

# SECTION 4

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## LAND USE COMPATIBILITY POLICIES

### 4.1 INTENDED USE

This section of the ALUP is intended to apply guidance for a determination of consistency by the ALUC. These Land Use Compatibility Policies may also be of use to local agencies or private individuals in anticipating determinations, which are likely to be made by the ALUC. The following local actions are affected by these policies:

- a. General plans or general plan amendments
- b. Specific plans or specific plan amendments
- c. Zoning ordinances & zoning ordinance amendments
- d. Modifications of building regulations
- e. Individual development proposals, if referred to the ALUC

### 4.2 DEFINITION OF TERMS AND STANDARDS

Several specifically defined terms are used throughout these policies and reference is also made to certain standards. Where the ALUC has determined that such terms and standards require explanation within the text of the ALUP, they are presented in this subsection. Additional definitions can be found in Section 7, Glossary.

#### 4.2.1 Noise Sensitive Land Uses

**4.2.1.1 Extremely Noise Sensitive Land Uses** - land uses for which customary or anticipated activities may be disrupted to a significant degree by aviation noise impacts and for which sufficient mitigation to ensure compatibility with current or future airport operations is not feasible. The usual characteristics of this category of noise sensitive land uses are:

- an expectation by occupants of a quiet or peaceful environment (either continuously or at certain times during the day or night), and
- difficulty in providing sufficient noise mitigation due to structures with openable windows or outdoor activity areas.

Included in the category of Extremely Noise Sensitive Land Uses are:

- a. outdoor theatres, amphitheatres, and public assembly areas (does not include sports stadiums, athletic fields, playgrounds, public swimming pools, tennis courts, golf courses, or small picnic areas)

- b. restaurants, bars, taverns, food takeouts, wine tasting rooms, and similar business, if such business include outdoor eating or drinking areas
- c. campgrounds (with overnight sleeping facilities)

#### **4.2.1.2 Moderately Noise Sensitive Land Uses**

**4.2.1.2 Moderately Noise Sensitive Land** - Uses land uses for which customary or anticipated activities may be disrupted to a significant degree by aviation noise impacts, but for which sufficient mitigation to ensure compatibility with current or future airport operations is feasible by the incorporation of special design features and construction techniques. The usual characteristics of this category of noise sensitive land uses are:

- an expectation by occupants of a quiet or peaceful environment (either continuously or at certain times during the day or night) and structures associated with the land use will feature fixed windows and central climate control systems. Activities associated with the land use are confined exclusively or almost exclusively to indoor areas. Included in the category of Moderately Noise Sensitive Land Uses are:
  - a. hotels and motels
  - b. restaurants, bars, taverns, food takeouts, wine tasting rooms, and similar business, without outdoor eating or drinking areas
  - c. temporary sleeping quarters for air crews and other employees in transit
  - d. offices, office buildings
  - e. hospitals, nursing homes, residential care facilities and other medical facilities offering 24-hour care
  - f. churches, synagogues, temples, monasteries and convents
  - g. mortuaries, funeral parlors
  - h. indoor theatres, music halls, meeting halls, and other indoor public assembly facilities (but not including facilities utilized exclusively by pilots- organizations, airport or airline employees, or other airport related groups)
  - i. studios - radio, television, recording, rehearsal, and performance facilities
  - j. schools and day care centers (but not including flight schools, aviation mechanics training schools, airline orientation facilities or other institutions offering instruction only in aviation-related fields)
  - k. libraries (excluding aviation-oriented libraries)
  - l. museums (excluding air museums)

**4.2.2 Projected 55 dB CNEL Contour** - For purposes of this ALUP, the term projected 55 dB CNEL contour shall mean the 55 dB CNEL contour defined for airfield capacity conditions. This noise contour shall be developed using the Federal Aviation Administration (FAA) Integrated Noise Model (INM). The specific 55 dB CNEL noise contour used in this ALUP was developed by Brown-Buntin Associates (September, 2002) and is illustrated in Figure 2 Airport Noise Contours. The generalized flight tracks used for aircraft arrivals, departures, and touch-and-go operations are shown on Figure 1. The Flight Tracks and general aircraft traffic mix used are the ultimate capacities specified for the Airport in the adopted Airport Master Plan Update.

**4.2.3 Area of Demonstrated Noise Incompatibility** - For purposes of this ALUP, the term area of demonstrated noise incompatibility shall be defined to be any community or neighborhood, which has shown itself to be affected by airport-related noise concerns by:

- a. a substantial ongoing pattern of noise complaints received and logged by airport administration from multiple members of the community; or
- b. multiple airport noise concerns from the area recorded verbally or in written form on the public records of the ALUC or any referring agency.

**4.2.4 Infill development** - For purposes of this ALUP, a determination that a particular land use represents infill development shall be made only if all of the following conditions are met:

- a. The proposed development area is bounded by uses similar to those proposed, and
- b. The proposed development does not extend the perimeter of the area already developed with noise-sensitive uses, and
- c. Increased intensity and/or incompatibility of noise-sensitive uses is not permitted through use permits, density transfers or other strategies, and
- d. Other applicable development conditions (such as aviation easement dedication, disclosure requirements, and special structural noise attenuation criteria) are met.

**4.2.5 Land Use Density** - For purposes of this ALUP, the term land use density is defined as the maximum number of persons per acre that a development can be expected to attract during peak periods of use. For any given referral, land use density will be calculated as follows:

- a. Determine the nonresidential land uses, which are intended within the project and the number of square feet of building and/or outdoor area, which will be devoted to each use. If portions of the proposed development could be employed for a variety of uses, the most intensive shall be utilized in computing land use intensity
- b. Divide the number of square feet to be devoted to each nonresidential use by the number of square feet per person specified in Appendix E of this document. Add the number of persons calculated for each individual use to obtain the projected total number of persons on site.
- c. To the quantity obtained in step b., add two (2) persons for each planned caretaker unit.
- d. Divide the number of persons obtained in step c. by the gross acreage of the project site to obtain the land use density (persons/acre).

**Example of Land Use Density Calculations**

An applicant proposes to construct a shopping complex on 7.7 acres of property: The ground floor of the complex will include a grocery market of 44,000 square feet (sq. ft.) and additional space of 24,000 sq. ft intended for retail sales of as yet unspecified goods and five spaces of 2,200 sq. ft. each, which may be utilized for either sales or for personal services. In addition, the second story will provide 48,000 sq. ft. of general office space and a caretaker’s apartment of 1,150 sq. ft. The project description includes the provision that no outdoor commercial activity or public meeting facilities will be allowed at the site.

**Step a.) Square footage devoted to each use:**

|                   |                                  |               |
|-------------------|----------------------------------|---------------|
| Retail sales      | 44,000 sq. ft. + 24,000 sq. ft = | 68,000 sq. ft |
| Personal Services | 2,000 sq. ft x 5 =               | 11,000 sq. ft |
| Office            |                                  | 48,000 sq. ft |

**Step b.) Persons who may be attracted by each use:**

| Use               | Square Feet            | Nonresidential Land Use Density (from Appendix E) | Persons    |
|-------------------|------------------------|---|------------|
| Retail sales      | 68,000 sq. ft          | 300 sq. ft./person                                | 227        |
| Personal Services | 11,000 sq. ft          | 200 sq. ft./person                                | 55         |
| Office            | 48,000 sq. ft.         | 200 sq. ft./person                                | 240        |
| <b>Total</b>      | <b>127,000 sq. ft.</b> |   | <b>522</b> |

**Step c.) Addition of caretaker unit**

One caretaker unit x 2 persons/unit = 2 persons  
 Persons on site = 522 persons (step b) + 2 persons = 524 persons on site

**Step d.) Calculation of land use density:**

Land use intensity = 524 persons ÷ 7.7 acres = 68 persons/acre

**4.2.6 Open Space** - For purposes of this ALUP, open space shall be defined as land which is substantially free of structures, vehicles, and trees, which is relatively smooth and level, and which is devoted to use characterized by low occupancy levels. Land uses, which may be consistent with this definition of open space include:

- a. undeveloped land
- b. parks
- c. agriculture - grazing, vineyards or field crops; but not forestry or orchards
- d. certain recreational uses (e.g., golf courses)
- e. cemeteries
- f. street, road, and highway rights-of-way, provided that such hazards as utility poles and wires, and trees are appropriately prohibited.

**4.2.7 Clustered Development** - The ALUC finds that clustered development is the desirable conceptual approach to achieving the amounts and configurations of open space called for by the ALUP.

**4.2.8 Single Acre Land Use Density (Maximum)** - The term “single acre land use density” denotes the highest land use density, which is permissible within small, defined portions of a project or ALUC referral when the overall density of the project or referral area conforms to ALUP standards. The concept of single acre land use density is intended to encourage clustering of development and to afford local agencies and individuals increased flexibility in land use planning. For example, a general plan might encourage commercial land uses along existing major roadways by allowing development up to the specified single acre maximum, while designating other areas of open space or low-intensity agricultural use that will result in an acceptable average land use density for the general plan area as a whole.

**4.2.9 Airport Setting** - For purposes of this ALUP, the current setting of the Paso Robles Municipal Airport shall be designated to be “Rural Farmland/Open Space”.

**4.2.10 Special Function** - For purposes of this ALUP, the term *special function* shall be defined to include certain types of land use, which are commonly regarded as requiring special protection from hazards such as aircraft accidents. These uses fall into two categories:

- a. *Low effective mobility occupancies* - land uses for which the significant common element is the relative inability of the people occupying the space to move out of harms way; includes elementary and secondary schools, college campuses, hospitals, nursing homes, and other similar uses; and
- b. *Hazardous materials* - land uses which include features which could substantially contribute to the severity of an aircraft accident if they were to be involved in one; includes above ground storage of substantial quantities of flammable materials, fuel pumping facilities, above ground electric transmission lines or switching facilities, above ground pipelines carrying flammable materials, and other similar uses.

**4.2.11 Obstruction to Air Navigation** - For purposes of this ALUP, the term obstruction to air navigation is defined as any existing or future object which is or is expected to penetrate the surface of a takeoff and landing area or any imaginary surface established under Section 77.25 or 77.29 of the Federal Aviation Regulations. However, no part of the takeoff or landing area itself will be considered an obstruction (See Appendix B, Sheet 3, Airspace Plan).

**4.2.12 Hazard to Air Navigation** - For purposes of this ALUP, the term hazard to air navigation is defined as any existing or future object which entails or is expected to entail characteristics which would potentially interfere with the takeoff, landing, or maneuvering of aircraft at the Airport, including:

- a. creation of electrical interference with navigation signals or radio communication between the aircraft and airport;
- b. lighting which is difficult to distinguish from airport lighting;
- c. glare in the eyes of pilots using the airport;
- d. uses which attract birds and create bird strike hazards;
- e. uses which produce visually significant quantities of smoke; and
- f. uses which entail a risk of physical injury to operators or passengers of aircraft (e.g., exterior laser light demonstrations or shows).

### 4.3 GENERAL LAND USE POLICIES

Notwithstanding any other provision of this ALUP, a proposed general plan or general plan amendment, specific plan or specific plan amendment, zoning ordinance or zoning ordinance amendment, building regulation modification, or individual development proposal will be determined to be inconsistent with the ALUP if:

- a. **Policy G-1:** The proposed local action would create or permit new residential development in the Planning Area. Residential development is an undesirable land use within the Planning Area. It is the intent of the ALUP to prohibit further subdivision of land or changes to land use zoning that would result in an increase in the number of residential dwelling units within the Planning Area. Existing parcels that are entitled, as of February 16, 2005, to be occupied by existing or new residential dwellings under the current General Plan, Zoning, or other applicable regulations shall not, however, be considered inconsistent with the ALUP under this policy.
- b. **Policy G-2:** The proposed local action would allow development designated as “Prohibited” by the Land Use Policies or Land Use Matrix of the ALUP.
- c. **Policy G-3:** The proposed local action or project would be determined to be inconsistent with the ALUP if the information required for review of the proposed local action is not provided by the referring agency

- d. **Policy G-4:** The proposed local action would, in the considered opinion of the ALUC, present specific incompatibilities to the continued economic vitality and efficient operation of the Airport with respect to noise, safety, overflight, or obstacle clearance.
- e. **Policy G-5:** Except as provided in Policy G-6, the proposal is not in conformance with all applicable Specific Land Use Policies. In the event that the site affected by a proposed project or local action is located in more than one noise exposure area or aviation safety area, the standards for each such area will be applied separately to the land area lying within each noise of safety zone.
- f. **Policy G-6:** When the site affected by a proposed project or local action is located in more than one noise exposure area or aviation safety area, the Airport Land Use Commission may, at its sole discretion, elect not to apply the requirements of Policy G-5 if:
  - i. The total gross area(s) within the more restrictive area(s) is 2 acres or less, and
  - ii. The land area(s) within the more restrictive area(s) is less than 50% of the total gross land area affected by the referred project or local action

In such instance, the ALUC may elect to apply the policies applicable to the least restrictive noise and/or safety zone to the entire site affected by the project or local action. The ALUC must adopt specific findings that the proposed project or local action, so considered, would not result in the potential development of land uses incompatible with current or future airport operations.

## 4.4 SPECIFIC LAND USE POLICIES: NOISE

### 4.4.1 Noise Objectives

The objective of the noise policies of this ALUP is to minimize the number of people exposed to frequent and/or high levels of airport noise or high cumulative noise levels of which airport noise is one component. The basic strategy for achieving noise compatibility is to limit the development of land uses that are particularly sensitive to noise. The most acceptable land uses are those that either involve few people (especially people engaged in outdoor activities), or generate significant noise levels themselves (such as transportation facilities or industrial uses).

To that end, the ALUC finds that the quiet, rural nature of a major portion of the Airport Review Area contributes significantly to the sensitivity and perception of noise impacts by affected persons within the area. It must also be noted that the low activity levels of air traffic – especially during nighttime hours – result in each aircraft event (flyover) being perceived as a single event, rather than as an ambient noise level which is measured and calculated over a longer period of time (CNEL); e.g. studies show that a single-event flyover at the 55 dB CNEL contour line could, very well be measured at as much as 86.2 dB L<sub>Amax</sub>. The individual perception, of course, is of the higher level. This ALUP considers these factors in making its compatibility findings.

The local experience of the Airport in responding to community concerns contributes to ALUP findings. Public comment/complaint from single event flyover incidents are routinely received by Airport Operations from locations as far as a mile beyond the outer limits of the Airport Review Area. This actual experience provides ample justification to expand the size of the Review Area, as substantiated by the demonstrated noise incompatibility of the area. It is nevertheless the determination of the ALUC that the

prescribed limits of the horizontal surface of Part 77 of Federal Air Regulations, used presently for the Review Area boundaries, provides adequate public protection.

Residential uses are affected significantly by the circumstances above. Individual perception and sensitivities are likewise amplified in the residential setting. This ALUP finds that any residential uses, within the Review Area, are not compatible with present airport operations, and will be impacted to a greater degree by the anticipated increases of future operations. Existing residential uses and associated entitlements are therefore considered non-conforming, but allowable, in accordance with the provisions of paragraph 2.7.1. Any increase in residential entitlement within the Airport Review Area is not consistent with the provisions of this ALUP.

Many land uses, although noise sensitive, are allowable within the Review Area. A major mitigating factor is the construction methods utilized for the occupied premises. Established studies and adopted standards provide guidance to achieve appropriate noise attenuation. The ALUC finds in most cases, that standard construction methods meet or exceed any noise attenuation requirements. Although specific noise attenuation standards are provided, this ALUP does not prescribe special methods of construction to achieve the required noise attenuation within the plan area.

#### **4.4.2 Noise Mitigation**

Although the preferred approach to preventing airport noise incompatibility is to ensure that noise sensitive land uses are not established within the Airport Review Area, circumstances may arise in which economic factors, existing land use patterns, previously-established parcel configurations, or other factors render this strategy impracticable. Consequently, the establishment of moderately noise-sensitive land uses is considered to be an acceptable alternative, so long as sufficient noise mitigation measures are assured. A proposed general plan, general plan amendment, specific plan, specific plan amendment, zoning ordinance or zoning ordinance amendments, building regulation modification, or individual development proposal will be deemed to incorporate sufficient requirements for noise mitigation only if the proposed project or local action specifically requires attenuation of aviation-related interior noise impacts. Note: Noise mitigation is required only for those moderately noise sensitive projects and local actions that are inside the 55 dB CNEL contour shown on Figure 2.

#### **4.4.3 Noise Policies**

Notwithstanding any other provision of this ALUP, a proposed general plan, general plan amendment, specific plan, specific plan amendment, zoning ordinance or zoning ordinance amendments, building regulation modification, or individual development proposal will be determined to be inconsistent with the ALUP if the proposed local action:

- a. **Policy N-1** - Would permit or fail to sufficiently prohibit establishment of any extremely noise sensitive land use inside the projected 60-dB CNEL contour.
- b. **Policy N-2** - Would permit or fail to sufficiently prohibit any extremely noise-sensitive land use inside the projected 55-dB CNEL contour, with the exception of developments, which meet the criteria delineated in Section 4.2.4 for designation as infill.
- c. **Policy N-3** - Would permit or fail to sufficiently prohibit any moderately noise-sensitive land use inside the projected 55-dB CNEL contour, with the exception of developments which meet the requirements for mitigation of interior noise levels specified in Section 4.4.2
- d. **Policy N-4** - Would permit or fail to sufficiently prohibit, in any location which is within or adjacent to an area of demonstrated noise incompatibility or in an acoustic environment substantially similar to an area of demonstrated noise incompatibility:

- i. Any extremely noise-sensitive development
- ii. Any new moderately noise-sensitive development, unless adequate, specific, and detailed provisions are set forth to mitigate noise incompatibility between allowable or proposed noise-sensitive uses (including foreseeable outdoor activities) and airport operations.

## 4.5 SPECIFIC LAND USE POLICIES: SAFETY

### 4.5.1 Safety Objective

The objective of the safety policies of this ALUP is to minimize the risks to the safety and property of persons on the ground associated with potential aircraft accidents and to enhance the chances for survival of the occupants involved in an accident, which takes place beyond the immediate runway environment.

### 4.5.2 Safety Zones

In furtherance of the above objective, the following Safety Zones are defined and adopted. The size and configuration of these zones are based on the recommendations and guidance provided by the California Airport Land Use Planning Handbook, although some modifications have been made in response to conditions unique to the Paso Robles Municipal Airport.

**Airport Property** - All property within the boundaries of the Paso Robles Municipal Airport. Land Use in this zone is controlled by the Airport Master Plan and is, therefore, excluded from the provisions of the Airport Land Use Plan. The Airport Master Plan itself is reviewed by the Airport Land Use Commission and must be determined to be consistent with this ALUP.

**Safety Zone 1 (Runway Protection Zones)** - Four trapezoidal areas, which extend from a distance of 200 feet beyond the end of each runway to a distance of 2,700 feet from the runway ends. The long axis of each trapezoid is coincident with the extended centerline of the corresponding runway. The apex (narrower end) of each RPZ lies closest to the runway end and extends 500 feet to either side of the extended runway centerline. The wider end of each RPZ extends 875 feet to either side of the extended centerline. Safety Zone 1 excludes any land within the area prescribed which is Airport property.

**Safety Zone 2 (Inner Approach/Departure Zone)** - Four rectangular areas, which lie immediately beyond the Runway Protection Zones and extend from a distance of 2,700 feet beyond the end of each runway to a distance of 6,000 feet from the runway ends. Each rectangle extends 750 feet laterally from the extended runway centerline. The long axis of each rectangle is coincident with the extended centerline of the corresponding runway. Safety Zone 2 excludes any land within the area prescribed which is Airport property.

Safety Zone 2 also includes an additional area to the southeast of the extended centerline of runway 19 to accommodate increased traffic, including larger aircraft, utilizing a southeasterly departure from this runway (see Figure 2).

**Safety Zone 3 (Turning and Sideline Zones)** - An irregularly shaped zone which includes:

- The area which is encompassed by a 15° angle to either side of the extended runway centerline, constructed at a point which is on the runway centerline and 2,000 feet from the end of the runway, and which is within 6,000 feet of such point, and

- Trapezoidal areas adjacent to the extended centerline of each runway, which extend from a distance of 4,000 feet from the end of the runway to the outer limit of the Airport Planning Area, and whose lateral boundaries lie at a perpendicular distance of 1070 feet from the extended runway centerline and which distance increases by an additional 0.15 foot for each additional foot of distance from the runway end, and
- The area, which lies within 1,000 feet of:
  - i. any point on any runway centerline, or
  - ii. any point on that portion of any extended runway centerline that is within 1,000 feet of the end of the corresponding runway.
- Airport property and areas encompassed by Safety Zones 1 and 2 are excluded.

Safety Zone 3 also includes an additional area to the southeast of the extended centerline of runway 19 to accommodate increased traffic, including larger aircraft, utilizing a southeasterly departure from this runway (see Figure 2).

**Safety Zone 4 (Outer Approach/Departure Zone)** - Four rectangular areas, which lie immediately beyond the Inner Approach/Departure Zones and extend from a distance of 6,000 feet beyond the end of each runway to a distance of 10,000 feet from the runway ends. Each rectangle extends 500 feet laterally from the extended runway centerline. The long axis of each rectangle is coincident with the extended centerline of the corresponding runway.

Safety Zone 4 also includes an additional area to the southeast of the extended centerline of runway 19 to accommodate increased traffic, including larger aircraft, utilizing a southeasterly departure from this runway (see Figure 5).

**Safety Zone 5 (Traffic Pattern Zone)** - Includes:

- The area which lies within 6,000 feet of
  - i. any point on any runway centerline, or
  - ii. any point on that portion of any extended runway centerline that is within 4,000 feet of the end of the corresponding runway.
- The area which lies within the projected 55-dB CNEL airport noise contour
- Airport property and areas encompassed by Safety Zones 1 through 4 are excluded.

**Safety Zone 6 (Outer Airport Influence Zone)** - Includes all portions of the Airport Planning Area which are not within the airport boundary or within Safety Zones 1 through 5.

#### 4.5.3. Safety Policies

Notwithstanding any other provision of this ALUP, a proposed general plan, general plan amendment, specific plan, specific plan amendment, zoning ordinance, zoning ordinance amendment, building regulation modification, or individual development proposal will be determined to be inconsistent with the ALUP if the proposed local action:

- a. **Policy S-1** - Would permit or lacks sufficient provisions to prohibit structures and other obstacles within the Runway Protection Zones for any runway at the Airport, as depicted in the Airport Layout Plan of the 2003 Airport Master Plan (see Appendix B) or such succeeding Airport Layout Plan or diagram as may be accepted and deemed valid by the ALUC.
- b. **Policy S-2** - Would permit or lacks sufficient provisions to prohibit any new residential development within the Airport Planning Area, with the exceptions of:
  - i. existing entitlement allowed under General Planning and Zoning in effect as of February 16, 2005
  - ii. developments which meet the criteria delineated in Section 4.2.4 for designation as infill
  - iii. caretaker units in zones where such are designated as allowable by the Land Use Compatibility Matrix (Section 5).
- c. **Policy S-3** - Would permit or lacks sufficient provisions to prohibit new development which exceeds the density standards set forth in Table 5:
- d. **Policy S-4** - Would permit or lacks sufficient provisions to prohibit new development with a percentage of open space less than the minimum standards set forth in Table 5.
- e. **Policy S-5** - Would permit or lacks sufficient provisions to prohibit special land use functions - either limited mobility occupancies or hazardous materials uses - in Safety Zones 1 through 5. This Policy shall not, however, apply to flight training centers, vocational schools, or other training facilities which are directly related to aviation and which require or benefit from a location in proximity to an airport.
- f. **Policy S-6** – Would permit or lacks sufficient provisions to prohibit the use of “Ag Cluster”, Transfer of Development Credits, or other methodology for clustering or adjustment of allowable residential density in a manner which either:
  - i. increases the number of dwelling units permitted or constructed within the Airport Planning Area beyond the number which would otherwise be allowed, or
  - ii. effects a shift in density from areas of lower aviation safety hazard to areas of greater risk.

**Policy S-6 Examples:**

- An applicant owns 2000 acres of land, half of which is located outside of the Airport Planning Area. County zoning allows for one residence for each ten acres. The applicant proposes to build a cluster of 200 homes in Airport Safety Zone 5.

*Since 1000 acres of the applicant’s parcel is located within the Airport Planning Area, he would be entitled, in the absence of clustering, to construct only 100 homes within the Planning Area. The proposal put forward is, therefore, inconsistent with the ALUP, since it would increase this number to 200.*

- An applicant owns 60 acres of land, half of which is located in Airport Safety Zone 5 and half of which is in Safety Zone 3. County zoning allows for one dwelling unit for each five acres. A proposal is brought forward to develop a cluster of twelve homes, to be constructed in Zone 3.

*In the absence of clustering, the applicant would be entitled to develop six homes in Zone 3 and six homes in Zone 6. Since the proposal would result in twelve residences in Zone 3, it creates a “shift in density” from an area of lower risk to a more highly impacted area. The proposal is, therefore, inconsistent with the ALUP. Consistency could be achieved, however, if the applicant resites the project to a location in Zone 6.*

**TABLE 5: MAXIMUM ALLOWABLE NONRESIDENTIAL LAND USE DENSITIES AND MINIMUM REQUIRED OPEN SPACE**

| Airport Safety Area                     | Maximum Land Use Density<br>(persons/acre) | Maximum Single Acre Land Use Density<br>(persons/acre) | Minimum Percent Open Space<br>(% gross area) |
|---|--|--|--|
| Airport Property                        | n/a  | n/a  | n/a  |
| Zone 1 - Runway Protection Zones        | 0  | 0  | 100  |
| Zone 2 - Inner Approach/Departure Zones | 20   | 40   | 30 <sup>1</sup>                              |
| Zone 3 - Turning and Sideline Zones     | 60   | 120  | 25 <sup>2</sup>                              |
| Zone 4 - Outer Approach/Departure Zones | 40   | 120  | 20 <sup>2</sup>                              |
| Zones 5 and 6                           | 150  | 450  | 10   |

1. No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.
2. When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.

## 4.6 SPECIFIC LAND USE POLICIES: AIRSPACE PROTECTION

### 4.6.1 Airspace Protection Objective

The objective of the airspace protection policies of this ALUP is to minimize the risk of potential aircraft accidents in the vicinity of the Airport by avoiding the development of land uses and land use conditions, which pose hazards to aircraft in flight.

### 4.6.2 Airspace Protection Policies

Notwithstanding any other provision of this ALUP, any proposed general plan, general plan amendment, specific plan, specific plan amendment, zoning ordinance, zoning ordinance amendment, building regulation modification, or individual development proposal will be determined to be inconsistent with the ALUP if the proposed local action:

- a. **Policy A-1** - Lacks sufficient provisions to ensure that no structure, landscaping, apparatus, or other feature, whether temporary or permanent in nature shall constitute an obstruction to air navigation or a hazard to air navigation, as defined above.
- b. **Policy A-2** - Would permit or lacks sufficient provisions to prohibit any new landfill or other disposal site at a site or of a configuration which is not consistent with all current state and federal statutes, FAA regulations, and FAA Advisory Circulars concerning the relationship of landfills and waste disposal sites to aeronautical operations and facilities.

## 4.7 SPECIFIC LAND USE POLICIES: OVERFLIGHT

### 4.7.1 Overflight Objective

The objective of the overflight policies of this ALUP is to ensure that potential and prospective airport area land users are provided with sufficient information on the presence and activity of the Airport and associated noise and safety impacts in order for them to make an informed decision as to whether or not they wish to live and/or work in the Airport area.

### 4.7.2 Overflight Policies

- a. **Policy O-1** - Notwithstanding any other provision of this ALUP, any proposed general plan, general plan amendment, specific plan, specific plan amendment, zoning ordinance, zoning ordinance amendment, building regulation modification, or individual development proposal will be determined to be inconsistent with the ALUP if the proposed local action lacks sufficient provisions to ensure that:
  - i. aviation easements will be recorded for all properties within the scope of the proposed local action; or
  - ii. all owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) will receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area.