

AIRPORT LAND USE PLAN FOR THE PASO ROBLES MUNICIPAL AIRPORT

**ADOPTED BY THE AIRPORT LAND USE COMMISSION
NOVEMBER 1977**



**Amended
February 16, 2005**

**Amended
May 16, 2007**

AIRPORT LAND USE COMMISSION

COMMISSIONERS

James Gleim
Terry Orton
Roger Oxborrow
Richard Pottratz
Allen Settle
Dr. Robert Tefft
Gerrit Vanderziel

ALTERNATES

Jim Morton
Jim Greathouse
John Cromwell

Oscar Bayer

APPOINTED BY

County Board of Supervisors
Airport Land Use Commission
Airport Managers Committee
Airport Managers Committee
City Selection Committee of Mayors
City Selection Committee of Mayors
County Board of Supervisors

SAN LUIS OBISPO COUNTY

Victor Holanda, AICP, Director Department of Planning and Building
John Euphrat, Assistant Director Department of Planning and Building
John Kelly, Supervising Mapping/Graphics Systems Specialist
Bill Robeson, AICP, Airports Planner
Chris Macek, Secretary

CITY OF PASO ROBLES

James L. App, City Manager
Meg Williamson Assistant City Manager
Ron Whisenand, AICP, Community Development Director
Doug Monn, Public Works Director
Roger Oxborrow, Airport Services Coordinator
Dan Lambert, GIS Analyst, Information Technology Division

**AIRPORT LAND USE COMMISSION
COUNTY OF SAN LUIS OBISPO**

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SECTION 1

INTRODUCTION

1.1 OVERVIEW OF THE PLAN

This document sets forth land use compatibility policies applicable to future development in the vicinity of the Paso Robles Municipal Airport (also referred to as “the Airport”). These compatibility policies are designed to ensure that future land uses in the area surrounding the Airport will be compatible with the realistically foreseeable, ultimate potential aircraft activity at the Airport. This plan will amend the existing Paso Robles Municipal Airport Land Use Plan adopted in November 1977. It provides the basis by which the Airport Land Use Commission (ALUC) can carry out its land use development review responsibilities in accordance with Section 21670 et seq. of the California Public Utilities Code.

The 1977 Paso Robles Municipal Airport Land Use Plan (ALUP) is being amended for the following reasons:

The City of Paso Robles has made changes to the Paso Robles Municipal Airport Master Plan and Airport Layout Plan.

California Department of Transportation’s (Caltrans) has made substantial changes to guidelines published in the Airport Land Use Handbook (ALUP Handbook).

1.2 THE SAN LUIS OBISPO COUNTY AIRPORT LAND USE COMMISSION

The San Luis Obispo County Airport Land Use Commission (ALUC) has been created in response to the mandates of The State Aeronautics Act, first enacted in 1967. The ALUC receives technical support from the County of San Luis Obispo although it is an autonomous body and not part of any local governmental structure. Among the powers and duties of the ALUC under this statute:

“To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity is not already devoted to incompatible uses”

“To coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.”

Two additional duties provide the means of fulfilling these basic obligations:

Prepare Airport Compatibility Plans (Airport Land Use Plans) – The Commission is required to prepare and adopt an Airport Land Use Plan (ALUP) for each of the airports within its jurisdiction. In the case of San Luis Obispo County, this requirement applies to the Paso Robles Municipal Airport, the County Regional Airport (McChesney Field), and the Oceano Airport.

Review Referring Agency Actions and Airport Plans – In addition to formulating ALUPs, the ALUC is required to review certain types of actions taken by the County and local cities which affect land use in the vicinity of airports to ensure that the action proposed by the referring agency is consistent with the ALUP.

SECTION 2

SCOPE OF THE AIRPORT LAND USE PLAN

2.1 PURPOSES

The purposes for which this ALUP is prepared and adopted are:

To assist in the preservation, continued development and expansion of the Paso Robles Municipal Airport consistent with the latest California Airport Land Use Planning Handbook and the adopted Airport Master Plan;

To protect the public health, safety and welfare by identifying land use measures to be implemented in order to minimize the public's exposure to excessive noise and safety hazards within areas surrounding the Paso Robles Municipal Airport to the extent that these areas are not already devoted to incompatible uses;

To protect the long-term economic viability of the Paso Robles Municipal Airport by ensuring compatible land uses in the vicinity of the Airport to the extent that lands in the airport area are not already devoted to incompatible uses;

To promote the safety and well being of the public by ensuring adoption of land use regulations, which minimize exposure of persons to hazards associated with the operation of the Airport;

To provide a set of policies and criteria to assist the ALUC and local reviewing agencies in evaluating the compatibility of proposed local actions and in determining the consistency of the proposed local action with the ALUP; and

To provide guidance to local agencies in presenting proposed local actions to the ALUC for review.

2.2 AUTHORITIES

The Airport Land Use Plan (ALUP) for the Airport is prepared and adopted in accordance with:

California Public Utilities Code, Section 21670 et seq.;

The California Airport Land Use Planning Handbook, January, 2002;

Federal Aviation Regulations (FAR), Part 77, *Objects Affecting Navigable Airspace*, and Part 150, *Airport Noise Compatibility Planning*; and

Paso Robles Municipal Airport Master Plan adopted November 16, 2004.

It is the desire and intent of the ALUC that the ALUP conform, to the greatest extent possible, with the standards and recommendations set forth in these documents, while reflecting the unique preferences and requirements of the setting of the Paso Robles Municipal Airport.

2.3 GEOGRAPHIC COVERAGE

The geographic area encompassed by this ALUP is termed the Paso Robles Municipal Airport Land Use Planning Area; at times this area is also referred to as the Planning Review Area or Airport Influence Area. The dimensions of the Planning Area were originally defined in the 1977 ALUP but are modified by this amendment.

In general terms, the Planning Area is defined by a combination of factors that include the runway layout, as well as the application of safety, height and noise standards promulgated by the ALUC. The result for the Paso Robles Municipal Airport is an irregular shaped area based primarily on the “horizontal surface”, but extended to the southeast by projected aircraft noise patterns. The resultant Planning Area encompasses about 21 square miles.

The horizontal surface is defined using FAR Part 77 (see Appendix D). At Paso Robles Municipal Airport the horizontal surface is defined by constructing arcs of 10,000 feet radii from the center of each end of the primary surface of the runways and connecting the adjacent arcs by lines tangent to those arcs. The runway layout is as described in the Paso Robles Municipal Airport Master Plan, adopted November 16, 2004². Changes to the runway layout subsequent to the 1977 ALUP are as follows:

- Extend length of Runway 1-19 from 6,009 feet to 7,200 feet for landing on both Runways 1 and 19; to 7,200 feet for takeoff on Runway 19; and to 8,200 feet for takeoff on Runway 1 using FAA’s declared distance concept.
- Extend length of Runway 13-31 from 4,700 feet to 6,400 feet.
- Preserve capability for future parallel 3,400-foot Runway 1R-19L

The projected aircraft noise patterns are determined using the Federal Aviation Administration’s Integrated Noise Model (INM). The ALUC has defined 55 dB CNEL at the capacity of the airfield as a noise standard. Portions of the aircraft noise patterns thus defined extend beyond the horizontal surface to the south and east of Runway 1L-19R. The Planning Area boundary is extended to the southeast as a result of the aircraft noise patterns.

The safety zones defined by the ALUC fit within the horizontal surface as described above and do not influence the Planning Area boundary.

The boundaries of the Planning Area are shown later on Figure 3.

2.4 JURISDICTIONS AFFECTED BY THE ALUP

The ALUP for the Airport includes areas within the jurisdictions of the incorporated City of El Paso de Robles and the County of San Luis Obispo.

2.5 ACTIONS REVIEWED BY THE ALUC

2.5.1 Mandatory ALUC Review

2.5.1.1 Construction Plans for New Airports – No application for the construction of a new airport within San Luis Obispo County may be submitted to any local, state, regional, or federal agency unless that plan has been submitted to and approved by the ALUC.

2.5.1.2 Airport Expansions – No application for the expansion of the Airport, which entails an amendment of the Airport Permit may be submitted to any local, state, regional, or federal agency unless that plan has been submitted to and approved by the ALUC.

Airport expansion is defined to include:

- a. construction of any new runway
- b. extension or realignment of an existing runway
- c. acquisition of runway protection zones or any interest in land for the purposes above

2.5.1.3 Airport Master Plans – The City of El Paso de Robles or any succeeding owner of the Airport shall, prior to modification of its master plan, refer such proposed changes to the ALUC.

2.5.1.4 Actions by Referring Agencies – The County of San Luis Obispo and the City of El Paso de Robles must, prior to enacting certain ordinances and actions that affect lands within the Planning Area and that may affect the viability of the Airport or the compatibility of the Airport with surrounding land uses, refer such actions to the ALUC. Local actions that would trigger such a referral include:

- a. general plans and general plan amendments
- b. specific plans and specific plan amendments
- c. amendments to zoning or land use control ordinances
- d. building regulations and modifications thereof

The ALUC shall not approve actions that permit land uses to be in violation of the ALUP.

2.5.1.5 Individual Development Projects in Areas Under Jurisdiction of the County of San Luis Obispo – The Public Utilities Code does not mandate review by the ALUC of individual development projects when such projects do not require adoption of or amendments to a general or specific plan, zoning ordinance, or building regulation. The ALUC may, however, review individual development projects when they have been referred by a local agency or under the terms of an agreement with a local agency. In the unincorporated areas of San Luis Obispo County the General Plan and supporting planning instruments do not incorporate detailed provisions for land use or development in the vicinity of the Paso Robles Municipal Airport, but rather state that such development be consistent with the Airport Land Use Plan. Since, under the provisions of State law, no body other than an Airport Land Use Commission is empowered to make a determination of consistency with respect to an adopted ALUP, it

follows that all individual projects within portions of the Airport Planning Area, which are under the jurisdiction of the County of San Luis Obispo, require review by the ALUC. The county's General Plan also provides that a determination of consistency rendered by the ALUC shall be final unless the Board of Supervisors shall overrule the decision by a four-fifths majority vote.

2.5.2 Optional ALUC Review

2.5.2.1 Review of Specific Proposed Development Projects – The Public Utilities Code does not mandate review by the ALUC of individual development projects when such projects do not require adoption of or amendments to a general or specific plan, zoning ordinance, or building regulation. The ALUC is, however, authorized to negotiate with local agencies and to execute voluntary agreements for review of individual development projects based on mutually agreeable criteria.

In accordance with the recommendations of the ALUP Handbook, it shall be the policy of the ALUC to seek, encourage, negotiate, and enter into agreements with local agencies providing for voluntary review of major individual development projects occurring within the Planning Area, which entail:

- a. expansion of the sphere of influence of any city within the Planning Area
- b. residential development, including land divisions, for the purpose of creating additional dwelling units
- c. requests for variances from a referring agency's height limitation ordinances
- d. major capital improvements (e.g., water, sewer, roads) that would promote incompatible urban development
- e. proposed land acquisition by a local government agency (especially acquisition of a school site)
- f. any proposal for construction or alteration of a structure (including antennae) taller than 200 feet above the ground at any location within the county
- g. any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities. In the case of individual project reviews undertaken as a result of these agreements, the comments, suggestions, and recommendations made by the ALUC will be presumed to be advisory in nature, unless specified otherwise in the agreement.

It is of note, however, should the ALUC determine that a general or specific plan has not been made consistent with the ALUP and when a referring agency has not adopted a general or specific plan by overriding the ALUC, the ALUC may require that the referring agency submit all subsequent actions, regulations, and permits to the ALUC for review.

2.6 ALUC DETERMINATIONS

In its consideration of any proposed local action referred to the ALUC, the ALUC shall make one of the following determinations:

- a. the proposed local action is consistent with the ALUP of the Airport; or

- b. the proposed local action is inconsistent with the ALUP of the Airport.

In addition, the ALUC may, but is not required to, make such additional comments, suggestions, findings, or declarations with respect to the proposed local action as it shall deem fit and appropriate, and may, in particular, indicate to the referring agency, modifications in the proposed local action that would be likely to lead to a finding of consistency by the ALUC. Under no circumstances are such comments, suggestions, or declarations to be interpreted as a “conditional” or other finding of consistency. The referring agency, however, may choose, at its discretion, to amend the proposed local action in accord with the ALUC’s comments and resubmit it to the ALUC for consideration.

State law makes no provision for “exceptions” or “waivers” with regard to any determination of consistency made by the ALUC or of any provision, condition, or requirement of an ALUP. Neither the ALUC, its staff, the governing body, any subsidiary body, nor staff of any referring agency may grant such exception or waiver.

2.7 LIMITATIONS OF THE ALUP

2.7.1 Existing Land Use

The ALUP applies only to new development within the Planning Area, and the ALUC has no authority over existing land use, whether or not such uses are compatible with the ALUP.

A land use is considered to be “existing” when one of the following conditions is met:

- a. a vesting tentative map has been approved and/or all discretionary approvals have been obtained;
- b. substantial construction investments by the landowner make it infeasible for the property to be used for anything other than its proposed use; or,
- c. the land use physically exists.

Existing land uses that are “incompatible” based on the Land Use Compatibility Policies and/or Land Use Compatibility Matrix will be considered “non-conforming” uses and will be allowed to remain, but shall not expand more than 10 percent beyond the permitted project size at the time of the adoption of this amendment. No increase in the number of non-conforming residential units for existing residential development will be allowed, except where such entitlement already exists.

If a non-conforming use is either abandoned or substantially destroyed (as defined by Chapter 22.09 of the San Luis Obispo County Land Use Ordinance or by the City of Paso Robles Municipal Code/Zoning Regulation Chapters 21.20.340 and 21.20.350), and the owner wishes to restore the land use, the local planning agency or governing body must first determine that, in the particular case, the private benefit is more important than the public objectives of the ALUP. Although non-conforming, such restored land uses must conform to ALUC policies regarding easement dedication, noise level attenuation, and any other policies that may be applicable.

The limitation on ALUC authority over existing land uses is not applicable when expansion, redevelopment or land use conversion is proposed. The fact that the land area associated with the project is already occupied by existing development either compatible or incompatible with the Airport becomes irrelevant when that land use will be replaced by a new development or use.

2.7.2 Airport Operations

Except for its authority to review airport master plans or modifications thereof, applications for airport expansion, and construction plans for new airports, the ALUC shall have no jurisdiction over the normal operation of the Airport.

SECTION 3

AIRPORT INFORMATION

A general description of the Airport is presented in Appendix A. The Airport Layout Plan is presented in Appendix B.

Tables 1, 2, 3 and 4 have been prepared from data and projections presented in the 2004, Airport Master Plan and includes activity records supplied by City of Paso Robles.

TABLE 1

PROJECTED ANNUAL AIRCRAFT OPERATIONS
BY TYPE OF OPERATION
2001 through 2020

Type of Operation	2001 ^a	2005 ^b	2010 ^b	2020 ^b
Commuter Airlines	-0-	-0-	-0-	-0-
Cargo Airlines	-0-	-0-	-0-	-0-
Air Taxi	2,400	2,700	3,100	4,000
General Aviation	28,000	32,600	37,200	52,000
Military	1,200	1,200	1,200	1,200
Total	31,600	36,500	41,500	57,200
<i>a. Airport Management Records</i> <i>b. Projections from 2020 Airport Master Plan</i>				

Source: City of Paso Robles and Aries Consultants Ltd.

TABLE 2
PROJECTED ANNUAL AIRCRAFT OPERATIONS
BY AIRCRAFT TYPE
2001 through 2020

Aircraft Type	2001 ^a	2005 ^b	2010 ^b	2020 ^b
Regional Jet	-0-	-0-	-0-	-0-
Business Jet	2,190	2,600	2,950	4,380
Twin Engine Turboprop	1,460	2,190	3,030	5,110
Twin Engine Piston	1,460	2,040	2,510	4,380
Single Engine Piston	19,710	22,190	24,990	33,580
Helicopter	5,840	6,320	6,860	8,760
Fire Suppression	1,100	1,160	1,220	1,460
Total	31,760	36,500	41,610	57,670
<i>a. Airport Management Records</i>				
<i>b. Projections from 2020 Airport Master Plan</i>				

Source: City of Paso Robles and Aries Consultants Ltd.

TABLE 3

**PROJECTED ANNUAL AIRCRAFT OPERATIONS
BY AIRCRAFT TYPE AND TIME OF DAY
2001 through 2020**

Aircraft Type	2001^a	2005^b	2010^b	2020^b
Regional Jet				
Arrivals: Daytime (7 am – 7 pm)	-0-	-0-	-0-	-0-
Evening (7 pm – 10 pm)	-0-	-0-	-0-	-0-
Night (10 pm – 7 am)	-0-	-0-	-0-	-0-
Departures: Daytime (7 am – 7 pm)	-0-	-0-	-0-	-0-
Evening (7 pm – 10 pm)	-0-	-0-	-0-	-0-
Night (10 pm – 7 am)	-0-	-0-	-0-	-0-
General Aviation Jet				
Arrivals: Daytime (7 am – 7 pm)	1,029	1,222	1,387	2,058
Evening (7 pm – 10 pm)	44	52	59	88
Night (10 pm – 7 am)	22	26	29	44
Departures: Daytime (7 am – 7 pm)	1,029	1,222	1,387	2,058
Evening (7 pm – 10 pm)	44	52	59	88
Night (10 pm – 7 am)	22	26	29	44
Twin Engine Prop				
Arrivals: Daytime (7 am – 7 pm)	1,372	1,988	2,604	4,460
Evening (7 pm – 10 pm)	58	85	111	190
Night (10 pm – 7 am)	30	42	55	95
Departures: Daytime (7 am – 7 pm)	1,372	1,988	2,604	4,460
Evening (7 pm – 10 pm)	58	85	111	190
Night (10 pm – 7 am)	30	42	55	95
Single Engine Prop				
Arrivals: Daytime (7 am – 7 pm)	9,264	10,429	11,745	15,782
Evening (7 pm – 10 pm)	394	444	500	672
Night (10 pm – 7 am)	197	222	250	336
Departures: Daytime (7 am – 7 pm)	9,264	10,429	11,745	15,782
Evening (7 pm – 10 pm)	394	444	500	672
Night (10 pm – 7 am)	197	222	250	336
Helicopter				
Arrivals: Daytime (7 am – 7 pm)	2,746	2,970	3,224	4,117
Evening (7 pm – 10 pm)	116	126	137	175
Night (10 pm – 7 am)	58	64	69	88
Departures: Daytime (7 am – 7 pm)	2,746	2,970	3,224	4,117
Evening (7 pm – 10 pm)	116	126	137	175
Night (10 pm – 7 am)	58	64	69	88
Fire Suppression				
Arrivals: Daytime (7 am – 7 pm)	517	592	672	686
Evening (7 pm – 10 pm)	33	38	43	44
Night (10 pm – 7 am)	-0-	-0-	-0-	-0-
Departures: Daytime (7 am – 7 pm)	517	592	672	686
Evening (7 pm – 10 pm)	33	38	43	44
Night (10 pm – 7 am)	-0-	-0-	-0-	-0-

a. Airport Management Records

b. Projections from 2020 Airport Master Plan

Source: City of Paso Robles and Aries Consultants Ltd.

TABLE 4

**PROJECTED ANNUAL AIRCRAFT OPERATIONS
AIRCRAFT CAPACITY FORECAST**

Aircraft Type	Average Daily Operations			Distribution (%)		
	Itinerant	Local	Total	Day	Evening	Night
Regional Jet	10	0	10	94	4	2
Business Jet	48	0	48	94	4	2
Twin-engine Turboprop	56	0	56	94	4	2
Twin-engine Piston	48	0	48	94	4	2
Single-engine Piston	184	184	368	94	4	2
Helicopter	68	24	92	94	4	2
Fire Suppression	8	0	8	94	6	0
Total Daily Operations	422	208	630			
Annual Operations	154,030	75,920	229,950			

Sources: Aries Consultants Ltd, City of Paso Robles and Brown-Buntin Associates, Inc.

SECTION 4

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, amphitheaters, 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
Total	127,000 sq. ft.		522

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_{Amax}. 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 (persons/acre)	Maximum Single Acre Land Use Density (persons/acre)	Minimum Percent Open Space (% 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 ¹
Zone 3 - Turning and Sideline Zones	60	120	25 ²
Zone 4 - Outer Approach/Departure Zones	40	120	20 ²
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.

SECTION 5

THE AIRPORT PLANNING AREA AND LAND USE COMPATIBILITY MATRIX

The Airport Planning Area for the Paso Robles Municipal Airport is delineated by a combination of the Federal Aviation Regulations (FAR) Part 77 horizontal surface and the 55 CNEL noise contour defined earlier in this plan. Land use planning areas within the Airport Planning Area consist of six safety zones (see Figure 3), and a single noise overlay zone based on the 55 CNEL noise contour (see Figure 2).

The Land Use Matrix presented in Table 10 provides a listing of the land uses that are compatible or prohibited in each safety zone. In the event of any conflict or apparent conflict between the Land Use Policies defined in Section 4 and the Land Use Matrix, the Land Use Policies shall take precedence. Compatibility with the Land Use Matrix does not create an entitlement. In all instances, land uses are still subject to the jurisdictional requirements and restrictions found in the General Plans, Zoning, and Subdivision Regulations promulgated by the County of San Luis Obispo and City of Paso Robles.

The six safety zones depicted on Figure 2 and referenced in Table 10 were defined in Section 4.5.2 and are restated for reference purposes below. Generally, Safety Zone 1 is wholly contained within the existing Airport property and land uses there are governed by the City-adopted Airport Master Plan and the Federal Aviation Administration approved Airport Layout Plan. Land uses in Zones 3, 4, 5 and 6 are outside the existing Airport property and are governed wholly by the Land Use Matrix, footnotes, and any referenced policies. The criterion set forth in Table 10 applies only to land uses that are not already incompatible or inconsistent with this plan.

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 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 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 1).

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 1,070 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 1).

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 1).

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.

Figure 3
AIRPORT LAND USE PLANNING ZONES
(11 X 17 MAP)

TABLE 6
PASO ROBLES MUNICIPAL AIRPORT LAND USE COMPATIBILITY MATRIX ^{1,2,3}

	Zone 1	Zone 2 ⁴	Zone 3 ⁴	Zone 4 ⁴	Zone 5	Zone 6
Agriculture & Animal Keeping						
Crop production including dry and irrigated farming	O ⁵	O	O	O	O	O
Truck Farming, Specialty Crops, Orchards, Vineyards, Landscape Nurseries, Greenhouses	X	O	O	O	O	O
Crop Processing & Packaging, Wineries	X	O	O	O	O	O
Pasture and Rangeland Grazing	O ⁵	O	O	O	O	O
Hogs, Dairies, Bee Keeping	X	O	O	O	O	O
Commercial Poultry	X	X	X	X	X	O
Fish Farms, Game Preserves	X	O ^{6,7,8}	O ^{8,17}	O ^{8,16}	O	O
Feed Lots, Stockyards, Sales Yards	X	O ^{6,7,8}	O ^{8,17}	O ^{8,16}	O	O
Animal Hospital, Veterinary Clinic, Kennels, Pet Boarding, Equestrian Facilities, Exotic Animals	X	O ^{6,7,8}	O ^{8,17}	O ^{8,16}	O	O
Roadside Stands, Farmers Markets	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Residential ⁹						
Single Family Residential	X	X	X	X	X	X
Multi-Family Residential, Mobile Home Parks	X	X	X	X	X	X
Group Homes, Convalescent Facilities, Nursing Homes	X	X	X	X	X	X
Granny Flat Secondary Residence (1,200 square feet or less)	X	X	X	X	X	X
Caretaker Unit (1,200 square feet or less)	X	O	O	O	O	O
Institutional, Public & Quasi-Public						
All Schools, Hospitals, Correctional Facilities	X	X	X	X	X	O
Libraries, Day Care Centers, Social Clubs/Lodges, Churches	X	X	X	X	X	O
Parks, Playgrounds, Picnic Areas	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Athletic Fields	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Cemeteries – People or Pets	X	O	O	O	O	O
Public Utility Facilities (except Electric Plants)	O ¹¹	O ⁷	O ⁷	O ⁷	O	O
Electric Power Plants and overhead transmission lines	X	X	X	X	X	X
Communications						
Broadcast Studios	X	O	O	O	O	O
Transmission Stations, Towers, Antennas	X	X	X	X	X	X
Resource Extraction						
Mining – Sand, Gravel, Fill Dirt	X	X	X	X	O	O

TABLE 6 (continued)
PASO ROBLES MUNICIPAL AIRPORT LAND USE COMPATIBILITY MATRIX ^{1,2,3}

	Zone 1	Zone 2 4	Zone 3 4	Zone 4 4	Zone 5	Zone 6
Commercial Recreational						
Arcades, Bowling Alleys, Skating Rinks, Dance and Pool Halls, Card Rooms, Gyms, Health Spas, Indoor Theaters and Auditoriums	X	X	O ¹⁷	O ¹⁶	O	O
Outdoor Theaters, Amusement Parks, Carnivals, Fairs	X	X	O ¹⁷	O ¹⁶	O	O
Golf Courses, Tennis Courts	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Swimming Pools, Water Slides	X	X	O ¹⁷	O ¹⁶	O	O
Retail Commercial						
Aircraft Fuel, Aircraft Sales and Aircraft Repairs, Flying Schools	X	X	X	X	X	X
Vehicles and Parts Sales, Building Materials, Food and Beverage Sales	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Shopping Centers	X	X	X	X	O	O
Banks	X	X	O ¹⁷	O ¹⁶	O	O
Gasoline Service Stations	X	X	O ¹⁷	O ¹⁶	O	O
Restaurant and Food Take-Out, General Retail Stores, Tasting Rooms	X	X	O ¹⁷	O ¹⁶	O	O
Convention Centers	X	X	O ¹⁷	O ¹⁶	O	O
Fuel Dealers, Fuel Storage	X	O ¹³	O ¹³	O ¹³	O	O
Service Commercial						
Office Buildings, Public Buildings, Research Laboratories	X	X	O ¹⁷	O ¹⁶	O	O
Appliance and Equipment Repair, Car Wash	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Personal Services, Health Clinics	X	X	O ¹⁷	O ¹⁶	O	O
Recycling	X	O ^{6,7,14}	O ^{14,17}	O ^{14,16}	O	O
Transient Lodgings						
Hotels and Motels,	X	X	O ¹⁷	O ¹⁶	O	O
RV Parks	X	X	X	X	O	O
Wholesale & Storage						
Mini-Storage	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Warehouse, Wholesale and Distributing	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Petroleum and Chemical Products – Bulk Storage	X	O ¹³	O ¹³	O ¹³	O	O
Manufacturing & Processing						
Indoor Processes	X	X	O ¹⁷	O ¹⁶	O	O
Outdoor Fabrication Yards	X	X	O ¹⁷	O ¹⁶	O	O
Transportation						
Vehicle Storage and Parking	X	O ^{6,7}	O ¹⁷	O ¹⁶	O	O
Taxi Stands, Bus Stations/Terminals	X	O	O	O	O	O

Truck Terminals	X	O	O	O	O	O
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Notes to Table 6:

1. Land use groups are identified as being “compatible” or “prohibited” using the following interpretations:

Compatible – Compatible land uses are designated in the Land Use Matrix by the symbol “O”. The associated land use groups are at a level of intensity or density, or location, which is not considered to present a significant risk to the safety of persons on the ground or to persons in aircraft overflying the proposed use, nor are the land use groups sensitive to anticipated aircraft noise or frequent aircraft overflights.

Prohibited – Prohibited land uses are designated in the Land Use Matrix by the symbol “X”. The associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety of persons on the ground or to persons in aircraft overflying the proposed use, or the land use groups are sensitive to anticipated aircraft noise or frequent aircraft overflights.

2. Review of a proposed local action by the ALUC is not required if the proposed local action is consistent with the Land Use Matrix and does not entail adoption of or an amendment to a general plan, specific plan, zoning ordinance, or building regulations unless such review is desired by the referring agency. If a prohibited land use is the proposed local action, it is considered to be inconsistent with this plan and is subject to review by the ALUC whether or not approval of the proposed land use entails adoption of or an amendment to a general plan, specific plan, zoning ordinance, or building regulations. See Section 6, Procedural Policies.
3. All uses that constitute a hazard to flight, including tall physical objects, glare or other visual interference to a pilot and electronic interference with aircraft operations are specifically excluded from these zones regardless of whether they meet other qualifying criteria, unless such prohibition is precluded by applicable state statutes. Land use development that may cause the attraction of birds is also prohibited. Dedication of an aviation easement to the Airport is required of all new development within the Airport Planning Area.
4. In locations along portions of existing or proposed instrument approach procedure routes, restrictions of object heights to less than indicated by FAR Part 77 may be necessary so as not to impair the utilization of these procedures. The applicable criteria are set forth in the United States Standard for Terminal Instrument Procedures (TERPS). Review of objects relative to these criteria normally is conducted by the FAA as part of aeronautical studies.
5. Allowed as a temporary use of Airport lands provided the activity does not interfere with Airport operations.
6. The use intensity of this activity shall not exceed an average of 20 persons per gross acre, maximum 40 persons per single acre, at any time. Usage 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.

7. No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of the extended runway centerlines in Zone 2.

The ALUC generally supports clustering of both residential and non-residential development as a means for both enhancing safety compatibility in the vicinity of airports and accomplishing other development objectives. Clustering occurs when development on a site or within an overall compatibility zone is concentrated in only a portion of the area and the remaining area is held to a low-intensity usage such as agriculture, landscaping, or undeveloped open space.

8. Land uses that incorporate the use of any weapons or implements that would launch a projectile into the air other than animal tranquilizers are expressly prohibited.
9. As a general policy, new residential development is an undesirable land use within the Airport Planning Area (See Policy G-1, Section 4.3). (As such it is the intent of the ALUP to prohibit subdivision of land within the Planning Area, or changes to land use or zoning, in a manner that would accommodate additional dwelling units.) Existing parcels would, however, be entitled to be occupied by existing or new residential dwellings in accordance with General Plan and Zoning in effect as of January 1, 2005.
10. Allowed when the use is secondary to other acceptable land uses.
11. Allowed only to the extent that such uses support the flow of passengers and workers to and from the Airport.
12. For otherwise acceptable land uses, the limit for above-ground storage of hazardous materials is 2,000 gallons.
13. Allowed if dust, fumes, and other aspects of the process are carried out in a controlled environment
14. A compatible use only when the activity is an integral part of an acceptable on-Airport land use.
15. The use intensity of this activity shall not exceed an average of 40 persons per gross acre, maximum 120 persons per single acre, at any time. Usage 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.
16. The use intensity of this activity shall not exceed an average of 60 persons per gross acre, maximum 120 persons per single acre, at any time. Usage 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.

SECTION 6

PROCEDURAL POLICIES

6.1 AIRPORT LAND USE COMMISSION: RESERVATION OF RIGHT OF REVIEW

In accordance with Public Utilities Code Section 21676(b), prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundaries established by this ALUC, the referring agency shall first refer the proposed local action to the ALUC. The ALUC shall make a finding, on these and other projects referred, of whether or not the amendment, ordinance, regulation, or project is consistent with the ALUP. All determinations of consistency or inconsistency shall be made by the ALUC acting in its official capacity, and no such decisions may be delegated to the staff of the ALUC nor to any referring agency, except through formal agreement.

A finding by the ALUC that any general plan or general plan amendment, specific plan or specific plan amendment, zoning ordinance, or building regulation is consistent with the ALUP does not constitute a finding that a subsequent version of the action which has been modified from the version submitted to the ALUC is consistent nor does it constitute a finding that any subsequent action on the part of the referring agency is consistent.

6.2 INFORMATION REQUIRED FOR ALUC REVIEW

Any referring agency submitting a proposed local action to the San Luis Obispo County ALUC for review shall furnish, with such submission, information as described in this section. Information provided to the ALUC must be clear and legible and must be in a format no larger than 8 1/2 inches by 11 inches. All maps submitted must, in addition, include a scale of distance and an indication of orientation relative to true or magnetic north.

6.2.1 Information Required for Review of Proposed General Plan, General Plan Amendment, Specific Plan, Specific Plan Amendment, or Zoning Ordinance

- a. Indication, in writing, that the proposed local action is referred to the ALUC for mandatory review, as required by the Public Utilities Code of the State of California.
- b. The full text of the proposed local action.
- c. The identities of all property owners within the land area encompassed by the local action, and, if any development or development application has been proposed to the referring

agency or is known by the referring agency to be in preparation in conjunction with the local action, the identities of the applicant or applicants and of the representative(s) thereof.

- d. A full description and map of the geographic area. The map and description must indicate:
 - i. the geographic area encompassed by the proposed local action;
 - ii. the assessor's parcel number of all properties affected by the proposed local action;
 - iii. the relationship of the land area encompassed by the proposed local action to the Airport;
 - iv. the relationship of the land area encompassed by the proposed local action to the airport land use zones as defined by the ALUP in force; and
 - v. the relationship of the land area encompassed by the proposed local action to the projected 55 dB CNEL airport noise, as defined by the ALUP.
- e. A full indication of permissible land uses, maximum land use density (persons/acre), maximum residential density (dwelling units/acre), and minimum open space specified by current statute and the proposed local action.
- f. An analysis of the maximum elevation of improvements (i.e., site elevation plus height of improvements) that would be permissible under the terms and conditions of the proposed local action, and of the relationship of the maximum allowable elevation of improvements to the applicable imaginary airport surfaces as defined in Federal Aviation Regulations Part 77 and the minimum instrument approach altitudes, as specified by the U. S. Standards for Terminal Instrument Procedures of any instrument approaches that entail overflight of the property affected.
- g. An analysis of the location and dimensions of existing potential emergency aircraft landing sites (as defined herein) and of those which would be preserved if development were to occur to the maximum extent permitted under the terms and conditions of the proposed local action.
- h. A copy of any environmental assessment, environmental impact statement, noise study, or other environmental evaluation prepared or required in conjunction with the proposed local action. When a proposed local action may permit development that will expose people to existing noise levels or projected noise levels under conditions of maximum build-out and/or airport operation at full capacity that exceeds acceptable limits, and when airport-related noise is contributory to such exposure, either as the sole noise source or as a component of a cumulative noise impact, a noise study shall be required for ALUC review of the proposed local action.
- i. A written assurance that an aviation easement in a form approved by either the City of Paso Robles or San Luis Obispo County, as appropriate, will be required.
- j. A copy of the required real estate disclosure document, together with a written assurance that:

- i. proof of such disclosure will be required as a condition for recording any sale or transfer of title of property within the Planning Area; and
- ii. any person renting, leasing, or otherwise providing for occupancy real property within the land area encompassed by the proposed local action shall provide to the occupant or potential occupant a copy of the required real estate disclosure document.

6.2.2 Information Required for Review of Proposed Building Regulation

- a. Indication, in writing, that the proposed building regulation or modification is referred to the ALUC for mandatory review, as required by the Public Utilities Code of the State of California.
- b. The full text of the proposed building regulation.
- c. A full description of the anticipated effects of the proposed ordinance, regulation, or modification with respect to:
 - i. sound insulation properties of construction;
 - ii. lighting constraints and requirements;
 - iii. required structure separation and open space requirements;
 - iv. building height restrictions;
 - v. permissibility of above-ground utility wires or towers; and
 - vi. permissibility of above-ground storage of flammable materials.

6.2.3 Information Required for Review of Proposed Individual Project (voluntary review, see Table 7)

- a. Indication, in writing, that the proposed local action is referred to the ALUC for voluntary review and comment only.
- b. Site maps of the proposed local action.
- c. The identities of all property owners within the land area encompassed by the proposed local action, and, if any development or development application has been proposed to the referring agency or is known by the referring agency to be in preparation in conjunction with the local action, the identities of the applicant or applicants and of the representative(s) thereof.
- d. A full description and map of the geographic area. The map and description must indicate:
 - i. the geographic area encompassed by the proposed local action;
 - ii. the assessor's parcel number of all properties involved by the proposed local action;

TABLE 7: INFORMATION REQUIRED FOR AIRPORT LAND USE COMMISSION REVIEW OF PROPOSED LOCAL ACTION

	GP	SP	ZO	BR	IP
Indication (in writing) that the proposed local action is referred to the ALUC for mandatory review under the provisions of the State of California Public Utilities Code	Yes	Yes	Yes	Yes	No
Indication (in writing) that the proposed local action is referred to the ALUC for optional review and comment	No	No	No	No	Yes
Full text of the proposed referring agency action	Yes	Yes	Yes	Yes	N/A
Site map of the proposed local action	N/A	N/A	N/A	N/A	N/A
Map and verbal description including:					
The Paso Robles Municipal Airport	Yes	Yes	Yes	N/A	Yes
The Airport Land Use Zones, as defined by the current ALUP	Yes	Yes	Yes	N/A	Yes
The project 55 dB CNEL noise contour and the projected 60 dB CNEL noise contour, as defined by the current ALUP	Yes	Yes	Yes	N/A	Yes
The imaginary surfaces defined by FAR, Part 77	Yes	Yes	Yes	N/A	Yes
Planned/published instrument approaches and departures	Yes	Yes	Yes	N/A	Yes
Emergency aircraft landing sites currently existing within the area	Yes	Yes	Yes	N/A	Yes
A complete listing of land uses allowable under the current general plan, specific plan, or zoning ordinance	Yes	Yes	Yes	N/A	N/A
A complete listing of land uses allowable under the proposed general plan, specific plan, or zoning ordinance	Yes	Yes	Yes	N/A	N/A
A description of all land uses and land use densities proposed for the project site	N/A	N/A	N/A	N/A	Yes
Analysis of the maximum elevation of allowable or proposed improvements and relationship to the heights of FAR Part 77 surfaces and minimum allowable instrument approach altitudes	Yes	Yes	Yes	Yes	Yes
Plan for preservation of emergency landing sites for aircraft (for plans/projects greater than 11 acres)	Yes	Yes	Yes	N/A	Yes
Any/all environmental studies or noise studies prepared or required to be prepared in conjunction with the proposed local action	Yes	Yes	Yes	N/A	Yes
Assurance that aviation easement to be required	Yes	Yes	Yes	N/A	Yes
Copy of real estate disclosure document to be required	Yes	Yes	Yes	N/A	Yes

ABBREVIATIONS: Yes – Information is required No – Information is not required N/A – Not applicable
 GP – General Plan or General Plan Amendment SP – Special Plan or Special Plan Amendment
 ZO – Zoning ordinance BR – Building regulation IP – Individual Project

- iii. the relationship of the proposed local action to the Airport;
 - iv. the relationship of the proposed local action to the airport land use zones as defined by the ALUP in force; and
 - v. the relationship of the proposed local action to the projected 55 dB CNEL airport noise contour, as defined by the ALUP.
- e. A description of uses, land use densities, residential land use densities, and open space conservation proposed for the local action.
 - f. An analysis of the maximum elevation of improvements (i.e., site elevation plus height of improvements) that would be permissible under the terms and conditions of the proposed local action, and of the relationship of the maximum allowable elevation of improvements to the applicable imaginary airport surfaces as defined in Federal Aviation Regulations Part 77 and the minimum instrument approach altitudes, as specified by the U. S. Standards for Terminal Instrument Procedures of any instrument approaches that entail overflight of the property affected.
 - g. An analysis of the location and dimensions of existing potential emergency aircraft landing sites (as defined herein) and of those which would be preserved if development were to occur to the maximum extent permitted under the terms and conditions of the proposed local action.
 - h. A copy of any environmental assessment, environmental impact statement, noise study, or other environmental evaluation prepared or required in conjunction with the proposed local action. When a proposed local action may expose people to existing noise levels or projected noise levels under conditions of maximum build-out and/or airport operation at full capacity that exceeds acceptable limits, and when airport-related noise is contributory to such exposure, either as the sole noise source or as a component of a cumulative noise impact, a noise study shall be required for ALUC review of the proposed local action.
 - i. A written assurance that an aviation easement in a form approved by the City of Paso Robles will be required.
 - j. A copy of the required real estate disclosure document, together with a written assurance that:
 - i. proof of such disclosure will be required as a condition for recording any sale or transfer of title of property within the Planning Area; and
 - ii. any person renting, leasing, or otherwise providing for occupancy real property within the land area encompassed by the proposed local action shall provide to the occupant or potential occupant a copy of the required real estate disclosure document.

Failure to provide the ALUC with required information for any proposed local action shall constitute sufficient grounds for a determination of inconsistency.

6.3 TIMING OF ALUC REFERRALS

In order to avoid unnecessary delays in the overall processing of a plan or project, referral for review by the ALUC should, in general be made as soon as all of the requirements for review are met. This practice will allow the ALUC's review to be duly considered by the local jurisdiction prior to formalizing its action.

- a. For new general plans, specific plans, or zoning ordinances and for major modifications to existing general plans, specific plans, or zoning ordinances, it is strongly suggested that a preliminary review by the ALUC be completed prior to it being released for public comment and a formal review be completed prior to initial reading of the proposed local action by the referring agency.
- b. For minor modifications to existing general plans, specific plans, zoning ordinances, or building regulations and for voluntary reviews of individual projects, depending on the normal scheduling of meetings, it may be appropriate that review by the ALUC be carried out concurrently with review by the local planning commission and other advisory bodies.

In all instances, review by the ALUC must be accomplished before final action by the City Council or Board of Supervisors.

6.4 TIMING OF ALUC REVIEW

The ALUC shall make a determination of consistency or inconsistency within sixty (60) days after the date on which all required information was received from the referring agency.

If the ALUC has not acted upon a referral within sixty (60) days after all information necessary for review of the proposed local action is received, and the proposed local action involves a general or specific plan, zoning ordinance, or building regulation, the proposed local action shall be deemed consistent with the ALUP.

If, at the time of initial receipt of a referral from a referring agency, the information required for ALUC review is incomplete, the ALUC or its staff shall notify the referring agency in writing within thirty (30) days, indicating the specific items which are incomplete. If, within an additional thirty (30) days following such written notification of incompleteness, the required information has not been received, the ALUC may make a finding that the referred local action is inconsistent with the ALUP based on failure of the referring agency to submit sufficient information for review.

6.5 REFERRING AGENCY OPTIONS

If the ALUC determines that a proposed local action is inconsistent with the ALUP, the referring agency shall be notified and the governing body of the referring agency may, after a public hearing, overrule the ALUC if both of the following conditions are met:

- a. the governing body of the referring agency votes to overrule the ALUC's determination by at least a two-thirds vote of its members; and
- b. the governing body of the referring agency makes specific findings that the proposed local action is consistent with the purposes of Article 3.5 of the California Public Utilities Code, as stated in Section 21670, as follows:
 - i. to provide for the orderly development of the Airport as a public use airport and the area surrounding the Airport so as to promote the overall goals and objectives of the

California airport noise standards pursuant to Public Utilities Code Section 21669 and to prevent the creation of new noise and safety problems; and

- ii. 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 the Airport to the extent that these areas are not already devoted to incompatible uses.

Such findings may not be adopted as a matter of opinion, but must be supported by substantial evidence.

Should the ALUC determine that a general or specific plan has not been made consistent with the ALUP and when a referring agency has failed to override the ALUC by the above procedure, the ALUC may require that the referring agency submit all subsequent actions, regulations, and permits to the ALUC for review.

6.6 AMENDMENT OF THE ALUP

The ALUP shall be reviewed by the ALUC as often as is necessary to accomplish its purposes, and may be amended by the ALUC no more often than once in any calendar year.⁵

Within 45 days after the adoption of any amendment to the ALUP, the ALUC shall review the general and specific plans of all affected local agencies to determine whether they are consistent with the ALUP, as amended. If the plan or plans are found to be inconsistent, the referring agency shall be notified and that referring agency shall hold a hearing to reconsider its plan or plans.

The referring agency may take any of several possible actions to modify the affected general and/or specific plans to achieve consistency with the ALUP, including:

- a. adoption of the Airport Master Plan as an element of the local general and/or specific plans;
- b. modification of the local general and/or specific plans to incorporate the policies and compatibility criteria of the ALUP; or
- c. adoption of an Airport Combining District or zoning overlay.

SECTION 7

GLOSSARY

Air carrier (airline): An air carrier certified under FAR Parts 121 or 127. Aircraft operated by an airline that holds a certificate of public convenience and necessity authorizing performance of scheduled air transportation. Air carrier airlines conduct scheduled services on specified air routes operating aircraft with more than 60 seats. These air carriers may also provide non-scheduled or chartered services as a secondary operation.

Air taxi: Aircraft operated by a company or individual that performs air transportation on a scheduled or non-scheduled basis over either designated or unspecified routes, with aircraft having less than 60 seats. An air carrier certified under FAR Part 135. Commuter airline flights are a special category of air taxi operations (see commuter airline).

Air traffic control: A term used to denote a number of different types of facilities, which are operated by or under the auspices of the Federal Aviation Administration and which provide informational, navigational, and collision avoidance services to aircraft in flight. Air traffic control towers and air route traffic control centers are elements of the air traffic control system.

Air traffic control tower (ATCT) (“tower”): A facility located within the physical boundaries of certain airports and consisting of a tower which provides visual and/or radar tracking, ground-to-air radio communications, traffic management, and limited informational, navigational, and separation services to aircraft operating in the immediate vicinity of an airport.

Air route traffic control center (ARTCC): A facility which provides radar tracking and informational, navigational, and separation services to aircraft operating beyond the immediate vicinity of an airport.

Airport Operation: A take off or a landing.

Angle of descent: The angle, with respect to a horizontal plane, of the flight path of an aircraft descending from a higher altitude to a lower altitude (usually expressed in degrees or in feet per nautical mile). Also referred to as **descent slope**.

Approach angle: The angle, with respect to a horizontal plane, of the flight path of an aircraft descending to land at an airport (usually expressed in degrees or in feet per nautical mile). Also referred to as **approach slope**.

Approach lighting system (ALS): An airport lighting system, which by means of a standardized array of lights on the ground provides visual cues, which enable pilots or aircraft approaching the runway in conditions of darkness or poor visibility, to align the flight path of the aircraft with the extended centerline of the runway.

Banks: As employed in the Land Use Compatibility Matrix and other sections of this ALUP, the term “banks” shall encompass any land use whereby some or all of the financial services customarily provided by banking institutions are offered to the general public. Examples include traditional banks, savings and loan associations, and credit unions. The provision of banking services at a site

which is predominantly devoted to a compatible use (e.g., in-store supermarket bank branches, automated teller machines), however, shall not be considered as banks in the context of this ALUP.

Base leg: A segment of the standard airport traffic pattern, which extends at right angles from the extended runway centerline at some distance from the approach end of the runway. The base leg extends from the downwind leg of the traffic pattern to the final approach course (extended runway centerline) and is flown in the direction toward the runway centerline. The altitude of aircraft flying the base leg is usually between 1000 and 400 feet above ground level.

Churches: As employed in the Land Use Compatibility Matrix and other sections of this ALUP, the term “churches” shall denote any land use devoted exclusively or primarily to religious worship. Classrooms and/or meeting rooms may be included as part of a church if sufficient conditions are placed upon the development to ensure that such facilities will be utilized only for religious instruction or church-related meetings and that their use for such purposes will remain subsidiary to the primary activity of religious worship. In the absence of such conditions, classroom facilities, which would be suitable for regular religious or non-religious education of students, will be considered a school.

Circle-to-Land Procedure: A series of standardized aerial procedures, which enable aircraft, which have completed an instrument approach, intended to culminate in a landing on a specified runway to maneuver for landing on a different runway than specified in the basic instrument approach while maintaining visual contact with the airport.

Climb gradient: The angle, with respect to a horizontal plane, of the flight path of an aircraft ascending from a lower altitude to a higher altitude (usually expressed in feet per nautical mile).

Closed traffic: An airborne maneuver by which an aircraft takes off from and lands at an airport without leaving the immediate airport vicinity (usually performed as a flight training or practice maneuver) or the airport traffic pattern flown by such an aircraft.

Community noise equivalent level (CNEL): A measure, in decibels, of the cumulative noise exposure at a given site. The CNEL mathematically increases the significance of noise events occurring during evening and nighttime hours, in response to the widely-held assumptions that such events are more intrusive than similar events occurring during daytime hours.

Compatible: A designation employed within the Land Use Compatibility Matrix to denote that a proposed land use is not prohibited or restricted by the Land Use Compatibility Matrix within the specified zone.

Consistent: A determination made by the ALUC when a referral meets the conditions outlined in the ALUP.

Crosswind departure: A VFR departure procedure in which an aircraft exits the airport area by extension of the crosswind leg of the traffic pattern.

Crosswind leg: A segment of the standard airport traffic pattern, which extends at right angles from the extended runway centerline at some distance from the departure end of the runway. The base leg extends from the upwind leg of the traffic pattern to the downwind leg and is flown in the direction away from runway centerline.

Course Deviation Indicator (CDI): An instrument commonly installed in aircraft and utilized for aerial navigation, which depicts the location, in the horizontal plane, of the aircraft relative the intended direction of flight.

Decibel (dB): A unit for expressing the relative intensity of sounds on a scale of zero for the average least perceptible sound to about 130 for the average pain level.

Decision altitude (DA): The minimum altitude above mean sea level to which an aircraft operating according to a precision instrument approach may descend without visual contact with the airport or the airport environs.

Decision height (DH): The minimum vertical distance above the height of the intended landing zone to which an aircraft operating according to a precision instrument approach may descend without visual contact with the airport or the airport environs.

Density of Residential Development: The number of dwelling units per acre in a development or proposed development.

Departure Procedure (DP): See **instrument departure procedure**.

Descent slope: The angle, with respect to a horizontal plane, of the flight path of an aircraft descending from a higher altitude to a lower altitude (usually expressed in degrees or in feet per nautical mile). Also referred to as **angle of descent**.

Distance Measuring Equipment (DME): An apparatus, consisting of a ground-based radio transmitter and a specialized airborne receiver, which provides information regarding the slant-range distance of an aircraft from the ground-based facility. Also, by extension, any airborne maneuver, course, or flight path which is determined through the application of DME information.

Downwind departure: A VFR departure procedure in which an aircraft exits the airport area by extension of the downwind leg of the traffic pattern.

Downwind leg: A segment of the standard airport traffic pattern, which is parallel to the runway of intended landing, is usually between 1/2 and 1 1/2 miles lateral to the runway, and is flown in a direction opposite to the direction of intended landing. The downwind leg is, in most instances, is the initial leg of the traffic pattern for landing aircraft. The altitude of aircraft flying the base leg is usually between 1000 and 800 feet above ground level.

Enplaned passengers: The total number of revenue-producing passengers boarding aircraft, including originating, stopover, and transfer passengers, in scheduled and nonscheduled services.

Fixed base operator (FBO): A provider of support services to users of an airport. Such services include fueling, hangaring, flight training, repair, maintenance, and other services.

General aviation: That portion of civil aviation, which encompasses all facets of aviation except air carriers and air taxis. It includes a multitude of diverse and growing uses of aircraft, ranging from flying for enjoyment and the transportation of personnel or cargo by business firms and individuals in privately-owned aircraft, to highly specialized uses such as crop dusting, pipeline patrol and aerial advertising. It includes agricultural, industrial and business/corporate aviation, using an aircraft for flight training, the aviation of Federal, State and local governments, and miscellaneous other aviation uses.

Glide slope: An apparatus which provides, by means of radio signals or light signals, vertical guidance to aircraft approaching to land, or (by extension) the vertical flight path flown by aircraft receiving guidance from such a system.

Global positioning system (GPS): A navigational aid which determines the position, direction of flight, speed, and (to a limited extent) altitude of an aircraft by means of signals received from a constellation of earth-orbiting satellites.

Global positioning system (GPS) approach: A series of standardized, predetermined, and published aerial maneuvers which are based on navigational data received from earth-orbiting satellites and which enable aircraft to descend toward an airport with the intention of landing when meteorologic conditions are such that a safe approach cannot be made solely through the use of visual information. A typical GPS approach permits aircraft to descend to within 400-500 feet of the surface solely on the basis of satellite navigation aids.

Global positioning system (GPS) overlay: An FAA designation applied to certain instrument approach procedures originally designed to be executed by reference to ground-based navigational aids, which authorizes pilots to perform the approach solely by reference to navigational information provided by earth-orbiting GPS satellites.

Gross Area or Gross Acreage: An area measurement in acres of the entire site, parcel, or zone.

Hospitals: As employed in the Land Use Compatibility Matrix and other sections of the ALUP, the term “hospitals” shall encompass any facility other than a private physician’s office or outpatient clinic, in which care is offered to individuals who exhibit physical, emotional, or mental disability or illness. Examples include acute care hospitals, freestanding emergency rooms, nursing homes, board-and-care facilities, birthing centers, mental institutions, and rehabilitation centers.

Hotels & Motels: For purposes of the Land Use Compatibility Matrix and other sections of the ALUP, the term “hotels & motels” shall denote any structure or facility intended or suitable for transient occupancy as defined local code by persons as a temporary dwelling. Examples of this type of land use include hotels, motels, bed and breakfast inns, youth hostels, pensiones, casitas, bungalows, cabins, cottages, temporary shelters, and other transient uses.

Inconsistent: A determination made by the ALUC when a proposed local action does not meet the compatibility criterion detailed in the ALUP.

Instrument approach: A series of standardized, predetermined, and published aerial maneuvers which are based on navigational data received from ground-based navigational aids or satellites and which enable aircraft to descend toward an airport with the intention of landing when meteorologic conditions are such that a safe approach cannot be made solely through the use of visual information.

Instrument departure procedure (DP): A series of standardized, predetermined, and published aerial maneuvers which are based on navigational data received from ground-based navigational aids or satellites and which enable aircraft to depart from an airport when meteorologic conditions are such that a safe departure cannot be made solely through the use of visual information. Formerly known as a **standard instrument departure (SID)**.

Instrument flight rules (IFR): A set of FAA rules, regulations, and procedures, which define flight operations under conditions, which do not permit navigation by means of visual information alone. This term is also employed as an adjective to designate a flight plan, which will enable an aircraft to operate under conditions, which preclude navigation by means of visual information.

Instrument landing system (ILS): A precision instrument approach system, which provides aircraft with both vertical (glideslope) and lateral guidance by means of radio signals transmitted from installations within the physical boundaries of the airport.

Instrument landing system (ILS) approach: A series of standardized, predetermined, and published aerial maneuvers which are based on vertical and lateral navigational data received from radio transmitters located within the physical boundaries of the airport and which enable aircraft to

descend toward an airport with the intention of landing when meteorologic conditions are such that a safe approach cannot be made solely through the use of visual information. A typical ILS approach permits aircraft to descend to within 200 feet of the surface.

Instrument meteorological conditions (IMC): Weather conditions specified in FAA regulations under which aircraft are not authorized to takeoff, land, or maneuver under visual flight rules and may operate only by reference to electronic aids to navigation. The visibility and cloud clearance requirements for IMC are determined by the airspace designation in which and aircraft is operating, by the aircraft's altitude above both sea level and ground level, and by whether the aircraft is operating in daylight or at night.

Localizer (LOC): An apparatus which provides, by means of radio signals from a transmitter located within the physical boundaries of an airport and a specialized airborne receiver, lateral course guidance for aircraft descending to land.

Localizer approach: A series of standardized, predetermined, and published aerial maneuvers which are based on lateral guidance information received by means of a localizer transmitter located within the physical boundaries of an airport and which enable aircraft to descend toward an airport with the intention of landing when meteorologic conditions are such that a safe approach cannot be made solely through the use of visual information. Localizer approaches do not provide vertical guidance, but localizers are often coupled with glide slope transmitters. A typical localizer approach permits aircraft to descend to within 400-500 feet of the surface solely on the basis of radio navigation aids.

Localizer-type directional array (LDA): A type of apparatus, which provides, by means of radio signals from a transmitter located within the physical boundaries of an airport and a specialized airborne receiver, lateral course guidance for aircraft descending to land. The primary distinction between an LOC and an LDA is that the final approach course provided by the LDA is not aligned with the runway centerline. Glide slope information is never provided in conjunction with an LDA.

Localizer-type directional array (LDA) approach: A series of standardized, predetermined, and published aerial maneuvers which are based on lateral guidance information received by means of an LDA transmitter located within the physical boundaries of an airport and which enable aircraft to descend toward an airport with the intention of landing when meteorologic conditions are such that a safe approach cannot be made solely through the use of visual information.

Minimum descent altitude (MDA): The minimum altitude above mean sea level to which an aircraft operating according to a non-precision instrument approach may descend without visual contact with the airport or the airport environs.

Minimum descent height (MDH): The minimum vertical distance above the height of the intended landing zone to which an aircraft operating according to a non-precision instrument approach may descend without visual contact with the airport or the airport environs.

Missed approach: An instrument approach, which does not terminate in a landing. Usual reasons for a missed approach include failure to establish visual contact with the airport environs at the completion of an instrument approach, loss of course guidance, or instructions from air traffic control.

Missed approach course: A standardized, predetermined, and published flight path to be flown in the event of a missed approach.

Multifamily residential (land use): Any project, development, or other land use in which separate families or individuals occupy dwelling units, which share a common wall or a common roof, or occupy a common legal parcel of real estate. Examples include duplexes, triplexes, quadriplexes, apartment buildings, condominiums, townhouses, and residential courts. In addition, institutional uses such as hospitals, nursing homes, board and care facilities, correctional institutions, and boarding schools, which entail the long-term occupancy of a single-structure by unrelated individuals will be considered to be multifamily residential in nature.

Nautical mile (nm): a measure of distance equal to 6076.115 feet (1852 meters).

Non-directional beacon (NDB): A radio beacon, which transmits, signals which do not contain encoded directional information, but which can be used for as a “homing” signal for aircraft tracking to or away from the transmitter.

Non-directional beacon (NDB) approach: A series of standardized, predetermined, and published aerial maneuvers which are based on lateral guidance information received by means of an NDB transmitter located either at or remote from an airport and which enable aircraft to descend with the intention of landing when meteorologic conditions are such that a safe approach cannot be made solely through the use of visual information.

Non-precision instrument approach procedure: An instrument approach procedure for which vertical guidance is not provided. Common types of non-precision instrument approach procedures include VOR, GPS, localizer, NDB, and LDA.

Office buildings: As employed in the Land Use Compatibility Matrix and other sections of the ALUP, the term “office buildings” shall encompass any development, regardless of structure size, which includes significant floor space suitable for use by personnel performing or providing clerical, professional, or financial services as a primary use. The presence of limited office space for support of another primary function which is consistent with the ALUP, however, is not considered an “office building” under this definition.

Open Space: 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.

Operation: A takeoff or landing

Population Density: A measurement of people per gross acre. The term reflects:

For residential uses, the maximum number of dwellings allowed and the average household size for such dwellings as indicated by census data.

For non-residential uses, the maximum number of people that would typically occupy a given area at one time.

Precision approach path indicator (PAPI): A navigational aid installed adjacent to an airport runway, which provides, by means of colored light beams, vertical course guidance to aircraft approaching to land on that runway. The usual descent slope provided by PAPI installations is 3 degrees.

Precision instrument approach procedure: An instrument approach procedure for which vertical guidance is provided. ILS is the only common type of precision instrument approach currently in use. In the near future, certain GPS approaches will be upgraded to provide vertical guidance information, as well.

Prohibited: A determination made by the ALUC when a proposed local action does not meet the criteria set forth in the Land Use Compatibility Matrix.

Public buildings: For purposes of the Land Use Compatibility Matrix and other sections of the ALUP, the term “public buildings” shall be taken to mean structures, which are utilized, by government or social agencies for the provision of services to the public. Examples of such uses would include post offices, police or fire stations, and offices and agencies of local, state, or federal government.

Rate of climb: The vertical speed or rate of change in altitude of an aircraft ascending from a lower altitude to a higher altitude (usually expressed in feet per minute).

Rate of descent: The vertical speed or rate of change in altitude of an aircraft descending from a higher altitude to a lower altitude (usually expressed in feet per minute).

Residential Occupancy: For the purposes of this plan, any living quarters – except caretakers units – continually occupied for over 30 days’ duration is considered to be residential.

Rural residential (land use): As employed in the Land Use Compatibility Matrix and other sections of the ALUP, the term “rural residential” indicates use of land for dwellings in such manner that no more than one primary dwelling unit is developed per five acres of property.

Single-family residential (land use): As employed in the Land Use Compatibility Matrix and other sections of the ALUP, the term “single-family residential” indicates use of land for dwellings in such manner that no more than one primary dwelling unit is developed on each legal parcel and the size of each legal parcel is less than one acre.

Schools, colleges, & universities: For purposes of the Land Use Compatibility Matrix and other sections of the ALUP, the term “schools, colleges, & universities” shall be taken to indicate any land use in which groups of individuals, particularly children, are engaged in activities, either formal or informal, which are intended to provide instruction, information, or mental or intellectual stimulation. Examples of such uses would include primary, secondary, or high schools (public or private), colleges, universities, graduate schools, specialized vocational schools, seminaries, nurseries, pre-schools, and day care centers.

Standard instrument departure (SID): See instrument departure procedure.

Standard Terminal Arrival Route (STAR): A series of standardized, predetermined, and published routes, procedures and/or maneuvers, which enable aircraft to transition safely from the en route environment to the terminal environment. A STAR does not culminate in a landing, but terminates at a point from which an instrument approach to landing may be initiated.

Straight-out departure: A VFR departure procedure in which an aircraft exits the airport area along the extended centerline of the departure runway by extension of the upwind leg of the traffic pattern.

Suburban residential (land use): As employed in the Land Use Compatibility Matrix and other sections of the ALUP, the term “suburban residential” indicates use of land for dwellings in such a manner that no more than one primary dwelling unit is developed on each legal parcel and the size of each legal parcel is 1 acre to 5 acres.

Tactical air navigation facility (TACAN): A ground-based radio navigational aid which transmits encoded signals that enable aircraft equipped with appropriate receivers to determine both bearing and distance with respect to the facility. The information with respect to bearing is generally available only to military aircraft, while information regarding distance is usable by both military and civil aircraft. TACAN facilities are frequently co-located with VORs.

Upwind leg: A segment of the airport traffic pattern, which is coincident with the centerline of the departure runway. The upwind leg is the initial leg of the traffic pattern for departing aircraft and extends from takeoff to the crosswind leg or departure from the airport area.

Very high frequency omnidirectional range (VOR): A ground-based radio navigational aid which transmits encoded signals that enable aircraft equipped with appropriate receivers to determine their bearing with respect to the facility.

Very high frequency omnidirectional range with distance-measuring equipment (VOR-DME): A ground-based radio navigational aid which combines a VOR transmitter with a DME facility and which transmits encoded signals that enable aircraft equipped with appropriate receivers to determine both relative bearing and distance with respect to the facility.

Very high frequency omnidirectional range with tactical air navigation (VORTAC): A ground-based radio navigational aid which combines a VOR transmitter with a TACAN facility and which transmits encoded signals that enable both military and civilian aircraft equipped with appropriate receivers to determine both bearing and distance with respect to the facility.

Visual approach: A procedure whereby an aircraft which is operating in VMC according to an IFR flight plan and under control of an air traffic control facility with radar may proceed to the airport of destination with air traffic control approval and land using visual navigational cues.

Visual flight rules (VFR): A set of FAA rules, regulations, and procedures, which define flight operations under conditions which allow navigation by means of visual information, pilotage, and dead reckoning alone. Also employed as an adjective to designate a flight plan, which will enable an aircraft to operate under conditions, which permit navigation by means of visual information alone. For takeoff and landing, operation under visual flight rules requires 3 statute miles visibility and a cloud ceiling of at least 1000 feet at airports with controlled airspace from the ground up. A special VFR clearance may be obtained from ATC if visibility is 1 statute mile or greater and the pilot can maneuver to remain clear of clouds in the vicinity.

Visual meteorological conditions (VMC): Weather conditions specified in FAA regulations under which aircraft are authorized to takeoff, land, and maneuver under visual flight rules and by means of only visual navigational information. Electronic aids to navigation may be utilized by aircraft operating in VMC, but are not required. The visibility and cloud clearance requirements for VMC are determined by the airspace designation in which and aircraft is operating, by the aircraft's altitude above both sea level and ground level, and by whether the aircraft is operating in daylight or at night.

VOR approach: A series of standardized, predetermined, and published aerial maneuvers which are based on lateral guidance information received by means of a VOR transmitter and which enable aircraft to descend toward an airport with the intention of landing when meteorologic conditions are such that a safe approach cannot be made solely through the use of visual information. The VOR facility may be located within the physical boundaries of the destination airport or at some distance from the airport. VOR approaches do not provide vertical guidance. A typical VOR approach permits aircraft to descend to within 400 to 500 feet of the surface solely on the basis of radio navigation aids.

SECTION 8

ABBREVIATIONS

ACOS	Airport Compatible Open Space Plan
AGL	Above ground level
ALS	Approach lighting system
ALUC	Airport Land Use Commission
ALUP	Airport Land Use Plan
ARTCC	Air route traffic control center
ATCT	Airport traffic control tower
CDI	Course deviation indicator
CDZ	Clustered Development Zone
CNEL	Community noise equivalent level
dB	Decibel
DA	Decision altitude
DH	Decision height
DME	Distance measuring equipment
DP	Instrument departure procedure
EPA	U.S. Environmental Protection Agency
FAA	Federal Aviation Administration
FAR	Federal aviation regulation
FBO	Fixed base operator
GPS	Global positioning system
GS	Glide slope
IFR	Instrument flight rules
ILS	Instrument landing system
IMC	Instrument meteorological conditions
LDA	Localizer-type directional array
LOC	Localizer
MDA	Minimum descent altitude
MDH	Minimum descent height
NDB	Non-directional beacon
NRDC	Natural Resources Defense Council
nm	Nautical mile
PUC	Public Utilities Code

SID	Standard instrument departure
STAR	Standard terminal arrival route
TACAN	Tactical air navigation facility
VASI	Visual approach slope indicator
VFR	Visual flight rules
VHF	Very high frequency
VMC	Visual meteorological conditions
VOR	VHF omnidirectional range
VOR-DME	VHF omnidirectional range with distance measuring equipment
VORTAC	VHF omnidirectional range with tactical air navigation equipment
WHO	World Health Organization

APPENDICES

APPENDIX A - AIRPORT INFORMATION

General Description

The Paso Robles Municipal Airport is located approximately four and one-half miles northeast of City Hall on 1,272 acres of land within corporate boundaries of the City of Paso Robles. The FAA designation for the Airport is PRB.

Air traffic control services are provided by the Oakland Air Route Traffic Control Center (ARTCC) and the Los Angeles ARTCC (for areas 5NM south of the Airport). Both centers provide radar service all the way to ground level from their radar site on Black Mountain, 22 miles to the south. There is no active air traffic control tower (ATCT) at the Airport, and it is therefore an uncontrolled airport within the airport traffic pattern. The Airport is surrounded by Class E airspace to ground level, which requires a minimum of 1,000-foot ceiling and 3 miles visibility for VFR operations.

Two runways are available for use at the Paso Robles Municipal Airport. Runway 1-19 is currently 6,009 feet in length and 150 feet in width. The rated weight-bearing capacity of this runway is 106,000 pounds for aircraft equipped with dual-wheel landing gear configuration, 150,000 pounds for dual-tandem landing gear configuration and 135,000 pounds for the single-tandem gear configuration, such as the C-130. Runway 1-19 is equipped with high intensity runway lights (HIRL) and the adjacent taxiways are also lighted.

Runway 13-31 is 4,700 feet in length and 100 feet in width. The rated weight-bearing capacity of this runway is 50,000 pounds for aircraft with dual-wheel landing gear configuration, and 90,000 pounds for dual-tandem landing gear configuration. The runway is lighted with medium intensity runway lights (MIRL).

Lighting is pilot-controlled. Precision approach path indicators (PAPI) are available for Runways 19 and 31.

Three non-precision instrument approaches for the Airport are available using the Paso Robles VORTAC: the VOR/DME or GPS for Runway 19 approach, the VOR or GPS-A approach, and VOR/DME or GPS-B approach. Each of these nonprecision instrument approaches includes a published circle-to-land procedure, as well as the straight-in VOR/DME or GPS approach to Runway 19. There are no published graphic instrument departure procedures for aircraft departing the Airport. However, there is a published obstacle clearance procedure with textual guidance for instrument flight rules (IFR) departures from each runway.

General aviation business, personal and recreational activity are accommodated at the Airport. Nonscheduled air taxi service and flight training are also provided at the Airport. A California Department of Forestry Air Attack Base is located on the Airport, and the California Highway Patrol also has aircraft based at the Airport. There is no scheduled commercial passenger service currently provided at the Paso Robles Municipal Airport.

Landside facilities at the Airport include a new 8,000 square-foot terminal building with its adjacent vehicular parking facilities and aircraft parking apron, an aircraft rescue and fire fighting station, an airport maintenance facility, approximately 135 general aviation hangars and 95 aircraft tiedown positions, one jet aircraft charter service, one fuel vendor, four maintenance facilities and one aerial cropdusting service.

Airport Characteristics of Special Significance for Land Use Compatibility Planning

Environmental Factors

- **Climate** – The Paso Robles Municipal Airport lies in the inland area of San Luis Obispo County and therefore, does not have the same climatic conditions as the coastal areas. The variation in the average daily and seasonal range of temperatures is from a low of 20 degrees Fahrenheit in the winter to a high of over 100 degrees Fahrenheit in the summer. The normal maximum temperature of the hottest month is 95 degrees Fahrenheit. The average annual rainfall ranges between 12 and 15 inches in the Paso Robles area.

There is a low incidence of nighttime fog (IFR Weather) at the Airport throughout the year, but occurs more often in the summer months. During the periods when there is fog, it always recedes by mid-morning. Frontal storm weather passing through the area and causing IFR conditions occurs a low percentage of the time and usually only during the winter months. Visibility has a profound effect on aircraft operations and airfield capacity. When visibility is good, the spacing between aircraft can be less than when visibility is poor. Thus, when visibility is good and aircraft operate under visual flight rules (VFR) conditions, airfield capacity is greater than when visibility is poor and aircraft operate under IFR conditions.

When the visibility is equal to or greater than 3 statute miles and the ceiling is equal to or greater than 1,000 feet, aircraft may operate under visual flight rules (VFR). When either the ceiling or the visibility falls below the specified minimum criterion, aircraft using the Airport must operate under instrument flight rules (IFR). IFR conditions are estimated to prevail at the Airport less than five percent of the time on an annual basis.

- **Prevailing Winds** – On the basis of FAA criteria for general aviation aircraft operations, a crosswind runway may be justified for FAA funding if the orientation of the primary runway results in crosswind component exceeding 12 miles or 10.5 knot per hour more than 5 percent of the time (thus providing less than 95 percent wind coverage). Based on data collected at Paso Robles Municipal Airport between 1991 and 2000, Runway 1-19, the primary use runway, provides 90.1 percent wind coverage. Runway 13-31 provides 92.6 percent wind coverage. Runway 1-19 in combination with Runway 13-31 provides 99.1 percent wind coverage for crosswinds of less than 10.5 knots. Therefore, the Airport is seldom, if ever, closed due to crosswind conditions with the availability of crosswind Runway 13-31 for those aircraft able to use the shorter Runway 13-31.

Airfield Activities

- **Flight Training** – The level of flight training at the Paso Robles Municipal Airport results in low-level, repetitive aircraft operations associated with “touch-and-go” activity. Noise and

overflight impacts are sometimes greater with this type of activity than with just departures and arrivals.

Socio-Economic Considerations

- **Airport Environment** – The Paso Robles Municipal Airport is surrounded by an area which is essentially quiet and rural in nature. Exceptions to this characterization include commercial uses along State Highway 46 to the south, some residential development east of the Airport, Business Park uses within the Airport boundary, and a correctional facility west of the Airport. In contrast, large areas of land to the north, west and east of the Airport remain open and are utilized primarily for agriculture. In these areas, the effects of aircraft noise and overflight may be expected to be magnified by the lack of significant background noise.
- **Airport Access** – Vehicular access from the south, and from the City of Paso Robles, is by way of State Highway 46, which is directly accessible from US Highway 101, to Airport Road. Access from the north is by way of Airport Road, a two-lane road. The Airport is not served by bus service from the City of Paso Robles, but Dial-a-Ride serves the Airport on request.
- **Encroachment Pressures** – The area surrounding the Paso Robles Municipal Airport is facing increasing pressure for development of open areas, particularly for residential uses. Some of the factors which may be responsible for the increasing pressure for encroachment include:
 - Relatively strong economic and population growth in the North County area
 - Pre-existing incompatible residential development in the County unincorporated area.
- **Local response to airport-related impacts** – The local community has shown, primarily as documented in public comments as part of the Airport Master Plan and aircraft noise complaints registered with the airport management, that it is relatively tolerant of aviation impacts while being sensitive to noise and overflight incompatibilities. It is appropriate that the Airport Land Use Plan reflect the sentiments of the local community in this regard.

Airport Planning Status

- **Airport Master Plan** – The Airport Master Plan for the Paso Robles Municipal Airport was prepared by Aries Consultants Ltd., in association with Tartaglia Engineering, and was adopted by the Paso Robles City Council on November 16, 2004.
- **Airport Master Plan Initial Study** – The Airport Master Plan Initial Study was adopted by the Paso Robles City Council on November 16, 2004.

Airport Noise Contours

The airport noise study completed in September, 2002 by Brown-Buntin Associates is adopted as the current basis for application of Airport Land Use Plan policies.

Airport Layout Plan

The Airport Layout Plan (Sheets 1 through 5) of the Airport Master Plan (November 16, 2004) is adopted as the Airport Layout Plan for the Airport Land Use Plan.

Anticipated Airport Expansion

The Airport Master Plan identifies a number of planned expansions, improvements and upgrades which are anticipated for the Paso Robles Municipal Airport:

Airport Property

- Acquire land in fee title and avigation easements for future Airport development and protection

Airfield Considerations

- Extend length of Runway 1-19 from 6,009 feet to 7,200 feet for landing on both Runways 1 and 19; to 7,200 feet for takeoff on Runway 19; and to 8,200 feet for takeoff on Runway 1 using FAA's declared distance concept
- Extend length of Runway 13-31 from 4,700 feet to 6,400 feet
- Preserve capability for future parallel 3,400-foot Runway 1R-19L
- Add additional parallel and exit taxiways to Runway 1-19
- Add parallel taxiway and additional exit taxiways to Runway 13-31
- Add taxiways connecting west side development to future east side development
- Install MALSR, ILS Glide Slope and Localizer on Runway 19
- Install omnidirectional approach lighting system (ODALS) on Runway 1
- Upgrade precision approach path indicators (PAPIs) on Runways 1 and 13
- Develop precision GPS-WAAS or GPS-LAAS approaches for Runways 1, 19, 13 and 31

General Aviation Considerations

- Expand general aviation, commercial aviation lease lots, hangars and tiedown areas
- Develop site for fuel farm
- Install aircraft wash rack

Terminal Area Considerations

- Preserve capability for potential scheduled commuter service
- Provide space for small package air cargo services
- Provide space for additional commercial/industrial lease sites
- Reserve sites for future air traffic control tower and new aircraft rescue and fire fighting facility

Access Considerations

- Construct additional access roads into airport for future aviation and nonaviation development
- Expand terminal area parking facilities

APPENDIX B – AIRPORT LAYOUT PLAN

APPENDIX C - CALIFORNIA PUBLIC UTILITIES CODE

SECTIONS 21670 – 21679.5

State of California PUBLIC UTILITIES CODE

Chapter 4. Airports and Navigational Facilities Article 3.5. Airport Land Use Commission Section 21670-21679.5

21670.

- (a) The Legislature hereby finds and declares that:
- (1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.
 - (2) It is the purpose of this article 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.
- (b) In order to achieve the purposes of this article, every county in which there is located an airport, which is served by a scheduled airline shall establish an airport land use commission. Every county, in which, there is located an airport which is not served by a scheduled airline, but is operated for the benefit of the general public, shall establish an airport land use commission, except that the board of supervisors of the county may, after consultation with the appropriate airport operators and affected local entities and after a public hearing, adopt a resolution finding that there are no noise, public safety, or land use issues affecting any airport in the county which require the creation of a commission and declaring the county exempt from that requirement. The board shall, in this event, transmit a copy of the resolution to the Director of Transportation. For purposes of this section, "commission" means an airport land use commission. Each commission shall consist of seven members to be selected as follows:
- (1) Two representing the cities in the county, appointed by a city selection committee comprised of the mayors of all the cities within that county, except that if there are any cities contiguous or adjacent to the qualifying airport, at least one representative shall be appointed therefrom. If there are no cities within a county, the number of representatives provided for by paragraphs (2) and (3) shall each be increased by one.

- (2) Two representing the county, appointed by the board of supervisors.
 - (3) Two having expertise in aviation, appointed by a selection committee comprised of the managers of all of the public airports within that county.
 - (4) One representing the general public, appointed by the other six members of the commission.
- (c) Public officers, whether elected or appointed, may be appointed and serve as members of the commission during their terms of public office.
 - (d) Each member shall promptly appoint a single proxy to represent him or her in commission affairs and to vote on all matters when the member is not in attendance. The proxy shall be designated in a signed written instrument, which shall be kept on file at the commission offices, and the proxy shall serve at the pleasure of the appointing member. A vacancy in the office of proxy shall be filled promptly by appointment of a new proxy.
 - (e) A person having an "expertise in aviation" means a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation, and role of airports, or is an elected official of a local agency, which owns or operates an airport.
 - (f) It is the intent of the Legislature to clarify that, for the purposes of this article that special districts, school districts, and community college districts are included among the local agencies that are subject to airport land use laws and other requirements of this article.

21670.1.

- (a) Notwithstanding any other provision of this article, if the board of supervisors and the city selection committee of mayors in the county each makes a determination by a majority vote that proper land use planning can be accomplished through the actions of an appropriately designated body, then the body so designated shall assume the planning responsibilities of an airport land use commission as provided for in this article, and a commission need not be formed in that county.
- (b) A body designated pursuant to subdivision (a) which does not include among its membership at least two members having an expertise in aviation, as defined in subdivision (e) of Section 21670, shall, when acting in the capacity of an airport land use commission, be augmented so that body, as augmented, will have at least two members having that expertise. The commission shall be constituted pursuant to this section on and after March 1, 1988.
- (c)
 - (1) Notwithstanding subdivisions (a) and (b), and subdivision (b) of Section 21670, if the board of supervisors of a county and each affected city in that county each makes a determination that proper land use planning pursuant to this article can be accomplished pursuant to this subdivision, then a commission need not be formed in that county.
 - (2) If the board of supervisors of a county and each affected city makes a determination that proper land use planning may be accomplished and a commission is not formed

pursuant to paragraph (1), that county and the appropriate affected cities having jurisdiction over an airport, subject to the review and approval by the Division of Aeronautics of the department, shall do all of the following:

- (A) Adopt processes for the preparation, adoption, and amendment of the airport land use compatibility plan for each airport that is served by a scheduled airline or operated for the benefit of the general public.
 - (B) Adopt processes for the notification of the general public, landowners, interested groups, and other public agencies regarding the preparation, adoption, and amendment of the airport land use compatibility plans.
 - (C) Adopt processes for the mediation of disputes arising from the preparation, adoption, and amendment of the airport land use compatibility plans.
 - (D) Adopt processes for the amendment of general and specific plans to be consistent with the airport land use compatibility plans.
 - (E) Designate the agency that shall be responsible of the preparation, adoption, and amendment of each airport land use compatibility plan.
- (3) The Division of Aeronautics of the department shall review the processes adopted pursuant to paragraph (2), and shall approve the processes if the division determines that the processes are consistent with the procedure required by this article and will do all of the following:
- (A) Result in the preparation, adoption, and implementation of plans within a reasonable amount of time.
 - (B) Rely on the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 commencing with Section 77.1) of Title 14 of the Code of Federal Regulations.
 - (C) Provide adequate opportunities for notice to, review of, and comment by the general public, landowners, interested groups, and other public agencies.
- (4) If the county does not comply with the requirements of paragraph (2) within 120 days, then the airport land use compatibility plan and amendments shall not be considered adopted pursuant to this article and a commission shall be established within 90 days of the determination of noncompliance by the division and an airport land use compatibility plan shall be adopted pursuant to this article within 90 days of the establishment of the commission.
- (d) A commission need not be formed in a county that has contracted for the preparation of airport land use compatibility plans with the Division of Aeronautics under the California Aid to

Airports Program (Title 21 commencing with Section 4050) of the California Code of Regulations), Project Ker-VAR 90-1, and that submits all of the following information to the Division of Aeronautics for review and comment that the county and the cities affected by the airports within the county, as defined by the airport land use compatibility plans:

- (1) Agree to adopt and implement the airport land use compatibility plans that have been developed under contract.
 - (2) Incorporated the height, use, noise, safety, and density criteria that are compatible with airport operations as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations as part of the general and specific plans for the county and for each affected city.
 - (3) If the county does not comply with this subdivision on or before May 1, 1995, then a commission shall be established in accordance with this article.
- (e.) (1) A commission need not be formed in a county if all of the following conditions are met:
- (A) The county has only one public use airport that is owned by a city.
 - (B)
 - (i) The county and the affected city adopt the elements in paragraph (2) of subdivision (d), as part of their general and specific plans for the county and the affected city.
 - (ii) The general and specific plans shall be submitted, upon adoption, to the Division of Aeronautics. If the county and the affected city do not submit the elements specified in paragraph (2) of subdivision (d), on or before May 1, 1996, then a commission shall be established in accordance with this article.

21670.2.

- (a) Sections 21670 and 21670.1 do not apply to the County of Los Angeles. In that county, the county regional planning commission has the responsibility for coordinating the airport planning of public agencies within the county. In instances where impasses result relative to this planning, an appeal may be made to the county regional planning commission by any public agency involved. The action taken by the county regional planning commission on an appeal may be overruled by a four-fifths vote of the governing body of a public agency whose planning led to the appeal.
- (b) By January 1, 1992, the county regional planning commission shall adopt the airport land use compatibility plans required pursuant to Section 21675.
- (c) Sections 21675.1, 21675.2, and 21679.5 do not apply to the County of Los Angeles until January 1, 1992. If the airport land use compatibility plans required pursuant to Section 21675 are not adopted by the county regional planning commission by January 1, 1992, Sections

21675.1 and 21675.2 shall apply to the County of Los Angeles until the airport land use compatibility plans are adopted.

21670.3

- (a) Sections 21670 and 21670.1 do not apply to the County of San Diego. In that county, the San Diego County Regional Airport Authority, as established pursuant to Section 170002, is responsible for coordinating the airport planning of public agencies within the county and shall, on or before June 30, 2005, after reviewing the existing comprehensive land use plan adopted pursuant to Section 21675, adopt a comprehensive land use plan.
- (b) Any comprehensive land use plan developed pursuant to Section 21675 and adopted pursuant to Section 21675.1 by the San Diego Association of Governments shall remain in effect until June 30, 2005, unless the San Diego County Regional Airport Authority adopts a plan prior to that date pursuant to subdivision (a).

21670.4

- (a) As used in this section, "intercounty airport" means any airport bisected by a county line through its runways, runway protection zones, inner safety zones, inner turning zones, outer safety zones, or sideline safety zones, as defined by the department's Airport Land Use Planning Handbook and referenced in the airport land use compatibility plan formulated under Section 21675.
- (b) It is the purpose of this section to provide the opportunity to establish a separate airport land use commission so that an intercounty airport may be served by a single airport land use planning agency, rather than having to look separately to the airport land use commissions of the affected counties.
- (c) In addition to the airport land use commissions created under Section 21670 or the alternatives established under Section 21670.1, for their respective counties, the boards of supervisors and city selection committees for the affected counties, by independent majority vote of each county's two delegations, for any intercounty airport, may do either of the following:
 - (1) Establish a single separate airport land use commission for that airport. That commission shall consist of seven members to be selected as follows:
 - (A) One representing the cities in each of the counties, appointed by that county's city selection committee.
 - (B) One representing each of the counties, appointed by the board of supervisors of each county.
 - (C) One from each county having expertise in aviation, appointed by a selection committee comprised of the managers of all the public airports within that county.
 - (D) One representing the general public, appointed by the other six members of the commission.

- (2) In accordance with subdivision (a) or (b) of Section 21670.1, designate an existing appropriate entity as that airport's land use commission.

21671.

In any county where there is an airport operated for the general public, which is owned by a city or district in another county or by another county, one of the representatives provided by paragraph (1) of subdivision (b) of Section 21670 shall be appointed by the city selection committee of mayors of the cities of the county in which the owner of that airport is located, and one of the representatives provided by paragraph (2) of subdivision (b) of Section 21670 shall be appointed by the board of supervisors of the county in which the owner of that airport is located.

21671.5.

- (a) Except for the terms of office of the members of the first commission, the term of office of each member shall be four years and until the appointment and qualification of his or her successor. The members of the first commission shall classify themselves by lot so that the term of office of one member is one year, of two members is two years, of two members is three years, and of two members is four years. The body that originally appointed a member whose term has expired shall appoint his or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which that member's term is to expire. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant. The chairperson of the commission shall be selected by the members thereof.
- (b) Compensation, if any, shall be determined by the board of supervisors.
- (c) Staff assistance, including the mailing of notices and the keeping of minutes and necessary quarters, equipment, and supplies shall be provided by the county. The usual and necessary operating expenses of the commission shall be a county charge.
- (d) Notwithstanding any other provisions of this article, the commission shall not employ any personnel either as employees or independent contractors without the prior approval of the board of supervisors.
- (e) The commission shall meet at the call of the commission chairperson or at the request of the majority of the commission members. A majority of the commission members shall constitute a quorum for the transaction of business. No action shall be taken by the commission except by the recorded vote of a majority of the full membership.
- (f) The commission may establish a schedule of fees necessary to comply with this article. Those fees shall be charged to the proponents of actions, regulations, or permits, shall not exceed the estimated reasonable cost of providing the service, and shall be imposed pursuant to Section 66016 of the Government Code. Except as provided in subdivision after June 30, 1991, a commission that has not adopted the airport land use compatibility plan required by Section 21675 shall not charge fees pursuant to this subdivision until the commission adopts the plan.

- (g) In any county that has undertaken by contract or otherwise completed airport land use compatibility plans for at least one-half of all public use airports in the county, the commission may continue to charge fees necessary to comply with this article until June 30, 1992, and, if the airport land use compatibility plans are complete by that date, may continue charging fees after June 30, 1992. If the airport land use compatibility plans are not complete by June 30, 1992, the commission shall not charge fees pursuant to subdivision (f) until the commission adopts the land use plans.

21672.

Each commission shall adopt rules and regulations with respect to the temporary disqualification of its members from participating in the review or adoption of a proposal because of conflict of interest and with respect to appointment of substitute members in such cases.

21673.

In any county not having a commission or a body designated to carry out the responsibilities of a commission, any owner of a public airport may initiate proceedings for the creation of a commission by presenting a request to the board of supervisors that a commission be created and showing the need therefore to the satisfaction of the board of supervisors.

21674.

The commission has the following powers and duties, subject to the limitations upon its jurisdiction set forth in Section 21676:

- (a) To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses.
- (b) To coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.
- (c) To prepare and adopt an airport land use compatibility plan pursuant to Section 21675.
- (d) To review the plans, regulations, and other actions of local agencies and airport operators pursuant to Section 21676.
- (e) The powers of the commission shall in no way be construed to give the commission jurisdiction over the operation of any airport.
- (f) In order to carry out its responsibilities, the commission may adopt rules and regulations consistent with this article.

21674.5.

- (a) The Department of Transportation shall develop and implement a program or programs to assist in the training and development of the staff of airport land use commissions, after

consulting with airport land use commissions, cities, counties, and other appropriate public entities.

- (b) The training and development program or programs are intended to assist the staff of airport land use commissions in addressing high priority needs, and may include, but need not be limited to, the following:
 - (1) The establishment of a process for the development and adoption of airport land use compatibility plans.
 - (2) The development of criteria for determining airport land use planning boundaries.
 - (3) The identification of essential elements that should be included in the airport land use compatibility plans.
 - (4) Appropriate criteria and procedures for reviewing proposed developments and determining whether proposed developments are compatible with the airport use.
 - (5) Any other organizational, operational, procedural, or technical responsibilities and functions that the department determines to be appropriate to provide to commission staff and for which it determines there is a need for staff training or development.

- (d) The department may provide training and development programs for airport land use commission staff pursuant to this section by any means it deems appropriate. Those programs may be presented in any of the following ways:
 - (1) By offering formal courses or training programs.
 - (2) By sponsoring or assisting in the organization and sponsorship of conferences, seminars, or other similar events.
 - (3) By producing and making available written information.
 - (4) Any other feasible method of providing information and assisting in the training and development of airport land use commission staff.

21674.7.

- (a) An airport land use commission that formulates, adopts, or amends an airport land use compatibility plan shall be guided by information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook published by the Division of Aeronautics of the Department of Transportation.

- (b) It is the intent of the Legislature to discourage incompatible land uses near existing airports. Therefore, prior to granting permits for the renovation or remodeling of an existing building, structure, or facility, and before the construction of a new building, it is the intent of the Legislature that local agencies shall be guided by the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to

as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations, to the extent that the criteria has been incorporated into the plan prepared by a commission pursuant to Section 21675. This subdivision does not limit the jurisdiction of a commission as established by this article. This subdivision does not limit the authority of local agencies to overrule commission actions or recommendations pursuant to Sections 21676, 21676.5, or 21677.

21675.

- (a) Each commission shall formulate a comprehensive land use plan that will provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission, and will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The commission plan shall include and shall be based on a long-range master plan or an airport layout plan, as determined by the Division of Aeronautics of the Department of Transportation, that reflects the anticipated growth of the airport during at least the next 20 years. In formulating a land use plan, the commission may develop height restrictions on buildings, specify use of land, and determine building standards, including soundproofing adjacent to airports, within the planning area. The comprehensive land use plan shall be reviewed as often as necessary in order to accomplish its purposes, but shall not be amended more than once in any calendar year.
- (b) The commission shall include, within its plan formulated pursuant to subdivision (a), the area within the jurisdiction of the commission surrounding any military airport for all of the purposes specified in subdivision (a). The plan shall be consistent with the safety and noise standards in the Air Installation Compatible Use Zone prepared for that military airport. This subdivision does not give the commission any jurisdiction or authority over the territory or operations of any military airport.
- (c) The planning boundaries shall be established by the commission after hearing and consultation with the involved agencies.
- (d) The commission shall submit to the Division of Aeronautics of the department one copy of the plan and each amendment to the plan.
- (e) If a comprehensive land use plan does not include the matters required to be included pursuant to this article, the Division of Aeronautics of the department shall notify the commission responsible for the plan.

21675.1.

- (a) By June 30, 1991, each commission shall adopt the airport land use compatibility plan required pursuant to Section 21675, except that any county that has undertaken by contract or otherwise completed airport land use compatibility plans for at least one-half of all public use airports in the county, shall adopt that airport land use compatibility plan on or before June 30, 1992.
- (b) Until a commission adopts an airport land use compatibility plan, a city or county shall first submit all actions, regulations, and permits within the vicinity of a public airport to the commission for review and approval. Before the commission approves or disapproves any

actions, regulations, or permits, the commission shall give public notice in the same manner as the city or county is required to give for those actions, regulations, or permits. As used in this section, "vicinity" means land that will be included or reasonably could be included within the airport land use compatibility plan. If the commission has not designated a study area for the airport land use compatibility plan, then "vicinity" means land within two miles of the boundary of a public airport.

- (c) The commission may approve an action, regulation, or permit if it finds, based on substantial evidence in the record, all of the following:
 - (1) The commission is making substantial progress toward the completion of the airport land use compatibility plan.
 - (2) There is a reasonable probability that the action, regulation, or permit will be consistent with the airport land use compatibility plan being prepared by the commission.
 - (3) There is little or no probability of substantial detriment to or interference with the future adopted airport land use compatibility plan if the action, regulation, or permit is ultimately inconsistent with the airport land use compatibility plan.
- (d) If the commission disapproves an action, regulation, or permit, the commission shall notify the city or county. The city or county may overrule the commission, by a two-thirds vote of its governing body, if it makes specific findings that the proposed action, regulation, or permit is consistent with the purposes of this article, as stated in Section 21670.
- (e) If a city or county overrules the commission pursuant to subdivision (d), that action shall not relieve the city or county from further compliance with this article after the commission adopts the airport land use compatibility plan.
- (f) If a city or county overrules the commission pursuant to subdivision (d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to property or personal injury resulting from the city's or county's decision to proceed with the action, regulation, or permit.
- (g) A commission may adopt rules and regulations that exempt any ministerial permit for single-family dwellings from the requirements of subdivision (b) if it makes the findings required pursuant to subdivision (c) for the proposed rules and regulations, except that the rules and regulations may not exempt either of the following:
 - (1) More than two single-family dwellings by the same applicant within a subdivision prior to June 30, 1991.
 - (2) Single-family dwellings in a subdivision where 25 percent or more of the parcels are undeveloped.

21675.2.

- (a) If a commission fails to act to approve or disapprove any actions, regulations, or permits within 60 days of receiving the request pursuant to Section 21675.1, the applicant or his or her representative may file an action pursuant to Section 1094.5 of the Code of Civil Procedure to compel the commission to act, and the court shall give the proceedings preference over all other actions or proceedings, except previously filed pending matters of the same character.
- (b) The action, regulation, or permit shall be deemed approved only if the public notice required by this subdivision has occurred. If the applicant has provided seven days advance notice to the commission of the intent to provide public notice pursuant to this subdivision, then, not earlier than the date of the expiration of the time limit established by Section 21675.1, an applicant may provide the required public notice. If the applicant chooses to provide public notice, that notice shall include a description of the proposed action, regulation, or permit substantially similar to the descriptions which are commonly used in public notices by the commission, the location of any proposed development, the application number, the name and address of the commission, and a statement that the action, regulation, or permit shall be deemed approved if the commission has not acted within 60 days. If the applicant has provided the public notice specified in this subdivision, the time limit for action by the commission shall be extended to 60 days after the public notice is provided. If the applicant provides notice pursuant to this section, the commission shall refund to the applicant any fees which were collected for providing notice and which were not used for that purpose.
- (c) Failure of an applicant to submit complete or adequate information pursuant to Sections 65943 to 65946, inclusive, of the Government Code, may constitute grounds for disapproval of actions, regulations, or permits.
- (d) Nothing in this section diminishes the commission's legal responsibility to provide, where applicable, public notice and hearing before acting on an action, regulation, or permit.

21676.

- (a) Each local agency whose general plan includes areas covered by an airport land use compatibility plan shall, by July 1, 1983, submit a copy of its plan or specific plans to the airport land use commission. The commission shall determine by August 31, 1983, whether the plan or plans are consistent or inconsistent with the airport land use compatibility plan. If the plan or plans are inconsistent with the airport land use compatibility plan, the local agency shall be notified and that local agency shall have another hearing to reconsider its airport land use compatibility plans. The local agency may propose to overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final record of any final decision to overrule the

commission, which may only be adopted by a two-thirds vote of the governing body.

- (b) Prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission pursuant to Section 21675, the local agency shall first refer the proposed action to the commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the public record of any final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.
- (c) Each public agency owning any airport within the boundaries of an airport land use compatibility plan shall, prior to modification of its airport master plan, refer any proposed change to the airport land use commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The public agency may, after a public hearing, propose to overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the public agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the public agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the public agency governing body may act without them. The comments by the division or the commission are advisory to the public agency governing body. The public agency governing body shall include comments from the commission and the division in the final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.
- (d) Each commission determination pursuant to subdivision (b) or (c) shall be made within 60 days from the date of referral of the proposed action. If a commission fails to make the determination within that period, the proposed action shall be deemed consistent with the airport land use compatibility plan.

21676.5.

- (a) If the commission finds that a local agency has not revised its general plan or specific plan or overruled the commission by a two-thirds vote of its governing body after making specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670, the commission may require that the local agency submit all subsequent actions, regulations, and permits to the commission for review until its general plan or specific plan is

revised or the specific findings are made. If, in the determination of the commission, an action, regulation, or permit of the local agency is inconsistent with the airport land use compatibility plan, the local agency shall be notified and that local agency shall hold a hearing to reconsider its plan. The local agency may propose to overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670. At least 45 days prior to the decision to overrule the commission, the local agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the local agency governing body may act without them. The comments by the division or the commission are advisory to the local agency governing body. The local agency governing body shall include comments from the commission and the division in the final decision to overrule the commission, which may only be adopted by a two-thirds vote of the governing body.

- (b) Whenever the local agency has revised its general plan or specific plan or has overruled the commission pursuant to subdivision (a), the proposed action of the local agency shall not be subject to further commission review, unless the commission and the local agency agree that individual projects shall be reviewed by the commission.

21677.

Notwithstanding the two-thirds vote required by Section 21676, any public agency in the County of Marin may overrule the Marin County Airport Land Use Commission by a majority vote of its governing body. At least 45 days prior to the decision to overrule the commission, the public agency governing body shall provide the commission and the division a copy of the proposed decision and findings. The commission and the division may provide comments to the public agency governing body within 30 days of receiving the proposed decision and findings. If the commission or the division's comments are not available within this time limit, the public agency governing body may act without them. The comments by the division or the commission are advisory to the public agency governing body. The public agency governing body shall include comments from the commission and the division in the public record of the final decision to overrule the commission, which may be adopted by a majority vote of the governing body.

21678.

With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation.

21679.

- (a) In any county in which there is no airport land use commission or other body designated to assume the responsibilities of an airport land use commission, or in which the commission or other designated body has not adopted an airport land use compatibility plan, an interested party may initiate proceedings in a court of competent jurisdiction to postpone the effective

date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, that directly affects the use of land within one mile of the boundary of a public airport within the county.

- (b) The court may issue an injunction that postpones the effective date of the zoning change, zoning variance, permit, or regulation until the governing body of the local agency that took the action does one of the following:
 - (1) In the case of an action that is a legislative act, adopts a resolution declaring that the proposed action is consistent with the purposes of this article stated in Section 21670.
 - (2) In the case of an action that is not a legislative act, adopts a resolution making findings based on substantial evidence in the record that the proposed action is consistent with the purposes of this article stated in Section 21670.
 - (3) Rescinds the action.
 - (4) Amends its action to make it consistent with the purposes of this article stated in Section 21670, and complies with either paragraph (1) or (2), whichever is applicable.
- (c) The court shall not issue an injunction pursuant to subdivision (b) if the local agency that took the action demonstrates that the general plan and any applicable specific plan of the agency accomplishes the purposes of an airport land use compatibility plan as provided in Section 21675.
- (d) An action brought pursuant to subdivision (a) shall be commenced within 30 days of the decision or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever is longer.
- (e) If the governing body of the local agency adopts a resolution pursuant to subdivision (b) with respect to a publicly owned airport that the local agency does not operate, the operator of the airport shall be immune from liability for damages to property or personal injury from the local agency's decision to proceed with the zoning change, zoning variance, permit, or regulation.
- (f) As used in this section, "interested party" means any owner of land within two miles of the boundary of the airport or any organization with a demonstrated interest in airport safety and efficiency.

21679.5.

- (a) Until June 30, 1991, no action pursuant to Section 21679 to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, directly affecting the use of land within one mile of the boundary of a public airport, shall be commenced in any county in which the commission or other designated body has not adopted an airport land use compatibility plan, but is making substantial progress toward the completion of the airport land use compatibility plan.

- (c) If a commission has been prevented from adopting the airport land use compatibility plan by June 30, 1991, or if the adopted airport land use compatibility plan could not become effective, because of a lawsuit involving the adoption of the airport land use compatibility plan, the June 30, 1991, date in subdivision (a) shall be extended by the period of time during which the lawsuit was pending in a court of competent jurisdiction.

- (d) Any action pursuant to Section 21679 commenced prior to January 1, 1990, in a county in which the commission or other designated body has not adopted an airport land use compatibility plan, but is making substantial progress toward the completion of the airport land use compatibility plan, which has not proceeded to final judgment, shall be held in abeyance until June 30, 1991. If the commission or other designated body adopts an airport land use compatibility plan on or before June 30, 1991, the action shall be dismissed. If the commission or other designated body does not adopt an airport land use compatibility plan on or before June 30, 1991, the plaintiff or plaintiffs may proceed with the action. (d) An action to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, directly affecting the use of land within one mile of the boundary of a public airport for which an airport land use compatibility plan has not been adopted by June 30, 1991, shall be commenced within 30 days of June 30, 1991, or within 30 days of the decision by the local agency, or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever date is later.

APPENDIX D – FEDERAL AVIATION REGULATIONS, PART 77

Subparts A through C

PART 77 - OBJECTS AFFECTING NAVIGABLE AIRSPACE

Subpart A General

- 77.1 Scope.
- 77.2 Definition of terms.
- 77.3 Standards.
- 77.5 Kinds of objects affected.

Subpart B Notice of Construction or Alteration

- 77.11 Scope.
- 77.13 Construction or alteration requiring notice.
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- 77.17 Form and time of notice.
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Subpart C Obstruction Standards

- 77.21 Scope.
- 77.23 Standards for determining obstructions.
- 77.25 Civil airport imaginary surfaces.
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- 77.28 Military airport imaginary surfaces.
- 77.29 Airport imaginary surfaces for heliports.

Subpart A - General

Sec. 77.1 Scope.

This part:

- (a) Establishes standards for determining obstructions in navigable airspace;
- (b) Sets forth the requirements for notice to the Administrator of certain proposed construction or alteration;
- (c) Provides for aeronautical studies of obstructions to air navigation, to determine their effect on the safe and efficient use of airspace;
- (d) Provides for public hearings on the hazardous effect of proposed construction or alteration on air navigation; and
- (e) Provides for establishing antenna farm areas.

Sec. 77.2 Definition of terms.

For the purpose of this part:

“Airport available for public use” means an airport that is open to the general public with or without a prior request to use the airport.

“A seaplane base” is considered to be an airport only if its sea lanes are outlined by visual markers.

“Nonprecision instrument runway” means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned, or indicated on an FAA planning document or military service military airport planning document.

“Precision instrument runway” means a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated by an FAA approved airport layout plan; a military service approved military airport layout plan; any other FAA planning document, or military service military airport planning document.

“Utility runway” means a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

“Visual runway” means a runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

[Amdt. 77-5, 33 FR 5256, Apr. 2, 1968, as amended by Amdt. 77-9, 36 FR 5969, Apr. 1, 1971]

Sec. 77.3 Standards.

- (a) The standards established in this part for determining obstructions to air navigation are used by the Administrator in:
 - (1) Administering the Federal-aid Airport Program and the Surplus Airport Program;
 - (2) Transferring property of the United States under section 16 of the Federal Airport Act;
 - (3) Developing technical standards and guidance in the design and construction of airports; and
 - (4) Imposing requirements for public notice of the construction or alteration of any structure where notice will promote air safety.
- (b) The standards used by the Administrator in the establishment of flight procedures and aircraft operational limitations are not set forth in this part but are contained in other publications of the Administrator.

[Doc. No. 1882, 30 FR 1839, Feb. 10, 1965, as amended by Amdt. 77-9, 36 FR 5970, Apr. 1, 1971]

Sec. 77.5 Kinds of objects affected.

This part applies to:

- (a) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used therein, and apparatus of a permanent or temporary character; and

- (b) Alteration of any permanent or temporary existing structure by a change in its height (including appurtenances), or lateral dimensions, including equipment or materials used therein. Subpart B-Notice of Construction or Alteration

Sec. 77.11 Scope.

- (a) This subpart requires each person proposing any kind of construction or alteration described in Sec. 77.13(a) to give adequate notice to the Administrator. It specifies the locations and dimensions of the construction or alteration for which notice is required and prescribes the form and manner of the notice. It also requires supplemental notices 48 hours before the start and upon the completion of certain construction or alteration that was the subject of a notice under Sec. 77.13(a).
- (b) Notices received under this subpart provide a basis for:
 - (1) Evaluating the effect of the construction or alteration on operational procedures and proposed operational procedures;
 - (2) Determinations of the possible hazardous effect of the proposed construction or alteration on air navigation;
 - (3) Recommendations for identifying the construction or alteration in accordance with the current Federal Aviation Administration Advisory Circular AC 70/7460-1 entitled - Obstruction Marking and Lighting, which is available without charge from the Department of Transportation, Distribution Unit, TAD 484.3, Washington, D.C. 20590.
 - (4) Determining other appropriate measures to be applied for continued safety of air navigation; and
 - (5) Charting and other notification to airmen of the construction or alteration.

(Sec. 6, 80 Stat. 937, 49 U.S.C. 1655 [Doc. No. 1882, 30 FR 1839, Feb. 10, 1965, as amended by Amdt. 77-8, 33 FR 18614, Dec. 17, 1968; Amdt. 77-10, 37 FR 4705, Mar. 4, 1972]

Sec. 77.13 Construction or alteration requiring notice.

- (a) Except as provided in Sec. 77.15, each sponsor who proposes any of the following construction or alteration shall notify the Administrator in the form and manner prescribed in Sec. 77.17:
 - (1) Any construction or alteration of more than 200 feet in height above the ground level at its site.
 - (2) Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
 - (i) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each airport specified in paragraph (a)(5) of this section with at least one runway more than 3,200 feet in actual length, excluding heliports.
 - (ii) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of each airport specified in paragraph (a)(5) of this section with its longest runway no more than 3,200 feet in actual length, excluding heliports.
 - (iii) 25 to 1 for a horizontal distance of 5,000 feet from the nearest point of the nearest landing and takeoff area of each heliport specified in paragraph (a)(5) of this section.

- (3) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of paragraph (a) (1) or (2) of this section.
- (4) When requested by the FAA, any construction or alteration that would be in an instrument approach area (defined in the FAA standards governing instrument approach procedures) and available information indicates it might exceed a standard of Subpart C of this part.
- (5) Any construction or alteration on any of the following airports (including heliports):
 - (i) An airport that is available for public use and is listed in the Airport Directory of the current Airman's Information Manual or in either the Alaska or Pacific Airman's Guide and Chart Supplement.
 - (ii) An airport under construction, that is the subject of a notice or proposal on file with the Federal Aviation Administration, and, except for military airports, it is clearly indicated that that airport will be available for public use.
 - (iii) An airport that is operated by an armed force of the United States.
- (b) Each sponsor who proposes construction or alteration that is the subject of a notice under paragraph (a) of this section and is advised by an FAA regional office that a supplemental notice is required shall submit that notice on a prescribed form to be received by the FAA regional office at least 48 hours before the start of the construction or alteration.
- (c) Each sponsor who undertakes construction or alteration that is the subject of a notice under paragraph (a) of this section shall, within 5 days after that construction or alteration reaches its greatest height, submit a supplemental notice on a prescribed form to the FAA regional office having jurisdiction over the region involved, if:
 - (1) The construction or alteration is more than 200 feet above the surface level of its site; or
 - (2) An FAA regional office advises him that submission of the form is required.

[Amdt. 77-5, 33 FR 5256, Apr. 2, 1968, as amended by Amdt. 77-9, 36 FR 5970, Apr. 1, 1971; Amdt. 77-10, 37 FR 4705, Mar. 4, 1972]

Sec. 77.15 Construction or alteration not requiring notice.

No person is required to notify the Administrator for any of the following construction or alteration:

- (a) Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.
- (b) Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.

- (c) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of a type approved by the Administrator, or an appropriate military service on military airports, the location and height of which is fixed by its functional purpose.
- (d) Any construction or alteration for which notice is required by any other FAA regulation.

[Doc. No. 1882, 30 FR 1839, Feb. 10, 1965, as amended by Amdt. 77-5, 33 FR 5257, Apr. 2, 1968; Amdt. 77-9, 36 FR 5970, Apr. 1, 1971]

Sec. 77.17 Form and time of notice.

- (a) Each person who is required to notify the Administrator under Sec. 77.13(a) shall send one executed form set (four copies) of FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area within which the construction or alteration will be located. Copies of FAA Form 7460-1 may be obtained from the headquarters of the Federal Aviation Administration and the regional offices.
- (b) The notice required under Sec. 77.13(a) (1) through (4) must be submitted at least 30 days before the earlier of the following dates:
 - (1) The date the proposed construction or alteration is to begin.
 - (2) The date an application for a construction permit is to be filed. However, a notice relating to proposed construction or alteration that is subject to the licensing requirements of the Federal Communications Act may be sent to FAA at the same time the application for construction is filed with the Federal Communications Commission, or at any time before that filing.
- (c) A proposed structure or an alteration to an existing structure that exceeds 2,000 feet in height above the ground will be presumed to be a hazard to air navigation and to result in an inefficient utilization of airspace and the applicant has the burden of overcoming that presumption. Each notice submitted under the pertinent provisions of this Part 77 proposing a structure in excess of 2,000 feet above ground, or an alteration that will make an existing structure exceed that height, must contain a detailed showing, directed to meeting this burden. Only in exceptional cases, where the FAA concludes that a clear and compelling showing has been made that it would not result in an inefficient utilization of the airspace and would not result in a hazard to air navigation, will a determination of no hazard be issued.
- (d) In the case of an emergency involving essential public services, public health, or public safety that requires immediate construction or alteration, the 30-day requirement in paragraph (b) of this section does not apply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed FAA Form 7460-1 submitted within 5 days thereafter. Outside normal business hours, emergency notices by telephone or telegraph may be submitted to the nearest FAA Flight Service Station.
- (e) Each person who is required to notify the Administrator by paragraph (b) or (c) of Sec. 77.13, or both, shall send an executed copy of FAA Form 117-1, Notice of Progress of Construction or Alteration, to the Manager, Air Traffic Division, FAA Regional Office having jurisdiction over the area involved.

(Sec. 6, 80 Stat. 937, 49 U.S.C. 1655)

[Doc. No. 1882, 30 FR 1839, Feb. 10, 1965, as amended by Amdt. 77-2, 31 FR 9449, July 12, 1966; Amdt. 77-8, 33 FR 18614,

Sec. 77.19 Acknowledgment of notice.

- (a) The FAA acknowledges in writing the receipt of each notice submitted under Sec. 77.13(a).
- (b) If the construction or alteration proposed in a notice is one for which lighting or marking standards are prescribed in the FAA Advisory Circular AC 70/7460-1, entitled - Obstruction Marking and Lighting - the acknowledgment contains a statement to that effect and information on how the structure should be marked and lighted in accordance with the manual.
- (c) The acknowledgment states that an aeronautical study of the proposed construction or alteration has resulted in a determination that the construction or alteration:
 - (1) Would not exceed any standard of Subpart C and would not be a hazard to air navigation;
 - (2) Would exceed a standard of Subpart C but would not be a hazard to air navigation; or
 - (3) Would exceed a standard of Subpart C and further aeronautical study is necessary to determine whether it would be a hazard to air navigation, that the sponsor may request within 30 days that further study, and that, pending completion of any further study, it is presumed the construction or alteration would be a hazard to air navigation

[Doc. No. 1882, 30 FR 1839, Feb. 10, 1965, as amended by Amdt. 77-4, 32 FR 12997, Sept. 13, 1967; Amdt. 77-5, 33 FR 5257, Apr. 2, 1968 Subpart C-Obstruction Standards

Sec. 77.21 Scope.

- (a) This subpart establishes standards for determining obstructions to air navigation. It applies to existing and proposed manmade objects, objects of natural growth, and terrain. The standards apply to the use of navigable airspace by aircraft and to existing air navigation facilities, such as an air navigation aid, airport, Federal airway, instrument approach or departure procedure, or approved off-airway route. Additionally, they apply to a planned facility or use, or a change in an existing facility or use, if a proposal therefore is on file with the Federal Aviation Administration or an appropriate military service on the date the notice required by Sec. 77.13(a) is filed.
- (b) At those airports having defined runways with specially prepared hard surfaces, the primary surface for each such runway extends 200 feet beyond each end of the runway. At those airports having defined strips or pathways that are used regularly for the taking off and landing of aircraft and have been designated by appropriate authority as runways, but do not have specially prepared hard surfaces, each end of the primary surface for each such runway shall coincide with the corresponding end of the runway. At those airports, excluding seaplane bases, having a defined landing and takeoff area with no defined pathways for the landing and taking off of aircraft, a determination shall be made as to which portions of the landing and takeoff area are regularly used as landing and takeoff pathways. Those pathways so determined shall be considered runways and an appropriate primary surface as defined in Sec. 77.25(c) will be considered as being longitudinally centered on each runway so determined, and each end of that primary surface shall coincide with the corresponding end of that runway.
- (c) The standards in this subpart apply to the effect of construction or alteration proposals upon an airport if, at the time of filing of the notice required by Sec. 77.13(a), that airport is:

- (1) Available for public use and is listed in the Airport Directory of the current Airman's Information Manual or in either the Alaska or Pacific Airman's Guide and Chart Supplement; or
- (2) A planned or proposed airport or an airport under construction, that is the subject of a notice or proposal on file with the Federal Aviation Administration, and, except for military airports, it is clearly indicated that that airport will be available for public use; or,
- (3) An airport that is operated by an armed force of the United States.

[Doc. No. 1882, 30 FR 1839, Feb. 10, 1965, as amended by Amdt. 77-5, 33 FR 5257, Apr. 2, 1968; Amdt. 77-9, 36 FR 5970, Apr. 1, 1971]

Sec. 77.23 Standards for determining obstructions.

- (a) An existing object, including a mobile object, is, and a future object would be an obstruction to air navigation if it is of greater height than any of the following heights or surfaces:
 - (1) A height of 500 feet above ground level at the site of the object.
 - (2) A height that is 200 feet above ground level or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport, excluding heliports, with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile of distance from the airport up to a maximum of 500 feet.
 - (3) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.
 - (4) A height within an en route obstacle clearance area, including turn and termination areas, of a Federal airway or approved off-airway route, that would increase the minimum obstacle clearance altitude.
 - (5) The surface of a takeoff and landing area of an airport or any imaginary surface established under Sec. 77.25, Sec. 77.28, or Sec. 77.29. However, no part of the take-off or landing area itself will be considered an obstruction.
- (b) Except for traverse ways on or near an airport with an operative ground traffic control service, furnished by an air traffic control tower or by the airport management and coordinated with the air traffic control service, the standards of paragraph (a) of this section apply to traverse ways used or to be used for the passage of mobile objects only after the heights of these traverse ways are increased by:
 - (1) Seventeen feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance.
 - (2) Fifteen feet for any other public roadway.
 - (3) Ten feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road.
 - (4) Twenty-three feet for a railroad, and,

- (5) For a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it. [Amdt. 77-9, 36 FR 5970, Apr. 1, 1971] Sec. 77.25 Civil airport imaginary surfaces. The following civil airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach existing or planned for that runway end.
- (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:
- (1) 5,000 feet for all runways designated as utility or visual;
 - (2) 10,000 feet for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000-foot arc is encompassed by tangents connecting two adjacent 10,000-foot arcs, the 5,000-foot arc shall be disregarded on the construction of the perimeter of the horizontal surface.
- (b) Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
- (c) Primary surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of a primary surface is:
- (1) 250 feet for utility runways having only visual approaches.
 - (2) 500 feet for utility runways having nonprecision instrument approaches.
 - (3) For other than utility runways the width is:
 - (i) 500 feet for visual runways having only visual approaches.
 - (ii) 500 feet for nonprecision instrument runways having visibility minimums greater than three-fourths statute mile.
 - (iii) 1,000 feet for a nonprecision instrument runway having a nonprecision instrument approach with visibility minimums as low as three-fourths of a statute mile, and for precision instrument runways. The width of the primary surface of a runway will be that width prescribed in this section for the most precise approach existing or planned for either end of that runway.
- (d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.
- (1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - (i) 1,250 feet for that end of a utility runway with only visual approaches;

- (ii) 1,500 feet for that end of a runway other than a utility runway with only visual approaches;
 - (iii) 2,000 feet for that end of a utility runway with a nonprecision instrument approach;
 - (iv) 3,500 feet for that end of a nonprecision instrument runway other than utility, having visibility minimums greater than three-fourths of a statute mile;
 - (v) 4,000 feet for that end of a nonprecision instrument runway, other than utility, having a nonprecision instrument approach with visibility minimums as low as three-fourths statute mile; and
 - (vi) 16,000 feet for precision instrument runways.
- (2) The approach surface extends for a horizontal distance of:
- (i) 5,000 feet at a slope of 20 to 1 for all utility and visual runways;
 - (ii) 10,000 feet at a slope of 34 to 1 for all nonprecision instrument runways other than utility; and,
 - (iii) 10,000 feet at a slope of 50 to 1 with an additional 40,000 feet at a slope of 40 to 1 for all precision instrument runways.
- (3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.
- (e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces. Transitional surfaces for those portions of the precision approach surface, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

[Amdt. 77-9, 36 FR 5970, Apr. 1, 1971; 36 FR 6741, Apr. 8, 1971]
 Sec. 77.27 [Reserved]

Sec. 77.28 Military airport imaginary surfaces.

- (a) Related to airport reference points. These surfaces apply to all military airports. For the purposes of this section a military airport is any airport operated by an armed force of the United States.
- (1) Inner horizontal surface. A plane is oval in shape at a height of 150 feet above the established airfield elevation. The plane is constructed by scribing an arc with a radius of 7,500 feet about the centerline at the end of each runway and interconnecting these arcs with tangents.
 - (2) Conical surface. A surface extending from the periphery of the inner horizontal surface outward and upward at a slope of 20 to 1 for a horizontal distance of 7,000 feet to a height of 500 feet above the established airfield elevation.
 - (3) Outer horizontal surface. A plane, located 500 feet above the established airfield elevation, extending outward from the outer periphery of the conical surface for a horizontal distance of 30,000 feet.
- (b) Related to runways. These surfaces apply to all military airports.

- (1) Primary surface. A surface located on the ground or water longitudinally centered on each runway with the same length as the runway. The width of the primary surface for runways is 2,000 feet. However, at established bases where substantial construction has taken place in accordance with a previous lateral clearance criteria, the 2,000-foot width may be reduced to the former criteria.
- (2) Clear zone surface. A surface located on the ground or water at each end of the primary surface, with a length of 1,000 feet and the same width as the primary surface.
- (3) Approach clearance surface. An inclined plane, symmetrical about the runway centerline extended, beginning 200 feet beyond each end of the primary surface at the centerline elevation of the runway end and extending for 50,000 feet. The slope of the approach clearance surface is 50 to 1 along the runway centerline extended until it reaches an elevation of 500 feet above the established airport elevation. It then continues horizontally at this elevation to a point 50,000 feet from the point of beginning. The width of this surface at the runway end is the same as the primary surface, it flares uniformly, and the width at 50,000 is 16,000 feet.
- (4) Transitional surfaces. These surfaces connect the primary surfaces, the first 200 feet of the clear zone surfaces, and the approach clearance surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces. The slope of the transitional surface is 7 to 1 outward and upward at right angles to the runway centerline.

[Doc. No. 1882, 30 FR 1839, Feb. 10, 1965, as amended by Amdt. 77-1, 30 FR 6713, May 18, 1965; Amdt. 77-9, 36 FR 5971, Apr. 1, 1971]

Sec. 77.29 Airport imaginary surfaces for heliports.

- (a) Heliport primary surface. The area of the primary surface coincides in size and shape with the designated take-off and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.
- (b) Heliport approach surface. The approach surface begins at each end of the heliport primary surface with the same width as the primary surface, and extends outward and upward for a horizontal distance of 4,000 feet where its width is 500 feet. The slope of the approach surface is 8 to 1 for civil heliports and 10 to 1 for military heliports.
- (c) Heliport transitional surfaces. These surfaces extend outward and upward from the lateral boundaries of the heliport primary surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet measured horizontally from the centerline of the primary and approach surfaces.

[Doc. No. 1882, 30 FR 1839, Feb. 10, 1965, as amended by Amdt. 77-9, 36 FR 5971, Apr. 1, 1971; 36 FR 6741, Apr. 8, 1971]

APPENDIX E – NONRESIDENTIAL LAND USE DENSITIES

Non-Residential Land Use Densities

Type of Use	Density
Agriculture	
Agricultural processing	One person per 200 sq. ft. gross floor area, plus one person per 1000 sq. ft. outdoor processing area
Agriculture - grazing and outdoor crops	One person per acre of gross land area
Agriculture - greenhouse culture,	Ten persons per acre of gross land area livestock raising
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Carwash - Mechanical	Twenty persons
Self serve	Six persons
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Food & Beverage Service, Indoor Entertainment	One person per 60 sq. ft. gross floor area.
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Hospitals	Two persons per bed
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Indoor-Outdoor Uses	
Auto dismantling, scrap dealers, recycling centers	One person per 5000 sq. ft. of gross land area
Equipment rental, contractor's yards, gas distributors - containerized, govt. agency or corporation yards	One person per 1000 sq. ft. of gross land area
Service stations	One person per 500 sq. ft. of gross land area
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Laboratories	One person per 200 sq. ft. gross floor area
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Libraries and Museums	One person per 50 sq. ft. gross floor area
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Manufacturing	One person per 400 sq. ft. gross floor area, plus one person per 1000 sq. ft. outdoor manufacturing or storage area
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Offices	One person per 200 sq. ft. gross floor area, plus one person per 10 sq. ft. of floor area of meeting rooms intended for use by the general public; if it is un known whether meeting rooms will be included, one person per 100 sq. ft. gross floor area
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Outdoor Entertainment	
Stadiums	One person per seat or per 10 sq. ft. of spectator area
Swimming pools (public)	One person for each 70 sq. ft. of pool surface
All other	One person per 300 sq. ft. outdoor use area

Type of Use	Density
Public Assembly	Uses One person per seat or per 12 sq. ft. of gross floor area
Residential Uses	Residential use - non-residential density does not apply
Retail Sales	One person per 300 sq. ft. of gross floor area, plus one person per 1000 sq. ft. outdoor sales/storage area
Schools	One person per 45 sq. ft. gross floor area
Service Uses	One person per 200 sq. ft. gross floor area
Transient Lodgings	
Hotels, motels, bed and breakfasts	1.8 persons per room or group of rooms to be occupied as a suite; plus one person per 60 sq. ft. floor area of any restaurants, coffee shops, bars, or night clubs; plus one person per 10 sq. ft. of floor area of meeting rooms
Hostels	One person 100 sq. ft. gross floor area
Transportation Uses	One person per 200 sq. ft. gross floor area (excluding garage), plus one person for 700 sq. ft. enclosed garage
Warehousing, Mini-storage, Moving Company	One person per 1000 sq. ft. gross floor area
Wholesaling and Mail-Order Houses	One person per 300 sq. ft. gross floor area, plus one person per 1000 sq. ft. outdoor sales/storage area

Individual Land Uses Included in Each Land Use Category

Use Category	Specific Uses Included
Food and Beverage	Amusement arcades (video games) Bars, taverns Catering services Hot tubs - commercial use Nightclubs, discotheques Restaurants, sandwich shops, food take-out, etc. Skating rinks
Indoor-Outdoor Uses	Convalescent hospitals Hospitals
Hospitals	Convalescent hospitals Hospitals
Hotels	Bed and breakfast inns Hotels and motels
Indoor-Outdoor Uses	Auto dismantling, scrap dealers, recycling centers Equipment rental Contractors- yards Gas distributors - containerized Government agency corporation yards Service stations
Laboratories	Laboratories - medical or analytical Research and development laboratories
Manufacturing Uses	Manufacturing Laundry/dry cleaner: cleaning plant Tallow works Tire recapping
Offices	Government offices and meeting rooms Offices - contractors Offices - professional, other than medical or dental Organizations offices and meeting rooms Utility companies: engineering and administrative offices
Outdoor Entertainment	Amusement parks, fairgrounds Athletic fields, game courts Circus, carnival, fair, festival, parade Drive-in theatres

Use Category	Specific Uses Included
Public Assembly Uses	Auditoriums, convention/exhibit halls Churches, synagogues, temples, etc. Community meeting rooms Mortuaries Theatres
Retail Sales	Feed stores and farm supply stores Retail sales - outdoor sales of building and landscape materials (lumberyards, nurseries) Retail sales - indoor sales of building materials and gardening supplies (floor and wall coverings stores, etc.) Retail sales - appliances, furniture and furnishings, musical instruments, data processing equipment, business, office, and medical equipment, catalog stores, sporting goods and outdoor supplies Retail sales and repair of bicycles Retail sales and rentals - autos, trucks, RVs, motorcycles, trailers, boats, aircraft, motorhomes Retail sales - auto parts, accessories (including tires and/or batteries) as a principle use Retail sales - convenience markets Retail sales - groceries, liquor and specialized foods (bakery, meats, dairy items, etc.) Retail sales - general merchandise (drug, discount, department, and variety stores) Retail sales - neighborhood grocery market Retail sales - specialties (shoe stores, clothing, stores, book/record/video stores, toy stores, stationery stores, gift shops) and rentals Warehouse ("big box") stores
Residential Uses	Boarding/rooming houses; dormitories Caretaker's quarters Convents and monasteries Dwellings Fraternities and sororities Homeless shelters Mobile home parks
Service Uses	Advertising and related services (graphic design, writing, mailing, addressing, etc.) Ambulance services Animal hospitals, boarding and grooming (large or small animals) Athletic and health clubs, gymnasiums, fitness centers, tanning centers Auto repair and related services (body, brake, transmissions, muffler shops, painting, etc.)

Use Category**Specific Uses Included**

	Banks and savings and loans Broadcast studios Barbers, hairstylists, manicurists Building and landscape maintenance services Cemeteries, mausoleums, columbariums Computer services Credit reporting and collecting Credit unions and finance companies Delivery and postal services
Service Uses (continued)	Detective and security services Exterminators Employment agencies Florists Insurance service - local Insurance service - regional office Offices - medical or dental Photocopy services Pharmacies - prescription drugs only Photofinishing - retail Photofinishing - wholesale; blueprinting and microfilming services Photographic studios Police and fire stations and training facilities Pool halls and billiard parlors Post offices Printing and publishing Refuse hauling, septic tank/portable toilet services Repair service - small household appliances, locksmiths, seamstresses, shoe repair Repair service - large appliances, electrical equipment, power tools, saw sharpening Laundry/dry cleaner: pick-up point or office Laundry/dry cleaner: self-service Secretarial and related services (court reporting, stenography, typing, phone answering) Telegraph offices Ticket/travel agencies Title companies Utility companies: customer account services
Transportation Uses	Bus stations Railroad yards, stations, crew facilities Trucking/taxi services
