carlsbad, is conditionally consistent with the McClellan-Palomar Airport ALUCP, which was adopted on January 25, 2010 and amended on March 4, 2010, based upon the following facts and findings:

- (1) The proposed project involves a general plan amendment and zone reclassification to construct 29 multi-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 a determination of no hazard to air navigation has been issued by the FAA.
- (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 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 FUTHER 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 10th day of February, 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

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