Coronado AICUZ Overview

BLUF: OPNAV N46 approved an update to the 1984 Air Installation Compatible Use Zone (AICUZ) that adjusted the accident potential zones I and II. ***(one sentence that describes how the change impacts or potentially impact the property holders in Coronado)***

- **Path to the 1984 AICUZ**
- **Regulations Governing Land Use Requirements**

(b)(5)

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Path to 1984 AICUZ

- Mr. Bernard Kamerman, Western Division, Naval Facilities Engineering Command, initiated contract N62474-81-C-8878 to update NASNI (b)(5) PS F-18
- 1984 AICUZ Update approval by CNO - signed by direction P.W. Drennon, 4 Sep 1984
- 1984 AICUZ update was prepared IAW OPNAVINST 11010.36, dtd 25 May 1979
- OPNAVINST 11010.36 gave installations more flexibility to adjust APZ's to local conditions unlike the current OPNAVINST used in the 2011 NASNI AICUZ Update
- California did not have a statewide law requiring local agencies to prepare and adopt Airport Land Use Compatibility Plans consistent with DoD AICUZ Study recommendations (land uses, density, height limitations etc.) *(see note 1)*
- Prior to 2002 California Cities and Counties had full discretion to either consider or ignore AICUZ recommendations
- California Cities and Counties must now decide to either adopt or override ALUCP/AICUZ recommendations in whole or part

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Land Use Development Process (Cont.)

- **Notes Page Cont.**

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Land Use Development Process

- (Describe the current policy on land use in an AICUZ—Clear Zone, Accident Potential Zone & Noise Zone)
  - DODI 4165.57 and OPNAVINST 11010.36C AICUZ Policies…" work toward achieving compatibility between air installation and neighboring civilian communities by means of a compatible land use recommendations and control process conducted by the local community."
  - Land use compatibility guidelines are recommended for each Clear Zone, Accident Potential Zone, and Noise Zone with the goal to decrease people intense activities and uses
  - DOD AICUZ and California ALUCP programs acknowledge existing land uses, therefore, existing land uses are grandfathered in perpetuity unless the land owner is willing to modify the land use to a recommended AICUZ/ALUCP land use. *(Note the land use remains in place in perpetuity, even if there is a change in ownership.)* ***(see note 1, 2 & 3)***
- (Describe how the Air Port Land Use Commission (ALUC) will draft a ALUCP)
  - This will be a transparent and public process with all documents, meeting minutes, staff reports and environmental studies posted on San Diego County Regional Airport Authorities webpage at http://www.san.org/ ***(see talking points 4 & 5)***
  - ALCUP contains four separate compatibility factors: noise, airspace protection, overflight, and safety
  - The San Diego County Regional Airport Authority is governed by a nine-member Board, with three additional members serving *ex officio. (Note. This board also serves as the Airport Land Use Commission who public reviews and approves the ALUCP)*
    - 3 voting members appointed by Mayor, City of San Diego
    - 1 voting member each appointed by the following; Governor, State of California, San Diego County Board of Supervisors, North Inland area mayors, North Coastal area mayors, East County area mayors, and South County area mayors
    - 3 Ex-Officio members: representing the following – Marine Corps Installations-Southwest, California Department of Transportation District 11, and California Department of Finance

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Land Use Development Process (cont.)

- (Describe how the Airport Land Use Compatibility Plan (ALUCP) will be influenced by the AICUZ and how that will affect city land use regulations.)
  - Per California state law, the Airport Land Use Compatibility Plan (ALUCP) must be consistent with the land use recommendations in the AICUZ study
  - Cities and Counties within an Airport Influence Area will be asked to make their respective General Plans consistent with the ALUCP ***(see note 1)***
  - Cities and Counties send individual projects to the ALUC for consistency determination if the project falls within the airport influence area ***(see note 2)***
  - Cities and Counties make findings to override the ALUCP in part or whole by two thirds vote of its governing body, California Public Utilities Code 21676 ***(see note 3)***
- (How will these regulations be different from the current land use regulations)
  - Until an ALUCP is developed for NASNI and NOLF IB the City of Coronado, City of San Diego, City of Imperial Beach, County of San Diego, and local agencies have no regulations requiring them to consider compatible land use recommendations contained in the 2011 NASNI/NOLF IB AICUZ Study.
  - An ALUCP for NASNI and NOLF IB will only require these agencies to consider new land use changes that are more people intense, i.e. single family to multi-family, new hotel/convention, theaters, restaurants

(b)(5)

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Impacts to Residents

- ALUCP's do not designate a land use "nonconforming," only local agencies with zoning authority have this ability. *(see note 1)*
  - ALUCP's do not designate land uses nonconforming
  - ALUCP's only render a determination of conformance with the adopted ALUCP
- (b)(5)
  - [redacted]
  - [redacted]
- What is the specific impact to property owners?
  - Adoption of an ALUCP for NASNI and NOLF IB has no impact to a property owner with established existing land uses, approved development plans, or other vested rights to develop (other than the designation as nonconforming) *(see note 2)*
  - Adoption of an ALUCP could impact a property owner from developing or redeveloping the existing land use into a more intense land use that does not conform to the ALUCP recommendations
- Has there been a determination that all of the island of Coronado is considered "blighted property" or something similar?
  - Blight designations are not connected to past or present AICUZ Studies *(see note 3)*

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Impacts to Residents (Cont.)

- **Notes Page Cont.**

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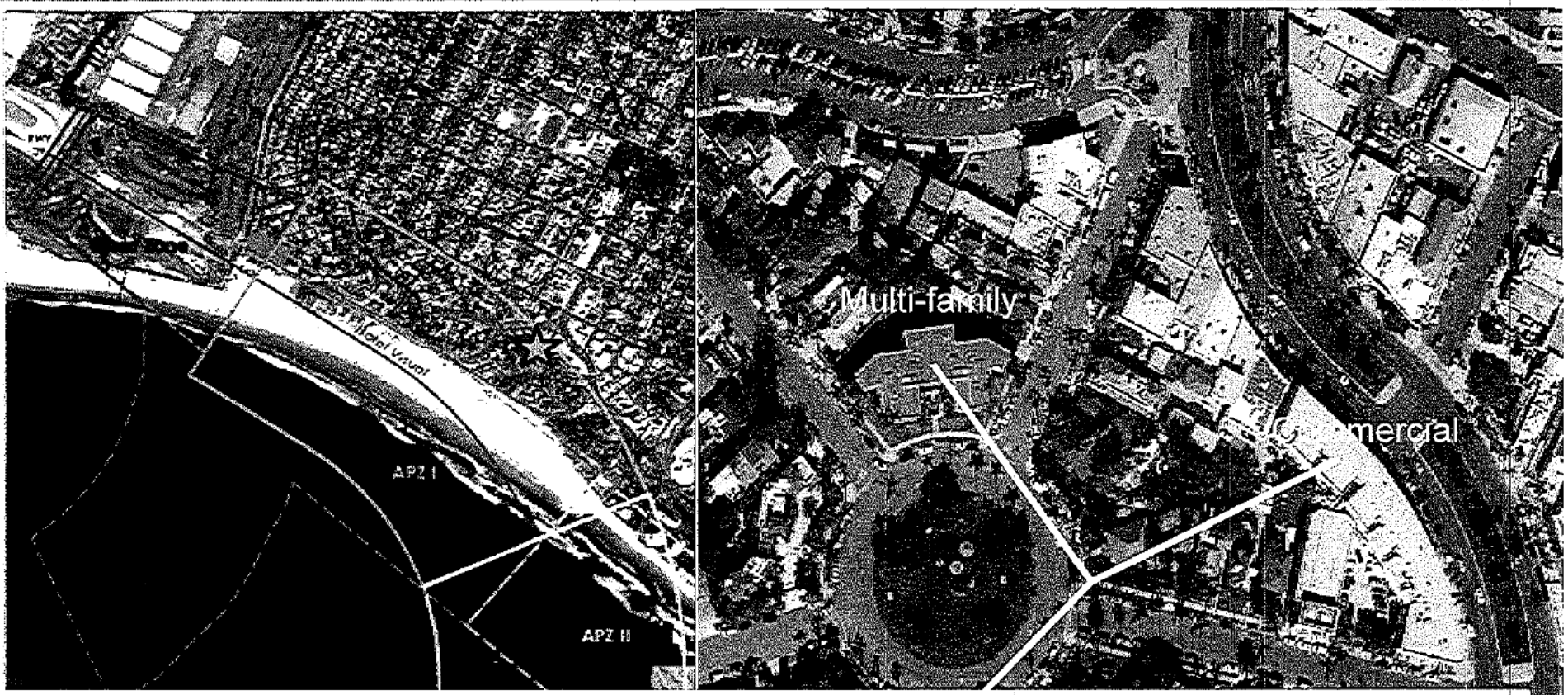
General Land Owner Rights – Legal Review

- SDCRAA has no authority over Coronado's existing land use (based on a vested right). The limitation over existing land uses applies only to the extent that the use remains constant. Because a land use exists on a property does not entitle the owner to expand the use, convert it to a different use, or otherwise redevelop the property if new use conflicts with the ALUCP. To the extent that such land use changes require Coronado approval, require SDCRAA review. (Note. The City of Coronado's 2013 Legislative Policy Guidelines, dtd Jan 15, 2013 page 14)

(b)(5)

Back Up

Multi-Family or Commercial Owner Rights – As of 18 Nov 2013



Bottom Line: **Land owner of a multi-family existing structure can: 1) subdivide the property as long as the existing land use and density is not increased, 2) develop or redevelop the property as long as it does not change use or increase the number residential units**

Land owners of these commercial properties can: 1) develop or redevelop the property as long as the action conforms to current land use and zoning code

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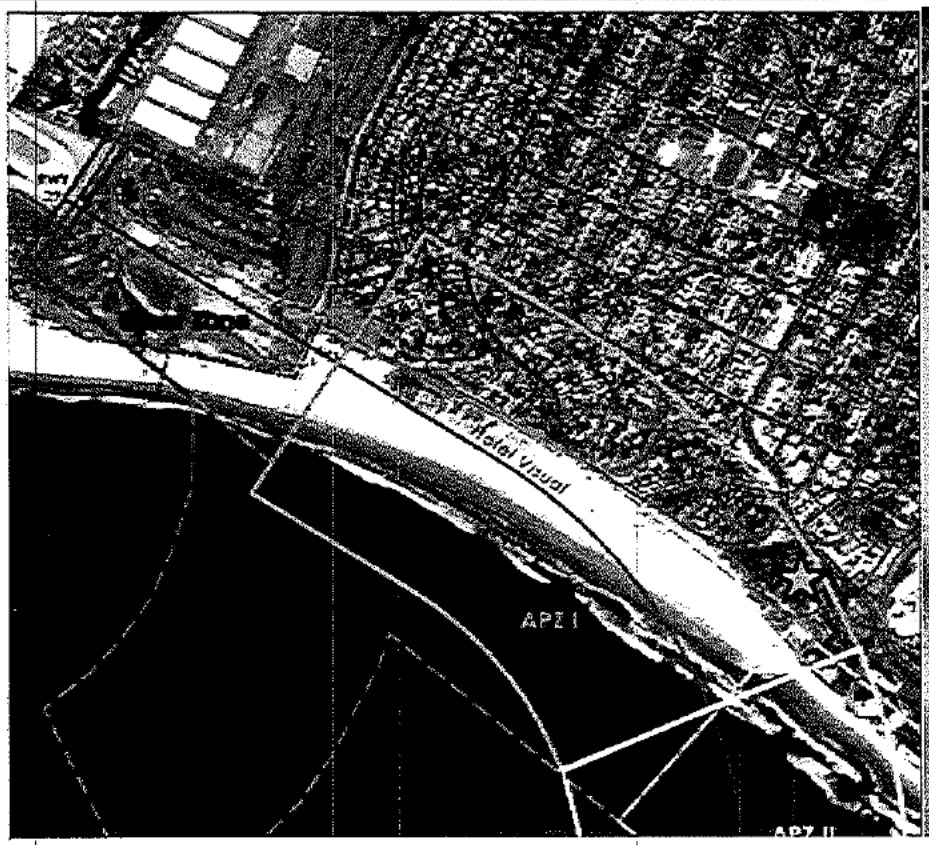
Hotel Convention Owner Rights – 18 Nov 2013



Bottom Line:

Land owner of this Hotel/Motel property can: 1) develop its approved Master Plan which includes new guest rooms, parking structure, conference center (all protected by approved development agreements and local agency approvals 2) rebuild the property if destroyed by a natural calamity, 3) remodel, develop or redevelop the property consistent with existing land use and zoning

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Open Space – As of 18 Nov 2013

Bottom Line: The City of Coronado under a pending ALUCP can: 1) develop, remodel, repair public facilities that are consistent with existing land uses and zoning, 2) rebuild structures if destroyed by a natural calamity

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Coronado AICUZ Overview

BLUF: OPNAV N46 approved an update to the 1984 Air Installation Compatible Use Zone (AICUZ) that adjusted the accident potential zones I and II. ***(one sentence that describes how the change impacts or potentially impact the property holders in Coronado)***

- **Path to the 1984 AICUZ**
- **Regulations Governing Land Use Requirements**
- **Impacts to Residents**
- **Owner Rights**

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Path to 1984 AICUZ

- Mr. Bernard Kamerman, Western Division, Naval Facilities Engineering Command, initiated contract N62474-81-C-8878 to update NASNI AICUZ due to operational changes, i.e. deployment of NASNI Sikorsky SH-60B Seahawk LAMPS MK-111 operational SQDs transient and/or maintenance activities of F-14 and F-18 aircraft
- 1984 AICUZ Update approval by CNO - signed by direction P.W. Drennon, 4 Sep 1984
- 1984 AICUZ update was prepared IAW OPNAVINST 11010.36, dtd 25 May 1979
- OPNAVINST 11010.36 gave installations more flexibility to adjust APZ's to local conditions unlike the current OPNAVINST used in the 2011 NASNI AICUZ Update
- California did not have a statewide law requiring local agencies to prepare and adopt Airport Land Use Compatibility Plans consistent with DoD AICUZ Study recommendations (land uses, density, height limitations etc.) *(see note 1)*
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Land Use Development Process

- (Describe the current policy on land use in an AICUZ—Clear Zone, Accident Potential Zone & Noise Zone)
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  - DOD AICUZ and California ALUCP programs acknowledge existing land uses, therefore, existing land uses are grandfathered in perpetuity unless the land owner is willing to modify the land use to a recommended AICUZ/ALUCP land use. *(Note the land use remains in place in perpetuity, even if there is a change in ownership.)* ***(see note 1, 2 & 3)***
- (Describe how the Air Port Land Use Commission (ALUC) will draft a ALUCP)
  - This will be a transparent and public process with all documents, meeting minutes, staff reports and environmental studies posted on San Diego County Regional Airport Authorities webpage at http://www.san.org/ ***(see talking points 4 & 5)***
  - ALCUP contains four separate compatibility factors: noise, airspace protection, overflight, and safety
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Land Use Development Process (Cont.)

- **Notes Page Cont.**

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Land Use Development Process (cont.)

- (Describe how the Airport Land Use Compatibility Plan (ALUCP) will be influenced by the AICUZ and how that will affect city land use regulations.)
  - Per California state law, the Airport Land Use Compatibility Plan (ALUCP) must be consistent with the land use recommendations in the AICUZ study
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- (How will these regulations be different from the current land use regulations)
  - Until an ALUCP is developed for NASNI and NOLF IB the City of Coronado, City of San Diego, City of Imperial Beach, County of San Diego, and local agencies have no regulations requiring them to consider compatible land use recommendations contained in the 2011 NASNI/NOLF IB AICUZ Study.
  - An ALUCP for NASNI and NOLF IB will only require these agencies to consider new land use changes that are more people intense, i.e. single family to multi-family, new hotel/convention, theaters, restaurants

<u>Bottom Line</u>: The Airport Land Use Commission (ALUC) guides landowners and local agencies about appropriate land uses around an airport, but has <u>no authority to enforce its recommendations</u>

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Impacts to Residents

- ALUCP's do not designate a land use "nonconforming," only local agencies with zoning authority have this ability. *(see note 1)*
  - ALUCP's do not designate land uses nonconforming
  - ALUCP's only render a determination of conformance with the adopted ALUCP
- Why is Coronado so concerned about a "nonconforming" determination?
  - City of Coronado self imposes limits on development and expansion options for nonconforming uses
  - ** Until Coronado adopts the recommendations in the ALUCP, we don't know full impact of nonconforming
- What is the specific impact to property owners?
  - Adoption of an ALUCP for NASNI and NOLF IB has no impact to a property owner with established existing land uses, approved development plans, or other vested rights to develop (other than the designation as nonconforming) *(see note 2)*
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- The City of Coronado is likely to...

1. Oppose legislation that takes a punitive approach to City General Plan Housing Element reform and the imposition of any extraordinary powers in State agencies with regard to City Housing Elements.
2. Oppose legislation, or other agency actions, that would usurp local control of land use decision-making.
3. Oppose legislation that would impose State-mandated development standards or procedures that are contrary to the Coronado General Plan or local land use policy.
4. Oppose legislation that is inflexible and cannot be modified through local review.
5. Oppose proposals that would alter air traffic that could result in negative impacts to Coronado.
6. Support actions by the SDCRAA related to the Airport Land Use Compatibility Plan (ALUCP) that do not adversely impact properties in Coronado based on the Air Installation Compatible Use Zones (AICUZ) study from the Navy.
7. Support legislation that would provide for the Navy's AICUZ to be advisory, not mandatory, to the SDCRAA for preparation and adoption of an ALUCP for Naval Air Station North Island.

- The Coronado ALUCP will likely mirror Section 2.11 (page 2-18) of the MCAS Miramar ALUCP with regard to infill, reconstruction, redevelopment, and Nonconforming uses.

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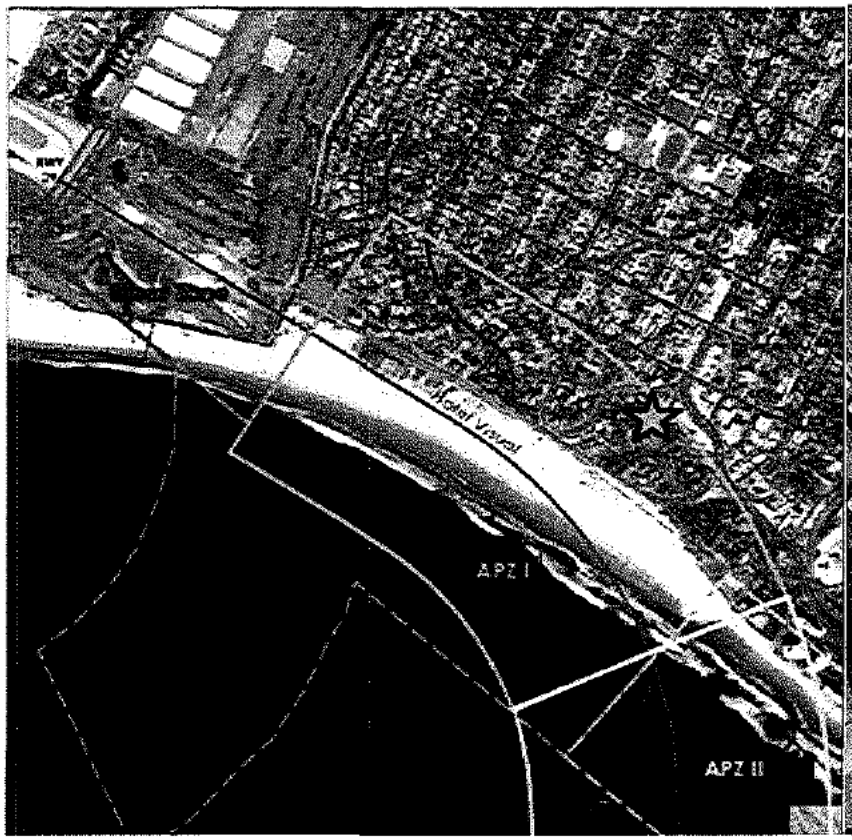
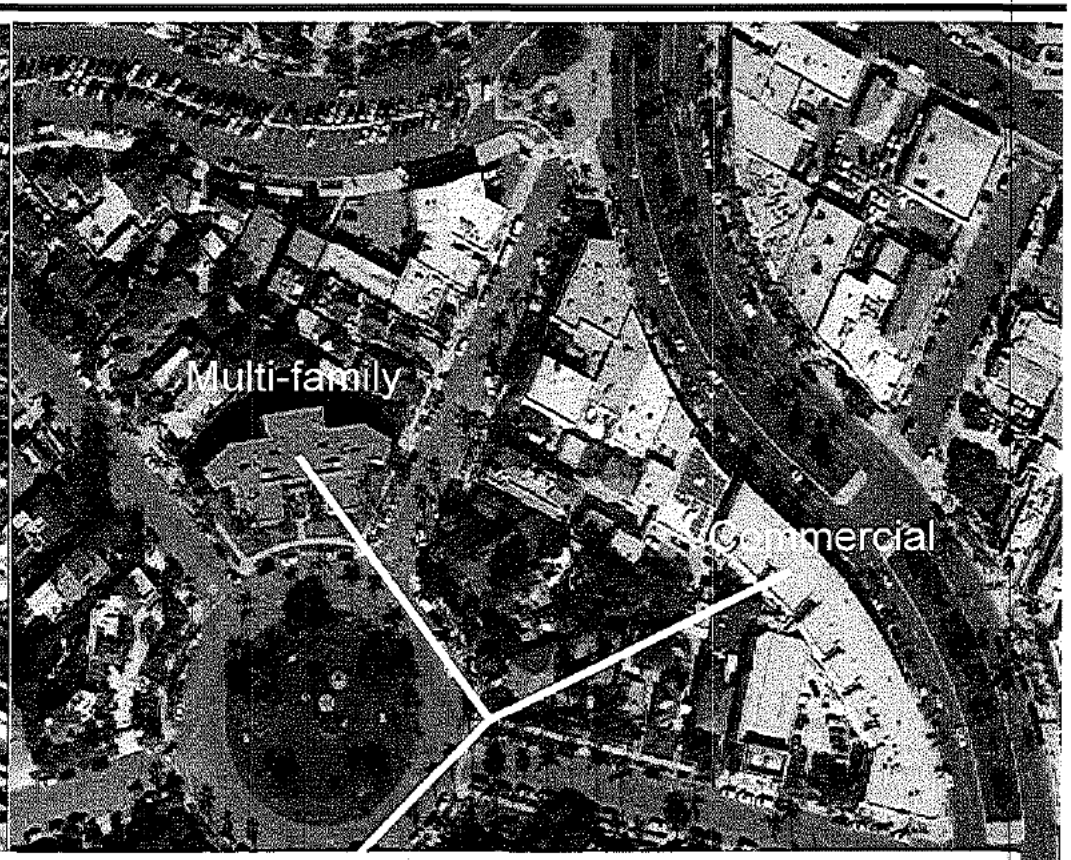
Back Up

Multi-Family or Commercial Owner Rights – As of 18 Nov 2013





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