STAFF REPORT

SUBJECT: Airport Land Use Plan Consistency Review: Old Town Village Mixed Use Project – City of Goleta

MEETING DATE: June 18, 2015

AGENDA ITEM: 5M

STAFF CONTACT: Peter Imhof, Andrew Orfila

RECOMMENDATION:

Adopt findings for the Old Town Village Mixed-Use Project (Attachment 1) and determine that the project is consistent with the Airport Land Use Plan.

SUMMARY:

The Old Town Village Mixed-Use Project involves construction of a mixed-use project of 175 attached townhomes and a 1,644 square foot community center on a 12.31-acre site on Kellogg Avenue approximately ¼-mile south of Hollister Avenue in the City of Goleta. The project requires a General Plan Amendment from Visitor Commercial (C-V) to Old Town Commercial (C-OT) and a zone change from Visitor Serving Commercial (C-V) to Old Town Residential/General Commercial. The project site is located approximately 3,030 feet (0.58 miles) northeast of Runway 25 at the Santa Barbara Airport, within the Airport Influence Area and general traffic pattern area, but outside of the clear zone and approach zone of the Santa Barbara Airport.

The proposed project is consistent with the standards of the adopted Airport Land Use Plan with respect to land use compatibility, airport safety, height restrictions and noise. With respect to land use compatibility, although the project density would be approximately 14 dwelling units/acre, the project would not result in large concentrations of people underneath either downwind and base legs or departure paths of frequently used airport traffic patterns. Because the project site is located outside of these areas, the project is also consistent with the safety criteria in the Airport Land Use Plan. The tallest building on-site would not exceed 40 feet in height, consistent with the height restriction applicable to the project site. Finally, the project site is located outside of the 60 dba Community Noise Equivalent Level (CNEL) noise contour and would be consistent with the noise policies in the adopted Airport Land Use Plan. To meet disclosure requirements, the proposed action includes a recommendation to the Goleta City Council that a Notice of Airport in Vicinity be recorded with the property title.

The City of Goleta has prepared a draft Mitigate Negative Declaration (MND) in compliance with the California Environmental Quality Act (CEQA). As a CEQA responsible agency, the SBCAG

Member Agencies
Buellton  ×  Carpinteria × Goleta × Guadalupe × Lompoc × Santa Barbara × Santa Maria × Solvang × Santa Barbara County
Board acting as the Airport Land Use Commission should consider the MND in making its consistency determination.

DISCUSSION:

Introduction

The City of Goleta referred the Old Town Village project to SBCAG on June 4, 2015 together with a Draft Mitigated Negative Declaration. SBCAG has 60 days to review the project and make its determination. The 60-day ALUP review period ends on Thursday, August 20, 2015. In making its consistency determination, the Board must evaluate the proposed development project against criteria in the adopted ALUP. If the Board fails to act on a consistency determination within 60 days, then the project is deemed consistent.

State law requires SBCAG, as the designated Airport Land Use Commission (ALUC), to develop and implement an airport land use plan for each general purpose airport. The purpose of the law is “to prevent the creation of new noise and safety problems, and 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…” State Aeronautics Act, Public Utilities Code Section 21670(a). As described in the Airport Land Use Plan (ALUP), aircraft overflight exposes individuals in the community to potential hazards associated with aircraft accidents and noise impacts.

Project Description

The applicant is proposing to construct a mixed-use project of 175 attached townhomes, including 28 shopkeeper units, 34 flexible live-work units, and 113 multi-family units on Kellogg Avenue on 12.31 acres. The shopkeeper units include a separate commercial office space on the ground floor. The live-work units will have space on the ground floor that can be used either an office or as a living area and will be connected to the residence above. The project also includes a 1,644 square foot community center that would be utilized by residents only. The proposed mixed use buildings range in height between 33 and 40 feet. The community center would be approximately 35 feet high.

The project site is located on Kellogg Avenue approximately a quarter mile south of Hollister Avenue and approximately 3,300 feet (0.58 miles) northeast of the end of Runway 25 at the Santa Barbara Airport. The proposed project is located within the Airport Influence Area of the Santa Barbara Airport, outside of the clear zone and approach zone, but within the general traffic pattern area. A project site location map, illustrating the project site in relation to the Santa Barbara Airport, is shown in Attachment 2. A project site plan is included as Attachment 3.

The project requires a General Plan Amendment from Visitor Commercial (C-V) to Old Town Commercial (C-OT) and a zone change from Visitor Serving Commercial (C-V) to Old Town Residential/General Commercial.
SANTA BARBARA AIRPORT OPERATION

Santa Barbara Airport and Runway Extension and Safety Areas

The Santa Barbara Airport Master Plan, or Aviation Facilities Plan, was updated in 2003. One of the major airport improvements completed involves an 800-foot extension of the Runway Safety Area (RSA) on Runway 7 in order to meet the Federal Aviation Administration runway safety design standards. The 800-foot westerly RSA extension triggered a change in the existing ALUP safety areas (Clear and Approach Zones), thereby affecting the compatibility of the underlying land uses. The new safety areas shifted the Airport Clear and Approach Zones 800 feet on both ends of the primary Runway 7-25 westward. At the west end, Runway 25 Safety Areas I and II (Clear and Approach Zones) shifted 800 feet down the runway. This included a relocated runway threshold 800 feet westward (Attachment 4).  

The shifting of the RSA also triggered a shift in the boundary of the “existing” Approach Zone from its current position 800 feet westward to a “relocated” or “new” Approach Zone. The ALUC determined the relocated Approach Zone to be consistent with the ALUP on March 22, 2002. The Federal Aviation Administration (FAA) adopted a revised Airport Layout Plan showing the relocated clear and approach zones in February 2009. However, the ALUP itself has not yet been updated to reflect the “relocated” Approach Zone.

SBCAG recently completed a draft Airport Land Use Compatibility Plan, which included an update of all land use compatibility policies and criteria plus safety areas of all airports in Santa Barbara County. The draft Airport Land Use Compatibility Plan will be adopted once SBCAG has completed the environmental review of the plan, which is pending receipt of grant funding for this purpose. The safety areas at Santa Barbara Airport will be updated accordingly in order to be consistent with the current airport master plan, airport layout plan, the Caltrans Airport Land Use Planning Handbook, and the Federal Aviation Regulation Part 150 Noise Study for Santa Barbara Airport.

Since the ALUP has not been updated to incorporate the relocated safety areas, consistency evaluation of the Old Town Village project is based on the existing safety areas in the currently adopted ALUP, i.e., prior to the 800-foot RSA extension and relocation of the runway threshold on Runway 25 in the current ALUP. However, project consistency with the relocated Approach Zone boundary resulting from the RSA extension will also be analyzed.

Existing and Relocated Airport Safety Areas

The consistency evaluation of the Old Town Village project is conducted under the following safety areas (Attachment 4):

- **Existing Safety Area**: Existing Safety Area 2 (Approach Zone) refers to the safety area boundary currently in the adopted ALUP.

- **Relocated Safety Area**: Relocated Safety Area 2 (Approach Zone) refers to the shifting of the existing Approach Zone boundary 800 feet eastward.

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1 Runway Protection Zone (RPZ) is an aeronautical term used in the Santa Barbara Airport Layout Plan. The ALUP adopts the RPZ as the Clear Zone using FAA FAR Part 77 criteria. On Runway 25, it has the same Clear Zone dimensions (1,000 x 1,425 x 1,700) as the Clear Zone. (ALUP p. 27-28)
Factors in the Consistency Evaluation of Project Components

The consistency evaluation of the Old Town Village project with the ALUP is based on several broad criteria: land use compatibility, airport safety, height restrictions, and noise. The following section discusses each of these criteria.

- **Land Use Compatibility:** Land use compatibility refers to various types of land uses in the airport vicinity that are compatible and incompatible with airport operation. A major criterion in land use compatibility is the population/residential unit density for various corresponding land uses.

Determination of land use compatibility is evaluated based on three airport safety areas: Airport Safety Area 1 (Clear Zone), Airport Safety Area 2 (Approach Zone), and Airport Safety Area 3 (Traffic Pattern Zone). Each of these zones provides different levels of land use compatibility due to its relationship with airport operation. Since the Old Town Village project resides in the Traffic Pattern Zone, the following discussion focuses on the land use compatibility criteria in Safety Area 3, which is defined as follows:

**Safety Area 3 (General)** is the area in which airport traffic patterns occur. Traffic patterns vary from airport to airport due to:

1) Runway configuration
2) Prevailing winds
3) Topography
4) Population concentration
5) Noise abatement procedures

Portions of the general safety area of any airport are frequently overflown and others infrequently overflown. Land use safety recommendations for this area must be more airport-specific than recommendations for clear and safety zones.\(^2\)

- **Airport Safety:** This criterion relates to the associated risk and potential consequences resulting from aircraft overflights and accident potential. Regular low-altitude aircraft overflights increase the risk of aircraft accidents. The consistency evaluation focuses on how the risk and consequences of aircraft mishaps could be minimized, if not avoided.

- **Height Restrictions:** This criterion focuses on whether or not new structures or obstacles proposed in the Clear and Approach Zones violate the height restrictions as defined in the Federal Aviation Administration (FAA) Part 77 “Objects Affecting Navigable Airspace.” Part 77 sets forth criteria in terms of imaginary surfaces to safeguard and preserve navigable airspace. No structures or objects are permitted to penetrate these imaginary surfaces in order to ensure safe passage of aircraft in, and out, and around an airport. Generally, these critical airspaces include the imaginary surface of 50:1 slope for precision (instrument) approach, the imaginary surface of 34:1 slope for non-precision approach and the imaginary surface of 20:1 for general aviation runways. Part 77 also stipulates the Transitional Surface of 7:1 slope, rising from both edges of the Clear and Approach Zones on each runway. Obstruction standards and

\(^2\) ALUP, pgs 28-29.
procedure for notification of the FAA prior to construction or alteration of an existing or potential obstruction to navigable airspace are included within FAR Part 77.

By definition, any object that penetrates one of the imaginary surfaces is deemed an obstruction to air navigation. The Santa Barbara County ALUP adopts FAA FAR Part 77 height restrictions. According to the ALUP,

\[
\text{ALUP height restriction policy shall be:}
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- To designate height restriction areas for all county airports as laid out in Chapters 4 and 6 of the ALUC;
- To restrict the development of new incompatible land uses with airport height restriction areas which penetrate FAR Part 77 surfaces;
- To review any specific projects within the Airport Area of Influence which may pose an intrusion into navigable airspace.

Runway 25 has a non-precision approach surface and slope ratio of 34:1.

- **Noise:** Airport noise is an important consistency evaluation criterion. The noise criterion is to assure that new land uses proposed in airport environs are compatible with aircraft-generated noise. Generally, the project evaluation is based on the noise contours from the existing ALUP at Santa Barbara airport.

**Consistency Analysis**

The project site plan and associated land uses are shown in Attachment 3. The project site is located approximately 3,030 feet (0.58 miles) northeast of Runway 25 at the Santa Barbara Airport.

**Land Use Compatibility**

As noted above, the project site is located within the Airport Influence Area (AIA) and general traffic pattern area of Runway 25 at the Santa Barbara Airport. The project site is located outside of both the clear and existing and relocated/new approach zones of the Santa Barbara Airport. Attachment 4 shows that the project site is located outside of the clear zone, as well as the existing and relocated/new approach zone for the Santa Barbara Airport. Attachment 5 shows the project site plan with an overlay of the relocated/new approach zone boundary along the south boundary of the site. Attachment 5 indicates that the residences on-site are located outside of the relocated approach zone.

The project site is located entirely within the general traffic pattern area (referred to as Safety Area 3 in the Airport Land Use Plan) of Runway 25 at the Santa Barbara Airport. SBCAG’s adopted Airport Land Use Plan contains a table of compatible land uses in the general traffic pattern area contained in Table 4-1. According to Table 4-1 of the Airport Land Use Plan, all of the land uses on-site are compatible land uses in Safety Area 3 as long as they do not result in

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3 Caltrans Handbook, Draft Final, p. 3-31/32.
4 ALUP Chapter 2, Chapter 5, p. 39.
large concentrations of people underneath downwind and base legs or departure paths of frequently used airport traffic patterns. The phrase “large concentrations of people” is defined in the Airport Land Use Plan as 25 people per acre or more for non-residential uses or more than four units per acre for residential uses. When occupied, the residential density (measured as dwelling units per acre) for the Old Town Village project would be approximately 14 units/acre (175 dwelling units / 12.31 acres = 14.2 d.u. per acre).

Attachment 4 illustrates an overlay of the frequently used traffic patterns by aircraft at the Santa Barbara Airport in relation to the project site. As proposed, although the project would result in “large concentrations of people” (greater than 4 dwelling units/acre for residential uses per acre) on the project site, the project site and its residents would not be located directly beneath downwind and base legs or departure paths of frequently used traffic patterns at the Santa Barbara Airport. Therefore, staff recommends that the ALUC find that the project is consistent with the land use compatibility criteria in the Airport Land Use Plan.

Airport Safety

Airport safety primarily relates to the associated risk resulting from aircraft overflights and accident potential. Regular low-altitude aircraft overflights increase the potential for aircraft accidents. Therefore, the consistency evaluation focuses on the location and possible effects on the project site, and how the risk and consequences of aircraft accidents could be minimized. As outlined in the previous section and illustrated on Attachment 4, because the project site is not located underneath downwind and base legs or departure paths of frequently used airport traffic patterns at the Santa Barbara Airport, associated risk from aircraft overflights at the project site would be minimal. Therefore, staff recommends that the project be found consistent with the safety criteria in the Airport Land Use Plan.

Height Restrictions

The airspace requirements for the Santa Barbara Airport are defined in the Federal Aviation Regulations (FAR) Part 77. FAR Part 77 sets forth criteria for describing the navigable airspace requirements of each airport. Objects which penetrate above imaginary surfaces described in FAR Part 77 can impair safety and raise weather minimums for instrument approaches, thereby decreasing the operational capacity of an airport.

If the project contains structures or other objects that may exceed the height standards defined in FAR Part 77, the applicant should submit notification of the proposal to the FAA where required by the provisions of FAR Part 77 and by the California Public Utilities Code Section 21659. The FAA may conduct an aeronautical study of the object(s) and determine whether the object(s) would be of a height that would constitute a hazard to air navigation. These requirements apply to all objects, including structures, antennas, trees, mobile objects, and temporary objects, such as construction cranes. As noted previously, the project site is located approximately 3,030 feet (0.58 miles) from the edge of Runway 25 at Santa Barbara Airport. The tallest building on-site would not exceed 40 feet in height. Runway 25 has a non-precision approach surface with a 34:1 slope ratio. The height restrictions for the site according to the calculations in the Airport Land Use Plan and FAR Part 77 are shown below:

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5 Table 4-1, page 33, Airport Land Use Plan.
6 Airport Land Use Plan (pg. 38), SBCAG, October 1993.
Height Restriction: 3,030' / 34 = 89'

The buildings proposed on the project site would not exceed the height restriction applicable to the project site. Since the proposed buildings would not exceed the height restrictions, staff recommends that the ALUC find that the project is consistent with the height criteria in the Airport Land Use Plan.

Noise

According to the Santa Barbara Airport FAR Part 150 Noise Contours, the Old Town Village project site is located outside (north) of the 60 dba Community Noise Equivalent Level (CNEL) noise contour. Therefore, the project would be compatible with the noise policies in the adopted Airport Land Use Plan. Attachment 6 illustrates the project location in relation to the Santa Barbara Airport and the FAR Part 150 Noise Contours. Since there are no residences or other habitable land uses within the 60 dba CNEL contour, staff recommends that the ALUC find that the project is consistent with the noise policy in the Airport Land Use Plan.

Disclosure Requirement – Aircraft Overflight

Assembly Bill 2776, which was passed in 2002 and took effect January 1, 2004, requires any person selling property within an Airport Influence Area to file a report with the Department of Real Estate stating that said property is located within the Airport Influence Area (see Business & Professional Code §11010 and Civic Code §1102.6, 1103.4, 1353). The purpose of overflight notification is to increase buyer awareness and ensure that prospective buyers of property near an airport, particularly residential property, are informed about the airport’s potential impacts prior to purchase.

The project site is located within the Airport Influence Area for the Santa Ynez Airport. Since the project site is located within the Airport Influence Area, State law mandates the following notice be recorded in the property’s chain of title:

NOTICE OF AIRPORT IN VICINITY
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

In order to remain consistent with State law, staff recommends that the ALUC consider a recommendation to the Goleta City Council for placing a Notice of Airport in Vicinity condition on the project.

CEQA DOCUMENT AND INPUT FROM OTHER AGENCIES

On June 4, 2015, SBCAG received the City of Goleta’s referral for determination of consistency with the ALUP (Attachment 7). The City of Goleta has prepared a draft Mitigate Negative Declaration (MND) in compliance with the California Environmental Quality Act (CEQA)
As a CEQA responsible agency, the SBCAG Board acting as the Airport Land Use Commission should consider the MND in making its consistency determination.

**RECOMMENDATION:**

Based on the project's location, land use compatibility and aircraft safety, staff recommends that the Board find the Old Town Village Mixed-Use project consistent with the Airport Land Use Plan. Proposed findings supporting this determination of consistency are included in Attachment 1.

**ATTACHMENTS**

1. Findings
2. Project Site Location
3. Project Site Plan
4. Project Site Location With Airport Land Use Plan Safety Overlay and Arrival / Departure Flight Paths to / from Santa Barbara Airport
5. Project Site Map With Relocated / New Approach Zone Boundary Overlay
6. Project Site Location with SBA Part 150 Noise Contours Overlay
7. City Letter of Referral
8. Draft Mitigated Negative Declaration *(weblink only)*
ATTACHMENT 1: FINDINGS

1. The project consists of 175 attached townhomes, including 28 shopkeeper units, 34 flexible live-work units, and 113 multi-family units on a 12.31-acre site on Kellogg Avenue in the City of Goleta. The shopkeeper units include a separate commercial office space on the ground floor. The live-work units will have space on the ground floor that can be used either an office or as a living area and will be connected to the residence above. The project also includes a 1,644 square foot community center that would be utilized by residents only. The proposed mixed use buildings range in height between 33 and 40 feet. The community center would be approximately 35 feet high.

2. The project site is located on Kellogg Avenue approximately a quarter mile south of Hollister Avenue and approximately 3,100 feet (0.58 miles) northeast of the end of Runway 25 at the Santa Barbara Airport.

3. The project requires a General Plan Amendment from Visitor Commercial (C-V) to Old Town Commercial (C-OT) and a zone change from Visitor Serving Commercial (C-V) to Old Town Residential/General Commercial.

4. The project site is located within the Airport Influence Area (AIA) and general traffic pattern area of Runway 25 at the Santa Barbara Airport and outside of both the clear and existing and relocated/new approach zones of the Santa Barbara Airport. The proposed project is a compatible land use in this location.

5. When occupied, the completed project is expected to have a residential density of approximately 14 dwelling units per acre.

6. The entire project site is located within the General Traffic Pattern Area of the Santa Barbara Airport, outside of the clear and approach zones. Although the project would result in “large concentrations of people” (greater than 25 people/acre for non-residential uses and four dwelling units/acre for residential uses), the project site is not located underneath downwind and base legs or departure paths of frequently used airport traffic patterns at the Santa Barbara Airport. Therefore, the project is consistent with the land use compatibility criteria in the Airport Land Use Plan.

7. Because the project site does not reside underneath downwind and base legs or departure paths of frequently used airport traffic patterns at the Santa Barbara Airport, associated risk from aircraft overflights at the project site would be minimal. Therefore, the project is compatible with the safety criteria in the Airport Land Use Plan.

8. Since all of the buildings proposed on-site (not greater than 40 feet) would not exceed the height restrictions in the ALUP (89 feet), the project is compatible with the height criteria in the Airport Land Use Plan.

9. The project site is located north (outside) of the 60 dba Community Noise Equivalent Level (CNEL) noise contour of Runway 7-25. Therefore, the project is consistent with the noise policies in the ALUP.
10. The project site is located within the Airport Influence Area for the Santa Barbara Airport. Since the project site is located within the Airport Influence Area, State law (see Business & Professional Code §11010 and Civic Code §1102.6, 1103.4, 1353) mandates the following notice be recorded in the property’s chain of title:

NOTICE OF AIRPORT IN VICINITY
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.
Attachment 2
Project Site Location

SANTA BARBARA AIRPORT

Project Site
Attachment 3
Project Site Plan
Attachment 4
Project Site Location With Airport Land Use Plan Safety Overlay and Arrival / Departure Flight Paths to / from Santa Barbara Airport
Attachment 5

Project Site Map With Relocated / New Approach Zone Boundary Overlay
Attachment 6

Project Site Location with SBA Part 150 Noise Contours Overlay
Attachment 7
Project Referral Letter – City of Goleta

June 4, 2015

Peter Imhof
Deputy Director, Planning
SBCAG

RE: Old Town Village Mixed-Use Project; ALUC Referral

Dear Mr. Imhof,

The City of Goleta is currently processing a General Plan Amendment, Zone Change, Vesting Tentative Map, and Development Plan for the Old Town Village Mixed-Use Project. A Mitigated Negative Declaration has been prepared for this project and a PDF copy has been emailed to your staff.

The property is located immediately west of the intersection of Kellogg Way and S. Kellogg Avenue; APN 071-130-023. The project includes a change to the General Plan land use designation from Visitor-Serving Commercial (C-V) to Old Town Commercial (C-OT) and a rezone from Resort/Visitor Serving Commercial (C-V) to Old Town Residential/General Commercial (OT-R/GC). The change in designations is from one urban use to another which will result in a less intense project serving fewer people.

The project is for the development of 113 traditional townhomes, 28 mixed-use shopkeeper units, and 34 live-work townhomes on a 12.31 gross acre site.

As this project requires a General Plan Amendment, the City requests that the ALUC provide the City with a formal determination for consistency with the Airport Land Use Plan per Public Utilities Code Section 21676(b).

We understand that your staff has the necessary materials from a previous project review with the City’s Development Review Committee. If you need additional materials, or have questions or comments, please contact me at your earliest convenience at 805-7567 or mchang@cityofgoleta.org.

Sincerely,

Mary Chang
Supervising Senior Planner
Planning & Environmental Review

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