ATTACHMENT B
The City of San Diego
COMMENTS TO SPECIFIC POLICIES WITH REVISIONS
to the Draft San Diego County ALUCP (strikeout/underline format)
(March 2005 Draft)

Introduction

OVERVIEW OF THE PLAN

The basic function of airport land use compatibility plans is to promote compatibility between airports and the land uses that surround them to the extent that these areas are not already devoted to incompatible uses. With limited exceptions, California law requires preparation of a compatibility plan for each public-use and military airport in the state. Most counties have established an airport land use commission, as provided for in the law, to prepare compatibility plans for the airports in that county and to review land use plans and development proposals (prior to determining land use plans consistent), as well as certain airport development plans, for consistency with the compatibility plans. In San Diego County, the airport land use commission function rests with the Board of the San Diego County Regional Airport Authority (SDCRAA). <COMMENT – REVIEW LIMITED TO MAJOR LAND USE ACTIONS ONLY, NO REVIEW IS NEED ONCE A GENERAL PLAN HAS BEEN DETERMINED TO BE CONSISTENT WITH THE ALUCP>

General Applicability

As adopted by SDCRAA acting as the San Diego County Airport Land Use Commission (ALUC), this *San Diego County Airport Land Use Compatibility Plan* establishes policies applicable to land use compatibility planning in the vicinity of the 16 public-use and military airports throughout San Diego County. The airports addressed and the land use jurisdictions affected are listed in Table 1A.

Although contained within this one document and jointly referred to herein as the *Compatibility Plan*, state law treats the compatibility plan for each airport as its own separate entity. Thus, the *Compatibility Plan* is officially 16 individual compatibility plans with common components. From a policy standpoint, the fundamental component that the plan for each airport has in common with the others is the set of countywide policies defined in Chapter 2. Among these policies are compatibility criteria generally applicable to all the airports. The geographic relationship of these criteria to the environs of each airport is determined by the maps included in Chapter 3. For some of the airports, Chapter 3 also includes supplemental policies that add to or modify the countywide policies.

The compatibility plan for each of the 16 airports consists of Chapter 2 together with the respective section of Chapter 3. Each airport's plan is separately adopted and may be separately amended in the future. However, changes to Chapter 2 would constitute an

amendment to the plans for all airports. State law limits amendment of an airport's compatibility plan to once per calendar year.

Also included in Chapter 2 and applicable to all the airports are the procedural requirements associated with the compatibility review of development proposals prior to the determination of a general plan being consistent with the *Compatibility Plan*. These procedures together with the compatibility criteria, maps, and other policies in the plan comprise the tools used by the ALUC in conducting reviews of proposed land use and airport development actions.

Use of the Compatibility Plan is not limited only to the ALUC, however. The compatibility criteria are applicable to local ~~agencies~~ jurisdictions in their preparation or amendment of land use plans and ordinances. State law explicitly requires the county and affected cities to modify their general plans and specific plans to be consistent with the ALUC's plan or to take special steps to overrule the ALUC. In addition, for local jurisdictions preparing amendments to land use plans and ordinances, t~~T~~he Compatibility Plan is also applicable to ~~the county and cities as they review development proposals within their respective jurisdictions and to the landowners themselves including,~~ school districts~~,~~ and special districts, ~~and private parties~~ as well as the county and cities~~ in their design of new~~ for the development of new public facilities. Local jurisdictions will review development proposals using their land use plans and ordinances revised to be consistent with the Compatibility Plan.

<COMMENT - The ALUCP is not used by jurisdictions to review projects, but rather to amend plans and regulations to be consistent with the ALUCP The plans determined to by consistent with the ALUCP are used to review projects..>

This *Compatibility Plan* replaces *Comprehensive Land Use Plans* (CLUPs) for nine of the airports which the ALUC adopted on an interim basis in 2004. This action was taken by SDCRAA to amend and reaffirm the CLUPs adopted in the 1980s and 1990s by the San Diego County Association of Governments (SANDAG) when it served as the San Diego County ALUC prior to 2003. For the most part, the 2004 amendments involved only minor modifications to the previous policies. By comparison, the current *Compatibility Plan* represents a complete reexamination of the approach to compatibility planning around the airports in the county.

Statutory Requirements

Powers and Duties

Requirements for creation of airport land use commissions (ALUCs) were first established under the California State Aeronautics Act (Public Utility Code Sections 21670 et seq.) in 1967. (See Appendix A herein for a copy of the statutes). Although the law has been amended numerous times since then, the fundamental purpose of ALUCs to promote land use compatibility around airports has remained unchanged. As expressed in the present statutes, this purpose is:

> "...to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure

> to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

The statutes give ALUCs two principal powers by which to accomplish this objective. First, ALUCs must prepare and adopt an airport land use compatibility plan. Secondly, they must review the general plans, specific plans, regulations, ~~,~~ and zoning ordinances ~~and certain other actions of~~ local jurisdictions ~~agencies~~ and airport operators for consistency with that plan~~.~~. In addition, only prior to determining the plans and regulations consistent, the ALUC can review *major land use actions.*

<COMMENT - The description of the ALUC's power to review should contain specific language that addresses the types of plans and actions to be reviewed. This could lead to future disagreement if not clearly stated.>

Limitations

This fundamental objective notwithstanding, airport land use commissions are limited in their powers to achieve it. Two limitations are explicitly written into the law: ALUCs have no authority over either existing land uses (Section 21674(a)) or the operation of airports (Section 21674(e)). Neither of these terms is defined within the statutes, but the interpretation of their meaning is fairly standard throughout the state.

☐ **Existing Land Uses**—The precise wording of the Aeronautics Act is that the authority of ALUCs extends only to land in the vicinity of airports that is "not already devoted to incompatible uses." The working interpretation of this language is that ALUCs have no state-empowered authority over existing land uses. The question then becomes one of determining what conditions qualify a land use as existing. For airport land use planning purposes, a land use can generally be considered existing once the local ~~agency~~ jurisdiction, school district, or special district has completed all discretionary actions on the project and only ministerial approvals remain. A vacant property thus can be considered "devoted to" a particular use, even if the activity has not begun, once local government commitments along with substantial construction investments by the property owner make it infeasible for the property to be used for anything other than its proposed use. Local government commitment to a proposal can usually be considered firm once a vesting tentative map, development agreement, or other land use entitlement has been approved. (See Chapter 2 for the definition of ***existing land use*** as adopted by the San Diego County Airport Land Use Commission).

☐ **Operation of Airports**—Any actions pertaining to how and where aircraft operate on the ground or in the air around an airport are clearly not within the jurisdiction of ALUCs to regulate. ALUC involvement with aircraft operations is limited to taking the operational characteristics into account in the development of land use compatibility plans. This limitation on the jurisdiction of ALUCs cannot, however, be taken to mean that they have no authority with respect to new development on airport property. For example, the law specifically requires ALUCs to review proposed airport master plans for consistency with the commission's plans. ALUCs also have authority to review proposals for nonaviation development on airport property.

A third, less absolute, limitation concerns the types of land use actions that are subject to ALUC review. The law emphasizes local general plans as the primary mechanism for implementing the compatibility policies set forth in an ALUC's plan. Thus, San Diego County and each city affected by an airport land use compatibility plan is required to make its general plan consistent with the ALUC plan (or to overrule the commission). Once a local ~~agency~~ jurisdiction has taken this action to the satisfaction of the Airport Land Use Commission, the ALUC's authority to review projects within that jurisdiction is narrowly limited. The only actions for which review remains mandatory are proposed adoption or amendment of general plans, specific plans, zoning ordinances, and building regulations affecting land within an airport influence area. For an ALUC to review individual projects, the local ~~agency~~ jurisdictions must agree to submit them. One final limitation worth noting is that ALUCs have no jurisdiction over federal lands such as lands controlled by the U.S. Forest Service, Bureau of Land Management, or Indian tribes. ALUCs can merely inform these agencies about the ALUC policies and seek their cooperation.

San Diego County Airport Land Use Commission

State law provides two basic options regarding the structure of airport land use commissions: a standard format or designation of an existing body to serve as the ALUC. Among California's 58 counties, these two formats are used in roughly equal proportions. Membership on ALUCs structured in the standard manner is specified to be as follows:

☐ Two members appointed by the county board of supervisors;

☐ Two members appointed by a selection committee of mayors of the county's cities;

☐ Two members appointed by airport managers; and

☐ A seventh member, representing the general public, appointed by the other six.

The designated body format has several possibilities. Most common is for a single- or multi-county council of governments or similar entity to be designated as the ALUC. Other types of bodies that serve as ALUCs in some counties include the county planning commission, the county airport commission, or the county board of supervisors.

As noted earlier in this chapter, the San Diego County Regional Airport Authority serves as the airport land use commission in San Diego County. However, unlike in most other counties where a designated body functions as the ALUC by choice of the county board of supervisors and the cities' mayors, the SDCRAA designation as the San Diego County ALUC is written into state law (PUC Section 21670.3). SDCRAA assumed the ALUC duties from the San Diego Association of Governments (SANDAG) when the Airport Authority came into existence on January 1, 2003. SANDAG had served as the San Diego County ALUC since December 1970 when the ALUC function was first established.

The legislation establishing SDCRAA gives the agency not only the role as the county's ALUC, but also two other key roles with regard to aviation in San Diego County. It is the operator of San Diego International Airport (SDIA), the sole major domestic and international airline airport in the county. Additionally, SDCRAA is responsible for leading

the comprehensive planning effort directed at meeting the long-term air transportation service demands of the region. While these three functions are housed within a single organization, the ALUC role is largely independent of the others because by law ALUCs have no authority over airport operations. This *Compatibility Plan* thus plays no direct part in determining the future of SDIA or the Airport Site Selection program for serving the county's long-term air transportation needs. For the purposes of the *Compatibility Plan*, all existing public-use and military airports in the county are assumed to continue in their present roles.

Relationship of the ALUC to County and City Governments

The fundamental relationship between the San Diego County Airport Land Use Commission and the governments of San Diego County and the affected cities in the county is set by the State Aeronautics Act. The ALUC is not simply an advisory body for the San Diego County Board of Supervisors or city councils in the manner that their respective planning commissions are. Rather, it is more equivalent to a Local Agency Formation Commission (LAFCo). Within the bounds defined by state law, the decisions of the ALUC are final and are independent of the Board or city councils. The ALUC does not need approval of the county or any city in order to adopt this *Compatibility Plan* or to carry out the ALUC project review responsibilities.

Despite this independent action status, the ALUC must coordinate its activities with the local land use jurisdictions. In one particular respect, this coordination is mandatory. State law requires "hearing and consultation with the involved agencies" with regard to establishment of airport influence area boundaries (PUC Section 21675(c)). This step will be necessary as part of the present *Compatibility Plan* preparation process in that the influence area of all the airports is either modified from the previous ALUC plan or is new altogether. The law also identifies another point at which coordination between the ALUC and local ~~agencies~~ jurisdiction occurs. Once the county or a city has revised its general plan or specific plan or has overruled the commission, the proposed action of the local ~~agency~~ jurisdiction is not subject to further commission review, "unless the commission and the local agency agree that individual projects shall be reviewed by the commission" (Section 21676.5(b)). As indicated in the Chapter 2 policies, the ALUC ~~requests~~ encourages that local jurisdictions continue to submit certain "major land use actions" ~~continue to be submitted~~ for advisory review and comment.

<COMMENT - The language requesting jurisdictions to continue to have the ALUC review major land use actions is too regulatory and authoritative rather it could be stated as a policy recommendation for local jurisdictions to consider. This could lead to future disagreements if this is voluntary or mandatory request.>

A final aspect of the relationship between the ALUC and county and city governments concerns implementation of the *Compatibility Plan*. Although the ALUC has the sole authority to adopt this plan and to conduct compatibility reviews of updates and revisions to general plans, specific plans, regulations, and zoning ordinances of affected local jurisdictions, the authority and responsibility for implementing the compatibility policies rests with the local governments. Actions that San Diego County and the affected cities can

take to implement the *Compatibility Plan* are outlined later in this chapter. <COMMENT – LANUAGE FOR COMPATIBLITY REVIEWS IS TOO VAGUE>

POLICY FRAMEWORK

The policies in Chapter 2 and 3 of this *San Diego County Airport Land Use Compatibility Plan Policies Document* are based upon two primary sources: state laws and guidelines; and master plans for the respective airports.

State Laws and Guidelines

Many of the procedures that govern how ALUCs operate are defined by state law. Statutory provisions in the Public Utilities Code establish the requirements for ALUC adoption of compatibility plans, including which airports should or can be included and some of the steps involved in the plan adoption. The law also dictates the requirements for airport land use compatibility reviews by the ALUC. The types of actions that local jurisdictions must submit for review are specified, for example. With respect to airport land use compatibility criteria, the statutes say little, however. Instead, a section of the law enacted in 1994 refers to another document, the *Airport Land Use Planning Handbook* published by the California Division of Aeronautics. Specifically, the statutes say that, when preparing compatibility plans for individual airports, ALUCs shall "be guided by" the information contained in the *Handbook*. The *Handbook* is not regulatory in nature, however, and it does not constitute formal state policy except to the extent that it explicitly refers to state laws. Rather, its guidance is intended to serve as the starting point for compatibility planning around individual airports. The policies in this *Compatibility Plan*, including the individual airport compatibility maps, take into account the guidance provided by the current edition of the *Airport Land Use Planning Handbook*, dated January 2002. An additional function of the *Airport Land Use Planning Handbook* is established elsewhere in California state law. The Public Resources Code creates a tie between the *Handbook* and California Environmental Quality Act (CEQA) documents. Specifically, Section 21096 requires that lead agencies must use the *Handbook* as "a technical resource" when assessing airport-related noise and safety impacts of projects located in the vicinity of airports. The January 2002 edition of the *Handbook* is available for downloading from the Division of Aeronautics web site (www.dot.ca.gov/hq/planning/aeronaut).

Relationship to Airport Master Plans

Airport land use compatibility plans are distinct from airport master plans in function and content. In simple terms, the issues addressed by airport master plans are primarily on-airport whereas those of concern in a compatibility plan are mostly off-airport. The purpose of airport master plans is to assess the demand for airport facilities and to guide the development necessary to meet those demands. An airport master plan is prepared for and adopted by the agency that owns and/or operates the airport. In contrast, the major purpose of a compatibility plan is to ensure that incompatible development does not occur on lands surrounding the airports. The responsibility for preparation and adoption of compatibility plans lies with each county's airport land use commission. This distinction notwithstanding,

the relationship between the two types of plans is close. Specifically, Public Utilities Code Section 21675(a) requires that ALUC plans be based upon a long-range airport master plan adopted by the airport owner/proprietor. If such a plan does not exist for a particular airport, an airport layout plan may be used subject to approval by the California Division of Aeronautics. The compatibility plan for each of the airports within the jurisdiction of the San Diego County Airport Land Use Commission is based upon the respective airport master plan or, as allowed by the statutes, a state-approved airport layout plan. The status of the master plan and layout plan for each airport is indicated in the background data volumes of this *Compatibility Plan*.

Relationship to AICUZ Studies

Federal regulations require the military services to prepare an Air Installation Compatible Use Zone (AICUZ) study for each military airfield. The AICUZ Program was established by the Department of Defense in response to growing incompatible urban development around military airfields. DOD Instruction Number 4165.57 (November 8, 1977) provides the overall guidance for the program. Each of the military services has its own individual guidelines for implementing the basic instructions. The Navy guidelines, for example, are defined in OPNAV Instruction 11010.36B, *AICUZ Program Procedures and Guidelines for Department of the Navy Air Installations* dated December 19, 2002. These procedures apply to Marine Corps airfields as well as to those operated by the Navy. The Navy publication describes the purpose of the AICUZ program as being "to achieve compatibility between air installations and neighboring communities by: 1. Protecting the health, safety, and welfare of civilians and military personnel by encouraging land use which is compatible with aircraft operations; 2. Protecting Navy and Marine Corps installation investment by safeguarding the installation's operational capabilities; 3. Reducing noise impacts caused by aircraft operations while meeting operational, training, and flight safety requirements, both on and in the vicinity of air installations; and 4. Informing the public about the AICUZ program and seeking cooperative efforts to minimize noise and aircraft accident potential impact by promoting compatible development in the vicinity of military air installations." AICUZ plans prepared for individual military airfield serve as recommendations to local land use jurisdictions. The plans have no federal regulatory function. However, California State law (Public Utilities Code Section 21675(b)) requires not only that ALUCs prepare an airport land use compatibility plan for each military airport in their jurisdiction, but also that such plan "be consistent with the safety and noise standards …" in the AICUZ plan for that airport. Although the compatibility policies set forth in this *Compatibility Plan* for each of the four military airfields in San Diego County are not identical to the respective AICUZ plans for those facilities, they are consistent with them. The compatibility policies afford a level of compatibility protection that is equal to, if not greater than, that recommended in the AICUZ plans.

PLAN IMPLEMENTATION

General Plan Consistency

As noted above, state law requires each local agency having jurisdiction over land uses within an ALUC's planning area to modify its general plan and any affected specific plans to be consistent with the compatibility plan. The law says that the local agency must take this action within 180 days of when the ALUC adopts or amends its plan. The only other course of action available to local agencies is to overrule the ALUC by a two-thirds vote of its governing body after making findings that the agency's plans are consistent with the intent of state airport land use planning statutes. Additionally, the local agency must notify both the ALUC and the California Division of Aeronautics at least 45 days in advance of its decision to overrule and must hold a public hearing on the proposed overruling (Public Utilities Code Section 21676(a) and (b)). Note that similar requirements apply to local agency overruling of ALUC actions concerning individual development proposals for which ALUC review is mandatory (Section 21676.5(a)) and airport master plans (Section 21676(c)).

A general plan does not need to be identical with the ALUC plan in order to be consistent with it. To meet the consistency test, a general plan must do two things:

☐ It must specifically address compatibility planning issues, either directly or through reference to a zoning ordinance or other policy document; and

☐ It must avoid direct conflicts with compatibility planning criteria.

Many ~~community~~ general plans of local jurisdictions ~~pay little attention~~do not fully address ~~to~~ the noise and safety factors associated with airport land use compatibility. In addition, ~~some of the~~certain designated land uses ~~of property~~ near an airport ~~frequently are~~may ~~contrary to good~~not be as consistent with recent airport land use compatibility planning practices. Each of the land use jurisdictions affected by this *Compatibility Plan* likely will need to make some modification to its general plan and/or other land use policy documents in order to meet the plan consistency requirements. It must be emphasized, however, that local agencies need not change land use designations, regulations, and zoning ordinances to bring them into consistency with the ALUC criteria if the current designations merely reflect existing development. They ~~merely~~ would need to establish policies ~~to ensure that the nonconforming uses would not be expanded and that any redevelopment of the affected areas would be made~~ consistent with the intent of the compatibility criteria.
<COMMENT – The proposed language is an over generalization and may not be an accurate statement for every jurisdiction.>

Compatibility planning issues can be reflected in a general plan in several ways:

☐ **Incorporate Policies into Existing General Plan Elements**—One method of achieving the necessary planning consistency is to modify existing general plan elements. For example, airport land use noise policies could be inserted into the noise element, safety policies could be placed into a safety element, and the primary compatibility criteria and associated maps plus the procedural policies might fit into the land use element. With this approach, direct conflicts would be eliminated and the majority of the mechanisms and procedures necessary to ensure compliance with compatibility criteria could be fully incorporated into a local jurisdiction's general plan.

☐ **Adopt a General Plan Airport Element**—Another approach is to prepare a separate airport element of the general plan. Such a format may be advantageous when a community's general plan also needs to address on-airport development and operational issues. Modification of other plan elements to provide cross-referencing and eliminate conflicts would still be necessary.

☐ **Adopt Compatibility Plan as Stand-Alone Document**—Jurisdictions selecting this option would simply adopt as a local policy document the relevant portions of the *Compatibility Plan Policy Document*—specifically, Chapter 2 plus the policies and maps for the relevant airports from Chapter 3. Applicable background information from Volume 2 could be included as well if desired. Changes to the community's existing general plan would be minimal. Policy reference to the ALUC plan would need to be added and any direct land use or other conflicts with compatibility planning criteria would have to be removed. Limited discussion of compatibility planning issues could be included in the general plan, but the substance of most compatibility policies would appear only in the standalone document.

☐ **Adopt Airport Combining District or Overlay Zoning Ordinance**—This approach is similar to the stand-alone document except that the local jurisdiction would not explicitly adopt the *Compatibility Plan* as policy. Instead, the compatibility policies would be restructured as an airport combining or overlay zoning ordinance. A combining zone serves as an overlay of standard community-wide land use zones and modifies or limits the uses permitted by the underlying zone. Flood hazard combining zoning is a common example. An airport combining zone ordinance can serve as a convenient means of bringing various airport compatibility criteria into one place. The airport-related height-limit zoning that many jurisdictions have adopted as a means of protecting airport airspace is a form of combining district zoning. Noise and safety compatibility criteria, together with procedural policies, would need to be added to create a complete airport compatibility zoning ordinance. Other than where direct conflicts need to be eliminated from the local plans, implementation of the compatibility policies would be accomplished solely through the zoning ordinance. Policy reference to airport compatibility in the general plan could be as simple as mentioning support for the airport land use commission and stating that policy implementation is by means of the combining zone. (An outline of topics which could be addressed in an airport combining zone is included in Appendix F.)

Project Referrals

~~In addition to the types of land use actions for which referral to the ALUC is mandatory in accordance with state law, the *Compatibility Plan* specifies other land use projects that either must or should be~~ Local jurisdictions, prior to making their general plans consistent with the *Compatibility Plan* are required to submit~~ted~~ *major land use actions* for review. These ***major land use actions*** are defined in Chapter 2. Beginning with when this plan, as it pertains to each specific airport, is adopted by the Airport Land Use Commission and continuing until such time as local jurisdictions have made the necessary modifications to their general plans, all of these major land use actions are to be submitted to the commission

for review. After local agencies have made their general plans consistent with the *Compatibility Plan* no additional project review is required~~,~~. T~~t~~he ALUC ~~requests~~ recommends that local jurisdictions continue to submit these major actions ~~continue to be submitted~~ on a voluntary basis only.

<COMMENT - The description of the ALUC's power to review major land use actions prior to a jurisdiction revising its general plan is not clearly stated. This could lead to future disagreement if not clearly stated. Should state review after GP is determined to be consistent is recommended on a voluntary basis only. Please revise.>

PLAN CONTENTS

The *San Diego County Airport Land Use Compatibility Plan* is organized into two volumes.

This first volume contains the policies by which the ALUC operates and conducts compatibility reviews of proposed land use and airport development actions. The present introductory chapter serves to set the overall context of airport land use compatibility planning in general and for airports in San Diego County in particular. The most important components of the plan are found in Chapters 2 and 3. Chapter 2 outlines the policies, including airport land use compatibility criteria, generally applicable around all airports in the county. Additionally, the policies define the types of actions to be submitted for ALUC review and the procedures that the ALUC will follow in making compatibility determinations. Chapter 3 presents the compatibility maps for each airport together with any policies applicable only to that airport. Also included in this volume are a set of appendices containing a copy of state statutes concerning airport land use commissions and other general information pertaining to airport land use compatibility planning.

Volume 2 presents various background data regarding features, impacts, and environs of each of the 12 public-use and four military airports in the county. In addition to serving as a convenient information reference for each airport, the material in Volume 2 serves to document the data and assumptions upon which the compatibility map for each airport was based.

Volume 2 along with the appendices in Volume 1 constitute supporting documentation for the adopted policies contained in Chapters 2 and 3 of Volume 1. This material is taken from other sources and does not represent ALUC policy except where cited as such in Chapters 2 and 3—specifically the state ALUC statutes and certain other laws (Appendix A) and Federal Aviation Regulations Part 77 (Appendix B).

Countywide Policies

1. GENERAL APPLICABILITY

1.1. Purpose

1.1.1. *Purpose:* The policies set forth in this *San Diego County Airport Land Use Compatibility Plan* serve two functions:

(a) To articulate the procedures to be used by the San Diego County Regional Airport Authority Board acting as the San Diego County Airport Land Use Commission (ALUC) and affected local agencies for the purpose of fulfilling the airport land use compatibility review requirements set forth in the California State Aeronautics Act (Public Utilities Code Section 21670 et seq.). Specifically, these procedures define:

(1) The steps to be taken by the County of San Diego~~,~~ and affected cities~~, special districts, school districts, and community college districts~~ in submitting ~~certain land use development plans and other proposed~~ *major land use actions* to the San Diego County Airport Land Use Commission for review prior to revising their general plans, specific plans, and zoning ordinances to be consistent with the compatibility criteria set forth in this plan.~~.~~

(2) The steps to be taken by the affected special districts, school districts, and community college districts in submitting certain land use development plans and other proposed actions to the San Diego County Airport Land Use Commission for review.

<COMMENT - The language should specify the differ between local land use jurisdictions (county and cities) and school, community college, and special districts, since only land use jurisdictions have general plans and regulations that are used review projects and major land use actions prior to a general plan is determined to be consistent. This could help address potential confusion>

(~~2~~3) The steps to be taken by airport operators in submitting airport master plans, construction plans for new airports, and certain airport expansion plans to the ALUC for review.

(~~3~~4) The process to be used by the ALUC in reviewing the above actions for compliance with the compatibility criteria set forth in this plan.

(b) To identify compatibility criteria to be utilized by:

(1) The ALUC in review of:

- Various actions involving land use development within any public-use or military airport influence area in the county.
- Airport master plans and other airport related development plans.

(2) San Diego County and affected cities in modifying their respective general plans, applicable specific plans, and zoning ordinances for consistency with the ALUC's plan.

1.1.2. *Relationship to Compatibility Plans for Individual Airports:* The policies in this chapter are intended to comprise one portion of the compatibility plan for each of the public-use and military airports in San Diego County. Land use compatibility policies, in the form of compatibility criteria and maps for each individual airport, are included in Chapter 3 of this document.

1.2. Definitions

The following definitions apply for the purposes of the policies set forth in this document (additional terms are defined in the *Glossary*):

1.2.1. *Aeronautics Act:* Except as indicated otherwise, the article of the California Public Utilities Code (Sections 21670 et seq.) pertaining to airport land use commissions.

1.2.2. *Airport:* Each of the public-use or military airports, as listed in Policy 1.3.1(a), situated within or affecting lands within San Diego County, or any other new public-use airport that might be created within the boundaries of San Diego County.

1.2.3. *Airport Influence Area:* An area, as delineated in Chapter 3 herein for each of the airports addressed by this plan, in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses. The *airport influence area* constitutes the area within which certain land use actions are subject to ALUC review to determine consistency with the compatibility plan, as set forth by section 1.1 of this chapter. The *airport influence area* is divided into primary and secondary areas. Primary areas consist of *compatibility zones* A, B1, B2, C, and D. Secondary areas consist of *compatibility zone* E. Different policies apply to each of these areas. The term *airport influence area* is synonymous with the term *airport referral area* as well as to the term *planning area* as referred to in Public Utilities Code Section 21675. **<COMMENT – ADD CLARIFING LANUAGE>**

1.2.4. *Airport Land Use Commission (ALUC):* The San Diego County Regional Airport Authority acting in its capacity as the San Diego County Airport Land Use Commission.

1.2.5. *Airport Land Use Commission Staff:* The President/Chief Executive Officer of the San Diego County Regional Airport Authority or a person designated by the President/ Chief Executive Officer with the concurrence of the ALUC chairperson.

1.2.6. *Airspace Surfaces:* Imaginary surfaces in the airspace surrounding airports defined for each airport in accordance with criteria set forth in *Federal Aviation Regulations Part 77* and the *U.S. Standard for Terminal Instrument Procedures (TERPS).* These surfaces establish the maximum height that objects on the ground can reach without potentially creating constraints or hazards to the use of the airspace by aircraft approaching, departing, or maneuvering in the vicinity of an airport.

1.2.7. *Aviation-Related Use:* Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include runways, taxiways, and their associated

protection areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations facilities, terminal buildings, etc.

1.2.8. *Avigation Easement:* An easement that conveys rights associated with aircraft overflight of a property, including creation of noise, limits on the height of structures and trees, etc. (see Policy 5.3.6 and *Glossary*)

1.2.9. *Community Noise Equivalent Level (CNEL):* The noise metric adopted by the state of California for land use planning purposes, including describing airport noise impacts. The noise impacts are typically depicted by a set of contours, each of which represents points having the same CNEL value.

1.2.10. *Compatibility Plan:* This document, the *San Diego County Airport Land Use Compatibility Plan*.

1.2.11. *Compatibility Zone:* Any of the zones set forth herein for the purposes of assessing land use compatibility within the airport influence area.

1.2.12. *Existing Land Use:* A land use that either physically exists or ~~for which local government commitments to the proposal have been obtained~~ a development project that has a development permit application (ministerial or discretionary) deemed complete by the local jurisdiction at the time of adoption of the *Compatibility Plan*~~; that is, no further discretionary approvals are necessary~~.

<COMMENT - It is unreasonable to not approve a project that may have been in the review process prior to the ALUCP being finalized, meets the existing requirements, and may be only waiting a hearing date for approval.>

(a) Local government commitment to a proposal can usually be considered firm once one or more of the following have occurred:

(1) A development permit application deemed complete by the local jurisdiction;

(~~1~~2) A tentative parcel or subdivision map has been approved and not expired;

(~~2~~3) A vesting tentative parcel or subdivision map has been approved;

(~~3~~4) A development agreement has been approved and remains in effect;

(~~4~~5) A final subdivision map has been recorded;

(~~5~~6) A use permit or other discretionary entitlement has been approved and not yet expired; or

(~~6~~7) A valid building permit has been issued.

(b) The determination as to whether a specific project meets the above criteria is to be made by the general government jurisdiction involved.

1.2.13. *Federal Aviation Regulations (FAR) Part 77:* The part of Federal Aviation Regulations that deals with objects affecting navigable airspace in the vicinity of airports. With the exception of the ground, ~~Objects~~ objects that exceed the Part 77 height limits

constitute airspace obstructions. See Section 5.3 for specific height limit criteria and requirements for review by the Federal Aviation Administration and ALUC. **<COMMENT –Clarifying language>**

1.2.14. *Gross Acreage:* Gross acreage includes ~~the property at issue plus~~: the area to be developed, ~~a share of adjacent~~ roads or other right-of-ways and ~~any adjacent, permanently dedicated,~~ open space lands that will be permanently dedicated as open space with the ~~.~~ approval of the development. ~~***Net acreage*** includes only the property minus any internal roads or other rights-of-way.~~ **<COMMENT –Clarifying language>**

1.2.15. *Heliport:* A helicopter landing facility for which a Heliport Permit is required from the California Department of Transportation. Public-use and special-use heliports (including those at hospitals) are included within this definition, but helipads located on an airport are excluded. Personal-use heliports may or may not require a state permit depending upon their location and other factors. Certain provisions of this *Compatibility Plan* apply to proposed heliports requiring a State Heliport Permit (see Section 4).

1.2.16. *High Terrain Zone:* Areas of land in the vicinity of an airport where the ground lies above an FAR Part 77 surface or less than 35 feet beneath such surface. This zone is shown on the individual compatibility maps in Chapter 3 where applicable based upon surrounding terrain.

1.2.17. *Infill:* Development of vacant or underutilized land within areas that are already largely developed ~~or used more intensively~~. See Policy 3.3.1(b) for criteria used to identify infill areas for compatibility planning purposes.

1.2.18. *Local Jurisdiction:* For the purposes of this *Compatibility Plan*, ~~The~~ the County of San Diego or ~~any~~ incorporated cities. ~~city or other government agency (except state or federal government agencies or Indian tribes) having jurisdiction over land uses within their boundaries.~~ **<COMMENT –Revised language>**

1.2.19. *Major Land Use Action:* Actions related to proposed land uses for which compatibility with airport activity is a particular concern, but for which ALUC review is not always mandatory under state law. These types of actions are listed in Policy 1.5.3.

1.2.20 *Net Acreage:* Net Acreage includes only the portion of the development area that will be developed with a land use. **<COMMENT –Add language>**

1.2.~~20~~21. *Nonconforming Use:* ~~In general, a land use, parcel, or building which does not comply with a current land use plan or zoning ordinance, but which was legally permitted at the time the plan or ordinance was adopted.~~ For the purposes of this *Compatibility Plan*, a *nonconforming use* is an ***existing land use*** (Policy 1.2.12) that is not consistent with the *Compatibility Plan* as of the plan's adoption date.~~a nonconforming land use. is one which exists (see definition of ***existingland use*** in Policy 1.2.12) as of the plan's adoption date, but which does not conform with the *compatibility* criteria set forth herein.~~ **<COMMENT –Clarifying language>**

1.2.~~21~~22. *Project; Land Use Action; Development Proposal:* Terms similar in meaning and all referring to the types of land use matters, either publicly or privately sponsored, which are subject to the provisions of this *Compatibility Plan*.

1.2.23. *U.S. Standard for Terminal Instrument Procedures (TERPS).* TERPS surfaces are constructed from the electronic signals transmitted by air navigation electronic equipment. Aircraft use these instrument procedures to safely operate and land on runways. **<COMMENT –Add language>**

1.2.24. *Redevelopment:* Development of a new use to replace an existing use at a density or intensity that may vary from the existing use, which are subject to the provisions of this *Compatibility Plan.* **<COMMENT –Add language>**

1.3. Geographic Scope

As established by the San Diego County Airport Land Use Commission, the geographic scope of the *San Diego County Airport Land Use Compatibility Plan* encompasses:

1.3.1. *Airport Influence Areas*

(a) All lands on which the uses could be negatively affected by present or future aircraft operations at any of the airports listed in Table 1A of Chapter 1 for which the ALUC has specifically adopted this *Compatibility Plan*; also those lands on which the uses could negatively affect the development or utilization of any of the same airports.

(b) The specific limits of the influence area for each of the above airports are depicted on the respective *Compatibility Map* for that airport as presented in Chapter 3.

1.3.2. *Countywide Impacts on Flight Safety:* Other lands, regardless of their location in the county, on which certain land use characteristics could adversely affect the safety of aircraft flight in San Diego County. The specific uses of concern are identified in Policy 1.5.2(c).

1.3.3. *New Airports:* The construction plans for any new airport that may be proposed anywhere in the county, including within incorporated cities, and that requires an Airport Permit from the California Department of Transportation (agricultural airports, personal-use airports, and seaplane landing sites are generally exempt from state permit requirements).

1.3.4. *Heliports:* The site and environs of any public-use or special-use heliport (as defined by the California Department of Transportation) that may exist or be proposed anywhere within San Diego County, including within incorporated cities.

1.4. Types of Airport Impacts

1.4.1. *Principal Compatibility Concerns:* As established by state law (PUC Section 21670), the ALUC has the responsibility both "to provide for the orderly development of airports"

and "to prevent the creation of new noise and safety problems." ALUC policies thus have the dual objectives of protecting against constraints on airport expansion and operations that can result from encroachment of incompatible land uses and also minimizing the public's exposure to excessive noise and safety hazards. On this basis, this *Plan* addresses potential airport compatibility impacts related to:
(a) Exposure to aircraft noise;
(b) Land use factors that affect safety both for people on the ground and the occupants of aircraft;
(c) Protection of airport airspace; and
(d) Annoyance and other general concerns related to aircraft overflights.

1.4.2. *Airport Impacts Not Considered:* Other impacts sometimes created by airports (e.g., air pollution, automobile traffic, etc.) are not addressed by these compatibility policies and are not subject to ALUC review. Also, in accordance with state law (Public Utilities Code Section 21674(e)), neither this *Plan* nor the ALUC have authority over the operation of any airport (including where and when aircraft fly, airport security, and other such matters).

1.5. Types of Actions Reviewed

1.5.1. *Actions that Always Require ALUC Review:* As required by state law, the following types of actions shall be referred to the ALUC for determination of consistency with the Commission's *Plan* prior to their approval by the local jurisdiction:

(a) The adoption or approval of any amendment to a general or specific plan affecting lands within an airport influence area (Public Utilities Code Section 21676(b)).

(b) The adoption or approval of a zoning ordinance or building regulation that (1) affects lands within an airport influence area, and (2) involves the types of airport impact concerns listed in Section 1.4 (Public Utilities Code Section 21676(b)). Any proposed change or variance to any such ordinance or regulation also must be submitted for ALUC review if issues of noise, safety, airspace protection, or overflight as addressed herein are involved.

(c) Adoption or modification of the master plan for an existing public-use airport (Public Utilities Code Section 21676(c)).

(d) Any proposal for expansion of an existing airport or heliport if such expansion will require an amended Airport Permit from the state of California (Public Utilities Code Section 21664.5).

(e) Any proposal for a new airport or heliport whether for public use or private use (Public Utilities Code Section 21661.5) if the facility requires an Airport Permit or Heliport Permit issued by the California Department of Transportation.

1.5.2. *Other Land Use Actions Subject to ALUC Review:* In addition to the above types of land use actions for which ALUC review is mandatory, other types of land use actions are subject to review under the following circumstances:

(a) Until such time as (1) the ALUC finds that a local agency's general plan or specific plan is consistent with the *Airport Land Use Compatibility Plan*, or (2) the local agency has overruled the Commission's determination of inconsistency, state law provides that the ALUC may require the local agency to submit all actions, regulations, and permits involving land within an airport influence area to the Commission for review (Public Utilities Code Section 21676.5(a)). Only those actions that the ALUC elects not to review are exempt from this requirement. ALUC policy is that only the ***major land use actions*** listed in Policy 1.5.3 shall be submitted for review until such time as

(1) The ALUC finds that a local agency's general plan or specific plan is consistent with the *Airport Land Use Compatibility Plan*, or

(2) The local agency has overruled the Commission's determination of inconsistency.
<COMMENT –language to help clarify when major land use actions are no longer required to be submitted for review.>

(b) After a local agency has revised its general plan or specific plan (see Section 3.2) or has overruled the ALUC, the Commission no longer has authority under state law to require that all actions, regulations, and permits be submitted for review. However, the ALUC and the local agency can agree that the Commission ~~should~~ could continue to review individual projects in an advisory capacity.
<COMMENT -The draft policy language seems more of a mandate rather than a recommendation. Revise language if voluntary.>

(1) The ALUC ~~requests~~ recommends that local agencies ~~to~~ continue to submit ***major land use actions*** as listed in Policy 1.5.3. ALUC review of these types of projects can serve to enhance their compatibility with airport activity.

(2) Review of these actions is ~~requested~~ recommended only if a review has not previously been conducted as part of a general plan, specific plan, or zoning ordinance action or if sufficient project-level detail to enable a full assessment of compatibility was not available at the time of a previous review.

(3) Because the ALUC acts in an advisory capacity when reviewing projects under these circumstances, local jurisdictions are not required to adhere to the overruling process if they elect to approve a project without incorporating design changes or conditions recommended by the Commission.

(c) Proposed redevelopment of a property for which the existing use is consistent with the general plan and/or specific plan, but nonconforming with the compatibility criteria set forth in this *Compatibility Plan*, shall be subject to ALUC review. This policy is intended to address circumstances that arise when a general or specific plan land use designation does not conform to ALUC compatibility criteria, but is deemed consistent with the compatibility plan because the designation reflects an existing land use. Proposed redevelopment of such lands voids the consistency status and is to be treated as new development subject to ALUC review even if the proposed use is consistent with the local general plan or specific plan. (Also see Policies 3.3.2 and 3.3.3.)

(d) Proposed land use actions covered by Paragraphs (a), (b), and (c) above shall initially be reviewed by the ALUC Staff. If the Staff determines that significant compatibility issues are evident, the proposal shall be forwarded to the Commission for review and decision. The ALUC authorizes the Staff to make a consistency finding in accordance with Policy 2.3.2 for proposed actions having no compatibility issues of significance

1.5.3. *Major Land Use Actions:* The scope or character of certain *major land use actions,* as listed below, is such that their compatibility with airport activity is a potential concern. Even though these actions may be basically consistent with the local general plan or specific plan, sufficient detail may not be known to enable a full airport compatibility evaluation at the time that the general plan or specific plan is reviewed. To enable better assessment of compliance with the compatibility criteria set forth herein, ALUC review of these *major land use actions*, as listed below, is only warranted under the circumstances indicated in Policy 1.5.2 above.
<COMMENT – Specify that actions are only "major land use actions" and only warranted as indicated in Policy 1.5.2. Language should be specific to avoid confusion.>

(a) Actions affecting land uses within any compatibility zone in the primary airport influence area (*Compatibility Zones A*, *B1*, *B2*, *C*, and *D*).

(1) Any proposed expansion of the sphere of influence of a city or special district conducted during a sphere of influence update or with an application or request in writing submitted to the San Diego Local Agency Formation Commission to amend a sphere of influence.
(COMMENT – There needs to be an official proposed expansion or LAFCO initiated study.)

(2) Proposed pre-zoning associated with future annexation of land to a city.

(3) Proposed new development agreements or any future amendments to such agreements.
<COMMENT – Clarifying language. >

(4) Any ~~Proposed~~ proposed residential development that would require a discretionary action ~~, including land divisions,~~ consisting of:

- Any dwelling units in *Compatibility Zone A*;
- Twenty Five or more dwelling units or five parcels within *Compatibility Zones B1*, *B2*, or *C* in a urban area as defined in Policy 3.1.;
- Five or more dwelling units or parcels within *Compatibility Zones B1*, *B2*, or *C in a* suburban or rural area as defined in Policy 3.1.; or
- Twenty of more dwelling units or parcels within *Compatibility Zone D* in a suburban or rural area as defined in Policy 3.1.1.

<COMMENT – The threshold for is too low for urban areas, especially for the total affected areas within the City of -San Diego and number of permits processed.>

(5) Any ~~discretionary~~ proposed non-residential development that would require a discretionary action ~~proposal for projects having~~and consisting of a net building floor area of ~~20~~50,000 square feet or greater. ~~unless only ministerial approval (e.g., a building permit) is required~~.

<COMMENT – The threshold for is too low for urban areas, especially for the total affected areas within the City of San Diego and number of permits processed.>

(6) Major capital improvements (e.g., water, sewer, or roads) which would promote urban uses in undeveloped or agricultural areas to the extent that such uses are not reflected in a previously reviewed general plan or specific plan in a suburban or rural area as defined in Policy 3.1.1.

<COMMENT – This is not practical for urban areas that require service upgrades within existing communities.>

(7) ~~Proposed~~ Any proposed ~~land acquisition by a government entity for any~~ new public facility by a *local jurisdiction*, school district, or special district ~~accommodating~~ that would accommodate a congregation of people (for example, a school or hospital). **<COMMENT – Clarifying language. >**

(8) Any off-airport, nonaviation use of land within a civilian airport's runway protection zone or military airport's clear zone.

(9) Proposals for new development (including buildings, antennas, and other structures) having a height of more than:

- ~~35~~ 40 feet within Compatibility Zone B1, B2, or a High Terrain Zone;
- ~~50~~ 75 feet within Compatibility Zone C; or
- ~~70~~ 200 feet within Compatibility Zone D.

<COMMENT – Consistent with comments regarding proposed height review for major land use actions.>

(10) Any object having a height that requires review by the Federal Aviation Administration in accordance with FAR Part 77.

(11) Any project having the potential to create electrical or visual hazards to aircraft in flight (ALUC staff will work with local jurisdictions to develop local guidelines), including:

<COMMENT – Please provide guidelines for local jurisdictions, or place examples in an appendix to this Plan. Too subjective and difficult for review to determine based on language provided.>

- Electrical interference with radio communications or navigational signals;
- Lighting which could be mistaken for airport lighting;

- Glare or bright lights (including laser lights) in the eyes of pilots of aircraft using the airport; and
- Impaired visibility near the airport.

(12) Any project having the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of an airport.

(13) Proposed nonaviation development of airport property if such development has not previously been included in an airport master plan or community general plan reviewed by the Commission. (See Policy 1.2.6 for definition of *aviation-related use*.)

(b) Actions affecting land uses within the secondary airport influence area (*Compatibility Zone E*).

(1) Any object having a height that requires review by the Federal Aviation Administration in accordance with FAR Part 77.

(2) Any proposed object in a *High Terrain Zone* having a height of more than 35 feet.

(3) Any project having the potential to create electrical or visual hazards to aircraft in flight, including:

- Electrical interference with radio communications or navigational signals;
- Lighting which could be mistaken for airport lighting;
- Glare or bright lights (including laser lights) in the eyes of pilots of aircraft using the airport; and
- Impaired visibility near the airport.

(4) Any project having the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of an airport.

(c) Regardless of location within San Diego County, any proposal for construction or alteration of a structure (including antennas) taller than 200 feet above the ground level at the site. (Such structures also require notification to the Federal Aviation Administration in accordance with FAR Part 77, Paragraph 77.13(a)(1).)

(d) Any other proposed land use action, as determined by the local ~~planning agency~~jurisdiction, involving a question of compatibility with airport activities.
<COMMENT – revise language to be consistent. >

2. REVIEW PROCESS FOR LAND USE ACTIONS

2.1. General

2.1.1. *Timing of Project Submittal:* The precise timing of ALUC or ALUC staff review of a proposed land use action may vary depending upon the nature of the specific project. ALUC staff may provide advisory comments early in the planning process if requested by the governing land use jurisdiction. The most appropriate timing for proposed actions listed in Section 1.5 to be officially submitted to the ALUC for review is as soon as possible after a formal application has been submitted to the governing land use jurisdiction. All projects *must* be submitted to the Commission for review prior to final approval by the local ~~government entity~~jurisdiction. **<COMMENT – revise language to be consistent. >**

2.1.2. *Public Input:* Where applicable, the ALUC shall provide public notice and obtain public input in accordance with Public Utilities Code Section 21675.2(d) before acting on any plan, regulation, or other land use proposal under consideration.

2.2. Review Process for Community Land Use Plans and Ordinances

2.2.1. *Initial ALUC Review of General Plan Consistency:* In conjunction with adoption or amendment of this *Airport Land Use Compatibility Plan*, the ALUC shall review the general plans and specific plans of affected local jurisdictions to determine their consistency with the Commission's policies.

(a) Within 180 days of the ALUC's adoption or amendment of the *Airport Land Use Compatibility Plan*, each local ~~agency~~ jurisdiction must amend its general plan and any applicable specific plan to be consistent with the ALUC's *Plan* or, alternatively, provide required notice, adopt findings, and overrule the ALUC by two-thirds vote of the ~~agency's~~ jurisdiction's governing body in accordance with Public Utilities Code Section 21676(b) (Government Code Section 65302.3).
<COMMENT – revise language to be consistent.>

(b) Prior to taking action on a proposed amendment, the local ~~agency~~ jurisdiction must submit a draft of the amendment to the ALUC for review and approval.

(c) In conjunction with its submittal of a general plan or specific plan amendment to the ALUC in response to the requirements of Paragraphs (a) and (b) above, a local ~~agency~~ jurisdiction may identify areas that the ~~agency~~ local jurisdiction requests the ALUC to consider as *infill* in accordance with Policy 3.3.1. The ALUC will include a determination on the infill as part of its action on the consistency of the general plan and specific plans.

2.2.2. *Subsequent Reviews of Related Land Use Development Proposals:* As indicated in Policies 1.5.1(a) and 1.5.1(b), prior to taking action on an amendment of a general plan or specific plan or the addition or approval of a zoning ordinance or building regulation affecting an airport influence area as defined herein, local ~~agencies~~ jurisdictions must submit the proposed plan, ordinance, or regulation to the ALUC for review. Subsequent land use development actions that are consistent with applicable local plans, ordinances, and regulations previously reviewed by the ALUC are subject to ALUC review only under the conditions indicated in Policies 1.5.2 and 2.3.6.

2.2.3. *ALUC Action Choices:* When reviewing a general plan, specific plan, zoning ordinance, or building regulation for consistency with the *Compatibility Plan*, the Commission has three choices of action:

(a) Find the plan, ordinance, or regulation consistent with the *Compatibility Plan*. To make such a finding with regard to a general plan, the conditions identified in Section 3.2 must be met.

(b) Find the plan, ordinance, or regulation consistent with the *Compatibility Plan*, subject to conditions and/or modifications that the Commission may require. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed.

(c) Find the plan, ordinance, or regulation inconsistent with the Compatibility Plan. In making a finding of inconsistency, the Commission shall note the specific conflicts or shortcomings upon which its determination is based and described in a manner that allows revisions to be clearly assessed.
<COMMENT – This will help to avoid confusion and delay in revising plans. >

2.2.4. *Response Time:* The ALUC must respond to a local agency's request for a consistency determination on a general plan, specific plan, zoning ordinance, or building regulation within 60 days from the date of submittal (Public Utilities Code Section 21676(d)).

(a) The 60-day review period may be extended if the submitting agency or project applicant agrees in writing or so states at an ALUC public hearing on the action.

(b) The date of submittal is deemed to be the date on which all applicable project information is received by ALUC staff. Copies of the complete text and maps of the proposed plan, ordinance, or regulation adoption or amendment must be submitted and any supporting material documenting that the proposal is consistent with the *Compatibility Plan* should also be included.

(c) If the ALUC fails to make a determination within the time period required or agreed upon, the proposed action shall be deemed consistent with the *Compatibility Plan*.

(d) Regardless of ALUC action or failure to act, the proposed action must comply with other applicable local, state, and federal regulations and laws.

(e) The submitting agency shall be notified of the ALUC's action in writing.

2.2.5. *ALUC Response to Notification of Proposed Overruling:* If a local agency proposes to overrule an ALUC action regarding a community land use plan or ordinance, it must provide 45 days notice and a copy of the proposed decision and findings to both the ALUC and the California Division of Aeronautics. These agencies then have 30 days in which to respond with their comments (Public Utilities Code Sections 21676(a) and (b)). The ALUC authorizes the ALUC staff to respond as appropriate.

2.3. Review Process for Major Land Use Actions

2.3.1. *Project Submittal Information:* A proposed *major land use action* submitted to the ALUC (or to the ALUC Staff) for review in accordance with Policy 1.5.3 shall include:
<COMMENT – provides reference back to the specific conditions for review of major projects. >
(a) The following information:

(1) Property location data (assessor's parcel number, street address, subdivision lot number).

(2) An accurately scaled map showing the relationship (distance and direction) of the project site to the airport boundary and runways. When available, a digital version of the map should be provided along with a paper copy. (For reference, the ALUC will provide maps showing airport influence areas for each airport.)
<COMMENT – This will assist in the review process and avoid confusion and delay.>

(3) A description of the existing use(s) of the land in question, including current general plan and zoning designations, height of structures, usage intensity, and other applicable information.

(4) A description of the proposed use(s) and the type of land use action being sought from the local jurisdiction (e.g., zoning change, building permit, etc.).

(5) For residential uses, an indication of the potential or proposed number of dwelling units per acre (excluding any secondary units on a parcel); or, for nonresidential uses, the number of people potentially occupying the total site or portions thereof at any one time.

(6) If applicable, a detailed site plan showing ground elevations, the location of structures, open spaces, and water bodies, and the heights of structures and trees above mean sea level and above ground level. A profile view of proposed features is also to be provided in instances where height is an issue. When available, a digital version of the drawings should be provided along with the paper version.

(7) Identification of any characteristics that could create electrical interference, confusing or bright lights, glare, smoke, or other electrical or visual hazards to aircraft flight.

(8) Any environmental document (initial study, negative declaration, mitigated negative declaration, or draft environmental impact report) that may have been prepared for the project.

(9) Any staff reports regarding the project that may have been presented to local agency decision makers.

(10) Any airspace determination that has been obtained from the Federal Aviation Administration in accordance with Part 77 of the Federal Aviation Regulations.

(11) Other relevant information which the ALUC or its staff determine to be necessary to enable a comprehensive review of the proposal.

(b) Any applicable review fees as established by the San Diego County Airport Land Use Commission.

2.3.2. *ALUC Staff's Choices:* When reviewing major land use actions in accordance with Policy 1.5.2(d), the ALUC Staff has three choices of action:

(a) Find that the proposed project does not contain characteristics likely to result in inconsistencies with the compatibility criteria set forth in this plan. Upon said determination, ALUC Staff is authorized on behalf of the Commission to make a finding that the project is consistent with the criteria set forth in the *Compatibility Plan*.

(b) Find that potential inconsistencies can be eliminated if the project is modified to meet specified conditions. Any such conditions must be based upon criteria set forth in this *Compatibility Plan*, limited in scope, and described in a manner that allows compliance to be clearly assessed (e.g., the height of a structure). ALUC Staff is authorized on behalf of the Commission to make a finding that, subject to the stated conditions, the project is consistent with the criteria set forth in the *Compatibility Plan*.

(c) Find that the proposed project may be inconsistent with the *Compatibility Plan*. ALUC Staff shall forward any such project to the Commission for a consistency determination.

2.3.3. *ALUC Action Choices:* When reviewing a major land use project proposal, the Commission has three choices of action:

(a) Find the project consistent with the *Compatibility Plan*.

(b) Find the project consistent with the *Compatibility Plan*, subject to compliance with such conditions as the Commission may specify. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed (e.g., the height of a structure).

(c) Find the project inconsistent with the *Compatibility Plan*. In making a finding of inconsistency, the Commission shall note the specific conflicts upon which the determination is based in a manner that allows revisions to be clearly assessed.
<COMMENT – This will help to avoid confusion and delay in revising plans. >

2.3.4. *Response Time:* In responding to major land use actions submitted for review, the policy of the San Diego County Airport Land Use Commission is that:

(a) When a major land use action is submitted for review on a mandatory basis as required by Policy 1.5.2.(a):

(1) Reviews by the ALUC Staff of actions not requiring referral to the ALUC for decision shall be completed within 60 days of the date of submittal. However, in its review process, staff must allow sufficient time so that, if necessary, the action can be forwarded to and acted upon by the ALUC within the time limits set in Paragraph (2) below.

(2) Reviews of projects forwarded to the Commission for a consistency determination shall be completed within 60 days of the date of project submittal.

(3) The date of submittal is deemed to be the date on which all applicable project submittal information as listed in Policy 2.3.1 is received by the ALUC Staff.

(4) If the ALUC Staff or the Commission fail to make a determination within the above time periods, the proposed action shall be deemed consistent with the compatibility plan unless the submitting agency or project applicant agrees to an extension in writing or so states at an ALUC public hearing on the action.

(b) When a major land use action is submitted on an optional basis in accordance with Policy 1.5.2(b), review by the ALUC Staff and/or the Commission should be completed in a timely manner enabling the comments to be considered by decision- making bodies of the submitting agency.

(c) Regardless of action or failure to act on the part of the ALUC Staff or the Commission, the proposed action still must comply with other applicable local, state, and federal laws and regulations.

(d) The submitting agency shall be notified of the ALUC Staff's and/or the Commission's action in writing.

2.3.5. *ALUC Response to Notification of Proposed Overruling:* If a local ~~agency~~ jurisdiction proposes to overrule an ALUC action regarding a *major land use action* for which ALUC review is mandatory, in accordance with Policy 1.5.3, it must provide 45 days notice and a copy of the proposed decision and findings to both the ALUC and the California Division of Aeronautics. These agencies then have 30 days in which to respond to the local ~~agency~~ jurisdiction with their comments (Public Utilities Code Section 21676.5(a)). The ALUC authorizes the ALUC Staff to respond as appropriate.

2.3.6. *Subsequent Review:* Once a ~~project~~ *major land use action*, in accordance with Policy 1.5.3, has been found consistent with the *Compatibility Plan*, it need not be submitted for review at subsequent stages of the planning process (e.g., for a use permit after a zoning ~~change~~ amendment has been reviewed) unless:

<COMMENT – only major land use actions are required for review by the ALUC prior determining the general plan consistent with the ALUCP –Not all projects are considered major land use actions. This could cause confusion.>

~~(a) Insufficient information was available at the time of the ALUC's original review of the project to assess whether the proposal would be fully in compliance with compatibility criteria (e.g., the site layout and structure height might not be known at the time a general plan change or zoning amendment is requested).~~

<COMMENT – For rezones or redesignations, once a rezone and/or redesignation of an area of land is determine consistent by the ALUC, the general plan policies and implementing ordinances used to review the project should already by determined consistent by the ALUC, which would preclude the need for additional review. >

(~~b~~a) The design of the project, concerned a *major land use action,* subsequently changes in a manner that reopens previously considered compatibility issues and could raise questions as to the validity of the earlier finding of compatibility. Proposed changes warranting a new review include, but are not limited to, the following:

(1) An increase in the number of dwelling units for residential uses, intensity of use (more people on the site) for non-residential uses, or other usage characteristics to levels exceeding the criteria set forth in this plan;
<COMMENT – Clarifying language.>

(2) An increase in the height of structures or other design features such that the height limits established herein would be exceeded or exceeded by a greater amount;

(3) Major site design changes (such as incorporation of clustering or modifications to the configuration of open land areas proposed for the site) to the extent that site design was an issue in the initial project review; and/or

(4) Any significant change to a proposed *major land use action* project for which a special exception was granted in accordance with Policy 3.3.~~6~~7.
<COMMENT – Clarifying language to reflect proposed projects are major land use actions only.>

(~~c~~b) Substantive amendments are made to the Compatibility Plan that could render the *major land use action* project inconsistent and it has not yet attained an "existing" status as defined in Policy 1.2.12.
<COMMENT – Clarifying language to reflect proposed projects are major land use actions only.>

(~~d~~c) The local jurisdiction concludes that further review is warranted.

		Density / Intensity Standards 1					Additional Criteria 1	
		Resi-dential *d.u./ac*	Other Uses *maximum people/ac* 2			Req'd Open Land1	~~Prohibited~~ Incompable Uses 3	Other Development Conditions 4
Zone	**Locations**		**Aver-age**5	**Single Acre** 6	**With Bonus** 7			
A	Runway Protection Zone And within Building Restriction Line 8	No New Dwellings Allowed	0	0	0	All Remaining	□ All structures except ones with location set by aeronautical function □ Assemblages of people □ Objects exceeding ~~FAR Part 77~~TERPS criteria ~~height limits~~ □ Storage of hazardous materials □ Hazards to flight 9	□ Avigation easement dedication
B1	Inner Approach/ Departure Zone	~~No New Dwellings~~ Maximum 29.0 Infill Allowed 10, 19, 20	~~60~~140	~~120~~ 175	n/a	No Req't	□ Children's schools, day care centers, libraries □ Hospitals, nursing homes; places of worship □ Objects exceeding TERPS criteria ~~Bldgs with >3 aboveground habitable floors~~ □ Aboveground bulk storage of hazardous materials 11 □ Highly noise-sensitive outdoor nonresidential uses 12 □ Hazards to flight 9	□ Locate structures maximum distance from extended runway centerline □ Critical community infrastructure facilities ~~discouraged~~conditionally compatible 13, 14 □ Minimum Interior CNEL of 45 ~~NLR of 30~~ dB in residences and Interior CNEL of 45 dB in office buildings 15 □ Airspace review required for objects >~~35~~ 40 feet tall 16 □ Avigation easement dedication
B2	Adjacent To Runway	No New Dwellings Allowed	~~150~~ 280	~~300~~ 350	n/a	No Req't	□ Children's schools, day care centers, libraries □ Hospitals, nursing homes; places of worship □ Aboveground bulk storage of hazardous materials 11 □ Critical community infrastructure facilities 13 □ Highly noise-sensitive outdoor nonresidential uses 12 □ Hazards to flight 9	□ Locate structures maximum distance from runway □ Minimum ~~NLR~~ Interior CNEL of ~~30~~ 45 dB in residences and 50 dB in office buildings 15 □ Airspace review required for objects >~~35~~ 40 feet tall 16 □ Avigation easement dedication
C	Extended Approach/ Departure Zone	~~No New Dwellings Allowed~~ **Maximum 44.0 Infill 19, 20**	~~100~~ 260	~~250~~ 325	n/a	No Req't	~~□ Children's schools, day care centers, libraries~~ □ Hospitals, nursing homes above 65 dB CNEL □ Highly noise-sensitive outdoor nonresidential uses 12 □ Hazards to flight 9	□ Minimum Interior CNEL ~~NLR~~ of ~~25~~ 45 dB in residences (including mobile homes), hospitals, nursing homes, schools, day care centers, libraries, and 50 for office buildings 15 □ Airspace review required for objects >~~50~~ 75 feet tall 17 □ Avigation easement dedication
D	Primary Traffic Patterns and Runway Buffer Area	No Restriction	No Limit 18			No Req't	□ Highly noise-sensitive outdoor nonresidential uses 12 □ Hazards to flight 9	□ Children's schools, hospitals, nursing homes ~~14, discouraged 14~~ ~~□~~ Major spectator-oriented sports stadiums, amphitheaters, concert halls ~~discouraged~~ conditionally compatible beneath primary flight tracks 14, 18 □ Airspace review required for objects >~~70~~ 100 feet tall 17 □ Avigation easement dedication
E	Other Airport Environs *[Secondary Airport Infl. Area]*	No Restriction	No Limit 18			No Req't	□ Hazards to flight 9	~~□ Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath primary flight tracks 18, 14~~ □ Airspace review required for objects >~~100~~ 200 feet tall 17
*	High Terrain	Same as Underlying Compatibility Zone				Not Applicable	Same as Underlying Compatibility Zone	□ Airspace review required for objects>~~35~~ 40 feet tall 16 □ Avigation easement dedication
See Chapter 3 for additional policies applicable specifically to San Diego International Airport.								

Table 2A

Basic Compatibility Criteria for San Diego International Airport

Table 2A, continued

<COMMENT – Recommendations in the table and notes reflect recommendations with comments provided in this document for the policy/requirements. Intensity recommendations reflect the recommendations provided in City staff's major issues and recommendations Appendix A.>NOTES:

[1] See Appendix C for a discussion of the concepts associated with these criteria.

[2] Usage intensity calculations shall include all people (e.g., employees, customers/visitors, etc.) who may be on the property at a single point in time, whether indoors or outside. See Appendix D for sample calculation methodology.

[3] The uses listed here are ones that are explicitly ~~prohibited~~incompatible regardless of whether they meet the intensity criteria. In addition to these explicitly ~~prohibited~~incompatible uses, other uses will not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.

[4] As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law. See Policy 5.4.2 for details. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required.

[5] The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.

[6] Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 5.2.5 for details.

[7] The intensity bonus for risk-reducing building design (ee Policy 5.2.6) is not applicable to the environs of San Diego International
Airport because such features are not effective with respect to the large aircraft operated at the airport.

[8] Runway protection zone (RPZ) and building restriction line (BRL) limits that delineate *Zone A* are derived from locations indicated on the airport layout plan. *Zone A* is typically on airport property or otherwise under airport control.

[9] Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations.
Land use development that may cause the attraction of birds to increase is also ~~prohibited~~incompatible. See Policy 5.3.7.

[10] Other than in *Zone A*, construction of a single-family home, including a second unit as defined by state law, on a legal lot of record is excepted from this restriction where such use is permitted by local land use regulations. Noise level reduction and avigation easement requirements for the compatibility zone in which the dwelling is to be located are to be applied.

[11] Storage of aviation fuel and other aviation-related flammable materials on the airport is exempted from this criterion. Storage of up to 6,000 gallons of nonaviation flammable materials is also exempted. Manufacture or abovegound storage of other hazardous materials is ~~discouraged~~conditionally compatible in *Zone C* and remainder of *Zone B2*. See Policy 5.2.3(c) for details.

[12] Examples of highly noise-sensitive outdoor nonresidential uses that should be ~~prohibited~~incompatible include amphitheaters and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.

[13] Critical community facilities include power plants, electrical substations, and public communications facilities. See Policy
5.2.3(d) for details.

[14] See Policy 3.1.7 for explanation of the term "~~discouraged~~conditionally compatible."

[15] NLR = Noise Level Reduction, the outside-to-inside sound level attenuation that the structure provides. See Policy 5.1.6.

[16] Objects up to 35 feet in height are permitted. However, the Federal Aviation Administration may require marking and lighting of certain objects. See Policy 5.3.6 for details.

[17] This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not be obstructions. See Policies
5.3.3 and 5.3.4.

[18] Although no explicit upper limit on usage intensity is defined for *Zones D ~~and E~~*, land uses of the types listed—uses that attract very high concentrations of people in confined areas—are ~~discouraged~~ conditionally compatible in locations below ~~or near~~ the primary arrival and departure flight tracks.[19] See Policy 3.3.1 for a discussion of the Infill criteria for allowable future residential development.

20. See Policy 3.3.6 for a discussion of affordable housing density bonus as defined by state law.

		Density / Intensity Standards 1					Additional Criteria 1	
		Resi-dential *d.u./ac*	Other Uses *maximum people/ac* 2			Req'd Open Land1	~~Prohibited~~ Incompatible Uses 3	Other Development Conditions 4
Zone	**Locations**		**Aver-age**5	**Single Acre** 6	**With Bonus** 7			
A	Runway Protection Zone And within Building Restriction Line 8	No New Dwellings Allowed	0	0	0	All Remaining	□ All structures except ones with location set by aeronautical function □ Assemblages of people □ Objects exceeding FAR Part 77 height limits □ Storage of hazardous materials □ Hazards to flight 10	□ Avigation easement dedication
B1	Inner Approach/ Departure Zone	~~No New Dwellings~~ Infill Allowed 11, 20, 21	~~60~~100	~~120~~ 200	~~180~~300	No Req't ~~15%~~	□ ~~Children's schools, day care centers, libraries~~ □ Hospitals, nursing homes; places of worship □ ~~Bldgs with >3 aboveground habitable floors~~ □ Aboveground bulk storage of hazardous materials 12 □ Highly noise-sensitive outdoor nonresidential uses 13 □ Hazards to flight 10	□ Minimum Interior CNEL of 45 dB in children's schools, day care centers, libraries □ Locate structures maximum distance from extended runway centerline □ Critical community infrastructure facilities ~~discouraged~~conditionally compatible 14, 15 □ Minimum Interior CNEL of 45 dB ~~NLR of 30 dB~~ in residences and Interior CNEL of 50 dB in office buildings 16 □ Airspace review required for objects >~~35~~ 40 feet tall 17 □ Avigation easement dedication
B2	Adjacent To Runway	No New Dwellings Allowed	~~150~~ 200	~~300~~ 400	~~450~~600	No Req't	□ Children's schools, day care centers, libraries □ Hospitals, nursing homes; places of worship □ ~~Bldgs with >4 aboveground habitable floors~~ □ Aboveground bulk storage of hazardous materials 12 □ Critical community infrastructure facilities 14 □ Highly noise-sensitive outdoor nonresidential uses 13 □ Hazards to flight 10	□ Locate structures maximum distance from runway □ Minimum Interior CNEL of 45 ~~NLR of 30~~ dB in residences and Interior CNEL of 50 dB office buildings 16 □ Airspace review required for objects >~~35~~ 40 feet tall 17 □ Avigation easement dedication
C	Extended Approach/ Departure Zone	No New Single Family Parcels Maximum ~~25~~29.0 ,20, 21	~~100~~ 180	~~250~~ 360	~~375~~540	No Req't	□ Highly noise-sensitive outdoor nonresidential uses 13 □ Hazards to flight 10	□ Minimum NLR of 25 dB in residences (including mobile homes) and office buildings 16 □ Airspace review required for objects >~~50~~ 75 feet tall 18 □ Deed notice required
D	Primary Traffic Patterns and Runway Buffer Area	No Restriction	No Limit 19			No Req't	□ Highly noise-sensitive outdoor nonresidential uses 13 □ Hazards to flight 10	□ Children's schools, hospitals, nursing homes ~~15, discouraged 15~~ □ ~~Major spectator-oriented sports~~ stadiums, amphitheaters, concert halls ~~discouraged~~ conditionally compatible beneath primary flight tracks 15,19 □ Airspace review required for objects >~~70~~ 100 feet tall 18 □ Deed notice required
E	Other Airport Environs *[Secondary Airport Infl. Area]*	No Restriction	No Limit 19			No Req't	□ Hazards to flight 10	□ ~~Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath primary flight tracks 19, 15~~ □ Airspace review required for objects >~~100~~ 200 feet tall 17
*	High Terrain	Same as Underlying Compatibility Zone				Not Applicable	Same as Underlying Compatibility Zone	□ Airspace review required for objects>35 feet tall 17 □ Avigation easement dedication

Table 2B

Basic Compatibility Criteria for Urban Area and Military Airports

Brown Field, Gillespie Field, McClellan-Palomar, Montgomery Field, MCAS Camp Pendleton, NOLF Imperial Beach, MCAS Miramar, NAS North island

<COMMENT – Recommendations in the table and notes reflect recommendations with comments provided in this document for the policy/requirements. Intensity recommendations reflect the recommendations provided in City staff's major issues and recommendations Appendix A.>

NOTES:

1 See Appendix C for a discussion of the concepts associated with these criteria.

2 For zones in which residential development restrictions are listed, the development must not exceed the maximum density standards (excluding secondary units). Densities are to be calculated in terms of gross acreage (that is, including the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands). In compatibility zones where residential uses are allowed, mixed-use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development.
Noise level reduction and avigation easement requirements for the compatibility zone in which the dwellings are to be located are to be applied. See Policy 3.1.4(e).

3 Usage intensity calculations shall include all people (e.g., employees, customers/visitors, etc.) who may be on the property at a single point in time, whether indoors or outside. See Appendix D for sample calculation methodology.

4 The uses listed here are ones that are explicitly ~~prohibited~~incompatible regardless of whether they meet the intensity criteria. In addition to these explicitly ~~prohibited~~incompatible uses, other uses will not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.

5 As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law. See Policy 5.4.2 for details. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required.

6 The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.

7 Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 5.2.5 for details.

8 An intensity bonus for single-acre areas may be allowed if the building design includes features intended to reduce risks to occupants in the event of an aircraft collision with the building. Criteria for site-wide average must still be met. The intensity bonus does not apply to runways routinely used by large aircraft (aircraft having a maximum certificated takeoff weight of more than 12,500 pounds). See Policy 5.2.6 for details.

9 Runway protection zone (RPZ) and building restriction line (BRL) limits that delineate *Zone A* are derived from locations indicated on the respective airport layout plans. *Zone A* is typically on airport property or otherwise under airport control.

10 Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations.
Land use development that may cause the attraction of birds to increase is also ~~prohibited~~incompatible. See Policy 5.3.7.

11 ~~Other than~~ Within *Zone ~~A~~B1 and C*, construction of a single-family home, including a second unit as defined by state law, on a legal lot of record is ~~excepted from this restriction~~allowed where such use is permitted by local land use regulations. Noise level reduction and avigation easement requirements for the compatibility zone in which the dwelling is to be located are to be applied.

12 Storage of aviation fuel and other aviation-related flammable materials on the airport is exempted from this criterion. Storage of up to 6,000 gallons of nonaviation flammable or other hazardous materials is also exempted. Manufacture or abovegound storage of other hazardous materials is ~~discouraged~~conditionally compatible in ~~*Zone C* and remainder of~~ *Zone B2*. Storage of such materials should be in accordance with the most stringent federal, state, and local ordinances and regulations. See Policy 5.2.3(c) for details.

13 Examples of highly noise-sensitive outdoor nonresidential uses that should be ~~prohibited~~incompatible include amphitheaters and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.

14 Critical community facilities include power plants, electrical substations, and public communications facilities. See Policy 5.2.3(d) for details.

15 See Policy 3.1.7 for explanation of the term "~~discouraged~~conditionally compatible."

16 NLR = Noise Level Reduction, the outside-to-inside sound level attenuation that the structure provides. See Policy 5.1.6.

17 Objects up to 35 feet in height are permitted. However, the Federal Aviation Administration may require marking and lighting of certain objects. See Policy 5.3.6 for details.

18 This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not be obstructions. See Policies 5.3.3 and 5.3.4.

19 Although no explicit upper limit on usage intensity is defined for *Zones D ~~and E~~*, land uses of the types listed—uses that attract very high concentrations of people in confined areas—are ~~discouraged~~conditionally compatible in locations below or near the primary arrival and departure flight tracks.

20 See Policy 3.3.1 for a discussion of the Infill criteria for allowable future residential development.

21. See Policy 3.3.6 for a discussion of affordable housing density bonus as defined by state law.

Table 2B, continued

		Density / Intensity Standards 1					Additional Criteria 1	
		Resi-dential *d.u./ac*	Other Uses *maximum people/ac* 2			Req'd Open Land1	~~Prohibited~~Incompatible Uses 3	Other Development Conditions 4
Zone	**Locations**		**Aver-age**5	**Single Acre** 6	**With Bonus** 7			
A	Runway Protection Zone And within Building Restriction Line 8	No New Dwellings Allowed	0	0	0	All Remaining	□ All structures except ones with location set by aeronautical function □ Assemblages of people □ Objects exceeding FAR Part 77 height limits □ Storage of hazardous materials □ Hazards to flight 10	□ Avigation easement dedication
B1	Inner Approach/ Departure Zone	0.05 (average parcel size ≥20.0 ac.)	25	50	75	30%	□ Children's schools, day care centers, libraries □ Hospitals, nursing homes; places of worship □ Bldgs with >2 aboveground habitable floors □ Aboveground bulk storage of hazardous materials 11 □ Highly noise-sensitive outdoor nonresidential uses 12 □ Hazards to flight 10	□ Locate structures maximum distance from extended runway centerline □ Critical community infrastructure facilities ~~discouraged~~conditionally compatible 13, 14 □ Minimum NLR of 25 dB in residences and office buildings 15 □ Airspace review required for objects >35 feet tall 16 □ Avigation easement dedication
B2	Adjacent To Runway	0.1 (average parcel size ≥10.0 ac.)	**100**	**200**	**300**	**No Req't**	□ Children's schools, day care centers, libraries □ Hospitals, nursing homes; places of worship □ Bldgs with >3 aboveground habitable floors □ Aboveground bulk storage of hazardous materials 12 □ Critical community infrastructure facilities 13 □ Highly noise-sensitive outdoor nonresidential uses 11 □ Hazards to flight 10	□ Locate structures maximum distance from runway □ Minimum NLR of 25 dB in residences and office buildings 15 □ Airspace review required for objects >35 feet tall 16 □ Avigation easement dedication
C	Extended Approach/ Departure Zone	0.2 (average parcel size ≥5.0 ac.)	75	150	225	20%	□ Children's schools, day care centers, libraries □ Hospitals, nursing homes; places of worship □ Bldgs with >3 aboveground habitable floors □ Highly noise-sensitive outdoor nonresidential uses 11 □ Hazards to flight 10	□ Minimum NLR of 20 dB in residences (including mobile homes) and office buildings 15 □ Airspace review required for objects >70 feet tall 17 □ Deed notice required
D	Primary Traffic Patterns and Runway Buffer Area	(1) ≤0.2 (avg parcel ≥5.0 ac.) or 18 (2) ≥5.0 (avg parcel ≤0.2 ac.)	**150**	**450**	**675**	10%	□ Highly noise-sensitive outdoor nonresidential uses 11 □ Major spectator-oriented sports stadiums, amphitheaters, concert halls ~~discouraged~~conditionally compatible beneath primary flight tracks □ Hazards to flight 10	□ Children's schools, hospitals, nursing homes ~~discouraged~~conditionally compatible 14 □ Airspace review required for objects >70 feet tall 17 □ Deed notice required
E	Other Airport Environs *[Secondary Airport Infl. Area]*	No Restriction	No Limit 19			No Req't	□ Hazards to flight 10	□ Major spectator-oriented sports stadiums, amphitheaters, concert halls ~~discouraged~~conditionally compatible beneath primary flight tracks 14, 19 □ Airspace review required for objects >100 feet tall 17
*	High Terrain	Same as Underlying Compatibility Zone				Not Applicable	Same as Underlying Compatibility Zone	□ Airspace review required for objects>35 feet tall 16 □ Avigation easement dedication
See Chapter 3 for additional policies applicable specifically to San Diego International Airport.								

Table 2C

Basic Compatibility Criteria for Airports in Suburban and Rural Areas

Agua Caliente, Borrego Valley, ~~Brown Field,~~ Fallbrook, Jacumba, Ocotillo, Oceanside Municipal, Ramona

NOTES:

1 See Appendix C for a discussion of the concepts associated with these criteria.

2 Except for the two options provided for *Zone D*, residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre. Clustering of units is encouraged. See Policy 5.2.5 for limitations. Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands. In compatibility zones where residential uses are allowed, mixed-use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development. Noise level reduction and avigation easement requirements for the compatibility zone in which the dwellings are to be located are to be applied. See Policy 3.1.4(e).

3 Usage intensity calculations shall include all people (e.g., employees, customers/visitors, etc.) who may be on the property at a single point in time, whether indoors or outside. See Appendix D for sample calculation methodology.

4 Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large (10 acres or more) development projects. See Policy 5.2.4 for definition of open land.

5 The uses listed here are ones that are explicitly ~~prohibited~~incompatible regardless of whether they meet the intensity criteria. In addition to these explicitly ~~prohibited~~incompatible uses, other uses will not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.

6 As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law. See Policy 5.4.2 for details. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required.

7 The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.

8 Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 5.2.5 for details.

9 An intensity bonus for single-acre areas may be allowed if the building design includes features intended to reduce risks to occupants in the event of an aircraft collision with the building. Criteria for site-wide average must still be met. The intensity bonus does not apply to runways routinely used by large aircraft (aircraft having a maximum certificated takeoff weight of more than 12,500 pounds). See Policy 5.2.6 for details.

10 Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations.
Land use development that may cause the attraction of birds to increase is also ~~prohibited~~incompatible. See Policy 5.3.7.

11 Examples of highly noise-sensitive outdoor nonresidential uses that should be ~~prohibited~~incompatible include amphitheaters and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.

12 Storage of aviation fuel and other aviation-related flammable materials on the airport is exempted from this criterion. Storage of up to 6,000 gallons of nonaviation flammable materials is also exempted. Manufacture or aboveground storage of other hazardous materials is ~~discouraged~~conditionally compatible in *Zone C* and remainder of *Zone B2*. See Policy 5.2.3(c) for details.

13 Critical community facilities include power plants, electrical substations, and public communications facilities. See Policy 5.2.3(d) for details.

14 See Policy 3.1.7 for explanation of the term "~~discouraged~~conditionally compatible."

15 NLR = Noise Level Reduction, the outside-to-inside sound level attenuation that the structure provides. See Policy 5.1.6.

16 Objects up to 35 feet in height are permitted. However, the Federal Aviation Administration may require marking and lighting of certain objects. See Policy 5.3.6 for details.

17 This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not be obstructions. See Policies 5.3.3 and 5.3.4.

18 Two options are provided for residential densities in *Compatibility Zone D*. Option (1) has a density limit of 0.2 dwelling units per gross acre (i.e., an average parcel size of at least 5.0 gross acres). Option (2) requires that the density be *greater than* 5.0 dwelling units per net acre (i.e., an average parcel size *less than* 0.2 net acres). The choice between these two options is at the discretion of the local land use jurisdiction. See Appendix C for explanation of rationale. All other criteria for *Zone D* apply to both options.

19 Although no explicit upper limit on usage intensity is defined for *Zone E*, land uses of the types listed—uses that attract very high concentrations of people in confined areas—are ~~discouraged~~conditionally compatible in locations below or near the principal arrival and departure flight tracks. This limitation notwithstanding, no use shall be ~~prohibited~~incompatible in *Zone E* if its usage intensity is such that it would be permitted in *Zone D*.

3. COMPATIBILITY CRITERIA FOR LAND USE ACTIONS

3.1. Basic Compatibility Criteria

3.1.1. *Basic Land Use Compatibility Criteria:* The basic criteria for ~~assessing~~ determining whether a land use plan, ordinance, or *major land use action* (in accordance with Policy 1.5.3) ~~development proposal~~ is ~~to be judged compatible~~ consistent with the *Compatibility Plan* ~~with a nearby public-use or military airport~~ are set forth in the Basic Compatibility Criteria matrices, Tables 2A, 2B and 2C.

<COMMENT – The ALUC determines if Plans and ordinances are consistent with the Compatibly Plan and major land use actions prior to this determination. Subsequently, local jurisdictions determine if development proposals are consistent with land use plans and ordinances.>

(a) Table 2A applies only to San Diego International Airport (SDIA) or (Lindbergh Field) which is located in a highly density urban area.

<COMMENT – The existing and plan density and intensity far exceed any other urban area within the county, thus the allowable densities and intensities should be greater than those at urban airports.>

(b) Table 2B applies to high-activity public-use airports located in urban areas and to military airports. The following airports are included in this category:

(1) Brown Field Municipal Airport.
(~~1~~2) Gillespie Field.
(~~2~~3) McClellan-Palomar Airport.
(~~3~~4) Montgomery Field Municipal Airport.
(~~4~~5) MCAS Camp Pendleton (Munn Field).
(~~5~~6) NOLF Imperial Beach (Reem Field).
(~~6~~7) NAS North Island (Halsey Field).
(~~7~~8) MCAS Miramar.

<COMMENT – Brown Field is located within an urban area. The level of existing and plan industrial development is greater than any of the other suburban/rural airports. The area is already greatly affected by noise generating commercial trucking activity. In addition, the soon to be developed SR-905 and SR-125 will also increase the community's ambient noise level; therefore the 55 dB CNEL associated with suburban/rural areas is not applicable to do existing conditions. The eastern part of the Otay Mesa community represents a growing industrial employment center of the City and for the other surrounding south bay communities.

(c) Table 2C applies to public-use airports located in suburban or rural communities. The following airports are included in this category.

(1) Agua Caliente Airport.
(2) Borrego Valley Airport.
~~(3) Brown Field Municipal Airport.~~
(~~4~~3) Fallbrook Community Airpark.
(~~5~~4) Jacumba Airport.
(~~6~~5) Oceanside Municipal Airport.
(~~7~~6) Ocotillo Airport.

(~~8~~7) Ramona Airport.

(d) The criteria in Tables 2A, 2B and 2C are to be used in conjunction with the *Compatibility Map* for each airport as presented in Chapter 3.

3.1.2. *Airport-Specific Policies:* For selected airports, the Basic Compatibility Criteria may be modified by supplemental policies. These supplemental policies are included in Chapter 3 within the section for each airport.

3.1.3. *Function of Supporting Criteria:* The Basic Compatibility Criteria matrices represent a compilation of compatibility criteria associated with each of the four types of airport impacts listed in Section 1.4. For the purposes of reviewing proposed amendments to community land use plans and zoning ordinances, as well as in the review of a *major land use action*, in accordance with Policy 1.5.3,~~most individual development proposals~~, the criteria in the matrices are anticipated to suffice. However, certain complex major land use actions, in accordance with Policy 1.5.3, may require more intensive review. The ALUC may refer to the supporting criteria, as listed in Section 5, to clarify or supplement its review of such actions.

<COMMENT – not all development proposal will be reviewed by the ALUC, only major land use actions prior to a jurisdiction revising its general plan and ordinances as indicated in policy 1.5.3. Please clarify to avoid possible confusion.>

3.1.4. *Residential Development:* The following criteria ~~shall~~ should be applied to ~~evaluation of~~determine the ~~compatibility~~ consistency of ~~proposed~~ land use plans, zoning ordinances and *major land use actions* for residential uses. ~~development~~.

<COMMENT – The ALUC determines if Plans and ordinances are consistent with the Compatibly Plan and major land use actions prior to this determination. Subsequently, local jurisdictions determine if development proposals are consistent with land use plans and ordinances. Also, since this is a policy the use of "shall" leaves no other options available for the ALUC in making its determination, especially for unique situations.>

(a) In the vicinity of San Diego International Airport (Table 2A):

(1) Within *Compatibility Zone A*, no new residential dwellings are allowed because of high risks and high noise levels.

(2) Within *Compatibility Zone~~s~~ ~~B1,~~ B2~~, and C,~~* ,no new residential dwellings ~~are~~ allowed because of high noise levels ~~(approximately 65 dB CNEL and above)~~, as well as moderate to high risks.

(3) Within *Compatibility Zone B1 and C*, creation of new single-family residential parcels is limited up to a maximum of 4 parcels because of the intrusiveness of aircraft noise, particularly outdoors. New multi-family development is permitted, but is subject to noise insulation requirements and, in consideration of safety concerns, a maximum density limit of 44 dwelling units per acre. Future residential uses are allowed up to the 70 dB CNEL for only SDIA due to the existing characteristics of

the highly dense urban communities affected by Zone C. The following maximum residential density limits are allowed within:

- *Compatibility Zone B1* a maximum density limit of 29 dwelling units per acre.
- *Compatibility Zone C* a maximum density limit of 44 dwelling units per acre.

(4) Within the Centre City Community Plan area, residential shall be permitted within Compatibility Zones B1 and C, up to the 70 dB CNEL contour, subject to density limits imposed under the Floor Area Ratio limits of the Centre City Planned District Ordinance, but is subject to noise insulation requirements.

<COMMENT – The existing and plan density and intensity far exceed any other urban area within the county, thus the allowable densities and intensities should be greater than those at urban airports. Both State and Federal regulations allow new residential uses within areas that are greater than 65 dB CNEL if they have an interior noise level of that does not exceed 45 dB CNEL. The proposed ALUC restriction of new residential would preclude the development of approximately 17,000 future housing units. The proposed density maximums for areas outside of Centre City are typically less than the allowable densities. Citywide, based on the US Census there are 2.2 persons per multifamily household. >

(~~3~~5) Within *Compatibility Zones D* and *E*, no restrictions apply.

(b) In urban areas and the environs of military airports (Table 2B):

(1) Within *Compatibility Zone A*, no new residential dwellings are allowed because of high risks and high noise levels.

(2) Within *Compatibility Zones B1* and *B2*, no new residential dwellings are allowed because of high noise levels (approximately 65 dB CNEL and above), as well as moderate to high risks.

(3) Within *Compatibility Zone C*, creation of new single-family residential parcels is not allowed because of the intrusiveness of aircraft noise, particularly outdoors. New multi-family development is permitted, but is subject to noise insulation requirements and, in consideration of safety concerns, a maximum density limit of ~~25~~29.0 dwelling units per acre.

<COMMENT - Citywide, based on the US Census there are 2.2 persons per multifamily household; therefore 29 units per acre would yield a total persons per acre less than the ALUCP intensity criteria of 100 persons per single acre. This would avoid the need to amend plans and regulations, since many of the areas within the C zone typically allow a maximum of 29 units per acre.>

(4) Within *Compatibility Zones D* and *E*, no restrictions apply.

(c) In suburban and rural areas (Table 2C):

(1) Within *Compatibility Zone A*, no new residential parcel dwellings are allowed because of high risks and high noise levels.

(2) Within *Compatibility Zones B1* and *B2*, any subdivision of land for residential uses shall be limited to a density of no more than 0.05 and 0.1 dwelling units per acre, respectively (average parcel sizes at least 20.0 and 10.0 acres, respectively). Dwellings shall be located as far as possible from the runway or extended runway centerline and are subject to noise insulation requirements. Noise impacts and risks are the concerns.

(3) Within *Compatibility Zone C*, any subdivision of land for residential uses shall be limited to a density of no more than 0.2 dwelling units per gross acre (average parcel size at least 5.0 acres). Noise impacts and risks are the concerns.

(4) Within *Compatibility Zone D*, local land use jurisdictions have two options. (Refer to Appendix C for further discussion of the rationale behind these options.)

- The basic option is to limit development to low densities so as to minimize the number of dwellings exposed to potentially intrusive noise. This option limits densities to no more than 0.2 dwelling units per gross acre.
- Because low densities are generally not practical in suburban settings, a high-density option is also provided. This option requires densities to be ***at least*** 5.0 dwelling units per ***net*** acre (average parcel size no greater than 0.2 acres). Use of this option is intended for locations where ambient noise levels exceed 55 dB CNEL (see Policy 5.1.4). The increased density is possible because risk is not a significant concern in this zone.

(5) Within *Compatibility Zone E*, no restrictions apply.

(6) Clustering of development shall be limited in accordance with Policy 5.2.5.

(d) Other development conditions as also listed in Tables 2A, 2B, and 2C apply to sites within certain compatibility zones.

(e) Secondary units, as defined by state law, shall be excluded from density calculations for all *Compatibility ~~zones~~Zones*. However, sound insulation and avigation easement dedication requirements set by Policies 5.1.6 and 5.3.6 shall apply.

(f) Mixed-use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or nearby buildings on the same site shall be treated as nonresidential development. The occupancy of the residential portion shall be added to that of the nonresidential portion and evaluated with respect to the nonresidential usage intensity criteria cited in Policy 3.1.5.

(1) Except as limited by Paragraph (2) below, this mixed-use development policy is intended for dense, urban-type developments where the resultant ambient noise levels are relatively high. The policy is not intended to apply to projects in which the residential component is isolated from the nonresidential uses of the site.

(2) Mixed-use development shall not be allowed where the residential component would be exposed to noise levels above the limits set in Policy 5.1.4.

(3) Noise attenuation, avigation easement dedication, and other requirements that may be specifically relevant to residential uses shall also apply to mixed use development.

3.1.5. *Nonresidential Development:* The compatibility of nonresidential development shall be assessed primarily with respect to its usage intensity (the number of people per acre) and the noise-sensitivity of the use. Additional criteria listed in Tables 2A, 2B and 2C shall also apply.

(a) The total number of people permitted on a project site at any time, except for rare special events, must not exceed the indicated usage intensity times the gross acreage of the site.

(1) Usage intensity calculations shall include all people (e.g., employees, customers/ visitors, etc.) who may be on the property at any single point in time, whether indoors or outside.

(2) Rare special events are ones (such as an air show at an airport or community event, street fair or concerts) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.
<COMMENT – Additional language to avoid potential confusion, since there are annual community events that occur within the areas affected by the ALUCP.>

(b) No single acre of a project site shall exceed the number of people per acre indicated in Policy 5.2.5(b) and listed in Tables 2A, 2B and 2C unless special risk reduction building design measures are taken as described in Policy 5.2.6.

(c) The noise exposure limitations cited in Policy 5.1.4 and listed in Table 2D and 2E shall be the basis for assessing the acceptability of proposed nonresidential land uses relative to noise impacts. The ability of buildings to satisfy the interior noise level criteria noted in Policy 5.1.6 shall also be considered.

3.1.6. ~~*Prohibited*~~*Incompatible Uses:* ~~Regardless of usage intensity, certain~~ Certain types of uses are deemed incompatible ~~and therefore unacceptable~~ within portions of an airport influence area due to noise and/or safety. See Policy 5.2.3 and Tables 2A, 2B and 2C. In addition to these explicitly ~~prohibited~~incompatible uses, other uses are incompatible in the respective compatibility zones because they do not meet the usage intensity criteria. ~~(Note that while it is recognized that the~~ The ALUC cannot directly prohibit any development, ~~the term "prohibit" is used in this document to reflect the requirement that,~~ for ~~the~~ a general plan ~~of local agencies~~ to be consistent with the *Compatibility Plan*, ~~those agencies~~ local jurisdictions ~~must~~ should establish policies to prohibit certain uses.~~)~~
<COMMENT – The intent of the proposed ALUCP is to provide policy recommendations for local jurisdictions regarding the compatibility of general plan land uses for areas surrounding airports; therefore the proposed ALUC should avoid using land use regulatory language. The first sentence of the proposed ALUCP

states, "The basic function of airport land use compatibility plans is to promote compatibility between airports and the land uses that surround them to the extent that these areas are not already devoted to incompatible uses." Based on this statement, the ALUCP should establish criteria to determine if uses are one of the following: compatible, conditionally compatible, or incompatible. The ALUC does not have the authority to permit or discourage uses, but rather only to make a determination of General Plan consistency with the ALUCP and steps to make it consistent based on the criteria in the ALUCP. Regardless of the disclaimer in this section, the scope and purpose of the ALUCP may be misinterpret and lead to misunderstanding. >

3.1.7. ~~*Discouraged*~~*Conditionally Compatible Uses:* Uses listed in Tables 2A, 2B and 2C ~~as "discouraged"~~ are not ~~permitted~~ compatible unless ~~no feasible~~ alternative locations ~~is~~ are ~~available~~not feasible. The conditional use should meet certain conditions and restrictions, which included, but are not limited to design and construction measure used to reduce interior noise levels to acceptable levels. Local jurisdictions should demonstrate the process for allowing conditionally compatible uses as part of the ALUC review of general plan and implementing ordinances for determining consistency with the Compatibility Plan. For example, the process a jurisdiction implements for approving a conditional use permit or or other applicable type of discretionary permit used to approve conditional uses. Development or expansion of a ~~discouraged~~conditionally compatible use requires ALUC review.
<COMMENT – SEE PREVIOUS COMMENT. >

(a) For new uses of a site, alternative sites must have been evaluated and found environmentally inferior and economically impractical.

(b)Expansion of a ~~discouraged~~conditionally compatible use at an existing site may be regarded as acceptable to the extent that previous acquisition and partial development of the site for that specific use make alternatives for expansion infeasible.

(c) For a conditionally compatible use that is a community serving facilities, including but not limited to a school or park and recreation center, a determination by the local jurisdiction or agency that an alternative site outside of the community or not expanding the facility will create service impacts to that community thereby affecting the community's quality of life. .
<COMMENT – In addition to economic and environmental issues, level of service provided to the community is a major factor in locating and expanding community facilities since many communities within the City are completely within a compatibly zone that discourages community facilities. In addition, expanded facilities that included remodels will improve the existing facilities by including sound attenuation measures the existing facility.>

(d) Noise level reduction, height limitations, and other development conditions applicable to the site shall remain in effect.

3.1.8. *Other Development Conditions:* All types of proposed development shall be required to meet the additional conditions listed in Tables 2A, 2B and 2C for the respective

compatibility zone where the development is to be located. Among these conditions are the following:

(a) Avigation Easement Dedication: See Policy 5.3.6.

(b) Deed Notice: See Policy 5.4.3.

(c) Real Estate Disclosure: See Policy 5.4.2.

(d) Noise Level Reduction: See Policy 5.1.6.

(e) Airspace Review: See Policy 5.3.3.

3.2. General Plan Consistency with Compatibility Plan

In order for a general plan to be considered consistent with the *Compatibility Plan*, both of the following must be accomplished (see Appendix E for additional guidance):

3.2.1. *Elimination of Conflicts:* No direct conflicts can exist between the two plans.

(a) Direct conflicts primarily involve general plan land use designations that ~~do not meet~~exceed the maximum density or intensity criteria specified in the *Compatibility Plan*. ~~although~~ In addition, conflicts ~~with regard to~~involving other policies may exist ~~—~~ including, but not limited to height limitations. ~~in particular—also may exist~~. .
<COMMENT – Revised language to clarify and reduce possible confusion.>

(b) ~~Note, however, that~~ Since the ALUC has no authority over existing land uses, a general plan ~~cannot be found inconsistent with the *Compatibility Plan* because of land~~ land use designations that reflects existing land uses even if those designations conflict with the ~~ALUC's compatibility~~ *Compatibility Plan* criteria can be determined to be consistent with the *Compatibility Plan*. For example, an existing planned single family development built to the maximum allowable density within Compatibility Zone B1. ~~Because ALUCs have no authority over existing land uses, general~~ General plan land use designations that ~~merely~~ reflect the existing uses ~~for such parcels~~ are ~~, in effect,~~ excluded from the requirements for general plan consistency with the *Compatibility Plan*~~ALUC plan~~. This exception is applicable only if the general plan includes policies setting limitations on expansion and reconstruction of nonconforming uses consistent with Policies 3.3.2 and 3.3.3.
<COMMENT – Revised language to clarify and reduce possible confusion.>

(c) To be consistent with the *Compatibility Plan*, a general plan and/or implementing ordinance also must include provisions ensuring long-term compliance with the compatibility criteria. For example, future reuse of a building must not result in a usage intensity that exceeds the applicable standard or other limit approved by the ALUC.

3.2.2. *Establishment of Review Process:* Land use policies and requirements should be incorporated within land use plans and implementing ordinances to ensure that the review of ~~Provisions must be made for evaluation of~~ proposed land use developments ~~situated~~ within

~~an~~ airport influence area~~s~~ by *local jurisdictions* ~~relative to the~~is based on or meets the intent of the ~~compatibility~~ criteria ~~set forth~~ in the *Compatibility Plan*.

~~(a) Even if the land use designations in a general plan have been deemed consistent with the *Compatibility Plan*, evaluation of the proposed development relative to the land use designations alone is usually insufficient. General plans typically do contain the detailed airport land use compatibility criteria necessary for a complete compatibility evaluation of proposed development.~~

~~(b)~~ Local jurisdictions have the following choices for satisfying this evaluation requirement:

<COMMENT – Clarifying language>

(~~1~~a) Sufficient detail can be included in the general plan and/or referenced implementing ordinances and regulations to enable the local jurisdiction to assess whether a proposed development ~~fully meets~~ consistent with the compatibility criteria specified in the applicable compatibility plan ~~(this requires both that the compatibility criteria be identified and that project review procedures be described)~~;

<COMMENT – Jurisdictions should be able to provide ALUC with the description of project review procedures and how the compatibility criteria is being implement without included this description within individual land use plans and ordinances.>

(~~2~~b) The ALUC's compatibility plan can be adopted by reference (in this case, the project review procedure must be described in a separate policy document or memorandum of understanding presented to and approved by the ALUC); and/or

(~~3~~c) The general plan can indicate that all major land use actions, as listed in Policy 1.5.3 or otherwise agreed to by the ALUC, shall be submitted to the Commission for review in accordance with the policies of Section 2.3.

3.3. Special Conditions

3.3.1. *Infill:* Where *existing uses* ~~development~~ not in conformance with the criteria ~~set forth~~ in ~~this~~ the *Compatibility Plan* already exists within a *Compatibility Zone*, ~~additional~~ new infill development of similar land uses may be allowed~~, to occur even if such land uses are to be prohibited elsewhere in the zone~~.

<COMMENT – Revised language to clarify and reduce possible confusion.>

(a) Infill development of any type is not permitted within *Compatibility Zones A* or *B1*—the criteria set forth in Tables ~~2A,~~ 2B~~,~~ and 2C shall apply within these zones. Infill residential development shall not be allowed where the dwellings would be exposed to noise levels greater than 65 dB CNEL in urban or suburban areas or more than 60 dB CNEL in rural areas. For infill development within the Compatibility Zones for SDIA, refer to the infill policy for SDIA contained in Chapter 3 of the *Compatibility Plan*. .

<COMMENT – Revised language to clarify. See comments for SDIA in Chapter 3.>

(b) In other compatibility zones, a parcel can be considered for *infill* development if it meets *all* of the following criteria plus the applicable provisions of either Paragraph (c) or (d) below:

(1) The parcel size is no larger than 20.0 acres.

(2) At least 65% of the site's perimeter is bounded (disregarding roads) by existing uses similar to, or more intensive than, those proposed.

(3) The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.

(4) Further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics (e.g., through use permits, density transfers, height variances, or other strategy) are ~~prohibited~~incompatible.

(5) The area to be developed cannot previously have been set aside as open land in accordance with policies contained in this *Plan* unless replacement open land is provided within the same compatibility zone.

(c) For residential development, the average development density (dwelling units per gross acre) of the site shall not exceed the lesser of:

(1) The average density represented by all existing lots that lie fully or partially within a distance of 300 feet from the boundary of the parcel to be divided; or

(2) Double the density permitted in accordance with the criteria for that location as indicated in the Basic Compatibility Criteria matrices, Tables 2A, 2B and 2C.

(d) For nonresidential development, the average usage intensity (the number of people per gross acre) of the site's proposed use shall not exceed the lesser of:

(1) The average intensity of all existing uses that lie fully or partially within a distance of 300 feet from the boundary of the proposed development; or

(2) Double the intensity permitted in accordance with the criteria for that location as indicated in the Basic Compatibility Criteria matrices, Tables 2A, 2B and 2C.

(e) The single-acre limits and multipliers for risk-reduction design density and intensity described in Policies 5.2.5 and 5.2.6 and listed in Tables 2A, 2B, and 2C are applicable to infill development.

(f) The sound insulation and avigation easement dedication requirements set by Policies 5.1.6 and 5.3.6 apply to infill development.

(g) Infill development on some parcels should not enable additional parcels to then meet the qualifications for infill. The ALUC's intent is that parcels eligible for infill be determined just once. Thus, in order for the ALUC to consider proposed development under these infill criteria, the ~~entity having land use authority~~local jurisdiction (County of San Diego ~~County~~ or an affected city) must first identify the qualifying locations in its general plan or other adopted planning document approved by the ALUC. This action may take place in

conjunction with the process of amending a general plan for consistency with the ALUC plan or may be submitted by the local agency for consideration by the ALUC at the time of initial adoption of this *Compatibility Plan*. In either case, the burden for demonstrating that a proposed development qualifies as infill rests with the affected land use jurisdiction and/or project proponent. **<Comment –Clarifying language.>**

3.3.2. *Nonconforming Uses:* Existing uses (including a parcel or building) not in conformance with this *Compatibility Plan* may only be expanded as follows:

(a) Nonconforming residential uses may be expanded in building size provided that the expansion does not result in more dwelling units than currently exist on the parcel (a bedroom could be added, for example, but a separate dwelling unit could not be built).

(1) Addition of a secondary dwelling unit, as defined by state law, on the same parcel is exempt from this limitation.

(2) No ALUC review of these improvements is required.

(3) The sound insulation and avigation easement dedication requirements set by Policies 5.1.6 and 5.3.6 apply.

(b) A nonconforming nonresidential development may be continued, leased, or sold and the facilities may be maintained or altered provided that the portion of the site devoted to the nonconforming use is not expanded and the usage intensity (the number of people per acre) is not increased above the levels existing at the time of adoption of this *Compatibility Plan*.

(1) No ALUC review of such changes is required.

(2) The sound insulation and avigation easement dedication requirements set by Policies 5.1.6 and 5.3.6 apply.

(c) ALUC review is required for any proposed expansion of a nonconforming use (in terms of the site size or the number of dwelling units or people on the site). Factors to be considered in such reviews include whether the development qualifies as infill (Policy 3.3.1) or warrants approval because of other special conditions (Policy 3.3.~~6~~7).

3.3.3. *Reconstruction:* An existing nonconforming development that has been fully or partially destroyed as the result of a calamity (not planned reconstruction or redevelopment) may be rebuilt only under the following conditions:

(a) Nonconforming residential uses may be rebuilt provided that the expansion does not result in more dwelling units than existed on the parcel at the time of the damage. Addition of a secondary dwelling unit is permitted if in accordance with state law.

(b) A nonconforming nonresidential development may be rebuilt provided that it has been only partially destroyed and that the reconstruction does not increase the floor area of the previous structure or result in an increased intensity of use (i.e., more people per acre).

Partial destruction shall be considered to mean damage that can be repaired at a cost of no more than 75% of the assessor's full cash value of the structure at the time of the damage. Any nonresidential use that has been more than 75% destroyed must comply with all applicable standards herein when reconstructed.

(c) Reconstruction under Paragraphs (a) or (b) above:

(1) Must begin within 24 months of the date the damage occurred.

(2) Shall incorporate noise insulation features to the extent required by Policy 5.1.6.

(3) Shall be conditioned upon dedication of an avigation easement to the airport proprietor if required under Policy 5.3.6 or airport-specific policies in Chapter 3.

(d) The above exceptions do not apply within *Zone A* or where such reconstruction would be in conflict with a general plan or zoning ordinance of San Diego County or the affected city.

(e) Nothing in the above policies is intended to preclude work required for normal maintenance and repair.

3.3.4. *Development by Right:* Nothing in these policies prohibits:

(a) Other than in *Compatibility Zone A, c*onstruction of a single-family home, including a second unit as defined by state law, on a legal lot of record if such use is permitted by local land use regulations.

(b) Construction of other types of uses if local government approvals qualify the development as effectively existing (see Policy 1.2.12 for definition).

(c) Lot line adjustments provided that new developable parcels would not be created and the resulting gross density or intensity of the affected property would not exceed the applicable criteria indicated in the Basic Compatibility Criteria matrices, Tables 2A, 2B and 2C.

(d) The sound insulation and avigation easement dedication requirements set by Policies 5.1.6 and 5.3.6 apply to development permitted under this policy.

3.3.5. *Parcels Lying within Two or More Compatibility Zones:* For the purposes of evaluating consistency with the compatibility criteria set forth herein, any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line. However, the density or intensity of development allowed within the more restricted portion of the parcel can (and is encouraged to) be ~~transferred~~ reallocated to the less restricted portion. This ~~transfer~~ reallocation of ~~development~~ density or intensity is permitted even if the resulting density or intensity in the less restricted area would then exceed the limits which would otherwise apply within that compatibility zone.

<Comment –A reallocation from one area of a development site to another area of the same site is different than a transfer of development rights, which is not permitted in the City of San Diego. The proposed policy could cause confusion and misunderstanding.>

3.3.6 *Affordable Housing Density Bonus:* as defined by state law, shall be allowed to exceed the density criteria for *Compatibility Zones* that allow non-single family residential development. However, sound insulation and avigation easement dedication requirements set by Policies 5.1.6 and 5.3.6 shall apply.
<Comment –Affordable housing density bonus is allowed per state law. Jurisdictions cannot preclude this density bonus.>

3.3.~~6~~7. *Other Special Conditions:* The compatibility criteria set forth in this *Plan* are intended to be applicable to all locations within each airport's influence area. However, it is recognized that there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location, or other extraordinary factors or circumstances related to the site or its proposed use.

(a) After due consideration of all the factors involved in such situations, the ALUC may find a normally incompatible use to be acceptable. A two-thirds vote of the full ALUC membership shall be required for project approval under this policy.

(b) In reaching such a decision, the ALUC shall make specific findings as to why the exception is being made and that the land use will not create a safety hazard to people on the ground or aircraft in flight nor result in excessive noise exposure for the proposed use. Findings also shall be made as to the nature of the extraordinary circumstances that warrant the policy exception.

(c) The burden for demonstrating that special conditions apply to a particular development proposal rests with the project proponent and/or the submitting agency, not with the ALUC.

(d) The granting of a special conditions exception shall be considered site specific and shall not be generalized to include other sites.

(e) Special conditions that warrant general application in all or part of the influence area of a specific airport, but not at other airports, are set forth in Chapter 3 of this *Compatibility Plan*.

4. REVIEW OF AIRPORT MASTER PLANS AND DEVELOPMENT PLANS 4.1. Review Process

4.1.1. *Project Submittal Information:* An airport master plan or development plan submitted to the ALUC for review shall contain sufficient information to enable the Commission to adequately assess the noise, safety, airspace protection, and overflight impacts of airport activity upon surrounding land uses.

(a) At a minimum, information to be submitted shall include:

(1) A layout plan drawing of the proposed facility showing the location of: Property boundaries;
- Runways or helicopter takeoff and landing areas;
- Runway or helipad protection zones;
- Aircraft or helicopter approach/departure flight routes.

(2) A map of the proposed airspace surfaces as defined by Federal Aviation Regulations, Part 77, if the proposal would result in changes to these surfaces.

(3) Activity forecasts, including the number of operations by each type of aircraft proposed to use the facility, the percentage of day versus night operations, and the distribution of takeoffs and landings for each runway direction.

(4) Existing and proposed flight track locations, current and projected noise contours, and other supplementary noise impact data that may be relevant.

(5) A map showing existing and planned land uses in the areas affected by aircraft activity associated with implementation of the proposed master plan or development plan.

(6) Any environmental document (initial study, draft environmental impact report, etc.) that may have been prepared for the project.
(7) Identification and proposed mitigation of impacts on surrounding land uses.

(b) Any applicable review fees as established by the San Diego County Airport Land Use Commission shall accompany the application.

4.1.2. *ALUC Action Choices for Plans of Existing Airports:*
When reviewing airport master plans or expansion plans for existing public-use airports, the Commission has three action choices:
(a) Find the airport plan consistent with the *Airport Land Use Compatibility Plan*.
(b) Find the airport plan inconsistent with the Commission's *Plan*.
(c) Modify the *Airport Land Use Compatibility Plan* (after duly noticed public hearing) to reflect the assumptions and proposals in the airport plan.

4.1.3. *ALUC Action Choices for Reviews of New Airports or Heliports:* When reviewing proposals for new airports or heliports, the Commission's choices of action are:

(a) Approve the proposal as being consistent with the specific review policies listed in Section 4.3 below.

(b) Approve the proposal and adopt a *Compatibility Plan* for that facility.
(1) State law requires adoption of such a plan if the airport or heliport will be a public-use facility (Public Utilities Code Section 21675(a)).

(2) State law also requires the ALUC to prepare a compatibility plan for any military airport. As the Commission otherwise has no authority over federal lands and thus could not disapprove the proposal, this would be the only action choice with respect to any proposed new military airport.

(c) Disapprove the proposal on the basis that the noise, safety, airspace protection, and overflight impacts it would have on surrounding land uses are not adequately mitigated.

4.1.4. *Review of Special-Use Airports and Heliports:* The ALUC has delegated to its staff the review of proposed special-use airports and heliports (as defined in state regulations). The ALUC Staff's choices of action with regard to these proposals are:

(a) Find the proposed facility does not contain characteristics likely to result in conflicts with the review criteria listed in Section 4.2 below. Upon said finding, the ALUC Staff is authorized to approve such projects on behalf of the Commission.

(b) Find that the proposed facility may conflict with the review criteria listed in Section 4.2. The ALUC Staff shall forward any such proposal to the Commission for a consistency determination.

4.1.5. *Response Time:* The ALUC must respond to a local agency's submittal of an airport master plan or development plan within 60 days from the date of submittal (Public Utilities Code Section 21676(d)).

(a) The date of submittal is deemed to be the date on which all applicable project submittal information is received by the ALUC Staff.
(b) The 60-day review period may be extended if the submitting agency agrees in writing or so states at an ALUC public hearing on the action.

(c) If the ALUC fails to make a determination within the time period required or agreed upon, the proposed action shall be deemed consistent with the *Compatibility Plan*.

(d) Regardless of ALUC action or failure to act, the proposed action must comply with other applicable local, state, and federal regulations and laws. (e) The submitting agency shall be notified of the ALUC's action in writing.

4.1.6. *ALUC Response to Notification of Proposed Overruling:* If a local agency proposes to overrule an ALUC action regarding an airport master plan or development plan, it must provide 45 days notice and a copy of the proposed decision and findings to both the ALUC and the California Division of Aeronautics and these agencies then have 30 days in which to respond with their comments (Public Utilities Code Section 21676(c)). The ALUC authorizes the ALUC Staff to respond as appropriate.

4.2. Compatibility Criteria for Master or Development Plans of Existing Airports

4.2.1. *Substance of Review:* When reviewing airport master plans or development plans for existing airports, the ALUC shall determine whether activity forecasts or proposed facility development identified in the plan differ from the forecasts and development assumed for that airport in this *Airport Land Use Compatibility Plan*. Attention should specifically focus on:

(a) Activity forecasts that are:

(1) significantly higher than those in the *Airport Land Use Compatibility Plan*; or that

(2) include a higher proportion of larger or noisier aircraft.

(b) Proposals to:

(1) construct a new runway or helicopter takeoff and landing area;
(2) change the length, width, or landing threshold location of an existing runway; or

(3) establish an instrument approach procedure.

4.2.2. *Noise Impacts of New or Expanded Airports or Heliports:* Any proposed construction of a new airport or heliport or expansion of facilities at an existing airport or heliport that would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less-than-significant level.

(a) For the purposes of this plan, a noise increase shall be considered significant if:

(1) In locations having an existing ambient noise level of less than 55 dB CNEL, the project would increase the noise level by 5.0 dB or more.

(2) In locations having an existing ambient noise level of between 55 and 60 dB CNEL, the project would increase the noise level by 3.0 dB or more.

(3) In locations having an existing ambient noise level of more than 60 dB CNEL, the project would increase the noise level by 1.5 dB or more.

(b) In instances where noise impacts of the proposed new or expanded airport or heliport cannot be reduced to a less-than-significant level, the ALUC may take into account in its review a statement of overriding considerations approved by the project proponent in accordance with the provisions of the California Environmental Quality Act.

4.2.3. *Consistency Determination:* The ALUC shall determine whether the proposed airport plan or development plan is consistent with the *Airport Land Use Compatibility Plan*. The Commission shall base its determination of consistency on:

(a) Findings that the forecasts and development identified in the airport plan would not result in greater noise, overflight, and safety impacts or height restrictions on surrounding land uses than are assumed in the *Airport Land Use Compatibility Plan*.

(b) A determination that any nonaviation development proposed for locations within the airport boundary (excluding federal- or state-owned property) will be consistent with the compatibility criteria and policies indicated in this *Compatibility Plan* with respect to that airport (see Policy 1.2.6 for definition of aviation-related use).

4.3. Compatibility Criteria for Proposed New Airports or Heliports

4.3.1. *Substance of Review:* In reviewing proposals for new airports and heliports, the ALUC shall focus on the noise, safety, airspace protection, and overflight impacts upon surrounding land uses.

(a) Other types of environmental impacts (e.g., air quality, water quality, natural habitats, vehicle traffic, etc.) are not within the scope of ALUC review.

(b) The ALUC shall evaluate the adequacy of the proposed facility design (in terms of federal and state standards) only to the extent that the design affects surrounding land use.

(c) The ALUC must base its review on the proposed airfield design. The ALUC does not have the authority to require alterations to the airfield design.

4.3.2. *Airport/Land Use Relationships:* The review shall examine the relationships between existing and planned land uses in the vicinity of the proposed airport or heliport and the impacts that the proposed facility would have upon these land uses.

(a) Questions to be considered should include:

(1) Would the existing or planned land uses be considered incompatible with the airport or heliport if the latter were already in existence?

(2) What measures are included in the airport or heliport proposal to mitigate the noise, safety, airspace protection, and overflight impacts on surrounding land uses? Such measures might include:

- Location of flight tracks so as to minimize the impacts;
- Other operational procedures to minimize impacts;
- Installation of noise barriers or structural noise insulation;
- Airport or heliport proprietor acquisition of property interests (fee title or easements) on the impacted land.

(b) The noise impact assessment criteria listed in Policy 4.2.2 with respect to airport expansion projects shall also be considered with regard to the review of new airport development.

5. SUPPORTING COMPATIBILITY CRITERIA

5.1. Noise

5.1.1. *Policy Objective:* The purpose of noise compatibility policies is to avoid establishment of future noise-sensitive land uses in the portions of airport environs that are exposed to significant levels of aircraft noise.
<Comment –Clarifying language>

5.1.2. *Noise Contours:* The evaluation of airport/land use noise compatibility shall be based upon the Community Noise Equivalent Level (CNEL) contours of each airport as depicted in Chapter 3 of this *Plan*.

(a) Projected noise contours for civilian airports are calculated based upon forecasted aircraft activity as indicated in an airport master plan or that is considered by the San Diego County Airport Land Use Commission to be reasonably foreseeable based upon the airport role identified in the master plan or other policies of the airport proprietor. For military airports, a "maximum mission" scenario as identified in the Air Installation Compatible Use Zone (AICUZ) study for the facility or through consultation with military authorities is the basis for the noise contours in this plan.

(1) Refer to activity data in the Background Data volumes for the specific data used for each airport.

(2) The ALUC or the entities that operate airports in San Diego County should periodically review these projected noise level contours and update them if appropriate.

(b) At most airports in the county, anticipated growth in aircraft operations results in projected future noise contours being larger than current ones. However, in some instances, factors such as introduction of a quieter aircraft fleet mix, planned changes to the configuration of airport runways, or expected modifications to flight procedures can result in current contours being larger than the future contours in some or all of the airport environs. In these cases, ~~either the current contours or~~ a composite representing the ~~highest~~ average noise level contours for the two time frames shall be considered in compatibility analyses.
<COMMENT – While it is important to recognize the existing conditions, this should not be the only consideration. Long-range planning requires that you plan for both existing and future conditions.>

(c) For airports at which aircraft activity has substantial seasonal or weekly characteristics, noise contours associated with the peak operating season or days of the week shall be taken into account in assessing land use compatibility.

5.1.3. *Application of Noise Contours:* The locations of CNEL contours are among the factors used to define compatibility zone boundaries and criteria. Because of the inherent variability of flight paths and other factors that influence noise emissions, the depicted contour boundaries are not absolute determinants of the compatibility or incompatibility of a given land use on a specific site or a portion thereof. Noise contours can only quantify noise impacts in a general manner. Except on large parcels or blocks of land (sites large enough to have 3 dB or more of variation in CNELs), they should *not* be used as site design criteria. However, the airport noise contours set forth in Chapter 3 of this *Plan* are to be used as the basis for determining compliance with interior noise level criteria as listed in

Policy 5.1.6 unless site-specific noise monitoring data has been gathered and used to refine the contours.

5.1.4. *Noise Exposure in Residential Areas:* Acceptable noise levels for new residential land uses in the vicinity of the airports covered by this *Plan* are defined as follows.

(a) The maximum CNEL considered compatible is:

(1) 70 dB CNEL for future residential uses only near SDIA that are in highly dense urban areas (in the 65-to-70 dB CNEL range, compatibility is subject to compliance with the 45 dB CNEL interior noise level standard and dedication of an avigation easement as required).
<COMMMENT –This is consistent with state and federal regulations. Highly urban areas affected by existing freeway and traffic noise as indicated in Appendix C of this proposed ALUCP can have the 70 dB CNEL established as an acceptable noise exposure level for residential with measures to ensure an interior noise level of 45 dB CNEL or less.>

(~~1~~2) 65 dB CNEL for future residential ~~development~~ uses near airports in dense urban areas (in the 60-to-65 dB CNEL range, compatibility is subject to compliance with the 45 dB CNEL interior noise level standard and dedication of an avigation easement as required).

(~~2~~3) ~~60~~ 65 dB CNEL for future residential ~~development~~ uses near airports in suburban areas.

(~~3~~4) 55 dB CNEL for low-activity airports in rural areas (portions of large residential parcels may extend into this contour, but dwellings should be located in the less impacted portions).

(b) For the purposes of this policy:

(1) Dense urban areas are considered to be locations where the ambient noise level is 60 dB CNEL or greater.

(2) Suburban areas are considered to be locations where the ambient noise level is 55 dB CNEL or greater.

(3) Rural areas are considered to be locations where the ambient noise level is less than 55 dB CNEL.

5.1.5. *Noise Exposure for Other Land Uses:* Noise level compatibility standards for other types of land uses shall be applied in the same manner as the above residential noise level criteria. The extent of outdoor activity associated with a particular land use is an important factor to be considered in evaluating its compatibility with airport noise. Examples of acceptable noise levels for other land uses in an airport's vicinity are presented in Table 2D for urban and suburban/rural airports and 2E for San Diego International Airport.

	Exterior Noise Exposure (dB CNEL)					
Land Use Category	**50–55**	**55–60**	**60–65**	**65–70**	**70–75**	**75-80**
Agricultural, Recreational, and Animal-Related						
outdoor amphitheaters nature preserves; wildlife preserves						
livestock breeding or farming; zoos; animal shelters neighborhood parks; playgrounds						
regional parks; athletic fields; golf courses outdoor spectator sports water recreation facilities; horse stables						
agriculture (except residences and livestock); fishing						
Residential (including single-family, multi-family, mobile homes						
rural areas						
suburban areas						
urban areas			**45**			
Lodging and Care						
residential hotels; retirement homes hospitals; nursing homes; intermediate care facilities			**45**			
hotels; motels; other transient lodging			**45**	**45**		
Public						
schools; libraries			**45**	**45**		
auditoriums; concert halls; indoor arenas places of worship; cemeteries			**45**	**45**		
Commercial ~~and Industrial~~						
office buildings; clinical laboratories ~~commercial~~ retail; shopping centers restaurants; movie theaters				**50**	**50**	
Industrial						
~~commercial~~ wholesale; ~~industrial;~~ manufacturing; research & development					**50**	
extractive industry; utilities; public rights-of-way						

Land Use	Acceptability	Interpretation/Comments
	Compatible	*Indoor Uses:* Standard construction methods will sufficiently attenuate exterior noise to an acceptable indoor community noise equivalent level (CNEL) *Outdoor Uses:* Activities associated with the land use may be carried out with essentially no interference from aircraft noise
45	*Conditionally Compatible*	*Indoor Uses:* Building structure must be capable of attenuating exterior noise to the indoor CNEL indicated by the number; standard construction methods will normally suffice *Outdoor Uses:* CNEL is acceptable for outdoor activities, although some noise interference may occur; caution should be exercised with regard to noise-sensitive uses
	Incompatible	*Indoor Uses:* Unacceptable noise interference if window are open; at exposures above 65 dB CNEL, extensive mitigation techniques required to make the indoor environment acceptable for performance of activities *Outdoor Uses:* Severe noise interference makes outdoor activities unacceptable

Table 2D

Supporting Compatibility Criteria: Noise

Urban and Suburban Airports

<COMMENT - Most jurisdictions including the City of San Diego regulate "commercial" and "industrial" uses separately for a variety of reasons relating to public safety and "quality of life" issues. In the proposed Table 2D these categories and sub-categories are somewhat co-mingled resulting in ambiguity and confusion. The word "laboratories" is grouped together with "office buildings" and "retail." If this use is meant to refer to medical offices, reference laboratories used to screen blood samples, or other medical-related uses then that term should be clarified

using additional adjectives. If it is meant to refer to the laboratories commonly used by industrial businesses to perform engineering, scientific research, or other R&D function leading to the development of new products and processes, then it should be placed in the industrial category along with manufacturing.

	Exterior Noise Exposure (dB CNEL)					
Land Use Category	**50–55**	**55–60**	**60–65**	**65–70**	**70–75**	**75-80**
Agricultural, Recreational, and Animal-Related						
outdoor amphitheaters nature preserves; wildlife preserves						
livestock breeding or farming; zoos; animal shelters neighborhood parks; playgrounds						
regional parks; athletic fields; golf courses outdoor spectator sports water recreation facilities; horse stables						
agriculture (except residences and livestock); fishing						
Residential						
Single Family; Mobile Homes			45			
Multifamily			45	45		
Lodging and Care						
residential hotels; retirement homes hospitals; nursing homes; intermediate care facilities			45			
hotels; motels; other transient lodging			45	45	45	
Public						
schools; libraries			45	45		
auditoriums; concert halls; indoor arenas places of worship; cemeteries			45	45		
Commercial						
office buildings; clinical laboratories retail; shopping centers restaurants; movie theaters				50	50	
Industrial						
wholesale; manufacturing; research & development					50	50
extractive industry; utilities; public rights-of-way						

Land Use	Acceptability	Interpretation/Comments
	Compatible	*Indoor Uses:* Standard construction methods will sufficiently attenuate exterior noise to an acceptable indoor community noise equivalent level (CNEL) *Outdoor Uses:* Activities associated with the land use may be carried out with essentially no interference from aircraft noise
45	*Conditionally Compatible*	*Indoor Uses:* Building structure must be capable of attenuating exterior noise to the indoor CNEL indicated by the number; standard construction methods will normally suffice *Outdoor Uses:* CNEL is acceptable for outdoor activities, although some noise interference may occur; caution should be exercised with regard to noise-sensitive uses
	Incompatible	*Indoor Uses:* Unacceptable noise interference if window are open; at exposures above 65 dB CNEL, extensive mitigation techniques required to make the indoor environment acceptable for performance of activities *Outdoor Uses:* Severe noise interference makes outdoor activities unacceptable

Table 2E

Supporting Compatibility Criteria: Noise
San Diego International Airport

. <COMMENT – Revised language to clarify, that land uses for SDIA are at higher intensity and density levels than other areas of the county, the areas are already affected by a higher background noise level due to heavy road, freeway, and rail traffic; therefore the 70 dB CNEL should be established as an acceptable noise exposure level with a requirement to reduce interior noise levels to an acceptable level for residential. Hotels/Motels should be allowed up to the 75 db CNEL and industrial uses up to the 80 dB CNELboth with an interior noise level reduced to an acceptable noise level. Also see additional comments for SDIA. The proposed ALUCP requirements would only realistically allow for surface parking uses. >

5.1.6. *Interior Noise Levels:* Land uses for which interior activities may be easily disrupted by noise shall be required to comply with the following interior noise level criteria.

(a) The maximum, aircraft-related, interior noise level that shall be considered acceptable for land uses near airports is 45 dB CNEL in:

- Any habitable room of single- or multi-family residences;
- Hotels and motels;
- Hospitals and nursing homes;
- Churches, meeting halls, theaters, and mortuaries; and
- ~~Office buildings; and~~
- Schools, libraries, and museums.

(b) The maximum, aircraft-related, interior noise level that shall be considered acceptable for land uses near airports is 50 dB CNEL in:

- Commercial
  - Office buildings;
  - Clinical Laboratories;
  - Commercial-retail;
  - Shopping centers;
  - Restaurants;
  - Movie theaters;
- Industrial
  - -Wholesale;
  - Research and Development; and
  - Manufacturing.

<Comment –Clarifying language. Revised to be consistent with table. See previous comment. >

(~~b~~c) The noise contours depicted in Chapter 3 of this *Plan* shall be used in calculating compliance with these criteria. The calculations should assume that windows are closed.

(~~c~~d) When reviewed as part of a general plan or zoning ordinance amendment or as a *major land use action* in accordance with Policy 1.5.3, evidence that proposed structures will be designed to comply with the above criteria shall be submitted to the ALUC under the following circumstances: **<Comment –Clarifying language>**

(1) Any mobile home situated within an airport's 55-dB to 60-dBCNEL contour. [A typical mobile home has an average exterior-to-interior noise level reduction (NLR) of approximately 15 dB with windows closed.] **<Comment –Clarifying language>**

(2) Any single- or multi-family residence situated within an airport's 60-dB to 65 dB CNEL contour. [Wood frame buildings constructed to meet 1990s standards for energy efficiency typically have an average NLR of approximately 20 dB with windows closed.] **<Comment –Clarifying language>**

(3) Any hotel or motel, hospital or nursing home, church, meeting hall, office building, mortuary, school, library, or museum situated with an airport's 65- dB to 70 dB CNEL contour. **<Comment –Clarifying language>**

5.1.7. *Engine Run-Up and Testing Noise:* ALUC consideration of noise from aircraft engine run-ups and testing activities shall be limited as follows:

(a) Aircraft noise associated with pre-flight engine run-ups, taxiing of aircraft to and from runways, and other operation of aircraft on the ground is considered part of airport operations and therefore is not subject to ALUC authority.

(1) Noise from these sources can be, but normally is not, represented in airport noise contours. It is not included in the noise contours prepared for this *Compatibility Plan*. Nevertheless, when reviewing the compatibility of proposed land uses in locations near the airport where such noise may be significant, the ALUC may seek additional data and may take into account noise from these ground-based sources.

(2) Noise from aircraft ground operations also should be considered by the ALUC when reviewing airport master plans or development plans in accordance with Section 4 herein.

(b) Noise from the testing of aircraft engines on airport property is not deemed an activity inherent in the operation of an airport and thus it is not an airport-related impact addressed by this *Compatibility Plan*. Noise from these sources should be addressed by the noise policies of local agencies in the same manner as noise from other industrial sources. (Engine testing noise is not normally included in the noise contours prepared for an airport. However, aircraft noise modeling programs have the capability of including noise from this source. At airports where engine testing takes place or is proposed, the ALUC may need to ascertain whether the noise was or was not included in the noise contour calculations.)

5.1.8. *Construction of New or Expanded Airports or Heliports:* Any proposed construction of a new airport or heliport or expansion of facilities at an existing airport or heliport which would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less-than significant level or findings that are appropriate to support a statement of overriding considerations. For the purposes of this plan, a noise increase shall be considered significant if:

(a) In locations having an existing ambient noise level of less than 60 dB CNEL, the project would increase the noise level by 5.0 dB or more.

(b) In locations having an existing ambient noise level of between 60 and 65 dB CNEL, the project would increase the noise level by 3.0 dB or more.

(c) In locations having an existing ambient noise level of more than 65 dB CNEL, the project would increase the noise level by 1.5 dB or more. [The preceding thresholds are derived from recommendations of the Federal Interagency Committee on Noise (FICON) as documented in its 1992 report, *Federal Agency Review of Selected Airport Noise Analysis Issues*.

5.2. Safety

5.2.1. *Policy Objective:* The intent of land use safety compatibility criteria is to minimize the risks associated with an off-airport aircraft accident or emergency landing.

(a) Risks both to people and property in the vicinity of an airport and to people on board the aircraft shall be considered.

(b) The most stringent land use controls shall be applied to the areas with the greatest potential risks.

5.2.2. *Risks to People on the Ground:* The principal means of reducing risks to people on the ground is to restrict land uses so as to limit the number of people who might gather in areas most susceptible to aircraft accidents. The usage intensity criteria cited in Tables 2A, 2B and 2C reflect the risks associated with various locations in the environs of the airports in the county. (Concepts associated with these criteria are discussed in Appendix C. Methods for determining the concentration of people for various land uses are outlined in Appendix D.)

5.2.3. *Land Uses of Special Concern:* Certain types of land uses represent special safety concerns irrespective of the number of people associated with those uses. Land uses of particular concern include:

(a) Uses Having Vulnerable Occupants: Uses in which the occupants have reduced effective mobility or are unable to respond to emergency situations shall be ~~prohibited~~incompatible within *Compatibility Zones A*, *B1*, *B2*, and *C* and are ~~discouraged~~conditionally compatible (see Policy~~)~~ 3.1.7 for explanation of ~~the term "discouraged~~conditionally compatible~~"~~) in *Zone D*. These uses include children's schools and day care centers (with 7 or more children), hospitals, nursing homes, and other uses in which the majority of occupants are children, elderly, and/or disabled.

<Comment –Clarifying language to be consistent with tables.>

(1) This general policy may be superseded by airport-specific policies (see Chapter 3).

(2) Hospitals are medical facilities which include provision for overnight stays by patients. Medical clinics are permitted in *Compatibility Zones C* and *D* provided that

these facilities meet the maximum intensity standards listed in the Compatibility Criteria matrices, Table 2A, 2B and 2C.

(b) Multi-story Buildings: ~~In the event of an emergency resulting from an aircraft accident, low-rise buildings can be more readily evacuated than those with more floors. On this basis,~~ To prevent creating constraints or hazards to the use of the airspace by aircrafts, the following limitations are established:

<Comment –The intent of limiting heights should be to protect the airspace. The intensity requirements will reduce the impacts to building occupants. Local jursidicitons should indenity improved safety measures to protect and evacuate people from structures within these areas. All new structures must meet stricter building code requirements for fire protection and exiting, so limiting multistory buildings may not be a significant safety improvement. The criteria should be maximum structure height from ground level based on either FAR Part 77 or TERPs. A two-story 40-foot building could have the same existing condtions as a 3-story 40-foot building. This is why many jurisdictions limit height rather than number of stories. >

(1) Within *Compatibility Zone A,* new occupied structures are not permitted.

(2) Within *Compatibility Zone B1*, the ~~number of occupied aboveground floors in~~ new ~~buildings~~ structure height ~~shall be limited to no more than three in urban locations and two in suburban and rural locations~~is subject to the FAR Part 77 or TERPs criteria, where applicable.

(3) Within *Compatibility Zones B2* and *C*, the ~~number of occupied aboveground floors in~~ new ~~buildings~~ structure shall be ~~limited to no more than four in urban locations and three in suburban and rural locations~~is subject to the FAR Part 77 or TERPs criteria where applicable.

(c) Hazardous Materials Storage: Construction of facilities for the manufacture or storage of fuel, explosives, and other hazardous materials within the airport environs is restricted as follows:

(1) Within *Compatibility Zone A,* manufacture or storage of any such substance is ~~prohibited~~incompatible.

(2) Within *Compatibility Zone B1* and the portion of *Zone B2* within 1,000 feet of a runway edge, storage of fuel or hazardous substances in aboveground tanks is ~~prohibited~~incompatible except for:

- On-airport storage of aviation fuel and other aviation-related flammable materials.
- Up to 6,000 gallons of nonaviation flammable or other hazardous materials (this limit coincides with a break-point used in the Uniform Fire Code to distinguish between different classes of tanks).

(3) Within *Compatibility ~~Zone C and the remainder of~~ Zone B2*, manufacture or aboveground storage of hazardous materials other than the types listed in Paragraph (2) above is ~~prohibited~~incompatible unless no other feasible alternative site exists and the facility is designed in a manner that minimizes its susceptibility to damage from an aircraft accident.

(4) Within Compatibility Zones B1, B2, and C, storage of such materials should be in accordance with the most stringent federal, state, and local ordinances and regulations.

<COMMMENT - The industrial areas that comprise most of Compatibility Zones B1 and C are highly attractive to high-technology and biotechnology businesses for a variety of reasons. These businesses commonly store, use, and produce hazardous materials. Most of these pose no greater risk than "non-aviation flammable materials" yet are essential to many research and manufacturing processes. Chemicals such as acids and compressed gases are commonly stored in above-ground tanks in these areas in accordance with the strictest state and local standards and safety protocols. The imposition of such a restriction would probably not significantly advance public safety and would certainly result in forcing expanding manufacturing businesses out of one of San Diego' most important manufacturing areas. The current Comprehensive Land Use Plan – Miramar requires that such materials be stored below ground only within accident potential zones. The existing CLUP for NAS Miramar provides no further limitations except that such materials (stored below ground) should be stored "*in accordance with the most stringent federal, state, and local ordinances and regulations*." The new ALUCP proposes to allow up to 6,000 gallons of non-aviation flammable materials, presumably above ground, even within the areas of high accident risk potential. There is therefore, no justification for limiting the above ground storage of other non-flammable materials of equal or lesser quantities in these same areas or especially in areas of lower accident potential, so long as they are still stored in accordance with the strictest federal, state, and local standards.>

(d) Critical Community Infrastructure:

(1) Construction of critical community infrastructure facilities shall be restricted as follows:

- Within *Compatibility Zone A,* all such uses are ~~prohibited~~incompatible.
- Within *Compatibility Zone B1* and the portion of *Zone B2* within 1,000 feet of a runway edge, such uses are ~~prohibited~~incompatible unless no other feasible alternative site exists and the facility is designed in a manner that minimizes its susceptibility to damage from an aircraft accident.

(2) Critical community infrastructure includes power plants, electrical substations, public communications facilities and other facilities, the damage or destruction of which would cause significant adverse effects to public health and welfare well

beyond the immediate vicinity of the facility. Susceptibility of the facility to damage by an aircraft accident, the availability of redundant or replacement facilities, the rapidity with which the facility could be repaired, and other such factors should all be considered in the determination of whether such a facility should be placed in a risky location.

5.2.4. *Open Land:* In the event that a light aircraft is forced to land away from an airport, the risks to the people on board can best be minimized by providing as much open land area as possible within the airport vicinity. This concept is based upon the fact that the majority of light aircraft accidents and incidents occurring away from an airport runway are controlled emergency landings in which the pilot has reasonable opportunity to select the landing site. For business jets and other large or fast aircraft, provision of open land for emergency landing purposes has minimal benefit unless the areas are very large and flat. Airport operators within San Diego County are encouraged to purchase available property near airport runways for the purposes of establishing open land.
<COMMMENT- This policy should be included since it is an option.>
(a) To qualify as open land, an area should be:

(1) Free of most structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.

(2) Have minimum dimensions of approximately 75 feet by 300 feet.

(b) Roads and automobile parking lots are acceptable as open land areas if they meet the above criteria.

(c) Open land requirements for each compatibility zone are to be applied with respect to the entire zone. Individual parcels may be too small to accommodate the minimum-size open area requirement. Consequently, the identification of open land areas must initially be accomplished at the general plan or specific plan level or as part of large (10 acres or more) development projects.

(d) Clustering of development, subject to the limitations noted below, and providing contiguous landscaped and parking areas is encouraged as a means of increasing the size of open land areas.

(e) Building envelopes and the airport compatibility zones should be indicated on all development plans and tentative maps for projects located within the influence area of airports covered by this *Compatibility Plan*. Portraying this information is intended to assure that individual development projects provide the open land areas identified in the applicable general plan, specific plan, or other large-scale plan.

(f) For established urban areas, the potential to provide meaningful amounts of open land for emergency aircraft landing purposes is limited. Therefore, no requirements are established except within *Compatibility Zone A*. In *Compatibility Zone B1*, the provision of

useful open land should be considered in community planning and in the site design of individual developments, but no fixed standards are established.

5.2.5. *Limitations on Clustering:* As used herein, "clustering" refers to the concentration of development (measured in terms of dwellings or people per acre) into a portion of the site, leaving other portions of the site relatively less developed or as open land. Policy 5.2.4(d) notwithstanding, limitations shall be set on the maximum degree of clustering of dwelling units or usage intensity acceptable within a portion of a large project site (the limits cited here are included in Tables 2A, 2B, and 2C under the maximum "single acre" intensity column). These criteria are intended to limit the number of people at risk in a concentrated area.

(a) Clustering of new residential development shall be limited as follows:

(1) In the vicinity of San Diego International Airport:

- Within Compatibility Zones A, B1, B2 and C, clustering is not applicable.
- In other portions of the airport influence area, clustering is not restricted except that the concentration of dwelling units in a single acre must not be so high as to cause the number of occupants to exceed the maximum intensity (people per acre) criteria as listed for nonresidential uses.

(2) In urban areas:

- Within Compatibility Zones A, B1, and B2, clustering is not applicable.
- In other portions of the airport influence area, clustering is restricted only to the extent that the maximum intensity criteria, as listed for nonresidential uses, must be met.

(3) In suburban and rural areas:

- Within Compatibility Zones A, B1, and B2, clustering is not applicable.
- Within Compatibility Zone C, no more than 4 dwelling units shall be allowed in any individual acre. Buildings shall be located as far as practical from the extended runway centerline and normal aircraft flight paths.

(b) Unless special design measures as listed in Policy 5.2.6 are utilized, usage intensity of new nonresidential development shall be limited as follows:
<COMMENT - Revisions to be consistent with recommendations for increasing the allowable intensity. See intensity comments.>

(1) In the vicinity of San Diego International Airport:

- Within Compatibility Zone A, clustering is not applicable.
- Within Compatibility Zone B1, uses shall be limited to a maximum of ~~120~~ 175 people per any individual acre (i.e., a maximum of ~~double~~ 125 percent of the average intensity criterion set in Table 2A). Theaters, meeting halls, high-rise offices, and large shopping centers, and other similar uses typically do not comply with this criterion.

- Within Compatibility Zone B2, uses shall be limited to a maximum of ~~300~~ 350 people per any individual acre (i.e., a maximum of 125 percent of ~~double~~ the average intensity criterion set in Table 2A). Theaters, major conference facilities, multi-level shopping centers and similar uses typically do not comply with this criterion.
- Within Compatibility Zone C, uses shall be limited to a maximum of ~~250~~ 325 people per any individual acre (i.e., a maximum of 125 percent of ~~2.5 times~~ the average intensity criterion set in Table 2A). Theaters, major conference facilities, multi-level shopping centers, and similar uses typically do not comply with this criterion.
- Within Compatibility Zones D and E, no explicit usage intensity limits apply. ~~However, uses that attract very high concentrations of people in confined areas—for example, major spectator-oriented sports stadiums, amphitheaters, and concert halls—are discouraged in locations below or near the principal arrival and departure flight tracks.~~

<COMMENT – Since the proposed ALUCP does not indicate where the flight tracks are and since large percentage of the City is within an AIA (SDIA included with the other six airports), the proposed ALUC would preclude the development of any future entertainment uses. This is unreasonable. The ALUCP should map the flight track areas, so that jurisdictions can analyze the proposed restriction>.

(2) In urban areas:

- Within Compatibility Zone A, clustering is not applicable.
- Within Compatibility Zone B1, uses shall be limited to a maximum of ~~120~~ 200 people per any individual acre (i.e., a maximum of double the average intensity criterion set in Table 2B). Theaters, meeting halls, high-rise offices, and large shopping centers, and other similar uses typically do not comply with this criterion.
- Within Compatibility Zone B2, uses shall be limited to a maximum of ~~300~~ 400 people per any individual acre (i.e., a maximum of double the average intensity criterion set in Table 2B). Theaters, major conference facilities, multi-level shopping centers and similar uses typically do not comply with this criterion.
- Within Compatibility Zone C, uses shall be limited to a maximum of ~~250~~ 360 people per any individual acre (i.e., a maximum of double ~~2.5 times~~ the average intensity criterion set in Table 2B). Theaters, major conference facilities, multi-level shopping centers, and similar uses typically do not comply with this criterion.
- Within Compatibility Zones D ~~and E~~, no explicit usage intensity limits apply. However, uses that attract very high concentrations of people in confined areas—for example, major spectator-oriented sports stadiums, amphitheaters, and concert halls—are ~~discouraged~~ conditionally compatible in locations directly below ~~or near~~ the principal arrival and departure flight tracks.

Within Compatibility Zones E, no explicit usage intensity limits apply.

<COMMENT —since compatibility zones, especially zone E, affects a large percentage of the City is within an AIA of the seven airports affecting land use within the City, the proposed ALUCP would preclude the development of any future entertainment uses. This is unreasonable. The ALUCP should contain maps depecting the principal flight tracks. The term near is too subjective. It should be measurable.>.

(3) In suburban and rural areas:

- Within Compatibility Zone A, clustering is not applicable.
- Within Compatibility Zone B1, uses shall be limited to a maximum of 50 people per any individual acre (i.e., a maximum of double the average intensity criterion set in Table 2C). Theaters, restaurants, most shopping centers, motels, intensive manufacturing or office uses, and other similar uses typically do not comply with this criterion.
- Within Compatibility Zone B2, uses shall be limited to a maximum of 200 people per any individual acre (i.e., a maximum of double the average intensity criterion set in Table 2C). Theaters, major shopping centers (500,000 or more square feet), large motels and hotels with conference facilities, and similar uses typically do not comply with this criterion.
- Within Compatibility Zone C, uses shall be limited to a maximum of 150 people per any individual acre (i.e., a maximum of double the average intensity criterion set in Table 2C). Theaters, fast-food establishments, high-intensity retail stores or shopping centers, motels and hotels with conference facilities, and similar uses typically do not comply with this criterion.
- Within Compatibility Zone D, uses shall be limited to a maximum of 450 people per any individual acre (i.e., a maximum of triple the average intensity criterion set in Table 2C).
- Within Compatibility Zone E, no explicit usage intensity limits apply. However, uses that attract very high concentrations of people in confined areas—for example, major spectator-oriented sports stadiums, amphitheaters, and concert halls—are ~~discouraged~~conditionally compatible in locations below or near the principal arrival and departure flight tracks. This limitation notwithstanding, no use shall be ~~prohibited~~incompatible in Zone E if its usage intensity is such that it would be permitted in Zone D.

(c) For the purposes of the above policies, the one-acre areas to be evaluated shall be rectangular (reasonably close to square, not elongated or irregular) in shape.

(d) In no case shall a proposed development be designed to accommodate more than the total number of dwelling units per acre (for suburban and rural residential uses) or people per acre (for nonresidential uses) indicated in Tables 2A, 2B, and 2C times the gross acreage of the project site. A project site may include multiple parcels.

5.2.6. *Risk Reduction Through Building Design:* The number of people permitted to occupy a single nonresidential building may be increased by a factor of up to 1.5 times the limitations set by the preceding policy on clustering if special measures are taken to reduce the risks to building occupants in the event that the building is struck by an aircraft.

(a) This intensity bonus is not applicable in the following locations:

(1) Within *Compatibility Zone A* at any airport because no new buildings are permitted.

(2) Within *Compatibility Zone B1* for airport runways routinely used by large aircraft (aircraft having a maximum certificated takeoff weight of more than 12,500 pounds) because risk-reduction building features would not significantly reduce the risks associated with an accident involving aircraft of this size.

(3) Within *Compatibility Zones B2* ~~and C~~ at San Diego International Airport for the same reason as indicated in Paragraph (2) above.

(4) Not applicable for ~~Within~~ *Compatibility Zone D and E* at San Diego International Airport and ~~near~~ airports in urban areas~~, as well as within *Compatibility Zone E* at any airport, because intensities are not limited.~~.

b) Building design features that enable application of an intensity bonus may include, but are not limited to, the following:

- Using concrete walls;
- Limiting the number and size of windows;
- Upgrading the strength of the building roof;
- Avoiding skylights;
- Enhancing the fire sprinkler system;
- Limiting buildings to a single story; and
- Increasing the number of emergency exits.

(c) Project proponents, as a *major land use action* in accordance with Policy 1.5.3, who wish to request an intensity bonus must include appropriate details of the building design along with their project review application.
<COMMENT – Please clarify – only for major land use actions. After the general plan and ordinances are determined to by consistent, local jurisdictions determine permit application requirements.>

(d) Intensity bonuses shall be considered and approved by affected local jurisdictions on a case-by-case basis. The criteria to be used by each jurisdiction when considering intensity bonus requests shall be reviewed and approved by the ALUC as part of the general plan consistency process or subsequent action.

5.3. Airspace Protection

5.3.1. *Policy Objective:* Tall structures, trees, and other objects, particularly when located near airports or on high terrain, may constitute hazards to aircraft in flight. Federal regulations establish the criteria for evaluating potential obstructions. These regulations also require that the Federal Aviation Administration be notified of proposals for creation of certain such objects. The FAA conducts "aeronautical studies" of these objects and determines whether they would be hazards, but it does not have the authority to prevent their creation. The purpose of ALUC airspace protection policies, together with regulations established by local land use jurisdictions and the state government, is to ensure that hazardous obstructions to the navigable airspace do not occur.

5.3.2. *Basis for Height Limits:* The criteria for limiting the height of structures, trees, and other objects in the vicinity of an airport shall be based upon: Part 77, Subpart C, of the Federal Aviation Regulations (FAR); the United States Standard for Terminal Instrument Procedures (TERPS); and applicable airport design standards published by the Federal Aviation Administration. Airspace plans depicting the critical areas for airspace protection around each of the airports covered by this *Compatibility Plan* are depicted in Chapter 3.

5.3.3. *ALUC Review of Height of Proposed Objects:* Based upon FAA criteria, proposed objects, as a *major land use action* in accordance with Policy 1.5.3, that would exceed the heights indicated below for the respective compatibility zones can be used as guidelines to ensure that the safety of these objects are analyzed to avoid potentially ~~represent~~ airspace obstructions issues. Development proposals, as a *major land use action* in accordance with Policy 1.5.3, that include any such objects shall be reviewed by the ALUC. Objects of lesser height do not have a potential for being airspace obstructions and therefore do not require ALUC review with respect to airspace protection criteria (noise, safety, and overflight concerns may still be present) Although not required, project proponents are encouraged to submit independent professionally conducted aeronautical studies of the proposed project to assist in the ALUC review.

<COMMENT – Please clarify – only for major land use actions. After the general plan and ordinances are determined to by consistent, height limitations would be implement to ensure that objects do not obstruct the airspace.>

(a) Within *Compatibility Zone A*, the height of any proposed development, including vegetation, requires review.

(b) Within *Compatibility Zone B1*, ALUC review is required for any proposed object taller than ~~35~~ 40 feet above ground level unless the airport controls an easement on the land on which the object is to be located and grants a waiver to height restrictions.

(c) Within *Compatibility Zone B2*, ALUC review is required for any proposed object taller than ~~35~~ 40 feet above ground level.

(d) Within *Compatibility Zone C*, ALUC review is required for any proposed object taller than ~~50~~ 75 feet above ground level.

(e) Within *Compatibility Zone D*, ALUC review is required for any proposed object taller than ~~70~~ 200 feet above ground level.

<COMMENT –Clarify above ground level to avoid any confussion.>

(f) Within *Compatibility Zone E*, ALUC review is required for any proposed object taller than ~~100~~ 200 feet above ground level.

<COMMENT – 200 feet is consistent with FAA required review.>

(g) Within the *High Terrain Zone*, ALUC review is required for any proposed object taller than ~~35~~ 40 feet above the ground level. However, within that portion of the *High Terrain Zone* that is defined by TERPS surfaces and lies beyond the boundaries of FAR Part 77 surfaces, ALUC review is required only for those objects taller than 100 feet above the ground level. The approximate extent of the *High Terrain Zone* is indicated on the respective *Compatibility Map* included for each airport in Chapter 3.

5.3.4. *Height Restriction Criteria:* The height of objects within the influence area of each airport shall be reviewed, and restricted if necessary, according to the following criteria. The locations of these zones are depicted on the respective *Compatibility Map* for each airport.

(a) Within *Compatibility Zone A for urban, suburban, and rural airports*, the height of all objects shall be limited in accordance with applicable Federal Aviation Administration criteria including FAR Part 77, TERPS, and/or airport design standards.

(b) Within *Compatibility Zones B1*, *B2*, or *High Terrain Zone for urban, suburban, and rural airports*:

(1) Objects up to ~~35~~ 40 feet above ground level ~~tall~~ are acceptable and do not require ALUC review for the purposes of height factors.

(2) ALUC review is required for any proposed object taller than ~~35~~ 40 feet above ground level.

(3) Federal Aviation Administration review may be necessary for proposed objects adjacent to the runway edges and the FAA may require marking and lighting of certain objects (the affected areas are generally on airport property).

(c) Within *Compatibility Zone C* ~~and *D*~~ *for urban, suburban, and rural airports*, generally, there is no concern with regard to any object up to 50 feet ~~tall~~ above ground level unless it is located on high ground or it is a solitary object (e.g., an antenna) more than 35 feet taller than other nearby objects.

~~(d) Within *Compatibility Zone D*, generally, there is no concern with regard to any object up to 70 feet tall unless it is located on high ground or it is a solitary object (e.g., an antenna) more than 35 feet taller than other nearby objects.~~

(~~e~~d) Within *Compatibility Zone D and E for urban, suburban, and rural airports*, generally, there is no concern with regard to any object up to ~~100~~ 200 feet above ground level ~~tall~~(consistent with FAA required review) unless it is located on high ground or it is a solitary object (e.g., an antenna) more than 35 feet above the ground.

(e) For SDIA, refer the specific policies contained in chapter 3.

5.3.5. *Relationship to FAA Aeronautical Studies:* In determining the acceptability of a proposed object with respect to height, the ALUC shall take into account the results of a Federal Aviation Administration aeronautical study, but is not obligated to concur with an FAA finding of "No Hazard." The ALUC may consider project site and airspace factors better known to airport management and local pilots. Also, an FAA "No Hazard" determination only addresses the issue of airspace protection, not the safety and noise factors that must additionally be considered by the ALUC in determining the compatibility of a proposed structure and its use.

5.3.6. *Avigation Easement Dedication:* As a condition for development approval, the owner of any property proposed for development within *Compatibility Zones A*, *B1*, or *B2* or a *High Terrain Zone* shall be required to dedicate an avigation easement to the entity owning the affected airport. With respect to military airports, the federal government is not authorized to accept dedicated easements. Therefore, depending upon the policies and regulations of the local jurisdiction, any required avigation easement shall be dedicated to the local land use jurisdiction (county or city) or the San Diego County Regional Airport Authority in which the affected property is located.
<COMMENT – The City of San Diego does not accept aviagation easements; therefore the Airport Authority as the ALUC should accept the aviagation easements.

(a) The avigation easement shall:

(1) Provide the right of flight in the airspace above the property;

(2) Allow the generation of noise and other impacts associated with aircraft overflight;

(3) Restrict the height of structures, trees and other objects;

(4) Permit access to the property for the removal or aeronautical marking of objects exceeding the established height limit; and

(5) Prohibit electrical interference, glare, and other potential hazards to flight from being created on the property.

(b) An example of an avigation easement is provided in Appendix F.

5.3.7. *FAA Notification:* Proponents of a project involving objects that may exceed a Part 77 surface must notify the Federal Aviation Administration as required by FAR Part 77, Subpart B, and by the Public Utilities Code, Sections 21658 and 21659. (Notification to the Federal Aviation Administration under FAR Part 77, Subpart B, is required even for certain proposed construction that does not exceed the height limits allowed by Subpart C of the regulations. Refer to Appendix B for the specific Federal Aviation Administration notification requirements.)

(a) Local jurisdictions shall inform project proponents of the requirements for notification to the Federal Aviation Administration.

(b) The requirement for notification to the Federal Aviation Administration shall not necessarily trigger an airport compatibility review of an individual project by the ALUC if the project is otherwise in conformance with the compatibility criteria established herein.

(c) FAA review is required for any proposed structure more than 200 feet above the surface level of its site. All such proposals also shall be submitted to the ALUC for review regardless of where in the county they would be located.

(d) Any project submitted to the ALUC for airport land use compatibility review for reason of height-limit issues shall include a copy of FAR Part 77 notification to the Federal Aviation Administration and the FAA determination.

5.3.8. *Other Flight Hazards:* New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:

(a) Glare or distracting lights which could be mistaken for airport lights;

(b) Sources of dust, steam, or smoke which may impair pilot visibility;

(c) Sources of electrical interference with aircraft communications or navigation; and

(d) Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds. (Refer to FAA Order 5200.5A, *Waste Disposal Sites on or Near Airports* and Advisory Circular 150/5200-33, *Hazardous Wildlife Attractants On or Near Airports.)*

5.4. Overflight

5.4.1. *Policy Objective:* Noise from individual operations, especially by comparatively loud aircraft, can be intrusive and annoying in locations beyond the limits of the mapped noise contours. Sensitivity to aircraft overflights varies from one person to another. The purpose of overflight compatibility policies is to help notify people about the presence of overflights near airports so that they can make more informed decisions regarding acquisition or lease of property in the affected areas. Overflight compatibility is particularly important with regard to residential land uses.

5.4.2. *State Law Requirements Regarding Real Estate Transfer Disclosure:* Effective January 1, 2004, California state statutes (Business and Professional Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353) require as part of residential real estate transactions that information be disclosed regarding whether the property is situated within an airport influence area.

(a) With certain exceptions, these state requirements apply both to the sale or lease of newly subdivided lands and to the sale of existing residential property.

(b) The statutes define an ***airport influence area*** as "the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission." The ***airport influence area*** for each of the airports in San Diego County subject to this *Compatibility Plan* is indicated on that airport's *Compatibility Map* contained in Chapter 3 herein.

(c) Where disclosure is required, the following statement shall be provided: 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.

(d) For the purposes of this *Compatibility Plan*, the above real estate disclosure provisions of state law shall continue in effect as ALUC policy with respect to new development even if the law is rescinded. Furthermore, each land use jurisdiction affected by this *Compatibility Plan* should adopt a policy designating the airport influence area as the area wherein disclosure of airport influences is required in conjunction with the transfer of residential real estate. Such local jurisdiction policies also should be applied to lease or rental agreements for existing residential property.

5.4.3. *Deed Notices:* In addition to the preceding real estate transfer disclosure requirements, a ***deed notice*** shall be recorded for each parcel associated with any discretionary land use action affecting property within an airport influence area. (Note that the ***avigation easement*** required by Policy 5.3.6 to be dedicated in conjunction with development in *Zones A, B1, B2,* and the *High Terrain Zone* serves as a deed notice in those locations.) The notice shall include the language indicated above with respect to real estate transfer disclosures.

SAN. SAN DIEGO INTERNATIONAL

AIRPORT SAN.1 Compatibility Map Delineation

1.1 *Airport Master Plan Status:* As of early 2005, a master plan study for San Diego International Airport is in progress and includes preparation of an updated Airport Layout Plan drawing. The Airport Layout Plan currently in effect is dated November 2001 and was revalidated by the Federal Aviation Administration in June 2003.

1.2 *Airfield Configuration:* The Compatibility Map, Airspace Protection Plan, and Noise Compatibility Contours for San Diego International Airport, as presented in this chapter, are based upon the approved 2003 Airport Layout Plan. However, the expectation is that no airfield configuration changes that would affect these maps will result from the on-going master plan study. The runway length is 9,400 feet with displaced landing thresholds of 700 feet at the approach end of Runway 9 and 1,810 feet at the approach end of Runway 27. Both runway ends have instrument approaches. The best minimums are associated with an instrument landing system (ILS) precision approach to Runway 9 and a localizer nonprecision approach to Runway 27. The Airspace Protection Plan is primarily based upon protecting for these procedures, but airspace associated with one of the Runway 27 instrument departure procedures is controlling in some locations.

1.3 *Airport Activity:* The *Compatibility Plan* utilizes the high forecast scenario from the ongoing master plan study. This forecast anticipates the airport to serve approximately 28.2 million passengers and generate 298,700 aircraft operations in 2030. By comparison, the activity levels were 15.3 million passengers and 193,000 aircraft operations in the compatibility planning baseline year of 2003 and reached nearly 16.5 million passengers and just over 200,000 aircraft operations in 2004.

1.4 *Airport Influence Area:* Most aircraft follow instrument flight procedures to and from San Diego International Airport even under visual flight conditions. The flight corridors are consequently well defined and were the primary consideration in defining the airport influence area boundary. The boundary delineated in Map SAN-1 includes areas where aircraft are typically flying at an altitude of less than 3,000 feet above the airport elevation (also see Policy SAN.2.1 below). This altitude was selected because it marks where aircraft typically enter the final approach course. Furthermore, longstanding FAA practice has utilized 3,000 feet as the altitude above which flight route changes are not considered environmentally significant.

SAN.2 Additional Compatibility Policies

2.1 *Compatibility Zone Factors:* The compatibility factors listed in Table ~~3A~~ 2A as the basis for delineation of the compatibility zones for other airports addressed by this plan do not apply to San Diego International Airport. Instead, the factors described below are used. To facilitate implementation, the resulting boundaries—as shown on Map SAN-1—are adjusted where possible to follow nearby roads or geographic features rather than the calculated noise contour or other aeronautically based line.

(a) Zone A derives directly from the Airport Layout Plan. Its limits lateral to the runway follow the building restriction lines (BRL) which are set at 750 feet from the runway centerline. The length of the zone encompasses the runway protection zone (RPZ) for each runway end, adjusted relative to the displaced thresholds rather than the physical end of pavement. A standard object free area (OFA) is added on the east extending 1,000 feet beyond the approach end of Runway 27.

(b) *Zone B1* coincides closely with the projected 65 dB to 70 dB CNEL contour beyond each runway end with the addition of land beneath the close-in segment of the primary departure route toward the northwest (most aircraft below 2,000 feet on climbout). *Zone B1* also encompasses the Inner and Outer Safety Zones suggested for major airline airports by the California Division of Aeronautics in its *California Airport Land Use Planning Handbook*.

<COMMENT – To avoid confusion on the part of other less familiar with the Plan, the language in the Plan should identity the lower and upper boundaries of the CNEL contours rather than just the upper boundary.>

(c) *Zone B2* encompasses the projected 60 dB to 65 dB CNEL contour lateral to the runway as well as the Sideline Safety Zone indicated in the state *Handbook*.

(d) *Zone C* follows the projected 60 dB to 65 dB CNEL contour beyond the runway ends and includes limited additional area east of the runway where safety is a moderate concern based upon guidance from the state *Handbook*.

(e) *Zone D* encompasses the projected 55 dB to 60 dB CNEL contour.

(f) *Zone E* includes additional lands under important airspace around the airport. Aircraft overflights of these areas are typically at altitudes of less than 3,000 feet above the airport elevation. These overflights are not sufficiently noisy or frequent to generate noise contours, but noise of individual aircraft may be audible and potentially annoying to some people. In portions of the area, tall structures are height limited.

2.2 *Airspace Protection Criteria:* The countywide airspace protection policies set forth in Section 5.3 of Chapter 2 are modified for San Diego International Airports as described below in recognition of conditions unique to the airport.

~~(a)~~ High terrain in the vicinity of San Diego International Airport penetrates the airport's airspace surfaces defined by FAR Part 77 in many areas. Consequently, these surfaces are of little value in determining appropriate height limitations for protection of the airport's airspace. Reliance must instead be placed upon the United States Standard for Terminal Instrument Procedures (TERPS) surfaces associated with the various instrument approach and departure procedures at the airport. These surfaces are depicted in Exhibit SAN-11 in the Background volume of the *Compatibility Plan*. No structures, trees, or other objects on the ground shall be permitted to have a height that would penetrate the surfaces indicated in Exhibit SAN-11.

<COMMENT – The criteria should be maximum structure height from ground level based on TERPS. Due to the complexity of development projects submitted, there should be the understanding that the City has the ability to map, interpret, and implement the TERPS surfaces; therefore the simplification is not needed.>

~~(b) Because of the high degree of complexity of the TERPS surfaces, simplification is necessary for policy purposes. The resulting Airspace Protection Plan to be used for San Diego International Airport is shown in Map SAN-2.~~

~~(1) Recognizing that any obstructions to the TERPS surfaces could adversely affect the minimum altitudes and other elements of the instrument procedures, the airspace surfaces indicated in Map SAN-2 incorporate a buffer of at least 50 feet below the critical TERPS surface in most locations.~~

~~(2) No structures, trees, or other objects on the ground shall be permitted to have a height that would penetrate the surfaces indicated in Map SAN-2 except that no object shall be restricted to a height of less than 40 feet above ground level.~~

(c) ALUC review shall be required for any proposed object, as a *major land use action* in accordance with Policy 1.5.3, ~~-~~within the San Diego International Airport Influence Area that would either

<COMMENT – Clarifying language. Reviews conducted prior to the ALUC determining the general plan and ordinances consistent with the ALUCP. >

(1) Within *Compatibility Zone A*, the height of any proposed development, including vegetation, requires review.

(2) Within *Compatibility Zone B1 and B2*, ALUC review is required for any proposed object taller than 40 feet above ground level unless the airport controls an easement on the land on which the object is to be located and grants a waiver to height restrictions.

(3) Within *Compatibility Zone C*, ALUC review is required for any proposed object taller than 100 feet above ground level.

(4) Within *Compatibility Zone D and E*, ALUC review is required for any proposed object taller than 200 feet above ground level.

(g) Within the *High Terrain Zone*, ALUC review is required for any proposed object taller than 40 feet above the ground level. However, within that portion of the *High Terrain Zone* that is defined by TERPS surfaces and lies beyond the boundaries of FAR Part 77 surfaces, ALUC review is required only for those objects taller than 100 feet above the ground level. The approximate extent of the *High Terrain Zone* is indicated on the Map SAN-1 and SAN-2.

~~have a height greater than 100 feet or~~

~~(2) that would be located within the High Terrain Zone shown in Map SAN-1 and SAN-2 and have a height of greater than 40 feet. The High Terrain Zone for San~~

~~Diego International Airport represents locations where the ground level lies within 100 feet of the surfaces indicated in Map SAN-2.~~

(d) Dedication of an avigation easement to the San Diego County Regional Airport Authority is required as a condition of approval for any structure that would have a height within 100 feet of the surfaces indicated in Map SAN-2 including any development within the High Terrain Zone.

(e) Nothing in this policy voids the obligation of project proponents to comply with the notification requirements of FAR Part 77, Subpart B (see Countywide Policy 5.3.7) regardless of whether the object would have a height consistent with the criteria herein

2.3 *Infill:* The countywide infill policy set forth in Section 3.3.1 of Chapter 2 is modified for San Diego International Airport as described below in recognition of urban conditions unique to the airport. Within many of the older urban areas surrounding SDIA, the existing densities, intensities, uses, and sizes of individual parcels on a single block can vary greatly. The use of the countywide infill policy would very complex to regulate and consequently permit individual projects near each other to have varying densities or intensities. Therefore, the modified infill policy determines the average density or intensity for a defined area rather than an individual parcel. Where development not in conformance with the criteria set forth in this *Compatibility Plan* already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be ~~prohibited~~incompatible elsewhere in the zone.

<COMMENT - The proposed policy stated in the ALUCP would be very difficult to implement in the communities surrounding SDIA due to the complex criteria and varying land uses, parcel size, densities, and intensities that occur on single blocks as part of larger areas within many communities; therefore the City is recommending a separate infill policy for SDIA. The proposed ALUC's infill policy may be appropriate for other areas of contiguous similar land uses, which may contain a few large sporadic undeveloped and underdeveloped parcels, but within the complex and highly variable existing urban environment surrounding SDIA, it would create new developments on varying parcel sizes and at varying density and intensity levels, potential on the same block or across the street from each other. The resulting development pattern would not be advantageous from an urban design and community form perspective and redevelopment potential. This would create a complex parcel based zoning and tracking system, which could be challenged. The recommended infill policy meets the proposed ALUCP intent the infill policy without the implementation complexities and uneven development it would create.

(a) Infill development of any type is not permitted within *Compatibility Zones A*—the criteria set forth in Tables 2A shall apply within Zone A. Infill residential development shall not be allowed where the dwellings would be exposed to noise levels greater than 70 dB CNEL.

(b) In Compatibility Zones B1, B2, and C the City of San Diego as the local jurisdiction can designate an *infill* area if it meets *all* of the following criteria plus the applicable provisions of either Paragraph (c) or (d) below:

(1) The area size is no larger than 6.0 net acres.

(2) At least 50% of the area contains existing uses similar to, or more intensive than, those proposed.

(c) For residential development, the average development density (dwelling units per net acre) of the site shall not exceed the lesser of:

(1) The average density represented by all existing parcels with residential uses within the area; or

(2) Double the density permitted in accordance with the criteria for that location as indicated in the Tables 2A Basic Compatibility Criteria matrix.

(d) For nonresidential development, the average usage intensity (the number of people per gross acre) of the site's proposed use shall not exceed the lesser of:

(1) The average intensity of all existing uses within the area; or

(2) Double the intensity permitted in accordance with the criteria for that location as indicated in the Tables 2A Basic Compatibility Criteria matrix.

(e) The single-acre limits and multipliers for risk-reduction design density and intensity described in Policies 5.2.5 and 5.2.6 and listed in Tables 2A, 2B, and 2C are applicable to infill development.

(f) The sound insulation and avigation easement dedication requirements set by Policies 5.1.6 and 5.3.6 apply to infill development.

(g) The ALUC's intent is that infill areas be determined just once. Thus, in order for the ALUC to consider proposed development under these infill criteria, the local jurisdiction (City of San Diego) must first identify the qualifying areas in its general plan, community plan, or other adopted planning document approved by the ALUC. This action may take place in conjunction with the process of amending a general plan for consistency with the ALUC plan or may be submitted by the local jurisdiction for consideration by the ALUC at the time of initial adoption of this *Compatibility Plan*.

(h) In the Centre City Community Plan area, infill densities shall be governed by the Floor Area Ratio limits of the Centre City Planned District Ordinance, subject to land use limitations of this Plan.

SDM. BROWN FIELD MUNICIPAL AIRPORT

SDM.1 Compatibility Map Delineation

1.1 *Airport Master Plan Status*: The City of San Diego last adopted a master plan for Brown Field Municipal Airport in 1980. An update to the master plan was conducted in March of 2000, but was never adopted by the City of San Diego because of various environmental concerns. The latest *Brown Field Municipal Airport Layout Plan* drawing approved by the FAA is dated June 1999. An updated ALP drawing is expected to be approved by mid 2005. A draft of the updated drawing is the basis for the compatibility plan for Brown Field Municipal Airport.

1.2 *Airfield Configuration*: The airport has two parallel runways. Planned improvements include providing additional runway safety area for the primary runway and lengthening the parallel runway by relocating the thresholds for Runways 8L and 26L to the east. No improvements to instrument approach capabilities are planned.

1.3 *Airport Activity*: The 1980 *Master Plan* contains two forecast scenarios for 2000: an unconstrained forecast activity level of 390,500 total aircraft operations and an airfield capacity figure of 442,000 operations. Not only are these activity forecasts 25 years old and outdated, but the activity levels envisioned have not been realized. The airport experienced approximately 109,000 aircraft operations in 2004. Given the City's currently defined limited role for the airport along with current and foreseeable usage patterns, a more modest long-term projection of 240,000 aircraft operations annually has been established for the purposes of the *Compatibility Plan*. This forecast is based on the theoretical capacity for parking of based aircraft, as reflected on the draft 2005 Airport Layout Plan, combined with an operations per based aircraft ratio similar to that currently experienced at the largely built-out Gillespie Field and Montgomery Field airports. This projection is also more in line with extrapolation of the 2016 forecast of 147,000 aircraft operations, including 14,000 operations by air cargo aircraft, indicated in the never adopted 2000 *Master Plan Update*.

1.4 *Airport Influence Area:* The airport influence area boundary is defined by the outer edge of the FAR Part 77 conical surface and the Mexican border to the south.

SDM.2 Additional Compatibility Policies

2.1 ~~None~~ *Compatibility Zone Intensity Factors:* The intensity factors for the uses within *Compatibility Zone B1 and B2* have been modified in recognition of the urbanizing lower intensity of existing industrial uses and the opportunity for additional future industrial uses, which are generally compatibility with airport operations. The compatibility intensity factors for non-residential uses listed in Table 2B as the basis for delineation of the compatibility zones for urban airports addressed by this plan do apply to Brown Field with the exception of Compatibility Zones B1 and B2. The intensity factors within *Compatibility Zone B1 and B2* described below are used:~~.~~

(a) Maximum persons per Single Acre: 50 persons

(b) Maximum persons per Average Acre: 100 persons

(c) Maximum persons with Bonus: 150 persons

<COMMENT - City staff recommends that Brown Field be re-categorized as an urban airport, for the reasons mentioned previously, but in recognition that intensities of future industrial uses may be lower than the intensity that we have recommended for other urban airports within compatibility zones B1 and B2.

APPENDIX C
Airport Land Use Compatibility Concepts

NOISE

Noise is one of the most basic airport land use compatibility concerns. Moreover, at major airline airports, many busy general aviation airports, and most military airfields, noise is usually the most geographically extensive form of airport impact.

Compatibility Objective

The clear objective of noise compatibility criteria is to minimize the number of people exposed to levels of airport noise capable of disrupting noise-sensitive activities.

Measurement

For the purposes of airport land use compatibility planning, noise generated by the operation of aircraft to, from, and around an airport is primarily measured in terms of the cumulative noise levels of all aircraft operations. In California, the cumulative noise level metric established by state regulations, including for measurement of airport noise, is the Community Noise Equivalent Level (CNEL). Cumulative noise level metrics measure the noise levels of all aircraft operating at an airport on an average day (1/365) of the year. The calculations take into account not only the number of operations of each air-craft type and the noise levels they produce, but also their distribution geographically (the runways and flight tracks used) and by time of day. To reflect an assumed greater community sensitivity to nighttime and (with the CNEL metric) evening noise, events during these periods are counted as being louder than actually measured.

Cumulative noise level metrics provide a single measure of the average sound level in decibels (dB) to which any point near an airport is exposed over the course of a day. Although the maximum noise levels produced by individual aircraft are a major component of the calculations, cumulative noise level metrics do not explicitly measure these peak values. Cumulative noise levels are usually illustrated on airport area maps as contour lines connecting points of equal noise exposure. Mapped noise contours primarily show areas of significant noise exposures—ones affected by high concentrations of aircraft takeoffs and landings.

For civilian airports, noise contours are typically calculated using the Federal Aviation Administration's Integrated Noise Model (INM) computer program. For military airports, the similar Department of Defense NOISEMAP model is used. Inputs to these models are of two basic types: standardized data regarding aircraft performance and noise levels generated (this data can be adjusted for a particular air-port if necessary); and airport-specific data including aircraft types and number of operations, and time of day of aircraft operations, runway usage distribution, and the location and usage of flight tracks. Air-port elevation and surrounding topographic data can also be entered.

For airports with airport traffic control towers, some of these inputs can be obtained from recorded data. Noise monitoring and radar flight tracking data available for airports in metropolitan areas are other sources of valuable information. At most airports, though, the individual input variables must be estimated. The important point to be made here is that, despite their computer-generated origin, the location of noise contours is not necessarily precise. Where extensive noise monitoring and flight tracking data are available, current contours can be accurate to within ±1 dB. Elsewhere, the level of accuracy has generally been found to be about ±3 dB. Contours representing projections of future noise levels are inherently even less precise.

Compatibility Strategies

The basic strategy for achieving noise compatibility in an airport's vicinity is to limit development of land uses that are particularly sensitive to noise. The most acceptable land uses are ones that either involve few people (especially people engaged in noise-sensitive activities) or generate significant noise levels themselves (such as other transportation facilities or some industrial uses).

As noted below, California state law regards any residential land uses as normally incompatible where the noise exposure exceeds 65 dB CNEL with certain exceptions. With respect to residential land uses in more moderately noise-impacted areas, especially in the 60-to-65 dB CNEL range, the ideal strategy is to have very low densities—that is, parcels large enough that the dwelling can be placed in a less impacted part of the property. In urban areas, however, this strategy is seldom viable. The alternative for such locations is to encourage high-density, multi-family residential development provided that the 65 dB CNEL standard and limitations based upon safety are not exceeded. Compared to single-family subdivisions, ambient noise levels are typically higher in multi-family developments, outdoor living space is less, and sound insulation features can be more easily added to the buildings. All of these factors tend to make aircraft noise less intrusive.

Sound insulation is an important requirement for residential and other noise-sensitive indoor uses in high noise areas. The California Building Code requires that sufficient acoustic insulation be provided in any habitable rooms of new hotels, motels, dormitories, dwellings other than detached single-family residences to assure that aircraft noise is reduced to an interior noise level of 45 dB CNEL or less. To demonstrate compliance with this standard, an acoustical analysis must be done for any residential structure proposed to be located where the annual CNEL exceeds 60 dB. This *Airport Land Use Compatibility Plan* extends the 45 dB CNEL interior noise limit standard to single-family dwellings. The *Compatibility Plan* further requires dedication of an avigation easement (see later discussion in this appendix) as a condition for development approval in locations where these standards come into play.

Basis for Setting Criteria

Compatibility criteria related to cumulative noise levels are well-established in federal and state laws and regulations. The California Airport Noise Regulations (California Code of Regulations Title 21, Division 2.5, Section 5000 et seq.) states that:

"The level of noise acceptable to a reasonable person residing in the vicinity of an airport is established as a community noise equivalent level (CNEL) value of 65 dB for purposes of these regulations. This criterion level has been chosen for reasonable persons residing in urban residential areas where houses are of typical California construction and may have windows partially open. It has been selected with reference to speech, sleep and community reaction."

As mention in the previous section the State has identified certain exceptions to the requirement precluding residential uses above the 65 dB CNEL. California Code of Regulations Title 21, Division 2.5, Section 5014 states that:

"For the purpose of determining the size of the noise impact area, the following land uses are incompatible:

(a) Residences, including but not limited to, detached single-family dwellings, multi-family dwellings, high-rise apartments or condominiums, and mobile homes, unless:

(1) an avigation easement for aircraft noise has been acquired by the airport proprietor, or

(2) the dwelling unit was in existence at the same location prior to January 1, 1989, and has adequate acoustic insulation to ensure an interior CNEL due to aircraft noise of 45 dB or less in all habitable rooms. However, acoustic treatment alone does not convert residences having an exterior CNEL of 75 dB or greater due to aircraft noise to a compatible land use if the residence has an exterior normally cognizable private habitable area such as a backyard, patio, or balcony. Or,

(3) the residence is a high rise apartment or condominium having an interior CNEL of 45 dB or less in all habitable rooms due to aircraft noise, and an air circulation or air conditioning system as appropriate, or

(4) the airport proprietor has made a genuine effort as determined by the department in accordance with adopted land use compatibility plans and appropriate laws and regulations to acoustically treat residences exposed to an exterior CNEL less than 80 dB (75 dB if the residence has an exterior normally occupiable private habitable area such as a backyard, patio, or balcony) or acquire avigation easements, or both, for the residences involved, but the property owners have refused to take part in the program, or

(5) the residence is owned by the airport proprietor.

(b) Public and private schools of standard construction for which an avigation easement for noise has not been acquired by the airport proprietor, or that do not have adequate acoustic performance to ensure an interior CNEL of 45 dB or less in all classrooms due to aircraft noise;

(c) hospitals and convalescent homes for which an avigation easement for noise has not been acquired by the airport proprietor, or that do not have adequate acoustic performance to provide an interior CNEL of 45 dB or less due to aircraft noise in all rooms used for patient care;

(d) churches, synagogues, temples, and other places of worship for which an avigation easement for noise has not been acquired by the airport proprietor, or that do not have adequate acoustic performance to ensure an interior CNEL of 45 dB or less due to aircraft noise.

No airport declared by a county's board of supervisors as having a "noise problem" is to operate in a manner that results in incompatible uses being located within the 65 dB CNEL contour. In San Diego County, only San Diego International Airport has been so designated. Incompatible uses are defined as being: residences of all types; public and private schools; hospitals and convalescent homes; and places of worship. However, these uses are not regarded as incompatible where acoustical insulation necessary to reduce the interior noise level to 45 dB CNEL has been installed and the airport has acquired an avigation easement.

As noted in the regulations, the 65 dB CNEL standard is set with respect to urban areas. For many airports and many communities, 65 dB CNEL is too high to be considered acceptable to "reasonable persons." Through a process called "normalization," adjustments can be made to take into account such factors as the background noise levels of the community and previous exposure to particular noise sources. This process suggests, for example, that 60 dB CNEL may be a more suitable criterion for suburban communities not exposed to significant industrial noise and 55 dB CNEL may be appropriate for quiet suburban or rural communities remote from industrial noise and truck traffic. On the other hand, even though exceeding state standards, 70 dB CNEL may be regarded as an acceptable noise exposure in noisy urban residential communities near industrial areas and busy roads.

Industrial activity and transportation noise are undoubtedly two of the most prominent contributors to background noise levels in a community. According to a U.S. Environmental Protection Agency (EPA) study however, the variable that correlates best with ambient noise levels across a broad range of communities is population density *(Population Distribution of the United States as a Function of Outdoor Noise Leve*l, EPA Report No. 550/9-74-009, June 1974). This study established the following formula as a means of estimating the typical background noise level of a community:

$$DN_{LEPA} = 22 + 10 * \log(p)$$

where "p" is the population density measured in people per square statute mile.

These factors are central considerations in the noise level criteria for new residential development established in Chapter 2 of this *Compatibility Pla*n. The policy indicates that the maximum CNEL considered normally acceptable is 70 dB in highly dense areas near SDIA, 65 dB near airports in dense urban areas, 60 dB near airports in suburban areas, and 55 dB near low-activity airports in rural areas. Based upon the above EPA equation, these criteria are approximately 5 dB or more above the predicted ambient noise levels in the respective communities.

<COMMENT – The background noise level for SDIA is greater than other urban airports due the intensity and density of existing uses and the heavy road, freeway, and rail traffic.

Similar considerations come into play with respect to establishing maximum acceptable noise exposure for nonresidential land uses, particularly those that are noise sensitive. For schools, lodging, and other such uses, a higher noise exposure may be tolerated in noisy urban communities than in quieter suburban and rural areas. For uses that are not noise sensitive or which generate their own noise, the maxi-mum acceptable noise exposure levels tend to

be the same regardless of ambient noise conditions. The criteria listed in Table 2D and 2Eof Chapter 2 are set with these various factors in mind.

APPENDIX D

Methods for Determining Concentrations of People

One criterion used in the *San Diego County Airport Land Use Compatibility Plan* is the maximum number of people per acre that can be present in a given area at any one time. If a proposed use exceeds the maximum intensity, it is considered inconsistent with compatibility planning policies. This appendix provides some guidance on how the people-per-acre determination can be made. The most difficult part about making a people-per-acre determination is estimating the number of people likely to use a particular facility. There are several methods that can be utilized, depending upon the nature of the proposed use:

Parking Ordinance—The number of people present in a given area can be calculated based upon the number of automobile parking spaces provided. Some assumption regarding the number of people per vehicle needs to be developed to calculate the number of people on-site. The number of people per acre can then be calculated by dividing the number of people on-site by the size of the parcel in acres. Depending upon the specific assumptions utilized, this methodology typically results in a number in the low end of the likely intensity for a given land use. Note that this approach is appropriate only where the use is expected to be dependent upon automobile access. It is not applicable where a substantial percentage of the users arrive by other means of transportation.

Maximum Occupancy—The Uniform or California Building Code can be used as a standard for determining the maximum occupancy of certain uses. The chart provided as Table D1 indicates the required number of square feet per occupant. The number of people on the site can be calculated by dividing the total floor area of a proposed use by the minimum square feet per occupant requirement listed in the table. The maximum occupancy can then be divided by the size of the parcel in acres to determine the people per acre. Surveys of actual occupancy levels conducted by various agencies have indicated that many retail, industrial, and office uses are generally occupied at no more than 50% of their maximum occupancy levels, even at the busiest times of day. Therefore, the number of people calculated for office, industrial, and retail uses should usually be adjusted (50%) to reflect the actual occupancy levels before making the final people per acre determination. Even with this adjustment, the UBC-based methodology typically produces intensities at the high end of the likely range. Intensity calculations for Type I and Type II "Office" buildings which are restricted to industrial uses through the recordation of permit conditions or deed restrictions should be considered the same as Type III or Type V "Industrial Plant" buildings as applicable, unless the proposed parking ratio for the development exceeds 1 space for every 400 square feet of building area.

Survey of Similar Uses—Certain uses may require an estimate based upon a survey of similar uses. This approach is more difficult, but is appropriate for uses which because of the nature of the use, cannot be reasonably estimated based upon parking or square footage. Table D2 shows sample calculations.