

---

## OFFICE OF THE INDEPENDENT BUDGET ANALYST REPORT

---

Date Issued: July 23, 2009

IBA Report Number: 09-68

City Council Meeting Date: July 28, 2009

Item Number: 338

---

# Consideration of Draft Airport Land Use Compatibility Plans for Brown Field, Montgomery Field, and Gillespie Field prior to Adoption by Airport Authority

## OVERVIEW

On Tuesday, July 28, 2009, the City Council will be asked to comment on the San Diego Airport Authority's draft Airport Land Use Compatibility Plans (ALUCP) for Brown Field, Montgomery Field, and Gillespie Field. The Council's comments will be forwarded to the Airport Authority staff for their consideration and presentation to the Airport Authority Board in the Fall of 2009. *It is important to note that some changes proposed in the draft ALUCP's could have a significant economic impact to the City of San Diego's communities.*

With limited exception, California law requires preparation of ALUCP for each public-use and military airports in the state. An ALUCP focuses on a defined area around each airport known as the Airport Influence Area (AIA). The AIA boundary is based on an airport's size and the current and future airport operations. Specifically, the ALUCP provides for the orderly growth of airports and the surrounding area and safeguards the general welfare of the inhabitants within the vicinity of the airport.

In order to facilitate the development of ALUCPs, and as provided by law, most counties have established Airport Land Use Commission (ALUC) that prepare the ALUCPs for airports in their county. In San Diego County, the San Diego County Regional Airport Authority acts as the ALUC. In addition, the ALUC has the Airport Land Use Compatibility Plan Technical Advisory Group (ATAG) to provide input on the ALUCPs. The ATAG consists of more than 50 members representing a diverse group of stakeholders.

The ALUC has no jurisdiction over the operation of airports or over existing land uses. ***However, once ALUCPs have been adopted by the ALUC, local agencies with land located within the AIA boundary must, by law, amend their planning documents to conform to the applicable ALUCP.*** Local agencies can make special findings in accordance with state law to override the ALUCPs with a two-thirds vote, ***but it is unclear what the legal or liability issues would be if the City Council were to choose to do this.*** The City Attorney is currently reviewing impacts to the City if in the future the City Council were compelled to override parts of the ALUCP.

## FISCAL/POLICY DISCUSSION

In their July 14, 2009 Report to the City Council (Report #09-107), staff has detailed multiple concerns with the draft ALUCPs. In addition, in a July 7, 2009 response to the San Diego County Regional Airport Authority, staff included multiple comments regarding the Negative Declaration for the proposed ALUCPs. Many of these comments reflect the concerns detailed in their July 14, 2009 report to the City Council. The IBA shares many of the concerns that staff has expressed in both their report to the City Council and their response to the Negative Declarations. A significant concern of the IBA is the lack of information provided on economic impacts to the City and the unknown costs associated with implementing the changes. As staff points out in their July 14, 2009 report to Council, “The implementation of ALUCPs are an unfunded state mandate. The City can expect to pay for additional processing costs during the implementation phase. The level of expense will depend on how the final ALUCP documents are revised.” The information below provides two examples that are included in the draft ALUCPs that could have a significant economic impact to the City.

### Displaced Development

In the Notice of Intent to Adopt a Negative Declaration for the Proposed Airport Land Use Compatibility Plan for Montgomery Field, section 3.2 Displaced Development states the following:

“the Compatibility Plan proposes to regulate the future development of residential dwelling units, commercial structures and other noise or risk sensitive land use within the AIA based on multiple factors....” (Page 24)

“As this Compatibility Plan includes policies and criteria that may limit or restrict residential density or non-residential intensity in areas within the AIA for the Airport, land uses otherwise identified as allowable by local land use agencies may be “displaced” to other areas within or outside the AIA. Consequently, the potential for indirect environmental impacts may arise as a result of displacing development of future land uses for one area to another.” (Page 25)

In Appendix A, “The Development Displacement Analysis Technical Report - Montgomery Field,” the estimated displacement for Residential, Agricultural, Open

Space, Commercial, and Industrial Uses is quantified using formulas that identify the loss in square feet. ***However, this information is not quantified in terms of loss of revenue to the City from the limitations on future development or redevelopment.*** The ALUCP and Appendix for Brown Field provide similar statements and displacement information but also lack an analysis of the loss of tax revenue to the City from the implementation of the plans.

#### Risk Reduction Design Measures

Another area that could have a significant economic impact to the City is the implementation of the proposed Risk Reduction Design Measures. These measures relate to fire resistive construction, improved egress, and improved building strength. Development Services Department staff notes in their July 7, 2009 comments on the Negative Declaration for Montgomery and Brown Fields that some of the additional standards “will be onerous on many building projects due to added design and construction for a level of protection as proposed that may not result in the desired outcome.” In addition, staff states that as a general observation the additional building standards as proposed are not enforceable because they are poorly written and are not specific as the codified building standards in the California Building Code. ***The expenses related to the interpretation of these new standards as well as the staff time to implement could be significant. However, the possible expenses to both the City and business owners are not quantified.***

## CONCLUSION

It concerns the IBA that the City Council is being asked to comment on the ALUCPs without economic data that shows the long-term economic impacts to the City. It is also a concern that once the ALUCPs have been adopted by the Airport Authority, local agencies with land located within the AIA boundary must, by law, amend their planning documents to conform to the applicable ALUCP. With this in mind, the IBA strongly encourages the City Council to discuss the possible economic impacts to the City during their comments on the ALUCP. In addition, the IBA recommends that the Council support and forward the concerns and recommendations expressed by staff in their July 14, 2009 report to the Airport Authority prior to their consideration of the draft ALUCPs in the Fall.

[SIGNED]

---

Jeffrey Sturak  
Deputy Director

[SIGNED]

---

APPROVED: Andrea Tevlin  
Independent Budget Analyst