



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

TO:

Commissioner Mike Goodsell
Commissioner Carmen Zamora
Commissioner Dennis Logue
Commissioner Sylvia Chavez
Commissioner Jerry Arguelles

FROM:

Jim Minnick, Secretary
Planning & Development Services Director

SUBJECT:

Public Hearing for the consideration of the City of Calexico Apartment/ Condominium Building Project, located at 947 Heber Avenue, Calexico, CA 92231, to determine Consistency with the Airport Land Use Compatibility Plan APN; 058-271-006; Zoning: R-1 (Residential Single Family) General Plan Designation: Urban (Supervisory District #1) Latitude 32° 40' 39.432", Longitude -115° 29' 37.932" [Luis Valenzuela, Planner II] (**ALUC 10-24**).

DATE OF REPORT:

November 20, 2024

AGENDA ITEM NO:

1

HEARING DATE:

November 20, 2024

HEARING TIME:

6:00 p.m.

HEARING LOCATION:

County Administration Center
Board of Supervisors Chambers
940 Main Street
El Centro, CA 92243

STAFF RECOMMENDATION

It is Staff's recommendation that the Airport Land Use Commission finds the proposed Apartment/Condominium project incompatible with the 1996 Airport Land Use Compatibility Plan, in accordance with Policies/Chapter 2, Table 2A Compatibility Criteria, Zone C, where it states that the maximum densities should be no more than 6 residential units per acre.

SECRETARY'S REPORT

Project Location:

The project site is located at 947 Heber Avenue, Calexico, CA 92231 on properties identified as Assessor's Parcel Number 058-271-006-000; and described as: S 87.5 ft lot 5 resub Griswold Edmunds TR City of Calexico East of the San Bernardino Base and Meridian (S.B.B.M.), Latitude 32° 40' 39.432", Longitude -115° 29' 37.9464".

Project Description:

Gerardo and Lupe Jimenez submitted an application to the City of Calexico for a zone change from R-1 (Residential Single Family) to RC (Residential Condominium) and a general plan amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) to facilitate the development of a 7,656 sq. ft residential condominium style apartment building within the City of Calexico limits. The condominium style/apartment will consist of 8 two bedrooms/two bathrooms units (957 sf./unit). The project's purpose is to provide residential housing and will comply with the City of Calexico's development standards of its respective zone should the zone change, and general plan amendment to be approved.

The project is being presented for the Imperial County Airport Land Use Commission (ALUC)'s review and their determination of consistency with its 1996 Compatibility Plan. The project falls within the Imperial County Airport Land Use Compatibility Map Zone "C".

General Plan/ALUCP Analysis:

The proposed project is located within the City of Calexico limits. The existing General Plan land use designation is "Urban." The project site is currently zoned R-1 (Residential Single Family), and the proposed General Plan Amendment and Zone Change would allow proposed use, subject to a Conditional Use Permit approval with the City of Calexico.

This project is subject to the Airport Land Use Commission's review for determination of consistency with the 1996 ALUC Plan and policies as stated below:

Policies-Scope of Review, Types of Actions Reviewed, **General Plan Consistency Review-states:**

"The Commission shall review the general plans and specific plans of affected local jurisdictions to determine their consistency with the Commission's policies until such time as (1) the Commission finds that the local general plan is not consistent with the Airport Land Use Compatibility Plan"

The proposed project, located at 947 Heber Avenue, Calexico CA identified under Assessor's Parcel Number (APN) is situated within the Calexico Airport's Zone C. Pursuant to the Airport Land Use Compatibility Plan, Part I, Chapter 2 – Policies, Section (3) – Types of Actions Reviewed, Subsection (3-b) – Other Project Review, states:

“... State law empowers the Commission to review additional types of land use “actions, regulations, and permits” involving a question of airport/land use compatibility... For purposes of this plan, the specific types of “actions, regulations and permits” which the Commission shall review include:

- b) Any proposed residential planned unit development consisting of five or more dwelling units within an airport's planning area...”

“Residential development should not contain more than the indicated number of dwelling units per gross acre. Clustering of units is encouraged as a means of meeting the Required Open Land Requirements.”

“The land use should not attract more than the indicated number of people per acre at any time. This figure should include all individuals who may be on the property (e.g., employees, customers/visitors, etc.). These densities are intended as general planning guidelines to aid in determining the acceptability of proposed land uses.”

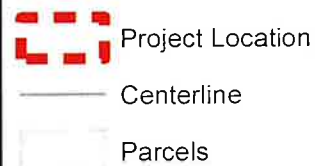
After review of project and the supporting documents, it is the staff's recommendation that the proposed project (ALUC 10-24 – City of Calexico Apartment/Condominium Building) is incompatible with the Airport Land Use Compatibility Plan (ALUCP), according to Policies/Chapter 2, Table 2A Compatibility Criteria in Zone C, where it states that the maximum densities should be no more than 6 residential units per acre.

ATTACHMENT “A”
VICINITY MAP

PROJECT LOCATION MAP



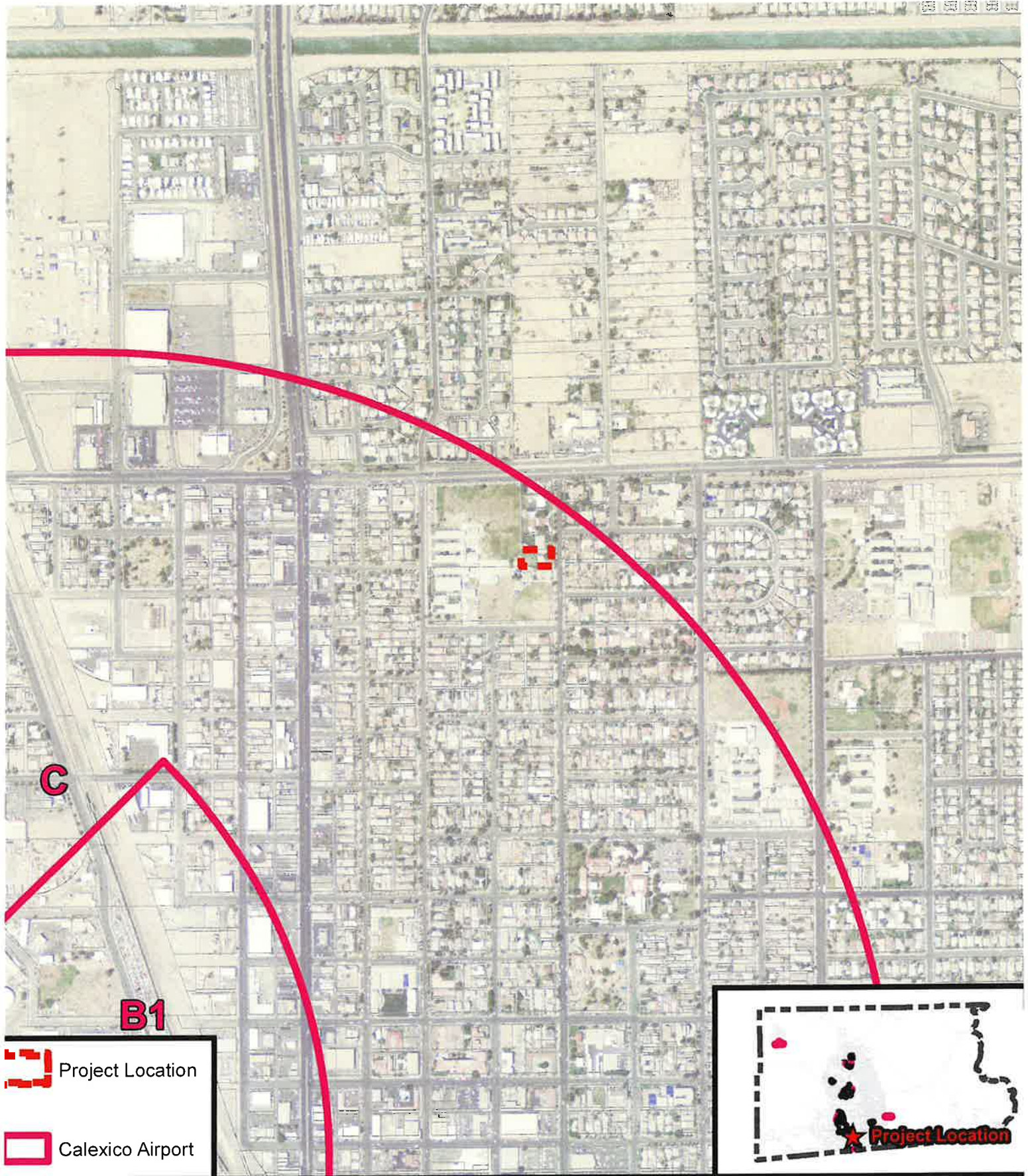
**GERARDO & LUPE JIMENEZ
APARTMENT / CONDOMINIUM BUILDING
APN 058-271-006-000**



N



ATTACHMENT “B”
ALUC MAP



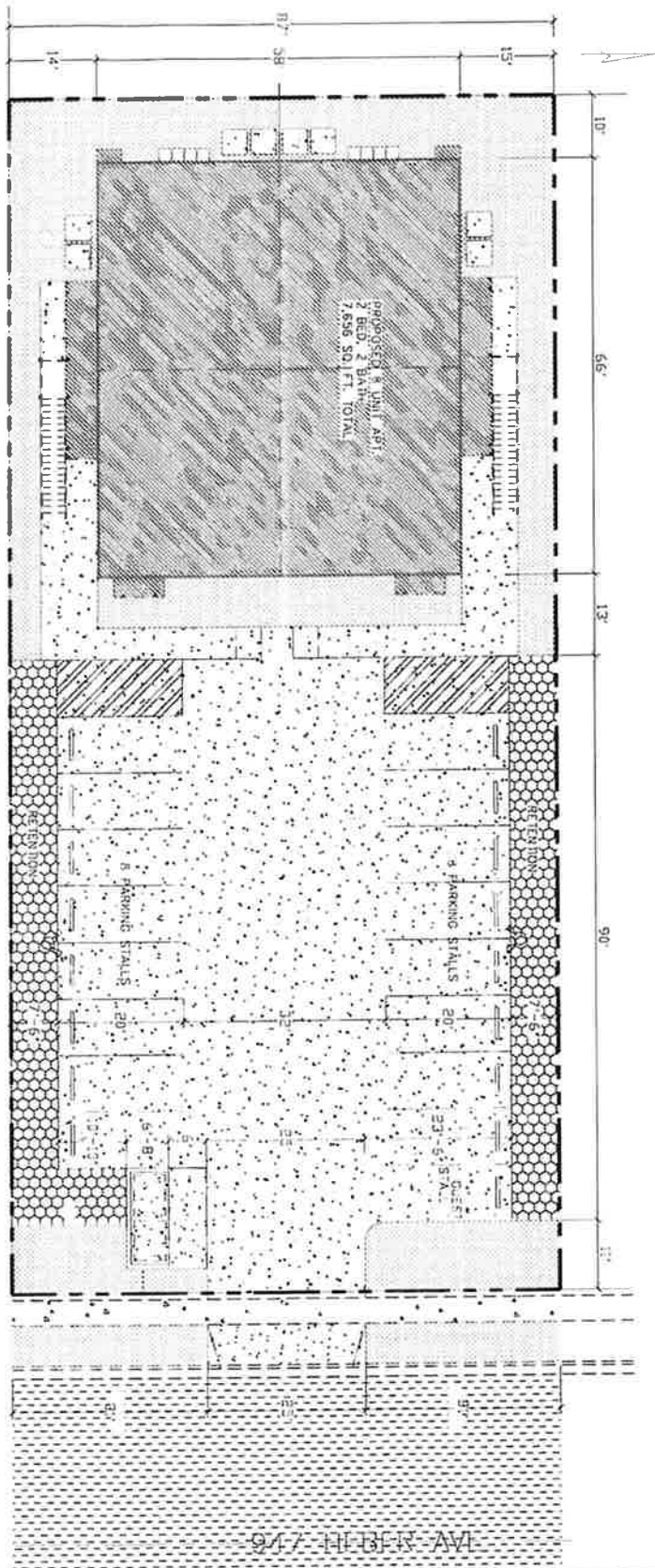
IMPERIAL COUNTY AIRPORT LAND USE COMMISSION

GERARDO & LUPE JIMENEZ
APARTMENT / CONDOMINIUM BUILDING
APN 058-271-006-000

N



ATTACHMENT “C”
SITE PLAN



PROPOSED SITE PLAN

[illegible]

**ATTACHMENT “D”
APPLICATION & PROJECT
DESCRIPTION**



City of Calexico
City Manager's Office

Phone: 760.768.2110 Fax 760.357.7862 Email: jcontreras@calexico.ca.gov
Via Email Only
www.calexico.ca.gov

August 26, 2024

Luis Valenzuela
Planner II
Imperial County Planning & Development Services Department
801 Main Street

**RE: CITY OF CALEXICO REQUEST TO PLACE PROPOSED ZONE CHANGE AND
GENERAL PLAN AMENDMENT AT 947 HEBER AVENUE, CALEXICO, CA
92231 (APN 058-271-006) ON THE AIRPORT LAND USE COMMISSION
AGENDA**

Dear Mr. Valenzuela,

The City of Calexico is in receipt of a uniform application for a zone change from R-1 (Residential Single Family) to RC (Residential Condominium) and a General Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) to facilitate the development of a residential-condominium style apartment building at 947 Heber Avenue, Calexico, CA 92231 (APN 058-271-006).

An Initial Study/Mitigated Negative Declaration was proposed for the project and a comment from the Department of Transportation Aeronautics Program requested that the project be presented to the County of Imperial Airport Land Use Commission for approval. Please let this letter serve as an official request from the City of Calexico to have this item placed on the agenda for the next Airport Land Use Commission meeting.

Should you have any questions or concerns regarding this communication, please do not hesitate to contact me at (760) 768-2110 or via email at jcontreras@calexico.ca.gov.

Sincerely,

Juan A. Contreras,
Acting City Manager
City of Calexico



City of Calexico

Development Services Department - Planning Division

UNIFORM APPLICATION

608 Heber Avenue, Calexico, CA 92231

• Phone: (760) 768-2118 • Fax: (760) 357-7862 • Email: planning@calexico.ca.gov

www.calexico.ca.gov

Application Types (Please indicate all of the planning applications you wish to apply for:

- | | |
|---|--|
| <input type="checkbox"/> Lot Line Adjustment (4 lots or less) | <input type="checkbox"/> Conditional Use Permit (CUP) [Non-Cannabis] |
| <input type="checkbox"/> Subdivision (4 lots or less) | <input type="checkbox"/> Variance Request |
| <input type="checkbox"/> Tentative Parcel Map Project (TPM) | <input checked="" type="checkbox"/> Other Development Application Type |
- List Project Type: Rezone Application

PROJECT INFORMATION:

Project Address/Location: 947 Heber Ave, Calexico CA 92331

Assessor Parcel Number(s): 058-271-006-000

Proposed Project Description (a detailed project description must be included as a separate attachment/letter)

Current General Plan Designation: Residential Single Family

Current Zoning: R1

Proposed General Plan Designation: Apartment/ Condominium Building

Proposed Zoning: RA/RC

APPLICANT INFORMATION:

Name: Gerardo & Lupe Jimenez

Address: 2860 Lytton Creek Ct Chula Vista, CA 91915

Phone Number: 619-252-3880

Email: gljimenez@sbcglobal.net

I hereby authorize this application and certify that all filling requirements have been satisfied for my application. I also acknowledge that any missing items may delay the processing of my application.

Signature of Applicant [Signature]

02/22/2023

Date

AUTHORIZED REPRESENTATIVE:

Name: _____

Phone Number: _____

Email: _____

OFFICIAL USE ONLY

Uniform Application No. _____

Project Planner: _____



City of Calexico
Development Services Department - Planning Division
UNIFORM APPLICATION

PROPERTY OWNER INFORMATION AND PERMISSION:

Name: Gerardo & Lupe Jimenez

Address: 2860 Lytton Creek Ct Chula Vista CA 91915

Phone Number: 619-850-3880

Email: gljimenez@sbcglobal.net

I certify under penalty of the laws of the State of California that I am the property owner of the property that is the subject matter of this application and I am authorizing to and hereby consent to the filing of this application and acknowledge that the final approval by the City of Calexico, if any, may result in restrictions, limitations and construction obligations being imposed on the real property. *(If more properties or owners are involved please provide additional sheets.)*

Gerardo & Lupe Jimenez

Printed Name of Property Owner(s):

Signature of Property Owner(s)

Signature of Property Owner(s)

☐ Check here if additional Property Owner Certifications are attached to this application.

APPLICANT BILLING ADDRESS:

Name: Gerardo & Lupe Jimenez

Address: 2860 Lytton Creek Ct Chula Vista, CA 91915

Phone Number: 619-252-3880

Email: gljimenez@sbcglobal.net

ACKNOWLEDGMENT OF FINANCIAL RESPONSIBILITY BY THE APPLICANT
(Project representative signatures will not be accepted.)

I acknowledge and certify that with this development application I am financially obligated to the City of Calexico for all expenses related to the time and effort spent by the employees, agents, consultants, and legal representatives that are used to process this/these applications. I understand that the City processes development applications on a deposit based fee system which requires an initial application processing deposit payment prior to beginning any process work. Further, I understand that once the project application deposit balance falls to \$2,500 an additional deposit, equal to the original application deposit fee amount, must be made within 10 days of notification from the City. I further acknowledge that if the additional application deposit fee payment is not been made within the required 10 days as required by the City, the City will discontinue all work on this/these applications and will not schedule the project for a hearing (if one is required). I also acknowledge that if I fail to replenish the application deposit account within six (6) months of notification from the City, I understand that this/these applications will be automatically deemed withdrawn by the City, and that a new development application and deposit fee will be required to restart the project processing.



City of Calexico
Development Services Department - Planning Division
UNIFORM APPLICATION

ACKNOWLEDGMENT OF INDEMNIFICATION RESPONSIBILITY BY THE APPLICANT
(Project representative signatures will not be accepted.)

The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. City shall promptly notify the applicant of any Action brought and request that applicant defend the City. It is expressly agreed that applicant may select legal counsel providing the applicant's defense and the City shall have the right to approve separate legal counsel providing the City's defense. The applicant shall reimburse City for any attorneys' fees, costs and expenses directly and necessarily incurred by the City in the course of the defense. Applicant agrees that City will forward monthly invoices to Applicant for attorneys' fees, costs and expenses it has incurred related to its defense of any Action and applicant agrees to timely payment within thirty (30) days of receipt of the invoice. Within fourteen (14) days of an Action being filed, applicant agrees to post adequate security or a cash deposit with City in an amount to cover the City's estimated attorneys' fees, costs and expenses incurred by City in the course of the defense in order to ensure timely payment of the City's invoices. The amount of the security or cash deposit shall be determined by the City. City shall cooperate with applicant in the defense of any Action

Gerardo & Lupe Jimenez

Applicant Printed Name


Signature

02/22/2023

Date Signed



City of Calexico
Development Services Department - Planning Division
UA Application Submittal Requirements for
Tentative Parcel Maps, Subdivisions & Lot Line Adjustments

PURPOSE:

Both California State Law and the Calexico Municipal Code require that when any parcel of contiguous parcels in one ownership is proposed to be divided into less than five parts now, or in the future, a parcel map must be processed through the City.

II. SUBMITTAL REQUIREMENTS:

1. Application form completely filled out with all required signatures.
2. All required plans and exhibits as described in the application.

III. PROCEDURE:

1. Schedule a time to discuss preliminary project plans and zoning with Planning & Engineering Division staff, other City Departments for project requirements, including necessary application submittals. The General Plan should be consulted for land use and street improvements.
2. Submit a complete application with all required signatures, application fee, environmental assessment form (if necessary) and any other applications (i.e. Encroachment Permit, Conditional Use Permit).
3. Staff will review the application and determine if it is complete within 10 days from the date the project is submitted. The application will not be processed if it is deemed incomplete. After the application is deemed complete, the project is circulated to other City departments and local agencies for comments and conditions.
4. After the project has received preliminary approval from the Planning and Engineering Division, staff will prepare a written staff report and the project is scheduled for Planning Commission (meetings held on the 2nd and 4th Mondays of each month) and a legal notice and advertising is published and circulated in a local newspaper least 10-days prior to the meeting. Adjacent property owners are also notified at least 10 days before the meeting, advertising the public hearing. There is a 15-day appeal from the day of a decision taken by the Planning Commission.
5. If the project involves a change of zone, general plan amendment, development agreement, exceptions, or if the project is appealed or called up for review, it will be scheduled for a public hearing with the City Council (meetings held on the 2nd and 4th Thursdays of each month). Staff will prepare a written report and a legal notice is published and mailed to adjacent property owners/tenants 10-21 days before the meeting. This process is approximately 2 to 4 weeks after the Planning Commission decision and approximately 8 to 12 weeks after the project has been submitted.
6. Once the project has been approved and entitled, final conditions of approval will be mailed to the applicant/property owner.
7. Once final plans and conditions of approval have been prepared, final maps, grading and improvement plans may be processed through the Development Services Department.



City of Calexico
Development Services Department - Planning Division
UA Application Submittal Requirements for
Development Agreements and Hazardous Waste
Statement

- ☒ Two (2) copies of the current Preliminary Title Report of all properties covered by the application that is not more than six months old at time of application filing and a copy of all legal documents (deed, easement, etc.) mentioned in the Preliminary Title Report.

HAZARDOUS WASTE SITE DISCLOSURE STATEMENT: Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement. I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

- ☒ The project is not located on or near an identified hazardous waste site.
☐ The project is located on or near an identified hazardous waste site.

- Please list the location of the hazardous waste sites(s) on an attached sheet.

Gerardo A Jimenez

Owner Representative (1)

02/22/2023

Date

Lupe Jimenez

Owner Representative (2)

02/22/2023

Date



City of Calexico
Development Services Department - Planning Division
UA Application Environmental Assessment Form

The State of California requires cities to assess the environmental impact of all development projects before permits for such action are issued. The attached form will assist you in presenting the environmental effects of your project. The form includes information about the project and an assessment of the potential environmental impacts. You may be asked to answer other questions and submit additional information to determine the level of environmental review required for the project.

Developer or Applicant: Gerardo & Lupe Jimenez
Contact Person: Gerardo & Lupe Jimenez
Address: 2860 Lytton Creek Ct City: Chula Vista State: CA Zip: 91915
Telephone: 619-850-3880 Email: gljimenez@sbcglobal.net
Address/ APN(s) of Project: 947 Heber Ave

Identify any other related permits and other public approvals required for this project including those required by the City, regional, State, Federal agencies, not including approvals from the City of Calexico's Fire & Police departments: N/A

Proposed Use of Site (project described in this form): Apartment Building

Surrounding Land Uses: Residential, schools, and parks

Site Size (Square Feet or Acres): 16,644 / .38 acre Number of Floors of Construction: 2

For Residential Development:

Number of Units: 8 Unit Sizes: 957 sq ft.

Units per Acre: 8 Lot Sizes: 16,644

No. of Required Parking Spaces, required & proposed: Required: 12 Proposed: 1 EV Charging Spaces: N/A

For Commercial, Industrial and Other Development:

Type of Development: _____

Green House Gas Mitigation Measures: _____

Number of Buildings: _____ Size of Buildings: _____

No. of Required Parking Spaces, required & proposed: _____ EV Charging Spaces: _____



City of Calexico
Development Services Department - Planning Division
UA Application Environmental Assessment Form
(continued from previous page, please use additional sheets
as necessary)

Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural or scenic aspects.

Residential home

Describe any existing structures onsite, and use of these structures.

Residential home destroyed by fire damage

Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects.

Surrounding properties include, elementary school, head start school, little league field, front alley & re

Describe the typed of surrounding land use, intensity of land use, and sale of development.

Open public space and residential

Discuss all items checked "yes" (attach additional sheets as necessary):

- | | YES | NO |
|---|-------------------------------------|-------------------------------------|
| (1) Change existing features of the lake or substantial alteration to hills or of ground contours? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (2) Change scenic views or vistas from existing residential areas or public lands or roads? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) Change pattern, scale or character of general area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (4) Increase air emissions or ground water or any stream? <i>temp (construction)</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (5) Alter water quality or quantity of lake or ground Water or any stream? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (6) Increase existing noise levels? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (7) Is site on filled land or on slopes of 10 percent or more? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (8) Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (9) Change in demand for public services and utilities (police, fire, water, sewer etc...) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*1 to 8 units
- increase
- circulate to pm, police, fire*

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Signature

02/22/2023

Date

Gerardo & Lupe Jimenez

Name of Form Preparer

619-850-3880

Phone

gljimenez@sbcglobal.net

Email

Statement of Purpose

The purpose of this description is to inform the County of Imperial Planning Department on the proposed use for the property located at 947 Heber Avenue, Calexico CA (APN 058-271-006).

The property identified at 947 Heber Avenue, Calexico CA is currently in an R-1 (Residential Single Family) zone and LDR (Low Density Residential) land use designation. This project proposes a rezone from R-1 to RC (Residential Condominium) and a General Plan Amendment from LDR to MDR (Medium Density Residential) to facilitate the development of a residential-condominium style apartment building. The project's purpose is to provide residential housing and will comply with the City of Calexico's development standards of its respective zone should the zone change, and general plan amendment be approved. This request is not unprecedented given that the neighborhood and surrounding area has several multi-family residential units built alongside R-1 residential housing properties.

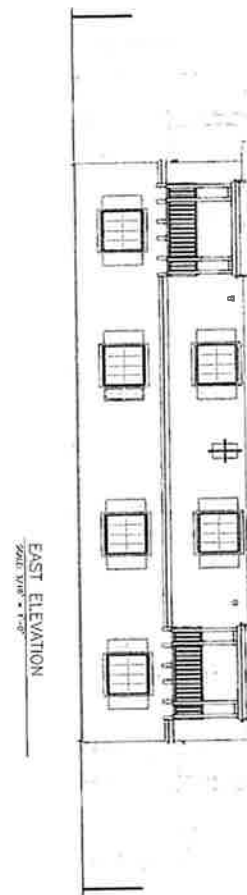
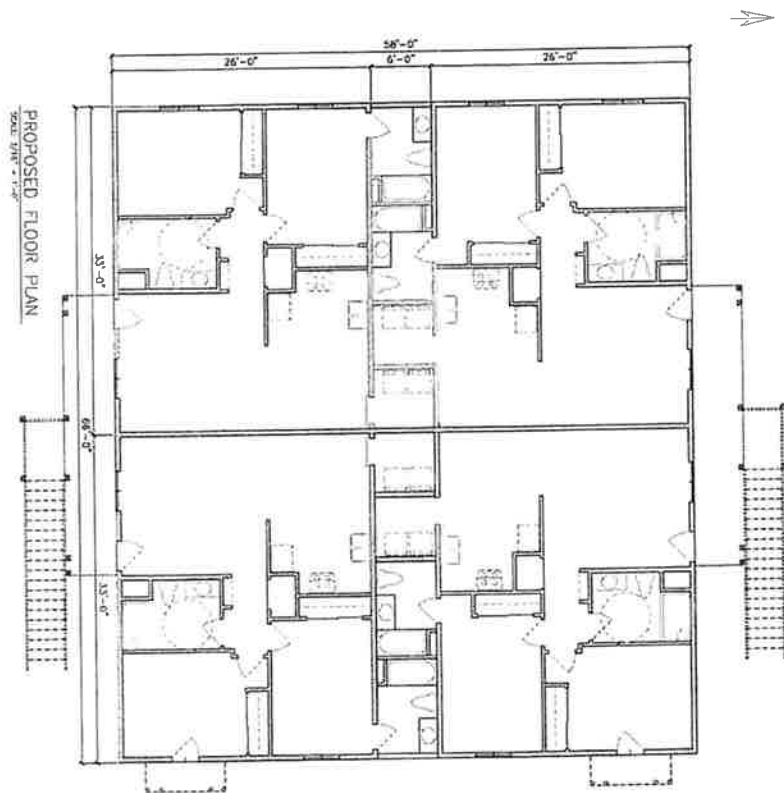
In addition, the proposed project aligns with the City of Calexico goal to "revitalize and incentivize economic growth in the city." The City of Calexico's 2022 Draft Housing Element Update identifies the shortage of housing development within the City of Calexico as being a key constraint of its resident's ability to find housing. The publication also addresses the growing population, labor force, rising age and race demographic market, and overall need for housing that this project proposes to support

This project will not only support the community's needs for housing but will also provide economic development opportunities. The investment within this project will further generate wealth back to the residents of Calexico. This project aims to provide Calexico residents with attractive housing opportunities, along with supporting regional economic growth in the process.

Project Overview

The project consists of zone change from R-1 to RC (Residential Condominium) and a General Plan Amendment from LDR to MDR (Medium Density Residential) to facilitate the development of a residential-condominium style apartment building. The proposed development will consist of the following:

- Residential Condominium Style Apartment Building (7,656 sq. ft.)
- 8 Two Bedroom/ Two Bathroom Units (957 sq. ft./unit)
- 17 Parking Spaces
- 15' Foot Setbacks from Property Line
- Masonry wall for privacy and noise reduction to neighbors
- 2 units with ADA accessibility features
- Luxury architectural design compatible with neighborhood
- Amenities such as washer and dryers
- Landscaping and irrigation



NO.	REVISIONS	DATE

DATE: 10-22-77
SCALE: AS NOTED
JOB NO. 174-22
DRAWN BY: R.C.
PROJECT SITE: 947 HEBER AVE
CALEXICO, CA

DATE: 10-22-22
SCALE: AS NOTED
JOB NO. 174-22
DRAWN BY: R.C.

FLOOR PLAN &
EAST ELEVATION

FOR REVIEW ONLY

ATTACHMENT “E”
ALUCP POLICIES CHAPTER 2

Policies

1. SCOPE OF REVIEW

1. Geographic Area of Concern

The Imperial County Airport Land Use Commission's planning area encompasses:

1. *Airport Vicinity* - All lands on which the uses could be negatively affected by present or future aircraft operations at the following airports in the County and lands on which the uses could negatively affect said airports. The specific limits of the planning area for each airport are depicted on the respective *Compatibility Map* for that airport as presented in Chapter 3.
 - (a) Brawley Municipal Airport.
 - (b) Calexico International Airport.
 - (c) Calipatria Municipal Airport.
 - (d) Holtville Airport.
 - (e) Imperial County Airport.
 - (f) Salton Sea Airport.
 - (g) Naval Air Facility El Centro.

2. *Countywide Impacts on Flight Safety* - Those lands, regardless of their location in the County, on which the uses could adversely affect the safety of flight in the County. The specific uses of concern are identified in Paragraph 2.
3. *New Airports and Heliports* - The site and environs of any proposed new airport or heliport anywhere in the County. The Brawley Pioneers Memorial Hospital has a heliport area on-site.

2. Types of Airport Impacts

The Commission is concerned only with the potential impacts related to aircraft noise, land use safety (with respect both to people on the ground and the occupants of aircraft), airspace protection, and aircraft over-flights. Other impacts sometimes created by airports (e.g., air pollution, automobile traffic, etc.) are beyond the scope of this plan. These impacts are within the authority of other local, state, and federal agencies and are addressed within the environmental review procedures for airport development.

3. Types of Actions Reviewed

1. *General Plan Consistency Review* - Within 180 days of adoption of the *Airport Land Use Compatibility Plan*, the Commission shall review the general plans and specific plans of affected local jurisdictions to determine their consistency with the Commission's policies. Until such time as (1) the Commission finds that the local general plan or specific plan is consistent with the *Airport Land Use Compatibility Plan*, or (2) the local agency has overruled the Commission's determination of inconsistency, the local jurisdiction shall refer all actions, regulations, and permits (as specified in Paragraph 3) involving the airport area of influence to the Commission for review (Section 21676.5 (a)).
2. *Statutory Requirements* - As required by state law, the following types of actions shall be referred to the Airport Land Use Commission for determination of consistency with the Commission's plan *prior to their approval* by the local jurisdiction:

- (a) The adoption or approval of any amendment to a general or specific plan affecting the Commission's geographic area of concern as indicated in Paragraph 1 (Section 21676 (b)).
- (b) The adoption or approval of a zoning ordinance or building regulation which (1) affects the Commission's geographic area of concern as indicated in Paragraph 1 and (2) involves the types of airport impact concerns listed in Paragraph 2 (Section 21676 (b)).
- (c) Adoption or modification of the master plan for an existing public-use airport (Section 21676 (c)).
- (d) Any proposal for a new airport or heliport whether for public use or private use (Section 21661.5).

3. *Other Project Review* - State law empowers the Commission to review additional types of land use "actions, regulations, and permits" involving a question of airport/land use compatibility if either: (1) the Commission and the local agency agree that these types of individual projects shall be reviewed by the Commission (Section 21676.5 (b)); or (2) the Commission finds that a local agency has not revised its general plan or specific plan or overruled the Commission and the Commission requires that the individual projects be submitted for review (Section 21676.5 (a)). For the purposes of this plan, the specific types of "actions, regulations, and permits" which the Commission shall review include:

- a) Any proposed expansion of a city's sphere of influence within an airport's planning area.
- b) Any proposed residential planned unit development consisting of five or more dwelling units within an airport's planning area.
- c) Any request for variance from a local agency's height limitation ordinance.
- d) Any proposal for construction or alteration of a structure (including antennas) taller than 150 feet above the ground anywhere within the County.

- e) Any major capital improvements (e.g., water, sewer, or roads) that would promote urban development.
- f) Proposed land acquisition by a government entity (especially, acquisition of a school site).
- g) Building permit applications for projects having a valuation greater than \$500,000.
- h) Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.

4. Review Process

1. *Timing of Project Submittal* - Proposed actions listed in Paragraph 3.1 must be submitted to the Commission for review prior to approval by the local government entity. All projects shall be referred to the Commission at the earliest reasonable point in time so that the Commission's review can be duly considered by the local jurisdiction prior to formalizing its actions. At the local government's discretion, submittal of a project for Airport Land Use Commission review can be done before, after, or concurrently with review by the local planning commission or other local advisory bodies.
2. *Commission Action Choices* - When reviewing a land use project proposal, the Airport Land Use Commission has a choice of either of two actions: (1) find the project *consistent* with the *Airport Land Use Compatibility Plan*; or, (2) find the project *inconsistent* with the Plan. In making a finding of inconsistency, the Commission may note the conditions under which the project would be consistent with the Plan. The Commission cannot, however, find a project consistent with the Plan subject to the inclusion of certain conditions in the project.

Table 2A
Compatibility Criteria

Imperial County Airport Land Use Compatibility Plan

Zone	Location	Impact Elements	Maximum Densities		Required Open Land
			Residential (dw/ac)	Other Uses (people/ac)	
A	Runway Protection Zone or within Building Restriction Line	<ul style="list-style-type: none"> High risk High noise levels 	0	10	All Remaining
B1	Approach/Departure Zone and Adjacent to Runway	<ul style="list-style-type: none"> Substantial risk - aircraft commonly below 400 ft. AGL or within 1,000 ft. of runway Substantial noise 	0.1	100	30%
B2	Extended Approach/Departure Zone	<ul style="list-style-type: none"> Significant risk - aircraft commonly below 800 ft. AGL Significant noise 	1	100	30%
C	Common Traffic Pattern	<ul style="list-style-type: none"> Limited risk - aircraft at or below 1,000 ft. AGL Frequent noise intrusion 	8	200	15%
D	Other Airport Environs	<ul style="list-style-type: none"> Negligible risk Potential for annoyance from overflights 	No Limit	No Limit	No Requirement

Zone	Additional Criteria		Examples	
	Prohibited Uses	Other Development Conditions	Normally Acceptable Uses	Uses Not Normally Acceptable
A	<ul style="list-style-type: none"> All structures except ones with location set by aeronautical function Assemblages of people Objects exceeding FAR Part 77 height limits Hazards to flight^a 	<ul style="list-style-type: none"> Dedication of aviation easement 	<ul style="list-style-type: none"> Aircraft tiedown apron Pastures, field crops, vineyards Automobile parking 	<ul style="list-style-type: none"> Heavy poles, signs, large trees, etc.
B1 and B2	<ul style="list-style-type: none"> Schools, day care centers, libraries Hospitals, nursing homes Highly noise-sensitive uses Above ground storage Storage of highly flammable materials Hazards to flight^a 	<ul style="list-style-type: none"> Locate structures maximum distance from extended runway centerline Minimum NLR⁷ of 25 dBA in residential and office buildings Dedication of aviation easement 	<ul style="list-style-type: none"> Uses in Zone A Any agricultural use except ones attracting bird flocks Warehousing, truck terminals Single-story offices 	<ul style="list-style-type: none"> Residential subdivisions Intensive retail uses Intensive manufacturing or food processing uses Multiple story offices Hotels and motels
C	<ul style="list-style-type: none"> Schools Hospitals, nursing homes Hazards to flight^a 	<ul style="list-style-type: none"> Dedication of overflight easement for residential uses 	<ul style="list-style-type: none"> Uses in Zone B Parks, playgrounds Low-intensity retail, offices, etc. Low-intensity manufacturing, food processing Two-story motels 	<ul style="list-style-type: none"> Large shopping malls Theaters, auditoriums Large sports stadiums Hi-rise office buildings
D	<ul style="list-style-type: none"> Hazards to flight^a 	<ul style="list-style-type: none"> Deed notice required for residential development 	<ul style="list-style-type: none"> All except ones hazardous to flight 	

Table 2A Continued Compatibility Criteria

Imperial County Airport Land Use Compatibility Plan

NOTES

- 1 Residential development should not contain more than the indicated number of dwelling units per gross acre. Clustering of units is encouraged as a means of meeting the Required Open Land requirements.
- 2 The land use should not attract more than the indicated number of people per acre at any time. This figure should include all individuals who may be on the property (e.g., employees, customers/visitors, etc.). These densities are intended as general planning guidelines to aid in determining the acceptability of proposed land uses.
- 3 See Policy 2.5.
- 4 These uses typically can be designed to meet the density requirements and other development conditions listed.
- 5 These uses typically do not meet the density and other development conditions listed. They should be allowed only if a major community objective is served by their location in this zone and no feasible alternative location exists.
- 6 See Policy 3.4
- 7 NLR = Noise Level Reduction; i.e., the attenuation of sound level from outside to inside provided by the structure.

BASIS FOR COMPATIBILITY ZONE BOUNDARIES

The following general guidelines are used in establishing the Compatibility Zone boundaries for each civilian airport depicted in Chapter 3. Modifications to the boundaries may be made to reflect specific local conditions such as existing roads, property lines, and land uses. Boundaries for NAF El Centro are modified in recognition of the differences between civilian and military aircraft characteristics and flight tracks.

- A** The boundary of this zone for each airport is defined by the runway protection zones (formerly called runway clear zones) and the airfield building restriction lines.

Runway protection zone dimensions and locations are set in accordance with Federal Aviation Administration standards for the proposed future runway location, length, width, and approach type as indicated on an approved Airport Layout Plan. If no such plan exists, the existing runway location, length, width, and approach type are used.

The building restriction line location indicated on an approved Airport Layout Plan is used where such plans exist. For airports not having an approved Airport Layout Plan, the zone boundary is set at the following distance laterally from the runway centerline:

Visual runway for small airplanes	370 feet
Visual runway for large airplanes	500 feet
Nonprecision instrument runway for large airplanes	500 feet
Precision instrument runway	760 feet

These distances allow structures up to approximately 35 feet height to remain below the airspace surfaces defined by Federal Aviation Regulations Part 77.

- B1** The outer boundary of the Approach/Departure Zone is defined as the area where aircraft are commonly below 400 feet above ground level (AGL). For visual runways, this location encompasses the base leg of the traffic pattern as commonly flown. For instrument runways, the

altitudes established by approach procedures are used. Zone B1 also includes areas within 1,000 feet laterally from the runway centerline.

- B2** The Extended Approach/Departure Zone includes areas where aircraft are commonly below 800 feet AGL on straight-in approach or straight-out departure. It applies to runways with more than 500 operations per year by large aircraft (over 12,500 pounds maximum gross takeoff weight) and/or runway ends with more than 10,000 total annual takeoffs.

- C** The outer boundary of the Common Traffic Pattern Zone is defined as the area where aircraft are commonly below 1,000 feet AGL (i.e., the traffic pattern and pattern entry points). This area is considered to extend 5,000 feet laterally from the runway centerline and from 5,000 to 10,000 feet longitudinally from the end of the runway primary surface. The length depends upon the runway classification (visual versus instrument) and the type and volume of aircraft accommodated. For runways having an established traffic solely on one side, the shape of the zone is modified accordingly.

- D** The outer boundary of the Other Airport Environs Zone conforms with the adopted Planning Area for each airport.

sm/Imperial.