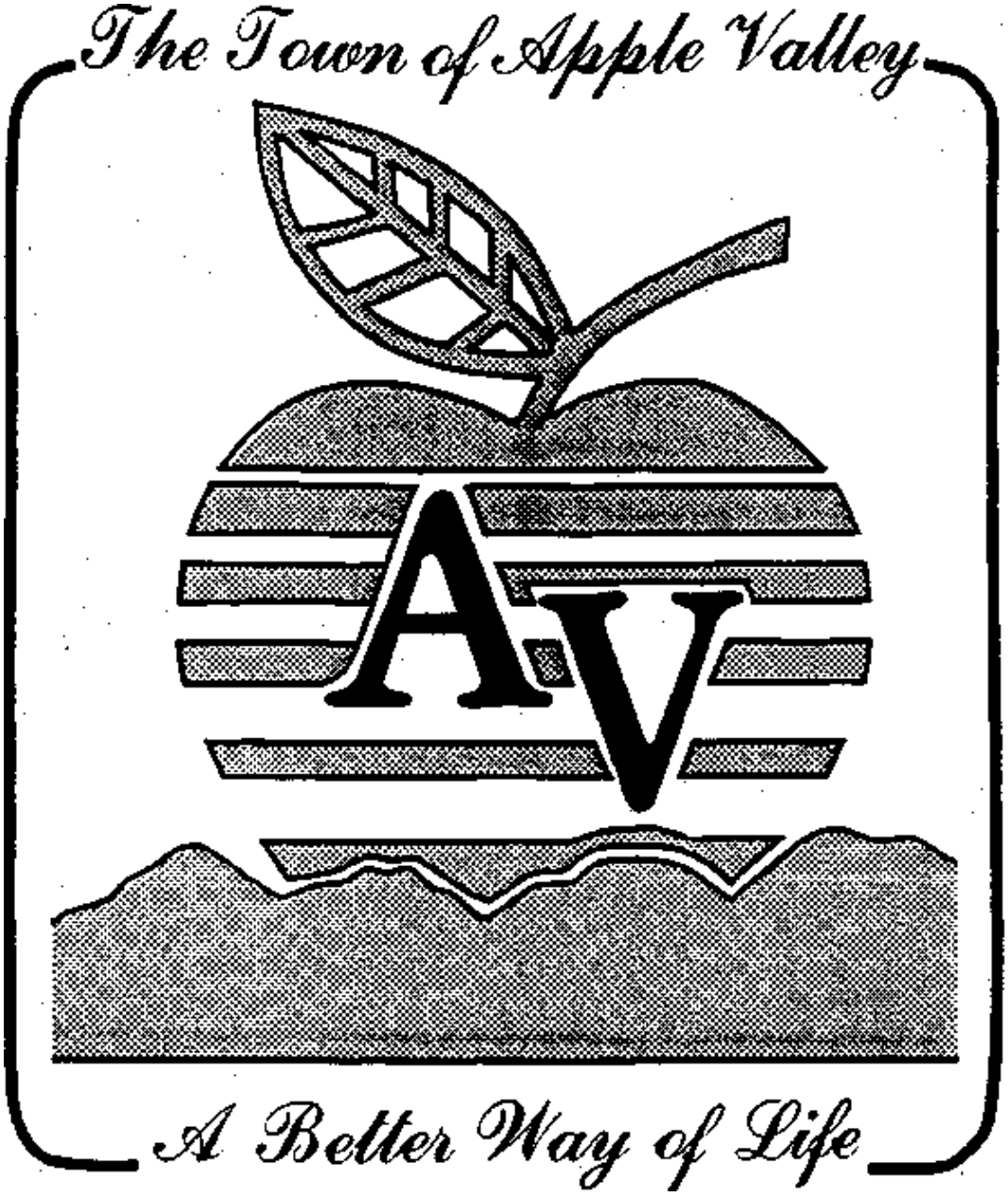

DRAFT

COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN

March 1995

TOWN OF APPLE VALLEY AIRPORT
COMPREHENSIVE LAND USE COMPATIBILITY PLAN

Recommended by:

Apple Valley Planning Commission Date:

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Approved by:

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Adopted by San Bernardino County Prepared by:

Town of Apple Valley Planning Services Division
In Cooperation with County Desert Airport Manager

Apple Valley
Comprehensive Airport
Land Use Compatibility Plan

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1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE

Airports present unique public health and safety issues that require special land use planning efforts to preserve the public welfare. The State of California has long recognized the potential conflicts between the highly intensified and fluid environment of airports and the attraction airports have for the concentrated development of surrounding properties. Consequently, the State Legislature enacted airport land use laws which are intended to:

A. Reduce potential land use conflicts and provide for the orderly development of compatible uses within the areas surrounding the Apple Valley Airport that are affected by airport operations so as to promote the overall goals and objectives of the adopted California Airport Noise Standards and to prevent the creation of new noise and safety problems.

B. Protect public health, safety and welfare by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within affected areas around the Apple Valley Airport where properties are not currently devoted to uses which are incompatible with aircraft operations.

1.2 LEGAL AUTHORITY AND BACKGROUND

The Public Utilities Code of the State of California, Sections 21670 et seq., requires the establishment of an Airport Land Use Commission (ALUC), and defines its range of duties, responsibilities, and powers. Subsequently, Government Code Section 21675 requires that a comprehensive land use plan be developed for the affected areas surrounding each public use airport within the county.

Another significant provision of existing State legislation requires city and county general plans to be consistent with the airport land use plans. This requirement is proposed to be satisfied through General Plan Amendments and Amendments to the Development Code-.

Based on subsequent State actions, San Bernardino County disbanded its ALUC along with several other counties in the State. However, with the enactment of California Assembly Bill (AB) 2831, adopted in September, 1994, those counties are now required to either reestablish their ALUCs or otherwise address preparation, adoption and amendment of comprehensive airport land use plans and mediation of any disputes.

This bill also requires that each local government (city or town) adopt the CLUP if the airport lies within its jurisdictional boundaries. In the case of Apple Valley, that State mandate would indirectly require the Town of Apple Valley to modify its General Plan to make both plans internally consistent The bill goes into effect on January 1, 1995, and the approval of the CLUP by the County, the Town and Caltrans Division of Aeronautics will be required on or before May 1, 1995.

Since the Apple Valley Airport is surrounded by the Town and since the plan's directives/goals are specifically designed to reduce land use conflicts between surrounding properties and the airport's aircraft operations, the County Planning staff has agreed to allow the Town staff to

proceed with the preparation of the Comprehensive Airport Land Use Compatibility Plan (CALUCP).

1.3 AIRPORT MASTER PLAN AND ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL ASSESSMENT REPORT AND MITIGATION MONITORING PLAN

Much of the airport master plan/aircraft operations information, maps and exhibits necessary for the development of a Comprehensive Land Use Plan (CLUP) had been previously developed and included in the five technical volumes of the Airport Master Plan and Environmental Impact Report/Environmental Assessment Report (EIR/EAR), which were written by P&D Environmental Service, a division of P&D Technologies. These documents were reviewed by the San Bernardino County Environmental Analysis Team Land Management Department together with the Federal Aviation Administration (FAA) and Caltrans Division of Aeronautics. That five-year process resulted in the final review, processing and San Bernardino County Board of Supervisors approval (June 14, 1994) of the Apple Valley Airport Master Plan and EIR/EAR, which is the essential reference document for the CLUP.

The EIR/EAR and Airport Master Plan were designed to identify and address possible environmental consequences of implementing an airport master plan that would serve as a blueprint for the airport to the year 2010 and included the development of a crosswind runway. The environmental documentation was designed to satisfy the requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), and to meet FAA Order 5050.4A, Airport Environmental Guidelines (October 8, 1985).

2.0 APPLE VALLEY AIRPORT AND ENVIRONS

2.1 AIRPORT LOCATION

The Apple Valley Airport is owned and operated by the County of San Bernardino and is located at the northeast end of the Town, approximately four miles east of Interstate 15 (1-15) and three miles north of State Route 18 (SR 18), which is also known as Happy Trails Highway. Apple Valley Airport is located at an elevation of approximately 3,059 feet in the southwestern Mojave Desert midway between Bell Mountain, which reaches an elevation of 3,896 feet, and the Fairview Mountains, which reach an elevation of 4,329 feet.

The primary access to the Apple Valley Airport is from North Outer Highway - State Route 18 (Happy Trails Highway) via Corwin Road. The airport may also be reached from Interstate 15 at Stoddard Wells Road via Johnson and Bell Mountain Roads.

2.2 AIRPORT OPERATORS

The current Apple Valley Airport location was established on March 30, 1970, and had been relocated from a site just north of State Route 18 between Rancherias Road and Apple Valley Inn Road. Daily operation of the airport is overseen by the Airport Manager, who reports to the San Bernardino County Director of Airports. There is also a seven-member San Bernardino County Airport Commission which meets monthly to discuss airport issues and to act as an advisory body to the San Bernardino County Board of Supervisors. In addition, the County provides for the airport's maintenance and crash/fire/rescue service with an on-site fire station.

Airport security is provided by the Apple Valley Police Department, which is a contracted service from the County Sheriffs Department

General aviation services are provided by the County, two airport tenants and three specialty operators. Midfield Aviation is the primary Fixed-Base Operator (FBO) which provides hangar and tie-down rental space; aircraft maintenance for engines, airframes, avionics and radios; aircraft sales and parts/pilot's supplies; and aircraft rentals and charters. Apple Valley Air and Aviation, a second full service fixed base operation, provides similar services. The airport's three specialty operators are Aztec Aviation, Lin's Flying Service and Glen Williams Aviation and Air. Aztec Aviation operates the airport's Unicom and sells aviation fuel. Lin's Flying Service and Glen Williams Aviation and Air provide both written and in-flight examinations. Both of these specialty operators are located in the airport terminal building.

2.3 EXISTING AIRPORT FACILITIES

The adopted Apple Valley Airport Master Plan and EIR/EAR and Mitigation Monitoring Plan contains a comprehensive description of the existing and future development of the airport, including information on safety issues/mitigations, aircraft operations and impacts to surrounding properties/land uses. For the purposes of this report, the description is limited to the runways, airspace, approach areas and obstructions, and navigation and landing aids. Any additional details about these and other facilities and/or aspects of the Apple Valley Airport should be obtained from those previously referenced documents.

A. Runways and Facilities. The existing single asphalt runway, Runway 18-36, is 6,500 feet long and 150 feet wide. The runway has a weight capacity of 70,000 pounds for single-wheel aircraft and 90,000 pounds for dual-wheel aircraft. A full-length taxiway provides access to the west of the airfield. Figure 2-1 provides a summary of the existing aircraft facilities. Figure 2-2 shows the location and orientation of the existing facilities at the airport.

B. Lighting and Navigational Aids.

1. Lighting. Runway 18-36 is equipped with medium intensity runway edge lights (MIRL) for night operations. Four-light visual approach slope indicators (VASI) are located at each end of the runway to provide visual glide path reference for approaching aircraft. The VASI for Runway 36 is set at a standard 3-degree glide path angle, while the VASI on runway 18 is set at an angle of 3.5 degrees. The steeper glide path angle is used to provide clearance over obstacles in the vicinity of this runway approach. Both ends of the runway are also equipped with threshold lights which indicate the beginning of the useable runway boundaries. The airport is also equipped with a rotating beacon for airport identification at night.

2. Navigational Aids. The Apple Valley Airport does not have a published Federal Aviation Administration (FAA) Instrument Approach Procedure (IAP). The closest navigational aides are the Deward's Very High Frequency Omnirange Station and Tactical Air Navigation system (VORTAC), located 36 nautical miles northwest of the airport, and the Daggett and Hector Very High Frequency

FIGURE 2-1

EXISTING FACILITIES AT APPLE VALLEY AIRPORT

GENERAL INFORMATION

Airport Owner	County of San Bernardino
Airport Operator	County of San Bernardino
Airport Size	456 acres
Airport Elevation of Hottest Month	3,060 feet MSL Mean Maximum Temperature 98.5F.

AIRPORT FACILITIES

Runway	18-36
Taxiway	Full Parallel Taxiway
Other Facilities	Rotating Beacon, Segmented Circle, Fuel Facilities, Administration Building, FBO Facilities

RUNWAY INFORMATION	Runway 18-36
Type of Surface	Asphalt
Classification	Visual
Type of Markings	Basic
Weight Bearing Capacity (pounds)	70,000 SW; 90,000 DW; 150,000 DT
Runway Lighting	Medium intensity
Width	150 feet
Full Length	6,500 feet
True Bearing	N16004'40"E

SPECIFIC RUNWAY DATA	Runway 18	Runway 36
Magnetic Bearing	1º	361º
Displaced Threshold	None	None
Available Length		
Takeoff	6,500 feet	6,500 feet
Landing	6,500 feet	6,500 feet
Visual Approach Indicator	VASI	VASI
Traffic Pattern	Left	Left
Traffic Pattern Altitude	1,000 feet	1,000 feet

Based on State of California, Division of Aeronautics, "Public Use Airport Inventory Data;" U.S. Department of Transportation, Federal Aviation Administration, "Airport Master Record," FAA Form 5010-1, February 22, 1989; County of San Bernardino,

Source: Draft Final Apple Valley Master Plan (P&D Technologies, February 1991)

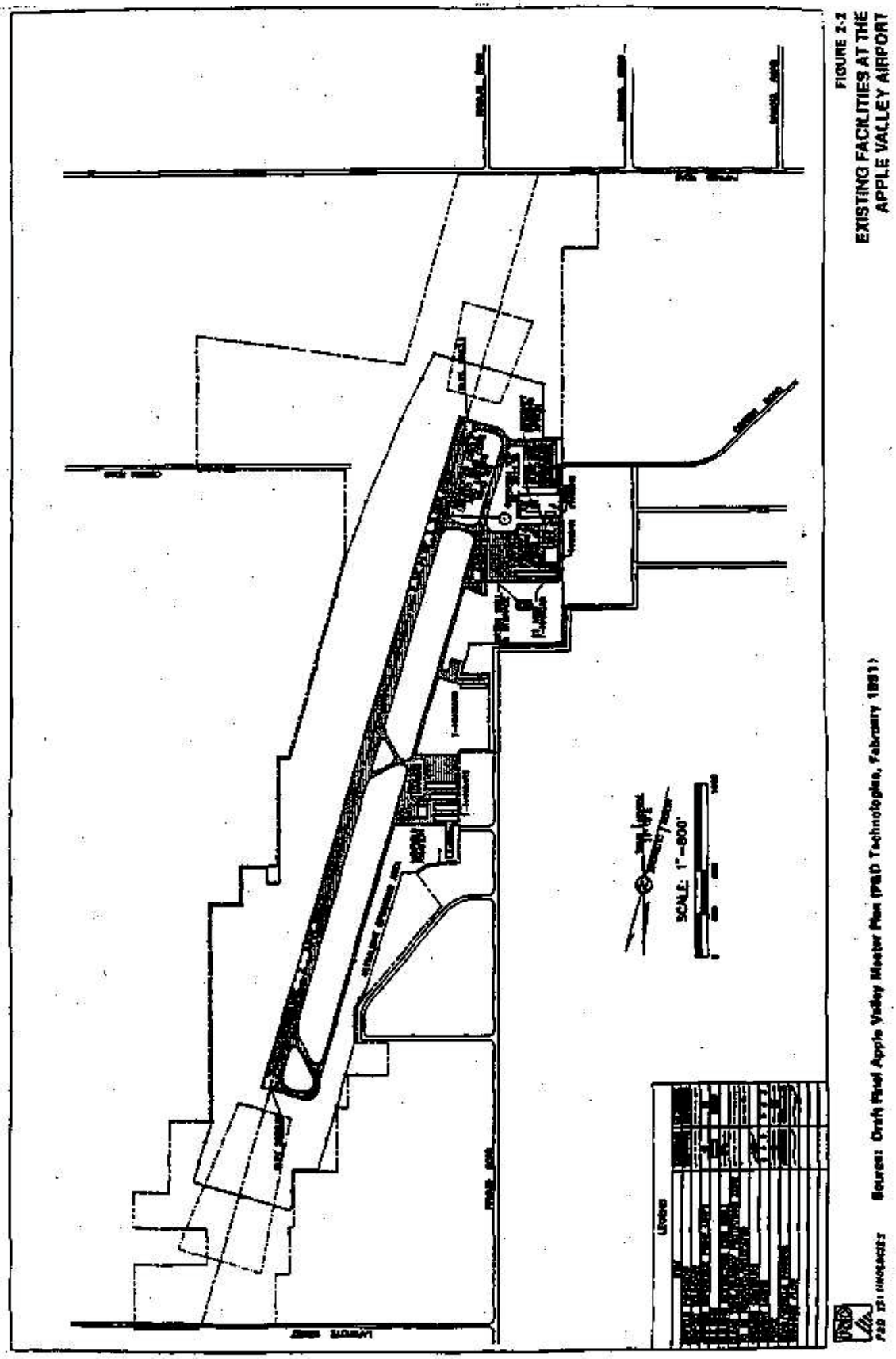


FIGURE 2-2
EXISTING FACILITIES AT THE
APPLE VALLEY AIRPORT
SCALE: 1"=800'
Source: Crain Field Apple Valley Master Plan (P&D Technologies, February 1991)

Omnirange stations (VOR), both located approximately 38 nautical miles northeast of the airport.

2.4 FUTURE AIRPORT FACILITIES

Figure 2-3 shows future airport facilities by the year 2010, as identified in the County's adopted Apple Valley Airport Master Plan and the Environmental Impact Report/ Environmental Assessment Report. Under that County-approved plan, Crosswind Runway 8-26 would be constructed at the south end of Runway 18-36. That airfield would be 4,100 feet long and 60 feet wide. A 35-foot wide parallel taxiway system would also be installed, connecting with the crosswind runway, two right-angle exit taxiways (located at each end of the airfield), and two 45-degree exit taxiways located approximately 1,500 feet from each end of Runway 8-26. Taxiway edge lights would also be installed.

3.0 AIRPORT AVIATION FORECASTS

Forecasts of future aviation demand from 1989 to 2010 were developed by P&D Technologies under contract with the County and the FAA, and are included within the County's adopted Apple Valley Airport Master Plan (February 1991). Figures 3-1, 3-2, and 3-3 from that adopted plan have been included in this CALUCP to meet informational requirements of the Caltrans Division of Aeronautics Airport Land Use Plan Handbook (December 1993). Detailed information on the methodologies used in developing these forecasts for future aircraft operations can be secured from the adopted Airport Master Plan or the EIR/EAR and Mitigation Monitoring Plan.

4.0 POTENTIAL ADVERSE AIRPORT EFFECTS

As stated previously, as a result of inherent adverse noise and safety impacts normally generated by airports and aircraft operations, conflicts with regard to noise and land uses arise that are required to be identified, addressed and resolved through the CLUP.

In the case of the Apple Valley CALUCP, the specific airport overlay zones consistent with noise and safety land use compatibility standards and guidelines identified by Caltrans Division of Aeronautics and the FAA have been combined and simplified for greater clarity in the following sections.

5.0 NOISE AND LAND USE COMPATIBILITY

5.1 BACKGROUND AND DEFINITIONS

The scale of measurement commonly associated with aircraft noise measurements is the A-Weighted sound level. This is a sound pressure level which has been filtered or weighted to reduce the influence of the low and high frequency noise of aircraft operations. It was designed to approximate the response of the human ear to sound. The human ear often judges an increase of 10 decibels as a doubling of sound.

The noise is most often defined as unwanted sound. Furthermore, sound is measurable whereas noise is normally subjective. The relationship between measurable sound and human irritation is the key to understanding aircraft noise impacts.

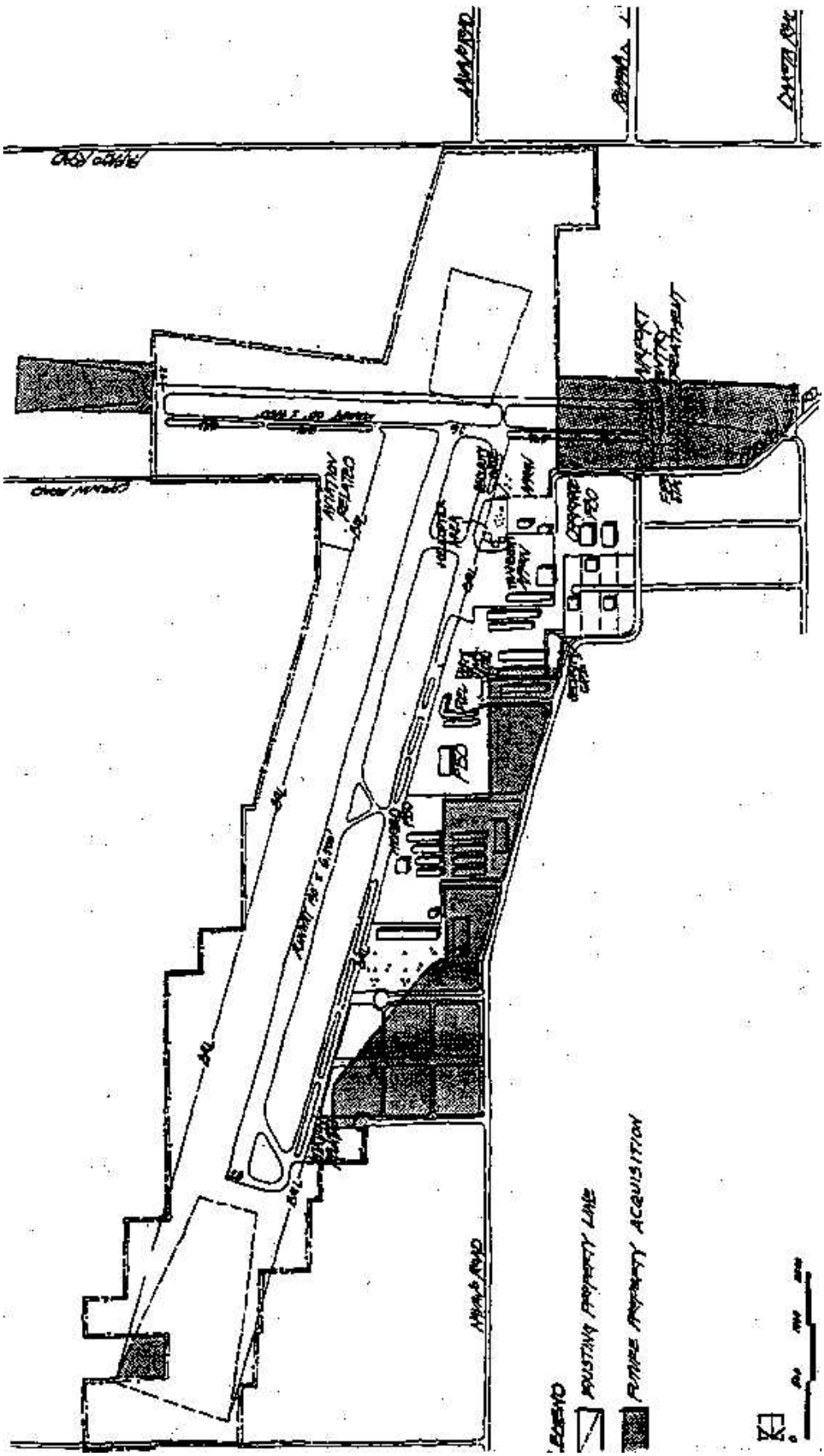

EXISTING PROPERTY LINE
FUTURE PROPERTY ACQUISITION

FIGURE 3-1
FORECASTS OF BASED AIRCRAFT AND OPERATIONS
AT APPLE VALLEY AIRPORT, 1989 TO 2010

Description	Actual 1989	Forecast 1995	2000	2005	2010
Based Aircraft					
Single Engine Piston	157	177	215	267	317
Multi-Engine Piston	15	20	27	34	40
Turboprop and Turbojet	2	2	2	3	4
Helicopter	0	4	5	6	7
Total	174	203	249	310	368
Annual Operations					
Itinerant	35,750	41,500	51,000	63,500	75,500
Local	35,750	41,500	51,000	63,500	75,500
Total	71,400	83,000	102,000	127,000	151,000
Monthly, Daily and Hourly Operations					
Peak Month	7,150	8,300	10,200	12,700	15,100
Average Day of Peak Month (ADPM)	238	277	340	423	503
Peak-Hour of ADPM	36	42	51	64	76

Source: Draft Final Apple Valley Airport Master Plan (P&D Technologies, February 1991)

FIGURE 3-2

COMPARISON OF BASED AIRCRAFT FORECASTS

FOR APPLE VALLEY AIRPORT, 1989 TO 2010

Year	Master Plan	SCAG (a)	CASP (b)	NP1AS (c)	1974 Master Plan (d)
Existing					
1989	174	-	-	-	-
Forecast					
1990	-	-	138	104	144
1995	203	-	157	139	-
2000	249	-	174	-	-
2005	310	180	189	—	-
2010	368	-			

(a) Source: Southern California Association of Governments, General Aviation System Study - Phase II, December 1987.

(b) Source: California Department of Transportation, Division of Aeronautics, The California Aviation System Plan, Element 0; Forecasts, August 1988 (Draft).

(c) U.S. Department of Transportation, Federal Aviation Administration, National Plan of Integrated Airport Systems (NPIAS). 1986-1995. November 1987.

(d) Quinton-Budlong, Apple Valley Airport Master Plan, April 1984.

Source: Draft Final Apple Valley Master Plan (P&D Technologies, February 1991)

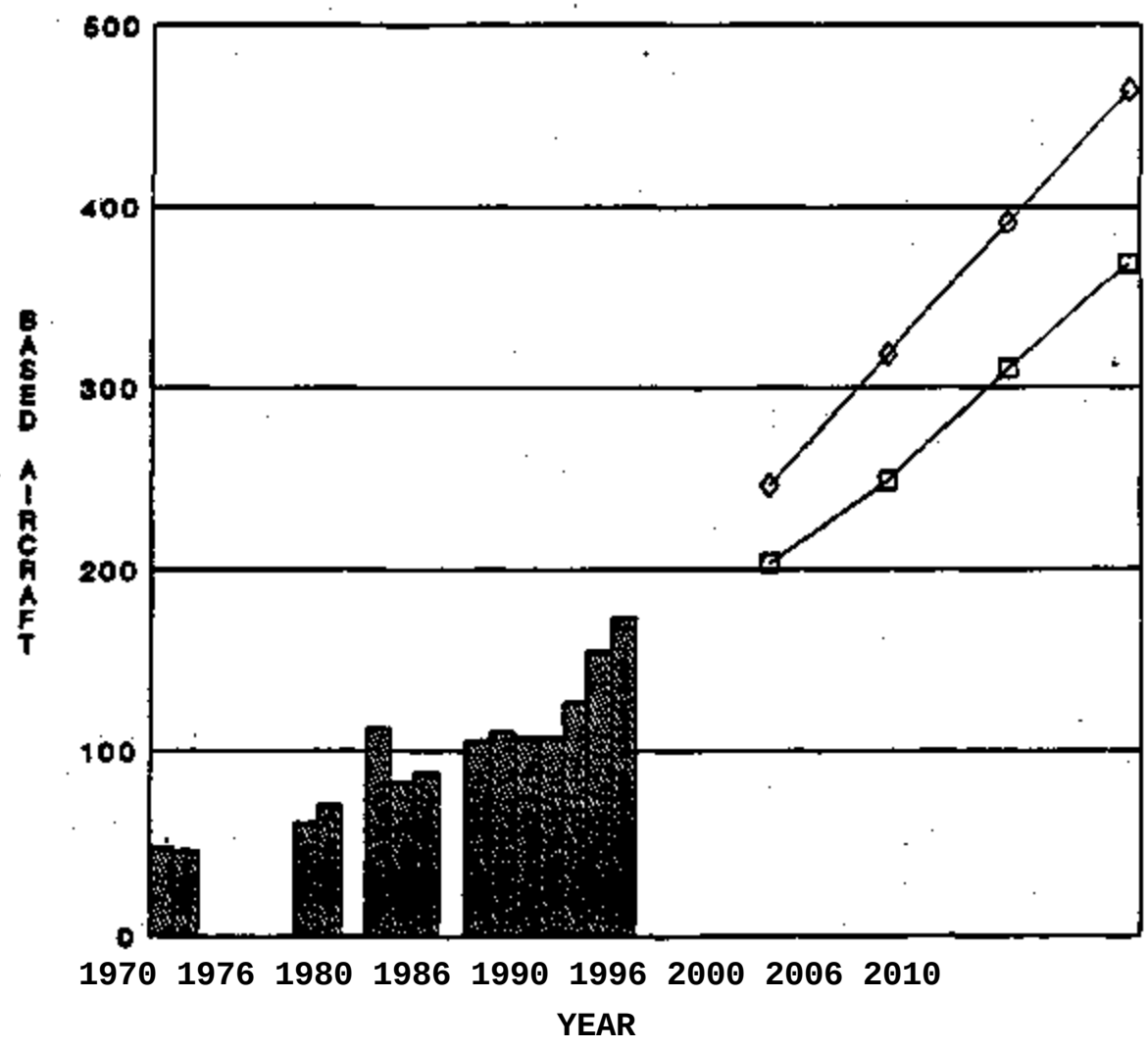


FIGURE 3-3

FORECAST OF BASED AIRCRAFT AT APPLE VALLEY AIRPORT

Sources: FAA (1970-1987); Apple Valley Airport (1989); P & D Technologies (1995-2010)

5.2 NOISE METRIC STANDARDS

The State of California, Division of Aeronautics has adopted the Community Noise Equivalent level (CNEL) as their methodology for describing airport noise exposure. CNEL is an energy averaging metric that combines the 24-hour average noise level of each aircraft fly-over in a 24-hour period. The methodology also incorporates the increased annoyance of aircraft noise during evening and night time periods by penalizing aircraft noise events occurring, between the hours of 7:00 PM and 10:00 PM and between and 7:00 AM.

A CNEL level is approximately equal to the average dB(A) level during an entire time period. Thus, a 65 CNEL level describes an area having a time averaged constant noise level of 65 dB(A) even though the area would experience noise events higher and lower than 65 dB(A). The main advantage of the CNEL measurement is that it provides a common measurement for a variety of differing noise environments. The same CNEL can be used to describe an area with many low level noise events or a few high level noise events.

The Federal Aviation Administration (FAA) and the Environmental Protection Agency (EPA) use the Day-Night Average Sound Level (Ldn) for quantifying noise levels in the community. The Ldn and CNEL methods are closely related. The only difference is that toe Ldn methodology does not apply a weighting factor to noise levels occurring in the evening period of 7:00 PM to 10:00 PM: In California, the FAA accepts the CNEL metric.

5.3 EXISTING AND FUTURE NOISE CONTOURS AT THE APPLE VALLEY AIRPORT

The CNEL methodology was used to develop noise contours of the current noise level at Apple Valley Airport. These noise contours are superimposed on a land use map to calculate areas of noise and land use incompatibility. Compatibility vs. incompatibility is defined in the California Airport Noise Standards. The Division of Aeronautics Noise Standards requires that land use be compatible within a specified criterion CNEL airport contour. One objective of this standard is to create an urban development pattern in which all the land included within the criterion CNEL contour is devoted to either airport or nonsensitive land uses that would fit within the various zoning districts around the Apple Valley Airport.

The Caltrans Division of Aeronautics has promulgated noise standards which regulate the permissible amount of aircraft related noise impacts to incompatible land uses. These standards have become more restrictive over the years and now use the 65 CNEL as the limit for defining incompatible land uses. The 1989 CNEL contours for the Apple Valley Airport are on Figure 5-1.

As shown on Figure 5-2, the 2010 South Crosswind Runway 8-26 65 CNEL noise contour will not result in any incompatible land uses. Neither the 60 or 65 CNEL contours are projected to extend past the future Airport property line.

5.4 NOISE LAND USE COMPATIBILITY

The State Noise Standards are designed to create cooperation among airport proprietors, aircraft operators, local governments, pilots and the State of California in an effort to diminish airport related noise. The regulations do this by controlling and reducing noise in communities in the vicinity of airports.

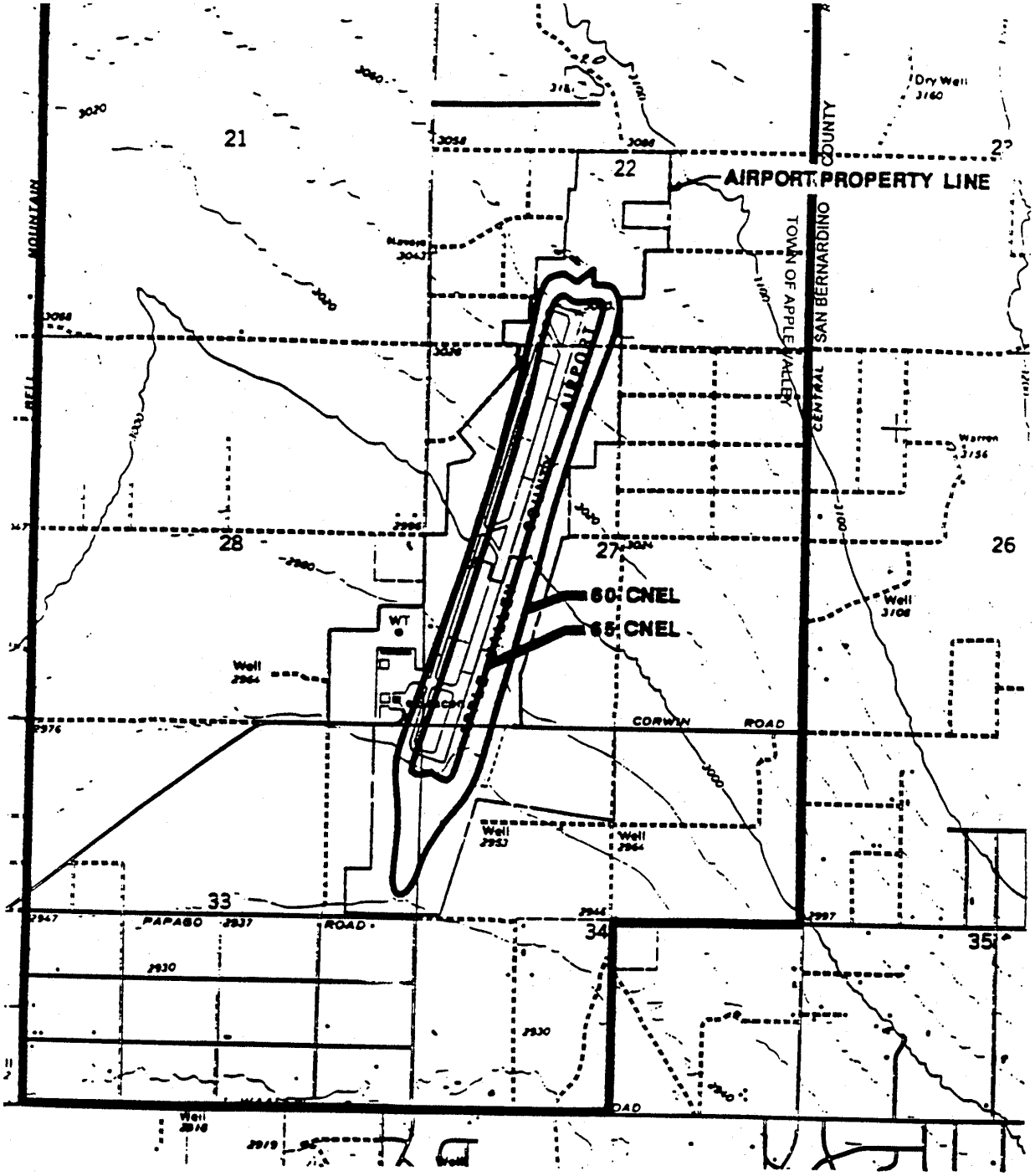


FIGURE 5-1
Year 1989 CNEL Noise Contours

2000 0 2000
SCALE IN FEET

Source: Draft Final Apple Valley Master Plan (P&D Technologies, February 1991)

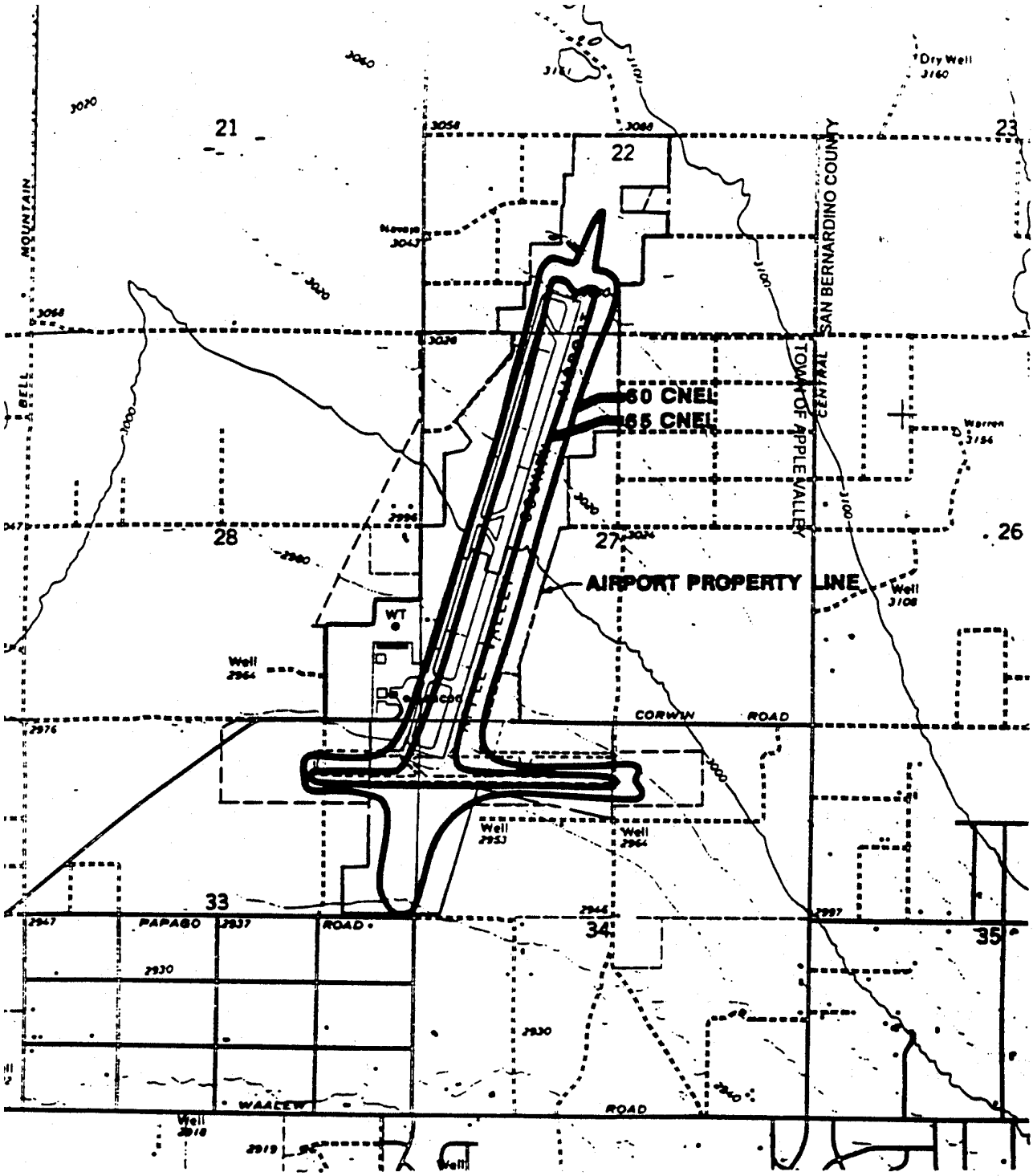


FIGURE 5-2

Year 2010 CNEL Noise Contours for New Runway at South End

Incompatible land uses under the state definitions include single family dwellings, multiple family dwellings, trailer parks, schools of standard construction and hospitals. Compatible uses include multiple family dwellings in which adequate protection against exterior noise has been included in the design and construction of the structures, together with a central air conditioning system. Adequate protection means the noise reduction (exterior to interior) shall be sufficient to assure that interior CNEL in all habitable rooms does not exceed 45 dB(A) during aircraft operations.

Different land uses have different sensitivities to noise during certain times of day, week or year. Schools, residences, churches and hospitals are very sensitive to noise. On the other hand, factories, warehouses, storage yards and open farm land are relatively insensitive to noise. Other uses, such as offices, shopping centers, recreation areas or hotels have intermediate levels of sensitivity to noise.

According to the adopted Airport Master Plan and the Environmental Impact Report, both the 65 dB(A) and 60 dB(A) CNEL noise contours remain completely within current and/or future airport property boundaries and that the areas outside the airport property near aircraft approach zones and traffic patterns would be 55 dB(A) which under Uniform Building Code requirements would result in ambient interior noise levels of 45 dB(A) CNEL for single family residential units, which is consistent with standards established by the Town under the adopted General Plan and Development Code. Therefore, the permitted land uses and densities allowed within this document's aircraft safety overlay zones are consistent with noise land use compatibility standards established by Caltrans Division of Aeronautics and the FAA.

6.0 *AIRPORT/AIRCRAFT SAFETY*

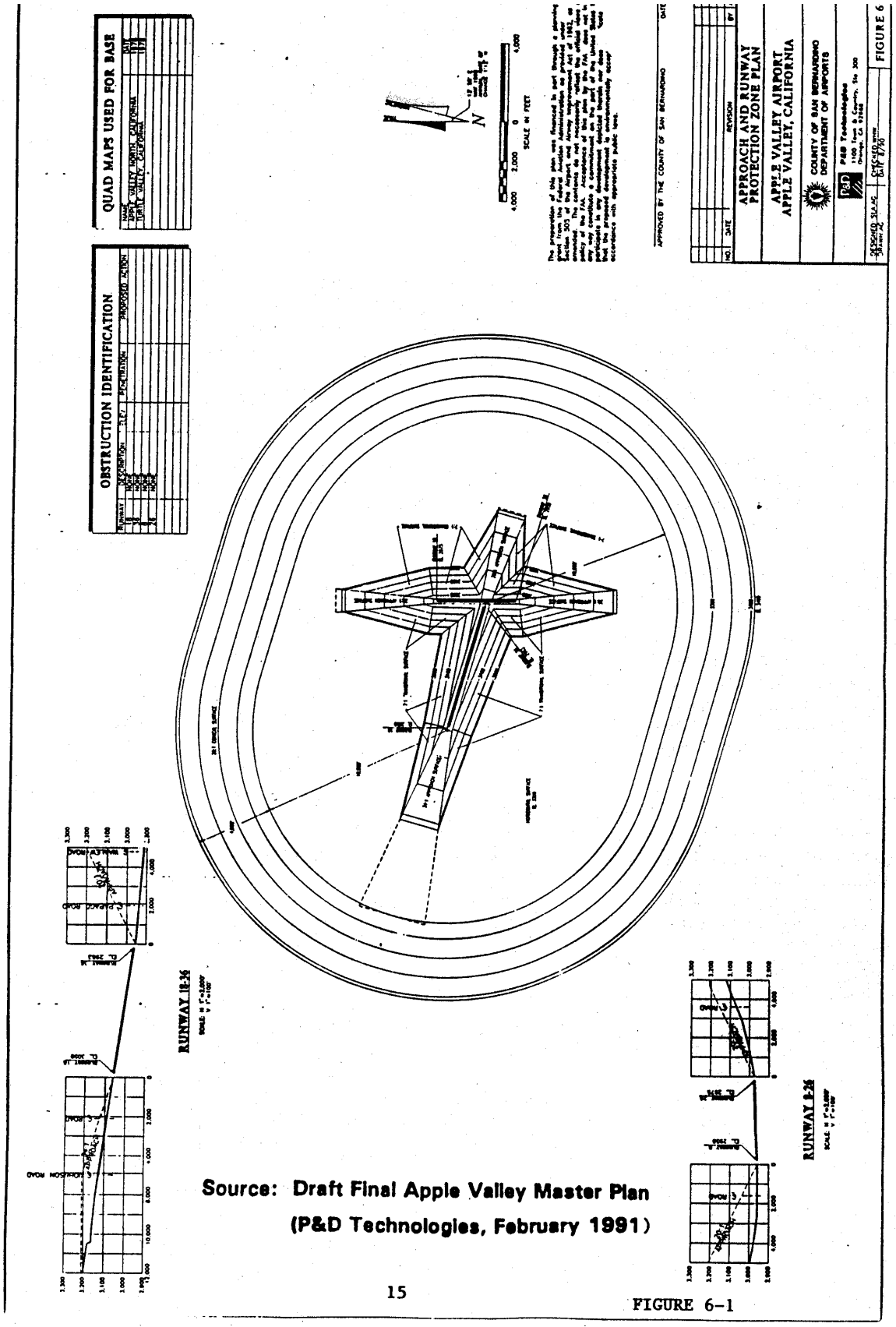
There are two basic components of airport safety: the safety of those in the aircraft and the safety of those on the ground. The first involves protection of airspace required for safe aircraft operations. The second deals with compatibility of surrounding land uses in terms of exposing people and property on the ground to crash hazards associated with aircraft operations.

6.1 SAFETY IN THE AIR

Protection of airspace is most commonly accomplished through restrictions on structure height Under Federal Aviation Regulation (FAR) Part 77, attached as Exhibit 4, height restrictions for development within airport approach and departure patterns were established to allow aircraft maneuvering room and to ensure that neither the operating capability of the airport nor the usable runway is adversely affected by obstructions in the surrounding airspace. Figure 6-1 graphically demonstrates the application of FAR Part 77 height restrictions as they are applied to the imaginary (theoretical) surfaces and zones of the Apple Valley Airport. Figure 6-2 shows the same runway approach protection areas from a parcel-specific perspective.

6.2 HAZARDS TO AIR NAVIGATION

Federal Aviation Regulations (FAR) Part 77 specify a set of imaginary surfaces surrounding an airport. These surfaces define areas that would be used by planes taking off from or landing at an airport. The purpose of these defined surfaces is to ensure that the landing and take off flight tracks are free of obstructions such as mountains, buildings and utility poles and wires.



Source: Draft Final Apple Valley Master Plan
(P&D Technologies, February 1991)

FIGURE 6-1

AREA AFFECTED BY

FEDERAL AVIATION REGULATIONS

RUNWAY APPROACH PROTECTION STANDARDS

(Not Adjusted For Flight Track Assumptions)

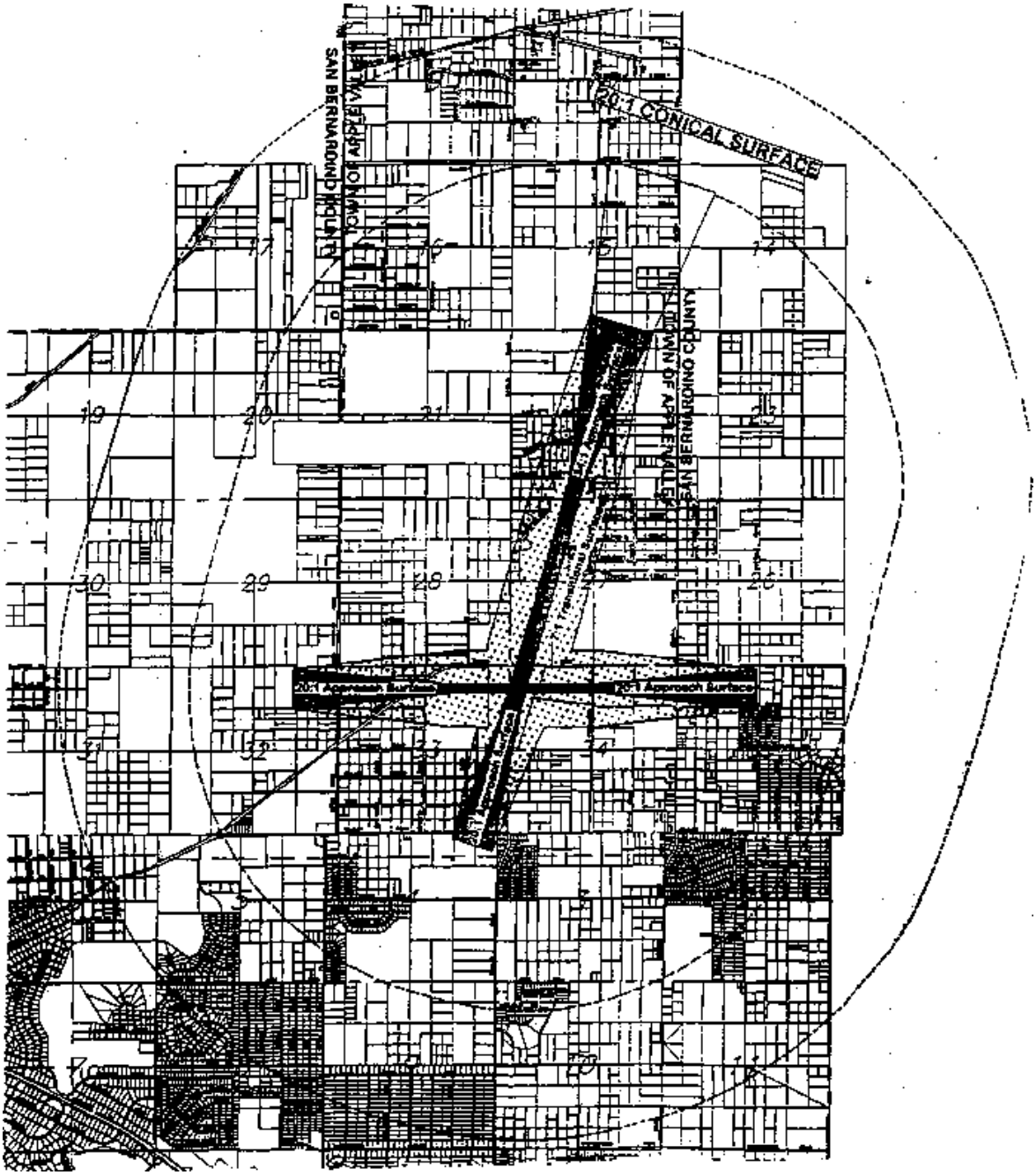


Figure 6-2

When objects such as these penetrate these imaginary surfaces, the FAA reviews them to determine if the presence of the objects would present a hazard to air navigation at the airport. These surfaces are defined as approach, horizontal and conical surfaces. Objects including terrain penetrating these surfaces must be reviewed by the FAA to determine if they constitute a hazard to air navigation.

Presently, there are no obstructions to the aircraft approach surfaces at Apple Valley Airport. There are ground penetrations to the outer edge of the horizontal surface and the conical surface by Bell Mountain to the west and Fairview Mountain to the east of the Airport. These penetrations do not adversely affect the flight safety of aircraft using the Apple Valley Airport arid are not considered by the FAA as hazards to air navigation at the Apple Valley Airport.

6.3 SAFETY

Aircraft accidents do not occur frequently, and the likelihood of an accident occurring cannot be precisely measured and it is not possible to quantify indicators or exposure to accident potential in the same way that noise contours are developed. A review of aircraft accidents at commercial air carrier airports, using date gathered by the National Transportation Safety Board (NTSB), indicates that the largest number accidents involving a fatality occur on airport property. Fewer accidents occur in the surrounding area, with an equal number occurring within one mile and between one and five miles from the airport boundary.

6.4 STATE REGULATIONS

California state laws and regulations pertaining to off-airport safety compatibility are found in two primary locations:

A. State Aeronautics Act. As is true at the federal level, California state regulations provide little guidance with respect to airport land use safety compatibility. Perhaps the most significant provision is to give the State Division of Aeronautics enforcement powers regarding FAR Part 77. Chapter 4, Article 2.7 of the Aeronautics Act prohibits any person from constructing any structure or permitting any natural growth of a height which would constitute a hazard to air navigation as defined in FAR Part 77 unless a state permit or federal exemption is obtained. This regulation applies to objects located within one mile of an airport boundary.

B. State Education Code. This state law (Education Code, Section 39005) requires that any school district proposing to acquire a site for an elementary or secondary school located within two miles of an airport runway notify the Department of Transportation of this intended action. The Division of Aeronautics is then required to investigate the she and report back to the school district. Another section of the Education Code (81036) establishes similar requirements for community college sites.

C. California Division of Aeronautics. The previous 1983 version of the *Airport Land Use Planning Handbook* issued by the California-Department of Transportation, Division of Aeronautics contained a section listing "suggested guidelines for safety zones." these guidelines are essentially a composite of the criteria found at that time in compatibility plans adopted by airport land use commissions throughout the state. As with the 1993 *Handbook* volume, the 1983 document does not establish regulations, policies, or

standards. Both documents merely make recommendations and suggestions for consideration by individual airport land use commissions, counties, and cities.

7.0 SAFETY ZONE ALTERNATIVES

It is evident from the review of safety compatibility guidelines that no single means of defining the area of safety compatibility concerns around airports is *correct* any more than a single way of measuring airport noise exposure is correct Many variables must be considered when evaluating alternative safety zone shapes and sizes, whether in general or for a specific airport.

7.1 GENERALIZED SAFETY ZONES

The fact that accidents have historically occurred in certain locations is no guarantee that they will happen in precisely those places in the future, especially at any one airport. Nevertheless, it is reasonable to predict that the majority of accidents could fall within approach zones and traffic pattern areas. The CALUCP utilizes safety zone alternatives, well defined by the FAA and suggested in the 1993 Airport Land Use Planning Handbook prepared for Caltrans Division of Aeronautics, pages 9-6 through 9-24, that are intended to limit the frequency of accidents by protecting airport airspace. These safety zone alternatives are described as the Airport Master Plan Area and Airport Overlay District.

7.2 APPLICABILITY

The provision of this section shall apply to all new development within the> Airport Overlay Districts and any addition, remodeling, relocation or construction requiring a building or grading permit.

7.3 ADMINISTRATION

All new non-residential uses or significant expansions of non-residential use within the Airport Overlay Districts shall be subject to an airport compatibility review. All exceptions shall still comply with all other standards and requirements of Chapter 9.65 of the Development Code.

Projects located within the Airport overlay districts shall be reviewed for consistency with the provisions of the CALUCP. At the discretion of the Planning Manager, specific projects may be forwarded to the Airport Manager for review. The comments of the Airport Manager shall be considered prior to any approval of a project.

8.0 LAND USE OVERLAY DISTRICTS

A. Purpose. The purpose of the establishment of airport overlay districts is to promote the development of compatible land uses with aircraft operations near the airport proper within the immediate area surrounding the airport, which includes the General Plan Airport Influence Area.

B. Combining with the Underlying Zoning District. The applicable Airport Overlay District shall be in addition to the underlying zoning and land use district in which it is

located. The regulations of both the underlying zoning land use designations and overlay districts shall apply.

8.1 AIRPORT OVERLAY DISTRICTS

For the purpose of administering the CALUCP, the Airport Overlay Districts listed below are established and delineated on the map to ensure land compatibility with the Apple Valley Airport areas required under State and Federal regulations. Also, refer to the maps entitled *Airport Overlay Districts,* Figure A-1, and *South Runway Flight Track Assumptions,* Figure A-2.

A. Airport Master Plan - Safety Area. Within this CALUCP, the FAA-defined Runway Protection Zone, Runway Object Free Zone, Inner Safety Zone and Emergency Touch Down Zone will be located within final airport boundaries established by the County's adopted Apple Valley Master Plan. To the maximum extent practical, these areas should be dear of objects and structures in conformance with the building restriction line as shown in Figure 6-1 of the Airport Master Plan. Within that area to the extent practical, any airport activities/operations should be very low intensity in character. The existing and future projected 60 dB(A) and 65 dB(A) CNEL noise contour will be located completely on the airport property according to the master plan and EIR/EAR. Development within this area will occur in conformance with the County's adopted Airport Master Plan, EIR/EAR and Mitigation Monitoring Plan.

B. Airport Overlay District A-1. This overlay district includes the outer safety zone with the runway approach surface which conforms with the adopted Airport Master Plan flight paths that extend along the runway centerline from the ends of each of the runway surfaces. The dimension of those zones are shown below:

DIMENSIONS FOR A-1 AIRPORT OVERLAY DISTRICT				
Runway End	**Length**	**Inner Width**	**Outer Width**	**Slope**
18	**3,500**	**500**	**1,000**	**34:1**
36	**3,500**	**500**	**1,000**	**20:1**
8	**3,500**	**250**	**1,000**	**20:1**
26	**3,500**	**250**	**1,000**	**20:1**

NOTE: All dimensions are listed in lineal feet

C. Airport Overlay District A-2. This zone is based upon the traffic pattern/overflight zone adopted in the Apple Valley Airport Master Plan. The basic shape of the zone was based on a 1,000-foot wide flight path, which was extended from the center line of the runway ends. To limit conflicts generated from airport facilities and air operations and the adjacent privately owned properties, the outer edge of the flight tracks defines the exterior boundaries of airport overlay district A-2. The area located within those exterior boundaries that are not superimposed over the Airport Master Plan Safety Area or the Airport Overlay District A-1 will have the Airport Overlay District A-2 designation.

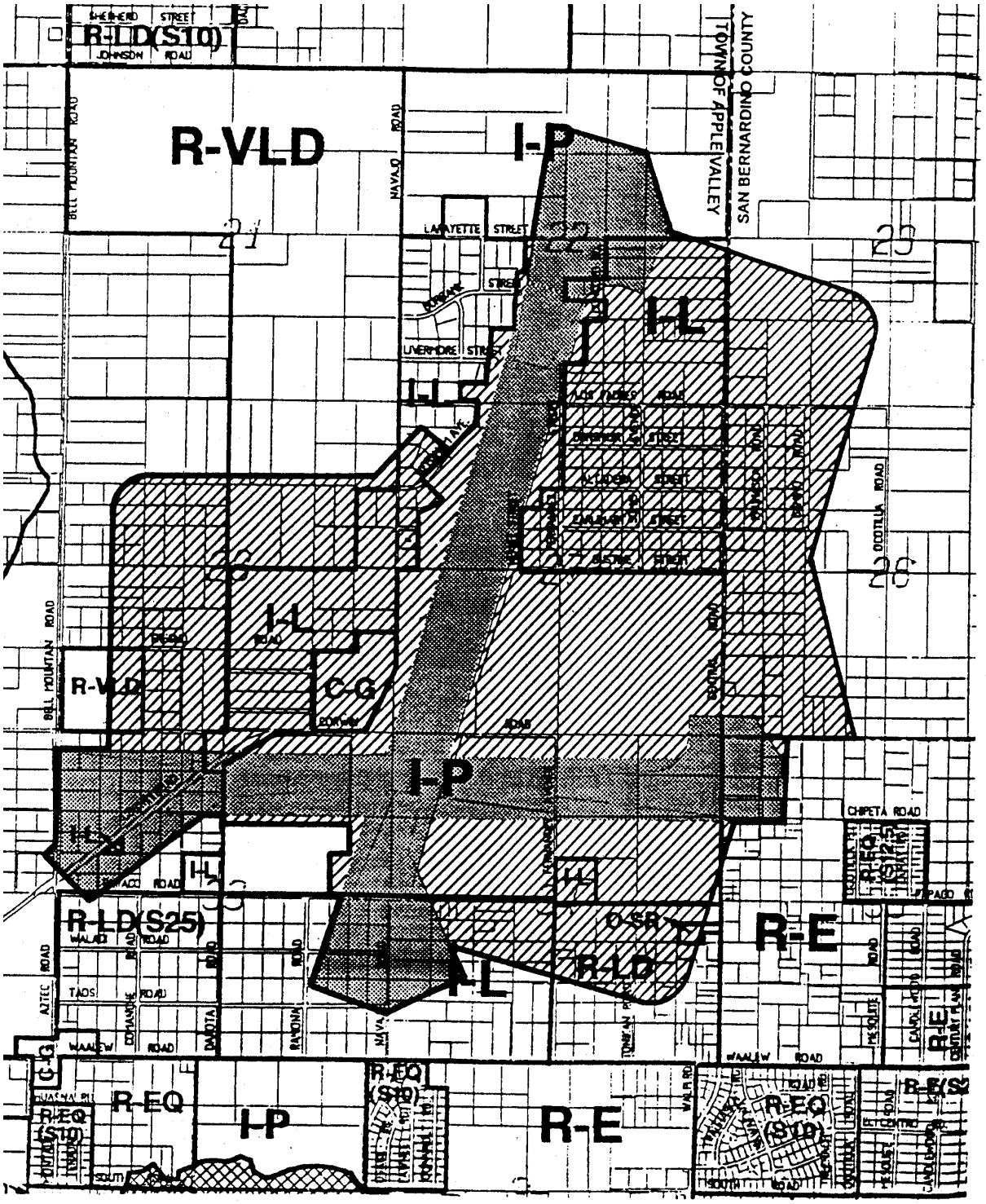


FIGURE A-1

Airport Overlay Districts

Airport (A-1) Overlay District

Airport (A-2) Overlay District

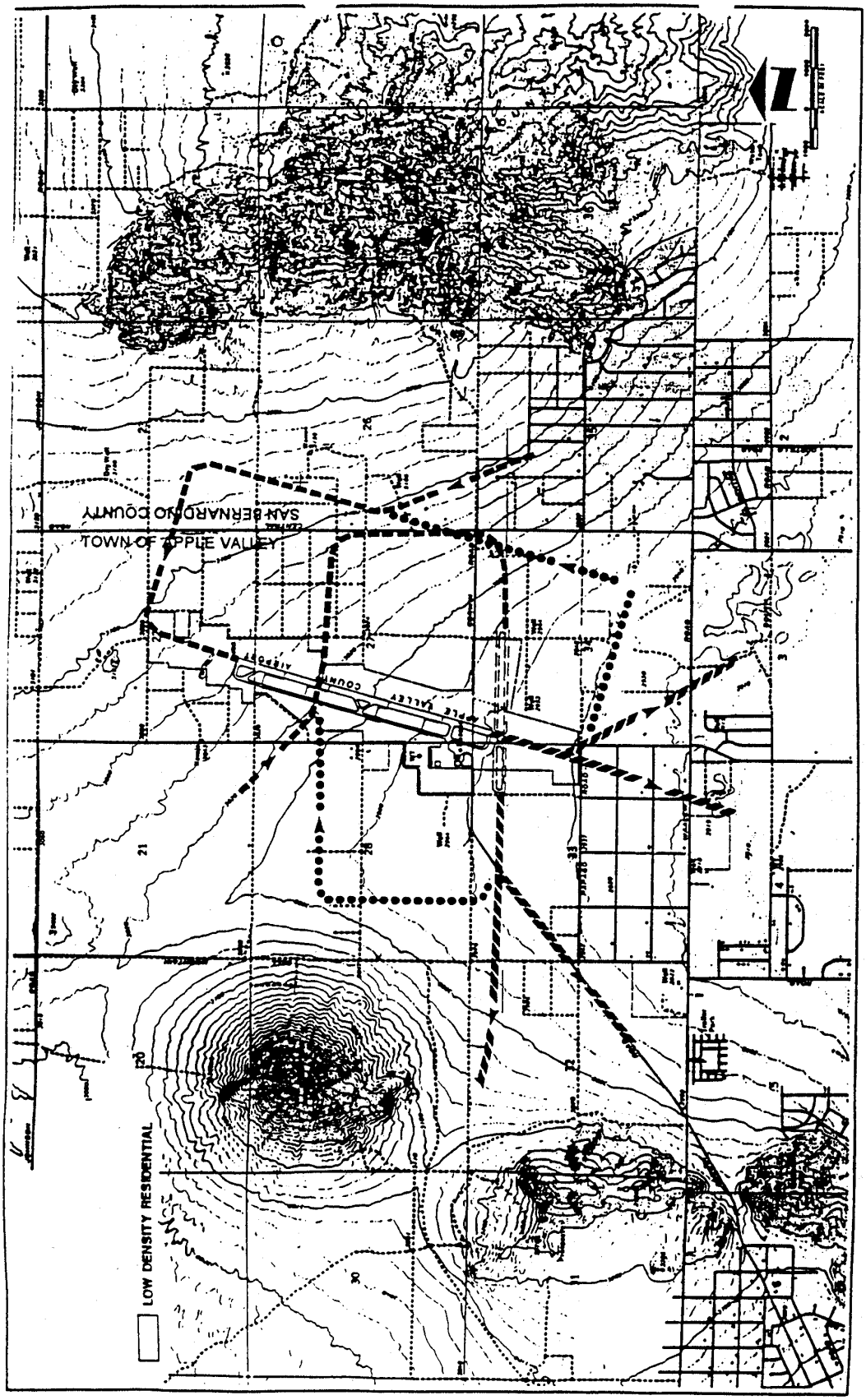


FIGURE A-2
SOUTH RUNWAY FLIGHT TRACK ASSUMPTIONS

Source: Draft Final Apple Valley Master Plan (P&D Technologies, February 1991)

impeding the pilot's ability to see the airfield. Other uses which cause electrical interference with aircraft navigational and communications equipment also should be prohibited in the airport vicinity. Other inappropriate uses include those which attract large numbers of birds. Examples include landfills and some types of food processing plants involving outdoor storage of grant and other raw materials or food by-products.

The Airport Land Use Planning Handbook offers the following descriptions of land uses which are considered hazardous and should be prohibited within all airport safety zones:

A. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

B. Any use which would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight -final approach toward a landing at an airport

C. Any use which would generate smoke or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within this area.

D. Any use which would generate electrical interference that would be detrimental to the operation of aircraft an/or aircraft instrumentation.

E. Any land use outside the Airport Master Plan Safety Area involving the manufacture, storage or distribution of explosives or flammable/hazardous materials.

8.3 USES PERMITTED WITHIN AIRPORT OVERLAY ZONING DISTRICTS

All new non-residential uses or significant expansions of non-residential use shall be subject to the Land Use Compatibility Guidelines for Airport Overlay Zoning Districts, Table 8-1, and shall also be subject to an airport compatibility review as described in Section 9.65.030 of the Development Code.

8.4 HEIGHT

The construction, establishment, expansion, or addition to any building or structure and the normal mature height of any vegetation shall be permitted up to a maximum height of 35 feet in Airport Overlay Districts A-1 and up to a maximum height of 50 feet in the Airport Overlay District A-2, unless there is a lower maximum height in the underlying zone. Structures or objects in excess of these heights and not exceeding the maximum height in the underlying zone shall be subject to discretionary review as to whether they would conflict with Federal Aviation Regulations Part 77 or impede visibility or access to open areas providing emergency landing areas for aircraft. The height of objects and structures within the Airport Master Plan Safety Area shall comply with the height limits as specified in this Section or provided by Federal Aviation Regulations Part 77, Objects Affecting Navigable Air Space, whichever is more restrictive.

TABLE 8-1
LAND USE COMPATIBILITY GUIDELINES FOR AIRPORT OVERLAY ZONE DISTRICTS[1]

Safety Zone	Recommended Minimum Population Density		Maximum Coverage by Structures	Land Use
	Residential	Non-Residential		
Airport Master Plan Safety Area (included in Airport Overlay District A-l)	O[2]	10 persons per acre	O[2]	No significant obstructions[3] No petroleum or explosives No above-grade powerlines All development must comply with the adopted Airport Master Plan
Airport Overlay District A-l	1 dwelling unit per 2 acres	25 persons per acre[4]	25% of net area	No hotels, motels No restaurants, bars No schools, preschools, day care centers No hospitals, or community, congregate or residential care facilities No concert halls, auditoriums, churches No stadiums, arenas .. No public utility stations, plants No public communications facilities
Airport Overlay District A-2	4 dwelling units per 1 acre	150 persons per acre[4]	Building envelope and lot coverage must comply with the underlying zoning district	No schools, preschools, day care centers (not including trade schools) No hospitals, or community, congregate or residential care facilities No concert halls, auditoriums, churches No stadiums, arenas

1. The following uses shall be prohibited in all airport overlay zones:
   a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
   b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
   c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds or which may otherwise affect safe air navigation within the area.
   d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
   e. Any land use outside the Airport Master Plan Safety Area involving, as the primary activity, the manufacture, storage or distribution of explosives or flammable or hazardous materials.
   f. Any outdoor, above-ground storage of flammable or hazardous materials.
2. No structures permitted in emergency touchdown zones or inner safety zones. These areas are completely contained on Apple Valley Airport property.
3. Significant obstructions include but are not limited to large trees, heavy fences and walls, tall and steep berms and retaining walls, non-frangible street light and sign standards, billboards.
4. A "structure" includes fully enclosed buildings and other facilities involving fixed seating and enclosures limiting the mobility of people, such as sports stadiums, outdoor arenas, and amphitheaters.

8.5 DEVELOPMENT STANDARDS

A. Development of residential land uses shall be constructed to maintain interior noise exposure levels of 45 dB(A) CNEL or less with windows and doors closed.

B. All new development shall comply with all applicable standards contained within the Development Code.

C. All exterior lighting shall have sharp cut-off reflectors in which virtually no light leaves the fixture above an angle of about 70 degrees, as measured straight down.

D. A deed notice as shown in Exhibit 3, Sample Deed Notice, shall be required to be recorded on all properties for which projects are approved within Airport Overlay Districts.

9.0 *NONCONFORMING USES*

A. Existing Building. Structure or Use. Nothing in this Chapter shall require any change or alteration to constructed or established building, structure or use that was legally in existence on the date of adoption of this document Any building, structure or use which does not comply with this document is established as a nonconforming use and is subject to the provisions of Section 9.65.090, *Nonconforming Uses and Structures,* in the Town Development Code.

B. Applicability. Any addition, remodeling, relocation or construction within the Airport Overlay Districts requiring *a* building permit shall comply with the applicable regulations of the overlay district, the underlying district, and the applicable height regulations provided by the Federal Aviation Regulations, Part 77, Objects Affecting Navigable Air Space.

10.0 EXISTING ZONING

The zoning designations located within the airport overlay districts are shown in Figure A-1. The definitions for those zoning designations are as follows.

A. Residential Zoning

1. **Very Low Density Residential (R-VLD).** This district is intended for very low density, single family detached housing development with a minimum lot size of five (5) gross acres per unit. This area is suited for agriculture, animal keeping and equestrian uses, but because of environmental constraints or lack of services, these uses must occur at low intensities. This zoning district implements the General Plan Very Low Density Residential (R-VLD) land use designation density of five (5) or more gross acres per dwelling unit.

1. **Low Density Residential (R-LD).** This district is intended to ensure that the open character of certain areas of the Town is maintained even with new single family residential development. Minimum lot sizes may range from two and one-half (2.5) to five (5) acres per dwelling unit, depending

on environmental conditions, infrastructure and adjacent land uses. Low Density Residential districts may include environmentally constrained (i.e., floodplain, seismic areas, topography, endangered species habitat, etc.) areas or areas which lack infrastructure necessary for urbanization. Certain types of agriculture, animal keeping, and equestrian uses may also be allowed in this district, subject to the standards provided in this Development Code. This district shall serve as the holding zone for the Community Reserve (R-C) land use areas designated in the General Plan.

3. **Estate Residential (R-E).** This district is designed to provide for single family residential subdivisions with a rural atmosphere and the opportunity for custom homes which will allow equestrian uses and animal keeping. These areas must be served by infrastructure and utilities. Minimum lot size shall be one (1.0) gross acre. This district implements the General Plan Estate Residential (R-E) land use designation density of one (1.0) to two and one-half (2.5) gross acres per dwelling unit.

B. Commercial and Office Districts

»

General Commercial (C-G). The C-G district is intended for the development of a full range of retail stores, offices and personal and business services, including shopping centers of from 8.1 to 20 acres, along major roadways, consistent with the General Commercial (C-G) land use designation of the General Plan. A maximum floor area ratio (F.A.R.) of 0.5 is permitted in the C-G District.

C. Industrial Districts

1. **Light Industrial (I-L).** The I-L district is intended for the development of lighter industrial uses such as manufacturing, assembly, research and development and similar uses, as well as limited commercial and office uses in appropriate locations, and multi-tenant industrial uses along the major vehicular, rail and air transportation routes serving the Town. This district implements the Planned Industrial (I-P) designation of the General Plan. All work and related activity, including materials and equipment storage, shall be conducted within enclosed facilities to reduce the potential for adverse impacts on adjacent uses. Outdoor storage may be permitted in specific circumstances where, through approval of a Conditional Use Permit, it is demonstrated that adequate screening and buffering of the outdoor storage area can be achieved to eliminate adverse impacts on adjacent uses and to maintain the visual qualities of the area.

2. **Planned Industrial (I-P).** The I-P district is intended to provide for light industrial uses, research and development, and multi-tenant industrial buildings, as well as certain supporting administrative and professional offices and commercial activities on a limited basis in an attractive and pleasant working environment. This district implements the Planned Industrial (I-P) designation of the General Plan.

D. Open Space Districts

Recreation Open Space (OS-R). The OS-R district is primarily intended for privately owned lands that provide a range of active recreational opportunities within the community. These active recreational opportunities are meant to serve the recreational and social interaction needs of the Town residents of all ages, economic situations, and physical conditions. A limited number of publicly owned lands may also be included, subject to the approval of the Town Council.

11.0 GENERAL PLAN/CALUCP CONSISTENCY

The Approval of Assembly Bill No. 2831 requires that each jurisdiction's General Plan be consistent with their comprehensive plans (CALUCP). To comply with this requirement revisions are being proposed to the Town General Plan's Land Use and Noise Elements, and Table IMP-1 Implementation Strategies. These revisions will include revisions to the text, tables and maps, the deletion of specific existing policies and the addition of goals and policies to the Land Use Element, as follows.

Goal LU-7: The Town shall safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general by encouraging land uses which minimize public exposure to excessive noise and safety hazards.

Policy LU-7.1: The Town shall establish airport overlay districts to reduce noise impacts and review height limitations within specified areas within the vicinity of the airport.

Policy LU-7.2: The Town shall develop compatible land use guidelines and development standards based upon protection of the airport approach and runway protection zone surfaces and potential noise impacts caused by airport operations.

Policy LU-7.3: Land uses which may create hazards to flights near the airport such as agricultural uses which attract birds shall be discouraged.

Policy LU-7.5: The above ground storage of flammable materials or other hazardous substances which could substantially contribute to the severity of an aircraft accident if one should occur, shall be prohibited within the vicinity of the airport.

Policy LU-7.6: Lower density land uses and open space area shall be encouraged near the airport in order to enhance safety for occupants of an aircraft forced to make an emergency landing away from the runway.

Goal LU-8: The Town shall coordinate land uses both on the airport property and in surrounding areas, so that land uses are compatible and able to function without major constraints or conflicts.

Policy LU-8.1: Land uses such as schools, auditoriums, and other public buildings which normally require an interior noise environment suitable for uninterrupted speech communication and which also involve concentrations of people shall be discouraged in

areas of airport traffic patterns and approaches to runways even though the noise level is not considered significant.

Policy LU-8.2: Passive and active recreational uses which involve large areas of open space such as golf courses and which do not result in the large concentrations of people within a given area, shall be encouraged.

Policy LU-8.3: Any uses that may create an electrical interference with communications between the airport facility and the aircraft shall be limited.

Policy LU-8.4: Visual hazards, including distracting lights, particularly lights which can be confused with airfield lights, glare and sources of smoke shall be discouraged.

A. Current General Plan Policies

Currently, there are three policies within the Land Use Element of the General Plan which specifically address the airport and its influence area:

Policy LU-4.5: (pg 28) The Town will encourage utilization of the Apple Valley Airport to enhance light industrial development and provide support for commercial development. The Town will consider establishment of a Specific Plan for this area.

Policy LU-4.6: (pg 28) Commercial and industrial activities will be clustered in areas adjacent to major roads and in the vicinity of the Apple Valley County Airport.

Policy LU-4.7: (pg 28) Development proposed within the Airport Influence Area will be subject to finding [sic] by the Town Planning Department to ensure compatibility with airport operations.

B. Proposed Deletion of Existing General Plan Policies

Policy LU-4.5 is proposed to be deleted. Apple Valley Airport Master Plan indicates that there is more than adequate space on properties proposed to be acquired for the airport to provide for all anticipated airport related businesses. Also, the proposed Airport Overlay District addresses compatibility issues, so a specific plan does not need to be considered for these reasons.

Policy LU-4-7 is also proposed to be deleted. This policy states that a finding will be made determining the compatibility of development proposals with airport operations. The policies which are being proposed to be added to the Land Use Element will specifically define the processes for determining the compatibility of development proposals with airport operations and consistency with the CALUCP and will therefore make the existing general policy obsolete.

C. Proposed Goals and Policies

The goals and policies are being proposed to be added to the Land Use Element of the General Plan. These goals and policies have been developed in compliance with Assembly Bill 2831 adopted in September 1994, to insure that the General Plan is consistent with the objectives and policies set forth within the CALUCP.

The proposed General Plan goals are consistent with the purposes of CALUCP, which is to protect the health and safety of town residents and ensure compatibility between airport operations and land uses within the vicinity of the airport. The proposed policies describe the methods for achieving these goals and including the establishment of airport overlay districts, development standards and by discouraging land uses which may conflict with airport operations.

D. Changes to Land Use Element Text

In addition to the added goals and policies, there are revisions being proposed to the text of the Land Use Element. The Airport Influence Area is currently identified as a Special Study Area. The General Plan identifies these "Areas" as portions of the Town in which there are specific environmental or development concerns and recommends that Town-initiated specific plans be prepared to address these concerns. The Airport Master Plan EIR and CALUCP, address the environmental and development concerns associated with the Airport eliminating the necessity for a specific plan . It is therefore proposed that the reference to the Airport Influence Area as a Special Study Area be deleted.

However, the Airport Influence Area is a portion of the Town which presents significant land use concerns resulting from safety and noise impacts associated with the airport operations. It is therefore proposed that the Airport Influence Area be identified as a separate topic of the Land Use Element.

E. Amendments to the Noise Element

Amendments are also being proposed to the Noise Element. It is proposed that the Noise Element be revised to reflect a standard of 65 dB(A) CNEL as the maximum noise level for single-family residential development. Amendments to Policy N-1.2 and Table N-1 of the Noise Element are also proposed to be revised to reflect this standard.

F. Amendments to the Implementation Strategy. Table IMP-1

The Implementation Program is a separate section of the General Plan, consisting primarily of Table IMP-1, which details the mechanisms utilized to achieve the policies contained within the General Plan Elements. These mechanisms may include State or County requirements, the Development Code, or other local and regional regulatory standards. Each policy within the General Plan is presented within Table IMP-1. The proposed General Plan Amendment would revise Table IMP-1 to include the policies proposed to be added to the Land Use Element.

12.0 CONCLUSION

This Comprehensive Airport Land Use Compatibility Plan has been prepared to protect and enhance the quality of the natural and improved environment and to promote the public health, safety and welfare in the vicinity of the Apple Valley Airport by minimizing exposure high noise levels and accident hazards generated by airport operations and to encourage future development that is compatible with the continued operation of the airport Additionally, the purpose of this Chapter is to implement the following goals, objectives, strategies and action plans of the General Plan, the Towns Comprehensive Economic Development Plan and the Comprehensive Airport Land Use Compatibility Plan, through commercial, industrial and residential development within the Airport Overlay District by achieving the following:

A. Safeguarding the general welfare of the inhabitants within the vicinity of the airport and the public in general by minimizing public exposure to excessive noise and safety hazards.

B. Coordinating land uses both on the airport property and in surrounding areas, so that land uses are compatible and able to function without major constraints or annoyance.

C. Promote commercial and industrial developments that are capable of strengthening the local economy and enhancing the quality of life of Town residents.

D. Ensure that land use conflicts are minimized and that long term interest for industrial projects are maintained.

E. Encourage long-term investment in the community.

F. Protect adjacent property owners from negative impacts.

13.0 IMPLEMENTATION DOCUMENTS

Some development proposals that will be processed with the Town may require the dedication of avigation or overflight easements or use of deed notices in selected areas around the Apple Valley Airport. Examples of three types of documents are presented on the following pages:

A. Exhibit 1 - Avigation Easement

B. Exhibit 2 - Overflight Easement

C. Exhibit 3 - Deed Notice

D. Exhibit 4 - Appendix E of Federal Aviation Administration Runway Approach Protection Standards; Part 77 - Objects Affecting Navigable Airspace

Exhibit 1

Typical Avigation Easement

This indenture made this ___ day of _____, 19___, between _____ hereinafter referred to as Grantor, and the ___[Insert County or City name]__, apolitical subdivision in the State of California, hereinafter referred to as Grantee.

The Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual and assignable easement ever the following described parcel of land in which the Grantor holds a fee simple estate. The property which is subject to this easement is depicted as _____ _____ on Exhibit A* attached and is more particularity described as follows:

[Insert legal description of real property]

The easement applies to the Airspace above an imaginary plane over the real property. The plane is described as follows:

> The imaginary plane above the hereinbefore described real property, as such plane is defined by Pan 77 of the Federal Aviation Regulations, and consists of a plane {describe approach, transition, or horizontal surface]; the elevation of said plane being based upon the ____ Airport official runway end elevation of _____ feet Above Mean Sea Level (AMSL), as determined by [insert
> name and Date of Survey or Airport Layout Plan that determines the elevation] the approximate dimensions of which said plane are described and shown on Exhibit A attached hereto and incor- porated herein by reference.

The aforesaid easement and right-of-way includes, but is not limited to:

(1) For the use and benefit of the public, the easement and continuing right to fly, or cause or permit the flight by any and all persons, or any aircraft, of any and all kinds now or hereafter known, in, through, across, or about any portion of the Airspace hereinabove described; and

(2) The easement and right to cause or create, or permit or allow to be caused or created within all space above the existing surface of the hereinabove described real property and any and all Airspace laterally adjacent to said real property, such noise, vibration, currents and other effects of air, Illumination and fuel consumption as may be inherent in, or may arise or occur from or during the operation of aircraft of any and all kinds, now or hereafter known or used, for navigation of or flight in air, and

(3) A continuing right to dear and keep dear from the Airspace any portions of buildings, structures, or improvements of any kinds, and of trees or other objects, including the right to remove or demolish those portions of such buildings, structures, improvements, trees, or other things which extend into or above said Airspace, and the right to cut to the ground level and remove, any trees which extend into or above the Airspace; and

(4) The right to mark and light, or cause or require to be marked or lighted, as obstructions to air navi- gation, any and all buildings, structures, or other improvements, and trees or other objects, which extend into or above the Airspace; and

(5) The right of ingress to, passage within, and egress from the hereinabove described real property, for the purposes described in subparagraphs (3) and (4) above at reasonable times and after rea- sonable notice.

For and behalf of itself, its successors and assigns, the Grantor hereby covenants with the [Insert County or City name], for the Direct benefit of the real property constituting the _____ Air- port hereinafter described, that neither the Grantor, nor its successors in interest or assigns will con- struct, install, erect, place or grow in or upon the hereinabove described real property, nor will they permit to allow, any building structure, improvement, tree or other object which extends into or above the Airspace, or which constitutes an obstruction to air navigation, or which obstructs or interferes with the use of the easement and rights-of-way herein granted.

The easements and rights-of-way herein granted shall be deemed both appurtenant to and for the direct benefit of that real property which constitutes the _____ Airport, in the [Insert County or City name). State of California; and shall further be deemed in gross, being conveyed to the Grantee for the benefit of the Grantee and any and all members of the general public who may use said easement
or right-of-way, in landing at, taking off from or operating such aircraft in or about the _____ Airport or in otherwise flying through said Airspace.

This grant of easement shall not operate to deprive the Grantor, its successors or assigns, of any rights which may from time to time have against any air carrier or private operator for negligent or unlawful operation of aircraft.

These covenants and agreements run with the land and are binding upon the heirs, administrators, executors, successors and assigns of the Grantor, and, for the purpose of this instrument, the real pro- perty firstly hereinabove described is the servient tenement and said _____ Airport is the dominant tenement.

DATED: _____ _____

_____

STATE OF } ss

COUNTY OF }

On _____, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, and _____known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

_____

Notary Public

Exhibit 2

Typical Overflight Easement

GRANTOR Hereby grants to the _____ in _____, its successors or assigns, as owners of the [Name of Airport] _____, California, an overflight easement for the following purposes and granting the following rights:

(1) For the use and benefit of the public, and to the extent and in the manner consistent with safe operating procedures as provided under applicable governmental regulations, the right to make flights, and the noise inherent thereto, in airspace over the property described in Exhibit A (attached) in connection with landings, takeoffs, and general operation of the (Name of Airport] .

(2) The right to regulate or prohibit the release into the air of any substance which would impair the visibility or otherwise interfere with the operations of aircraft such as, but not limited to, steam, dust, and smoke.

(3) The right to regulate or prohibit light emissions, either Direct or indirect (reflective), which might interfere with pilot vision.

(4) The right to prohibit electrical emissions which would interfere with aircraft communication systems or aircraft navigational equipment.

This easement shall be effective from this date and run with the land until such time as the [Name of Airport) is no longer used as an airport.

The real property subject to this overflight easement is described as follows: See Attachment "A"

DATED:_____ GRANTOR: _____

_____

By: _____

Exhibit 3

Exhibits Sample Deed Notice

The following statement should be included on the deed for the subject property and recorded in by the County. This statement should also be included on any parcel map, tentative map or final map for subdivision approval.

> This property is in the area subject to overflights by aircraft using Apple Valley Airport, and as a result occupants may experience inconvenience, annoyance or discomfort arising from the noise of such operations. State law (Public Utilities Code Section 21670 et. Seq.) establishes the importance of public use airports to protection of the public interest of the people of the State of California. Residents of property near a public use airport should therefore be prepared to accept such inconvenience, annoyance or discomfort from normal aircraft operations. Any subsequent deed conveying parcels or lots shall contain a statement in substantially this form.

Appendix E
Federal Aviation Administration
Runway Approach Protection Standards

Federal Aviation Regulations
Part 77 - Objects Affecting Navigable Airspace

Subpart A—General

§ 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 con- struction 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. .

§ 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 on]y if its sea lanes are outlined by visual markers.

"Nonprecision instrument runway"[1] 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 ap- proach 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 ap- proach procedure utilizing an Instrument Landing System (ILS), or n Precision Approach Radar (PAR). It also means A run- way for which n 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 * 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 in- tended 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 au- thority.

§ 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 Air- port Program and the Surplus Airport Pro- gram;

(2) Transferring property of the United States under Section 16 of the Federal Airport Act;

(8) 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 Administra- tor 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.

§ 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 tempor- ary existing structure by a change in its height (including appurtenances), or lateral dimen- sions, including equipment or materials used therein.

Subpart B-Notice of Construction or Alteration

§ 77.11 Scope.

(a) This subpart requires each person proposing any kind of construction or alteration described in § 77.13(a) of this chapter to give adequate notice to the Administrator. It specifies the locations and dimensions of the con- struction or alteration for which notice is re- quired 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 altera- tion that was the subject of a notice under §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 en- titled "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

(6) Charting and other notification to airman of the construction or alteration.

§ 77.13 Construction or alteration requiring notice.

(a) Except as provided in § 77.15, each sponsor who proposes any of the following construction or alteration shall notify the Administrator in the form and manner prescribed in § 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 n horizontal distance of 20,000 feet from the nearest point of the nearest runway of each airport speci- fied in subparagraph (5) of this para- graph with at least one runway more than 3,200 feet in actual length, excluding heli- ports.

(ii) 50 to 1 for n horizontal distance of 10,000 feet from the nearest point of the nearest runway of each airport speci- fied in subparagraph (5) of this para- graph with its longest runway no more than 3,200 feet in actual length, excluding heliports.

(iii) 25 to 1 for «, horizontal distance of 5,000 feet from the nearest point of the nearest landing and takeoff area of each heliport specified in subparagraph (5) of this paragraph.

(8) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for ah Interstate Highway that is part of the Na- tional 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 (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 ap- proach (procedures) and available informa- tion 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 site with the Federal Aviation Administration, and, except for military airports, it is clearly indicated that the air- port 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 FAX regional office at least *48* hours before the 'start of the construction or alteration. :

(c) Each sponsor who undertakes construc- tion or alteration that is the subject of a notice under paragraph (a) of this section shall, within 5 days after that construction or altera- tion reaches its greatest height, submit a sup- plemental 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.

§ 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 ar- resting device, or meteorological device, of a type approved by the Administrator, or an appropriate military service on military air- ports, 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.

§ 77.17 Form and time of notice.

(a) Each person who is required to notify the Administrator under $ 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 $ 77.13(a) (1) through (4) must be submitted at least 80 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 the FAA at the same time the application for construction is filed with the Federal Communications Com- mission, 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 ap- ply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed FAA Form 7460-1 submitted within five days thereafter. Outside normal business hours, emergency notices by telephone or tele graph 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 $ 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 jurisdic tion over the area involved.

§ 77.19 Acknowledgment of notice.

(a) The FAA acknowledges in writing the receipt of each notice submitted under $ 77.13 (a).

(b) If the construction or alteration pro- posed 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 hazard to air navigation, that the sponsor may re- quest 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.

Subpart C—Obstruction Standards

§ 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 faculties, 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 therefor is on file with the Federal Aviation Administration or an appropriate military service on the date the notice required by § 77.13(a) is filed.

(b) At those airports having defined runways with specially prepared hard surfaces, the primary surface for each such runway ex- tends 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 sur- faces, each end of the primary surface for each such runway shall coincide with the cor- responding end of the runway. At those air- ports, excluding seaplane bases, having a de- fined 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 j considered runways and an appro- priate primary surface as defined in § 7755 (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 pro- posals upon an airport if, at the time of filing of the notice required by §77.13(a), that airport is -

(1) Available for public use and is listed in the Airport Directory of the current Air- man'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.

(d) [Deleted]

§ 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 air- port 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 addi- tional 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 instru- ment night altitude within that area or segment to be less than the required obstacle clearance.

(4) A height within tin 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 §§ 77.25, 77.28, or 77.29. However, no part of the takeoff 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 con- trol 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 High- way 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 n private road.

(4) Twenty-three feet for railroad.

(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.

§ 77.25 Civil airport imaginary surfaces.

The following civil airport imaginary sur- faces are established with relation to the air- port 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 run- way. The slope and dimensions of the ap- proach surface applied to each end of a run- way 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 eleva- tion, 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;

(3) 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 run- way has no specially prewired 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 b 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 non precision 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 instru- ment 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 installment run- ways.

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 non-precision 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 non-precision 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 run- ways.

(3) The outer width of an approach sur- face 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 center- line 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, ex- tend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

§ 77.27 [Revoked]

§ 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 air- port 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 air- field 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 as the run- way 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 ap-

proach 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.

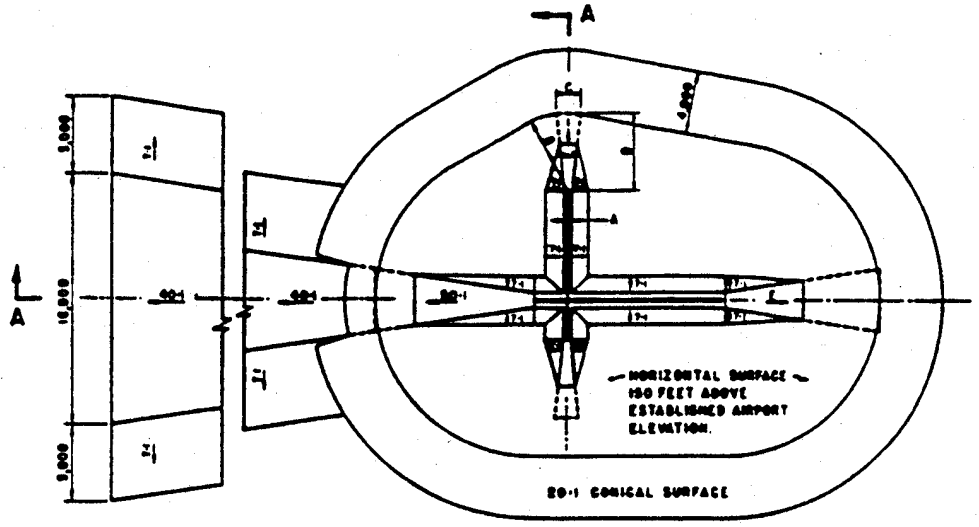
§ 77.29 Airport Imaginary surfaces for heliports.

(a) *Heliport primary surface.* The area of the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heli- port elevation. ;

(b) *Heliport approach surface.* The approach surface begins at each end of the heli- port 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.

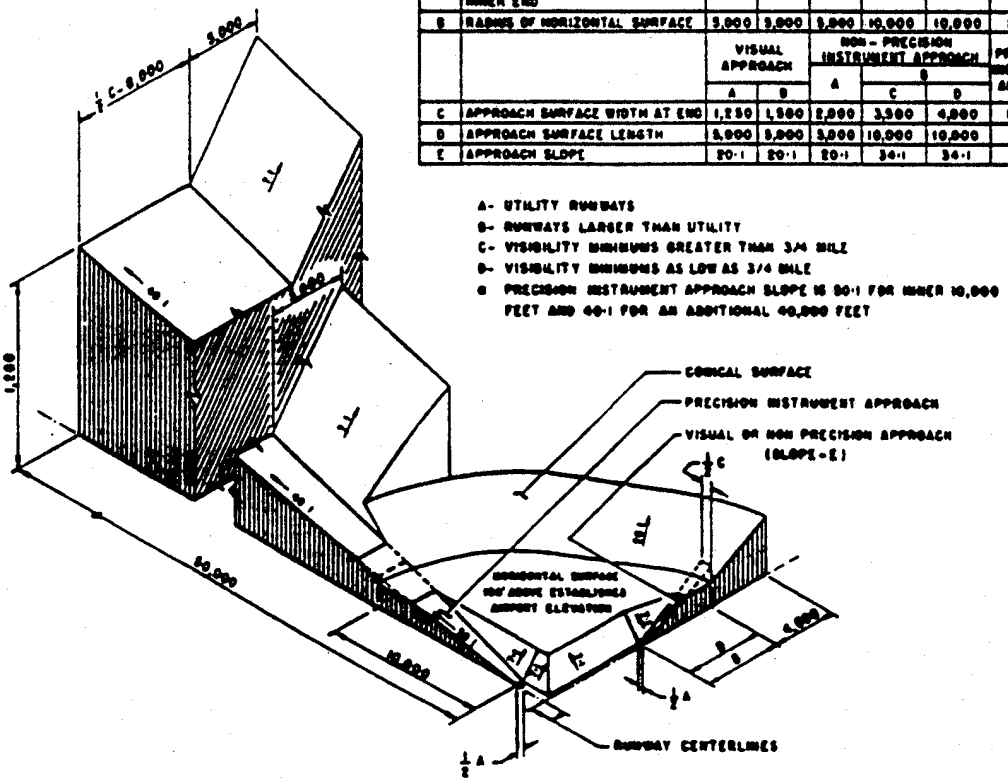
(c) *Heliport transitional surfaces.* These surfaces extend outward and upward from the lateral boundaries of the heliport primary surface and from the approach surfaces at a slope of 2 to 1 for a distance of 250 feet meas- ured horizontally from the centerline of the primary and approach surfaces.

Part 77 **OBJECTS AFFECTING NAVIGABLE AIRSPACE**



DIM	ITEM	DIMENSIONAL STANDARDS (FEET)					
		VISUAL RUNWAY		NON-PRECISION INSTRUMENT RUNWAY			PRECISION INSTRUMENT RUNWAY
		A	B	A	B C	B D	
A	WIDTH OF PRIMARY SURFACE AND APPROACH SURFACE WIDTH AT INNER END	250	500	500	500	1,000	1,000
B	RADIUS OF HORIZONTAL SURFACE	5,000	5,000	5,000	10,000	10,000	10,000
		VISUAL APPROACH		NON-PRECISION INSTRUMENT APPROACH			PRECISION INSTRUMENT APPROACH
		A	B	A	B C	B D	
C	APPROACH SURFACE WIDTH AT END	1,250	1,500	2,000	3,500	4,000	16,000
D	APPROACH SURFACE LENGTH	5,000	5,000	5,000	10,000	10,000	*
E	APPROACH SLOPE	20:1	20:1	20:1	34:1	34:1	*

A- UTILITY RUNWAYS
B- RUNWAYS LARGER THAN UTILITY
C- VISIBILITY MINIMUMS GREATER THAN 3/4 MILE
D- VISIBILITY MINIMUMS AS LOW AS 3/4 MILE
* PRECISION INSTRUMENT APPROACH SLOPE IS 50:1 FOR INNER 10,000 FEET AND 40:1 FOR AN ADDITIONAL 40,000 FEET



ISOMETRIC VIEW OF SECTION A-A

§ 77.25 CIVIL AIRPORT IMAGINARY SURFACES

Notice of Proposed Construction or Alteration
FAA Form 7460

DO NOT REMOVE CARBONS

U.S. Department of Transportation
Federal Aviation Administration

NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

Aeronautical Study Number

1. Nature of Proposal

A Type
☐ New Construction
☐ Alteration

B Class
☐ Permanent
☐ Temporary (Duration _____ months)

C Work Schedule Dates
Beginning _____
End _____

2. Complete Description of Structure

A Include effective radiated power and assigned frequency of all existing proposed or modified AM FM or TV broadcast stations utilizing this structure

B Include size and configuration of power transmission lines and their supporting towers in the vicinity of FAA facilities and public airports

C Include information showing site orientation dimensions and construction materials of the proposed structure

(If more space is required, continue on a separate sheet.)

3A. Name and address of individual, company, corporation, etc. proposing the construction or alteration. (Number Street City State and Zip Code)

( ) _____
area code Telephone Number

B Name address and telephone number of proponent's representative if different than 3 above

4. Location of Structure

A Coordinates To nearest second
c ° ' "
Latitude
o ° ' "
Longitude

B Nearest City or Town and State

1 Distance to 4B
Miles

2 Direction to 4B

C Name of nearest airport heliport lighted or seaplane base

(1) Distance from structure to nearest point of nearest runway

(2) Direction from structure to airport

5. Height and Elevation (Complete to the nearest foot)

A Elevation of site above mean sea level

B Height of Structure including all appurtenances and lighting (if any) above ground or water if so situated

C Overall height above mean sea level (A + B)

D Description of location of site with respect to highways streets airports prominent terrain features existing structures etc Attach a U S Geological Survey quadrangle map or a sketch showing the relationship of construction site to nearest airport(s) (If more space is required continue on a separate sheet of paper and attach to this notice.)

Notice is required by Part 77 of the Federal Aviation Regulations (14 C F R Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958 as amended (49 U S C 1101). Persons who knowingly and willingly violate the Notice requirements of Part 77 are subject to a fine (criminal penalty) of not more than $500 for the first offense and not more than $2,000 for subsequent offenses pursuant to Section 902(a) of the Federal Aviation Act of 1958 as amended (49 U S C 1472(a)).

I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking & lighting standards if necessary.

Date	Typed Name/Title of Person Filing Notice	Signature

FOR FAA USE ONLY *FAA will either return this form or issue a separate acknowledgement.*

The Proposal:

☐ Does not require a notice to FAA.

☐ Is not identified as an obstruction under any standard of FAR, Part 77, Subpart C, and would not be a hazard to air navigation.

☐ Is identified as an obstruction under the standards of FAR, Part 77, Subpart C, but would not be a hazard to air navigation.

☐ Should be obstruction ☐ marked, ☐ lighted per FAA Advisory Circular 70/7460-1, Chapter (s) _____

☐ Obstruction marking and lighting are not necessary.

Remarks:

Supplemental Notice of Construction FAA Form 7460-2 is required any time the project is abandoned, or

☐ At least 48 hours before the start of construction.

☐ Within five days after the construction reaches its greatest height.

This determination expires on _____ unless:

(a) extended, revised or terminated by the issuing office;

(b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application.

NOTE: Request for extension of the effective period of this determination must be postmarked or delivered to the issuing office at least 15 days prior to the expiration date.

If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.

Issued In	Signature	Date

Form 7460-1 (6-80)

DO NOT REMOVE CARBONS

Airport Design Standards
FAA Advisory Circular No. 150/5300-13

Table2-4. Approach Surface Dimensions

Facilities Expected To Serve	Runway End			Approach Suface Dimensions		
	Approach End	Opposite End	Length feet (meters)	Inner Width feet (meters)	Outer Width feet (meters)	Slope Run/rise
Only Small Airplanes	V	V	5,000 (1500)	250 (75)	1,250 (375)	20:1
		NP	5,000 (1500)	500 (150)	1,250 (375)	20:1
		NP ¾ P	5,000 (1500)	1,000 (300)	1,250 (375)	20:1
	NP	V NP	5,000 (1500)	500 (150)	2,000 (600)	20:1
		NP ¾ P	5,000 (1500)	1,000 (300)	2,000 (600)	20:1
Large Airplanes	V	V NP	5,000 (1500)	500 (150)	1,500 (450)	20:1
		NP ¾ P	5,000 (1500)	1,000 (300)	1,500 (450)	20:1
	NP	V NP	10,000 (3000)	500 (150)	3,500 (1050)	34:1
		NP ¾ P	10,000 (3000)	1,000 (300)	3,500 (1050)	34:1
Large or Only Small Airplanes	NP ¾	V NP NP ¾ P	10,000 (3000)	1,000 (300)	4,000 (1200)	34:1
	P	V NP NP ¾ P	10,000 (3000) PLUS 40,000 (12,000)	1,000 (300) 4,000 (1200)	4,000 (1200) 16,000 (4800)	50:1 40:1

V - Visual approach
NP - Nonprecision instrument approach with visibility minimums more than ¾ statute miles
NP ¾ - Nonprecision instrument approach with visibility minimums as low as ¾ statute miles
P - Precision instrument approach

Table2-5. Runway Protection Zone (RPZ) Dimensions

Facilities Expected To Serve	Runway End			Approach Suface Dimensions		
	Approach End	Opposite End	Length L feet (meters)	Inner Width W_1 feet (meters)	Outer Width W_2 feet (meters)	RPZ acres
Only Small Airplanes	V	V	1,000 (300)	250 (75)	450 (135)	8.035
		NP	1,000 (300)	500 (150)	650 (195)	13.200
		NP ¾ P	1,000 (300)	1,000 (300)	1,050 (315)	23.542
	NP	V NP	1,000 (300)	500 (150)	800 (240)	14.922
		NP ¾ P	1,000 (300)	1,000 (300)	1,200 (360)	25.252
Large Airplanes	V	V NP	1,000 (300)	500 (150)	700 (210)	13.770
		NP ¾ P	1,000 (300)	1,000 (300)	1,100 (330)	24.105
	NP	V NP	1,700 (510)	500 (150)	1,010 (303)	29.465
		NP ¾ P	1,700 (510)	1,000 (300)	1,425 (427.5)	47.320
Large or Only Small Airplanes	NP ¾	V NP NP ¾ P	1,700 (510)	1,000 (300)	1,510 (453)	48.978
	P	V NP NP ¾ P	2,500 (750)	1,000 (300)	1,750 (525)	78.914

V - Visual approach
NP - Nonprecision instrument approach with visibility minimums more than ¾ statute miles
NP ¾ - Nonprecision instrument approach with visibility minimums as low as ¾ statute miles
P - Precision instrument approach

EXHIBIT B

Amendments to Apple Valley General Plan

NOTE: Deletions denoted by strikethrough and additions denoted by underline.

Noise Element - Standards for Land Use Compatibility, Page 5-6 (Paragraph #2)

The standards for noise and land use vary considerably, depending on their type and nature. Figure 1 categorizes noise levels according to whether a particular noise level is acceptable. Noise exposure is "normally acceptable" if the level of exposure does not require any special noise insulation or special construction techniques to reduce interior noise levels. The maximum noise level considered to be normally acceptable for ~~single family~~ single and multiple family residential development is SO 65 dBA. ~~and for multiple family development, 65, dBA.~~

Noise Element - Goals and Policies, Page 11

Policy N-1.2: New residential development in those areas identified as being within areas designated as having a CNEL of ~~60 dB~~ 65 dB(A) or greater will be required to have a noise study performed to determine what level of sound insulation, if any, is required to meet the acceptable interior noise levels established by the Town.

Land Use Element - Special Study Areas, Page 19-21

~~*4.*-------Airport Influence Area: The Airport Influence Area comprises all of the land within the San Bernardino County Airport Land Use Commission defined 60 dbA CNEL contour, "Approach Surfaces", and commercial and industrially designated property adjacent to the airport~~

Land Use Element, Page 22 AIRPORT INFLUENCE AREA

The Apple Valley Airport is located at the northeast end of Town, approximately 4 miles east of Interstate 15 and 3 miles north of Highway 18. The Airport Influence Area has been defined by the County's adopted Airport Master Plan and comprises all of the land within the 60 dB(A) CNEL noise contour and properties which are included within air traffic patterns and turning radius' that are projected to have a 55 dB(A) CNEL (see Airport Influence Area Map. LU-5). There are specific noise and safety hazards associated with the properties within the Airport Influence Area.

~~Policy LU-4.5: The Town will encourage utilization of the Apple Valley Airport to enhance light industrial development and provide support for commercial development. The Town will consider establishment of a Specific Plan for this area.~~

Policy ~~LU-4.6:~~ LU-4.5: Commercial and industrial activities will be clustered in areas adjacent to major roads and in the vicinity of the Apple Valley County Airport.

~~Policy LU-4.7; Development proposed within the Airport Influence Area will be subject to finding by the Town Planning Department to ensure compatibility with airport operations.~~

Additions after Policy LU-6.4, Land Use Element, Page 29

Goal LU-7: The Town shall safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general by encouraging land uses which minimize public exposure to excessive noise and safety hazards.

Policy LU-7.1: The Town shall establish airport overlay districts to reduce noise impacts and review height limitations within specified areas within the vicinity of the airport.

Policy LU-7.2: The Town shall develop compatible land use guidelines and development standards based upon protection of the airport approach and runway . protection zone surfaces and potential noise impacts caused by airport operations.

Policy LU-7.3: Land uses which may create hazards to flights near the airport such as agricultural uses which attract birds shall be discouraged.

Policy LU-7.4: The above ground storage of flammable materials or other hazardous substances which could substantially contribute to the severity of an aircraft accident if one should occur, shall be prohibited within the vicinity of the airport.

Policy LU-7.5: Lower density land uses and open space area shall be encouraged near the airport in order to enhance safety for occupants of an aircraft forced to make an emergency landing away from the runway.

Goal LU-8: The Town shall coordinate land uses both on the airport property and in surrounding areas, so that land uses are compatible and able to function without major constraints or conflicts.

Policy LU-8.1: Land uses such as schools, auditoriums, and other public buildings which normally require an interior noise environment suitable for uninterrupted speech communication and which also involve concentrations of people shall be discouraged in areas of airport traffic patterns and approaches to runways.

Policy LU-8.2: Passive and active recreational uses which involve large areas of open space such as golf courses and which do not result in the large concentrations of people within a given area, shall be encouraged.

Policy LU-8.3: Any uses that may create an electrical interference with communications between the airport facility and the aircraft shall be limited.

Policy LU-8.4: Visual hazards, including distracting lights, particularly lights which can be confused with airfield lights, glare and sources of smoke shall be discouraged.

(see Element text for complete policy)		Timing	Status	Responsible Agency	Scope	Principle Implementing Codes/ Ordinances /Plans/Regulations
LU 4.7	Airport area development subject to Haft findings of compatibility	Ongoing	In process	Town	Airport area	General Plan, Development Code
LU 5.1	Complete historic building and site inventory	Ongoing	In process	Town	Historic buildings, archaeologic sites*	General Plan, Development Code
LU 5.2	Preserve or salvage archaeologic resources	Ongoing	In process	Town	Historic buildings, archaeologic sites	General Plan, Development Code
LU 5.3	Encourage reuse of historic buildings	Ongoing	b process	Town	Historic buildings, archaeologic sites	General Plan, Development Code
LU 6.1	Establish agri zoning for areas around Deep Creek	1-2 years	In process	Town	Deep Creek area	General Plan, Development Code
LU 6.2	2.S acre min. lots in agri areas	Ongoing	Pending	Town	Deep Creek area	General Plan, Development Code
LU6.3	Buffer agri uses from new development	Ongoing	Pending	Town	Deep Creek area	General Plan, Development Code
LU6.4	Establish criteria for agri resource management	1-2 years	Pending	Town	Deep Crack area	General Plan, Development Code
LU7.1	Establish Airport Overlay District	Ongoing	In progress	Town	Airport Influence Area	Zoning and Development Code
LU 7.2	Develop Compatible Land Use Guidelines	Ongoing	In progress	Town	Airport Influence Area	Zoning and Development Code
LU 7.3	Discourage land use which may create hazards to flight! near	Ongoing	In progress	Town	Airport Influence Area	
LU 7.4	Shield buildings within vicinity of airport	Ongoing	In progress	Town	Airport Influence Area	
LU7.5	Prohibit aboveground storage of large quantities of flammable or hazardous material within vicinity of airport	Ongoing	In progress	Town	Airport Influence Area	Zoning and Development Code

LU	...courage density land uses and open space within the vicinity of the airport	Ongoing	In progress	Town	Airport Influence Area	Zoning and Deve... ...ode
LU 8.1	Discourage land uses which normally require an interior noise environment normally suitable for uninterrupted speech	Ongoing	In progress	Town	Airport Influence Area	Zoning and Development Code
LU 8.2	Encourage recreational uses involving large areas of open space and which do not result in large concentrations of people in vicinity of airport	Ongoing	In progress	Town	Airport Influence Area	Zoning and Development Code
LU 8.3	Limit uses which may create electrical interference with communications between airport facility & aircraft	Ongoing	In progress	Town	Airport Influence Area	Zoning and Development Code
LU 8.4	Discourage visual hazards which can be confused with airfield lights within vicinity of airport	Ongoing	In progress	Town	Airport Influence Area	Zoning and Development Code
H 1.1	Obtain 1990 Census as soon as possible	1-2 years	Pending	Town	Town/Sphere of Influence	General Plan
H 1.2	Review changes in population and housing	1-2 years	Pending	Town	Town/Sphere of Influence	General Plan
H 1.3	Review Housing Plan, if needed revise in 1992	1-2 years	Pending	Town	Town/Sphere of Influence	General Plan
H 1.4	Annually review Housing Element	Yearly	Pending	Town	Townwide	General Plan

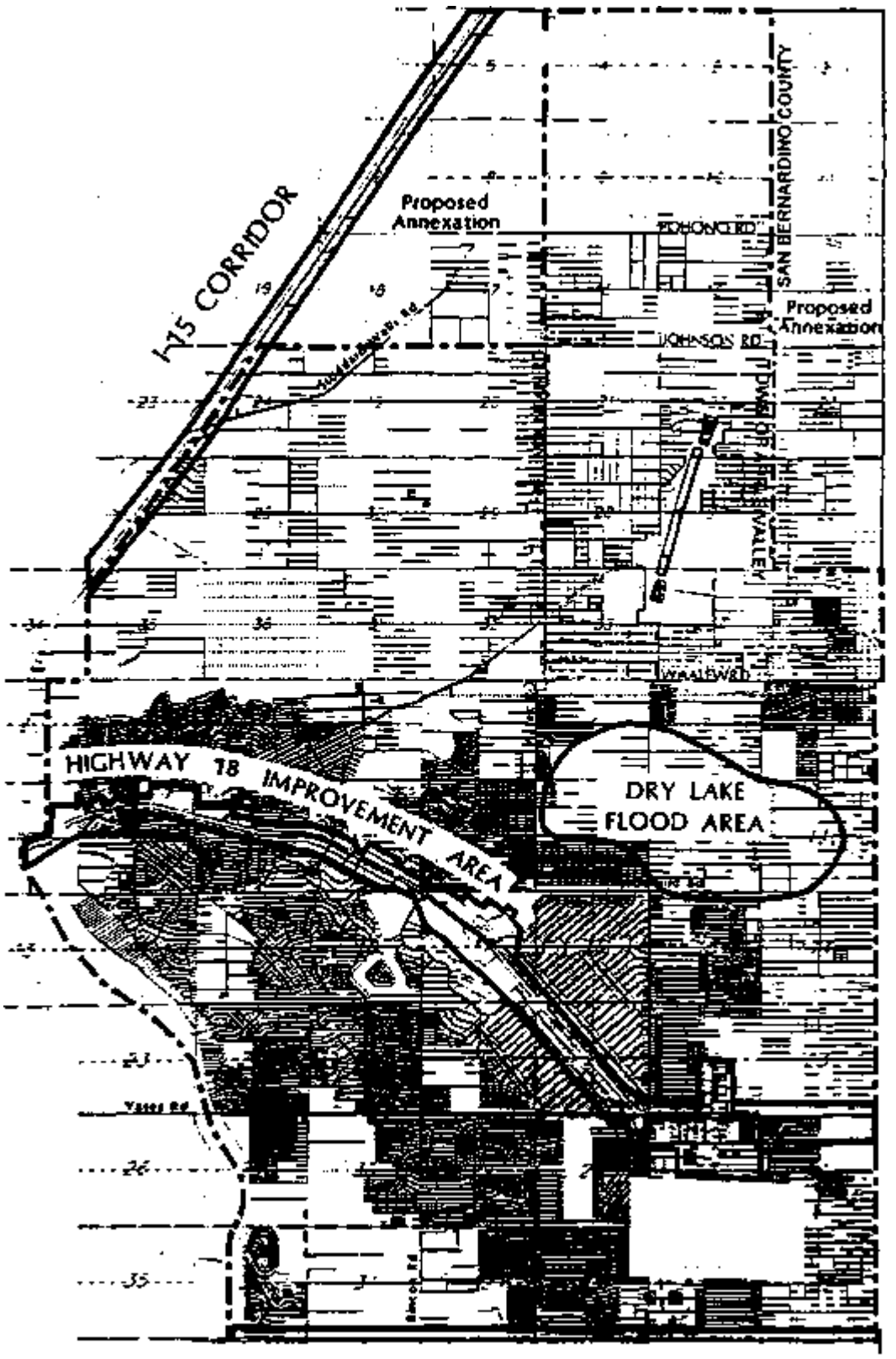

I-15 CORRIDOR
Proposed Annexation
SAN BERNARDINO COUNTY
Proposed Annexation
JOHNSON RD.
HIGHWAY 18 IMPROVEMENT AREA
DRY LAKE FLOOD AREA

EXHIBIT D

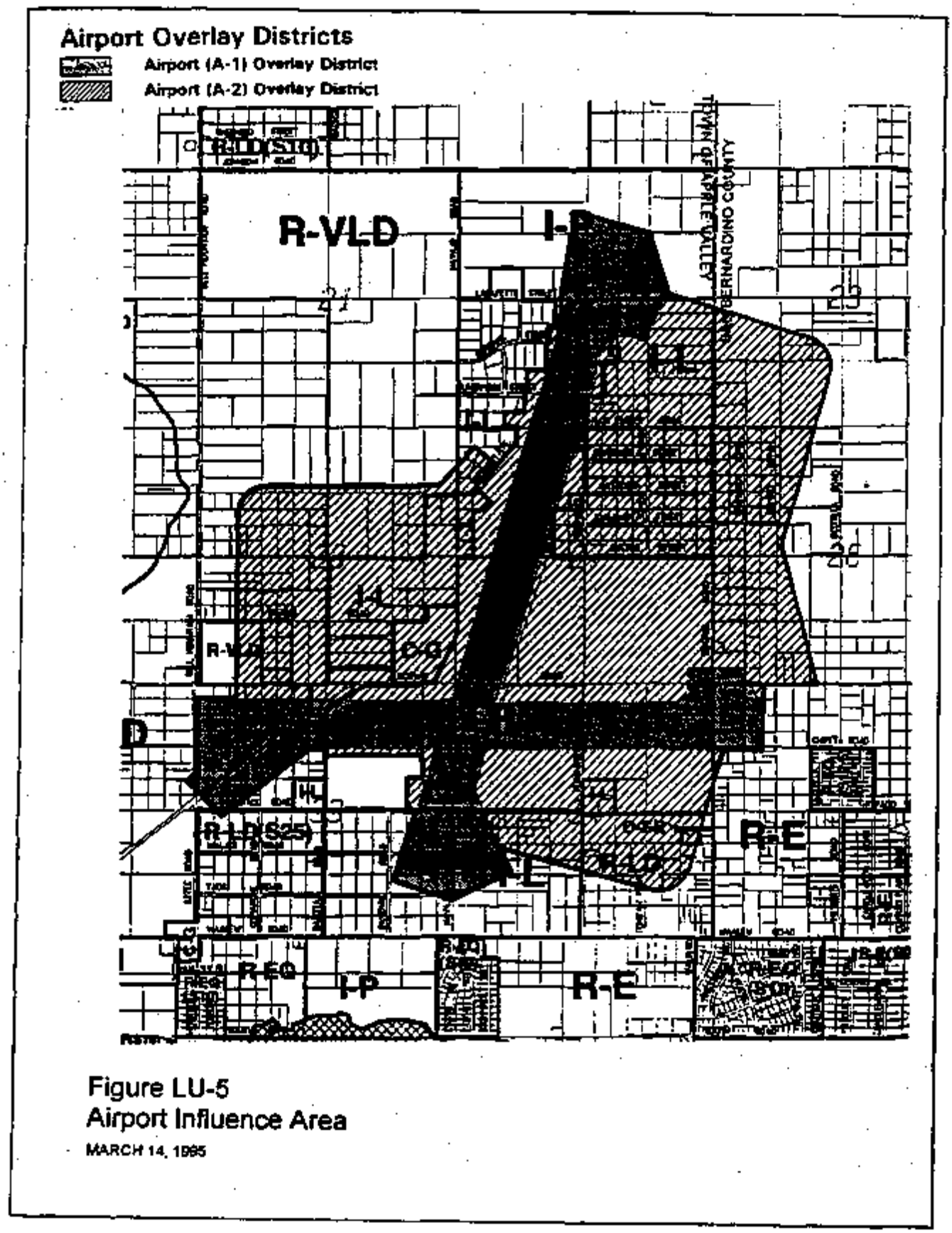


Figure LU-5
Airport Influence Area

MARCH 14, 1995

ORDINANCE NO.___

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADDING CHAPTER 9.65 TO THE TOWN DEVELOPMENT CODE CONTAINING DEVELOPMENT STANDARDS CONSISTENT WITH THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN AND AMENDMENTS TO THE APPLE VALLEY GENERAL PLAN INCLUDED WITHIN GENERAL PLAN AMENDMENT (GPA) 95-001, WHICH WILL APPLY AIRPORT OVERLAY DISTRICTS; A-1 AND A-2 TO CERTAIN PROPERTIES LOCATED WITHIN THE AIRPORT INFLUENCE AREA THAT MAY BE AFFECTED BY AVIATION OPERATIONS OF THE COUNTY'S APPLE VALLEY AIRPORT

The Town Council of the Town of Apple Valley, State of California, does hereby ordain as follows:

Section 1. Amendment to Development Code. Chapter 9.65, Chapter 9.65 of the Development Code, entitled Airport Overlay (A-1 and A-2) is hereby adopted to read as set forth in Attachment A, /attached hereto and incorporated herein as if set forth in full.

Section 2. Amendment to Zoning Map. Public hearings have been held before the Planning Commission and Town Council of the Town of Apple Valley, State of California, pursuant to the Planning and Zoning Law of the State of California, and the Town of Apple Valley Municipal Code. The Town of Apple Valley Zoning Map is amended by placing in effect Zoning District Classification described in Zone Change (ZNC) 95-002 and in the above title, and as shown in Attachment B, attached hereto and incorporated herein.

Section 3. Notice of Adoption. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three (3) public places in the Town.

Section 4. Effective Date. This ordinance shall become effective thirty (30) days from and after its adoption.

Section 5. Severabilitv. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.

Adopted by the Town Council and signed by the Mayor and attested by the Town Clerk this_____day of _____, 1995.

_____
Mayor

ATTEST:

_____
Town Clerk

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO
TOWN OF APPLE VALLEY

I, Eunice S. Puckett, Town Clerk of the Town of Apple Valley, California, do hereby certify that Ordinance No.____ was duly and regularly introduced at a meeting of the Town Council of the Town of Apple Valley on the _____ ;day of _____ 19 _____, and that thereafter the said Ordinance was duly and regularly adopted at a meeting of the Town Council on the _____ day of _____ , 19 _____, by the following vote:

AYES:

NOES:

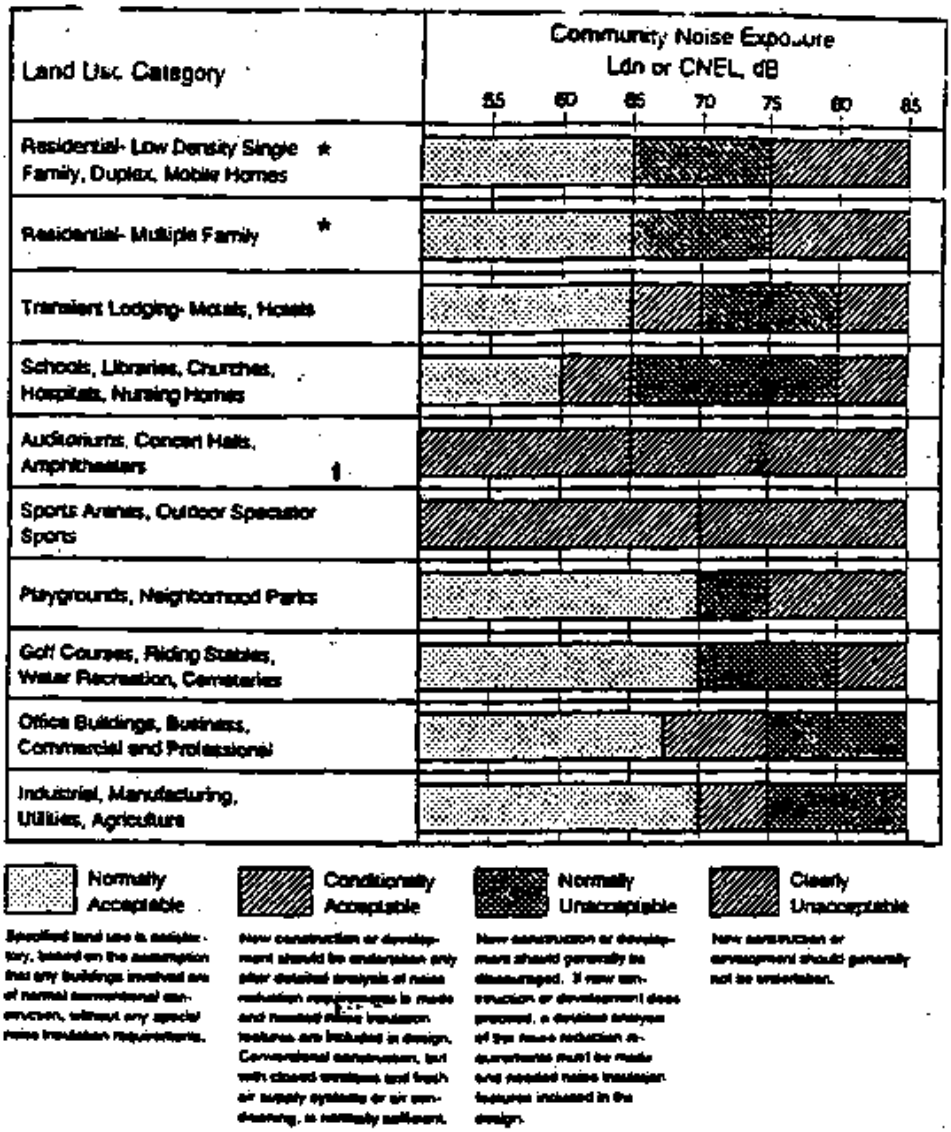
ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set by hand and affixed the official seal of the Town of Apple Valley, California, this _____ day of_____, 19__ .

_____
Town Clerk

(SEAL)



Source: Cotton/Beland/Associates. Modified from U.S. Department of Housing and Urban Development Guidelines and State of California Standards.

* Revised in compliance with the Comprehensive Airport Land Use Compatibility Plan.

Table N-1
Noise and Land Use Compatibility Guidelines

SEPTEMBER 10, 1991

Town of Apple Valley
P.O. Box 429
Apple Valley, CA 92307

March 8, 1995

Frank Molina
San Bernardino County
Planning Department
385 North Arrowhead
San Bernardino CA 92415-0180

SUBJECT: **APPLE VALLEY COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) AMENDMENTS TO GENERAL PLAN/DEVELOPMENT CODE/ZONING MAP AND RESOLUTION ADOPTING ALTERNATIVE PROCEDURE FOR AB 2831**

Dear Mr. Molina:

Enclosed for your records is a copy of staff reports, exhibits, resolutions and ordinances for the adoption of the CALUP and for the corresponding amendments to the General Plan, the Development Code and the Official Zoning Map. Also enclosed is a copy of the staff report and resoltu9ion for Town Council, adopting the alternative procedure of AB 2831 indicating that the Town will be pursuing the adoption of a Comprehensive Airport Land Use Plan (CALUP) instead of supporting the establishment of an Airport Land Use Commission.

These items will be taken before the Council at their March 14, 1995 meeting. Should you have any questions, feel free to call me at (619) 240-7200.

Sincerely,

TOWN OF APPLE VALLEY

Martin Wilkins Senior Planner

MW:pjh

Enclosures: as stated

cc: Rich Touslee
Dick Brawley

TOWN OF
APPLE VALLEY, CALIFORNIA

AGENDA MATTER:

A GENERAL PLAN AMENDMENT TO AMEND THE TEXT OF THE LAND USE ELEMENT OF THE TOWN GENERAL PLAN ADDING GOALS AND POLICIES WHICH ADDRESS LAND USE COMPATIBILITY BETWEEN THE APPLE VALLEY AIRPORT AND THE SURROUNDING AREA; AND MODIFYING TREATMENT OF THE AIRPORT INFLUENCE AREA, ALSO MODIFYING THE NOISE ELEMENT RELATIVE TO NOISE LEVEL; AND MODIFYING THE IMPLEMENTATION STRATEGY TABLE OF THE GENERAL PLAN AND ADOPTION OF THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN (RESOLUTION NO.); AND A DEVELOPMENT CODE AMENDMENT ADDING CHAPTER 9.65 "AIRPORT OVERLAY DISTRICTS" TO THE DEVELOPMENT CODE; AND A ZONE CHANGE ADDING AIRPORT OVERLAY DISTRICTS TO THE TOWN ZONING MAP (ORDINANCE NO.).

SUMMARY STATEMENT:

Attached is a memorandum providing background and information.

RECOMMENDED ACTION:
It is recommended that the Town Council take the following actions: .

FIRST MOTION:

1. Move to ADOPT the findings for General Plan Amendment (GPA) 95-001, Development Code Amendment (AMD) 95-001 and Zone Change (ZNC) 95-001 contained in the Planning Commission Staff Report; and
2. Move to ADOPT the Negative Declaration (NDC) 95-001 and a finding of De Minimis Impact for General Plan (GPA) 95-001, Development Code Amendment (AMD) 95-001 and Zone Change (ZNC) 95-001 as described in the Planning Commission staff report; and
3. Move to APPROVE the General Plan Amendment (GPA) 95-001, Development Code Amendment (AMD) 95-001 and Zone Change (ZNC) 95-001 as described in the staff report; and
4. Move to ADOPT the Resolution No. _____ adopting the General Plan Amendment (GPA) 95-001, amending the Town General Plan Land Use Element as shown in Exhibits B, C and D, attached to the Resolution and made a part thereof, and adopting a Comprehensive Airport Land Use Compatibility Plan, attached as Exhibit A, attached thereto and made a part thereof; and
5. Move to DIRECT the filing of the Notice of Determination, Certificate of Fee Exemption and the $30.00 documentary handling fee.

SECOND MOTION:

1. Move to WAIVE reading of Ordinance No. _____in it's entirety and read by title only (requires a unanimous vote).

THIRD MOTION:

1. Move to INTRODUCE Ordinance No. _____ as an Ordinance of the Town of Apple Valley adding Chapter 9.65 to the Town Development Code as shown in Attachment A of this Ordinance which will create development standards consistent with the Comprehensive Airport Land Use Compatibility Plan and would also apply Airport Overlay Districts, A-1 and A-2 to certain properties located within the Town's jurisdiction that may be affected by current and future aviation operations generated by the County's Apple Valley Airport (requires a roll call vote).

PROPOSED BY **Planning Division**	**FUNDING SOURCE**	**FUNDS BUDGETED**	**MEETING DATE:** **3-14-95**
T.M. APPROVAL	**AMOUNT REQ'D**	**CATEGORY**	**ITEM NUMBER**

MEMORANDUM

DATE: **FOR TOWN COUNCIL MEETING OF MARCH 14, 1995**

TO: **TOWN COUNCIL**

FROM: **NELSON MILLER, MANAGER OF PLANNING SERVICES**

SUBJECT: **A GENERAL PLAN AMENDMENT TO AMEND THE TEXT OF THE LAND USE ELEMENT OF THE TOWN GENERAL PLAN ADDING GOALS AND POLICIES WHICH ADDRESS LAND USE COMPATIBILITY BETWEEN THE APPLE VALLEY ARPORT AND THE SURROUNDING AREA; AND MODIFYING TREATMENT OF THE AIRPORT INFLUENCE AREA, ALSO MODIFYING THE NOISE ELEMENT RELATIVE TO NOISE LEVEL; AND MODIFYING THEIMPLEMENTATION STRATEGY TABLE OF THE GENERAL PLAN AND ADOPTLON OF THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN (RESOLUTION NO.); AND A DEVELOPMENT CODE AMENDMENT ADDING CHAPTER 9.65 "AIRPORT OVERLAY DISTRLCTS" TO THE DEVELOPMENT CODE; AND A ZONE CHANGE ADDING AIRPORT OVERLAY DISTRICTS TO THE TOWN ZONING MAP (ORDINANCE NO. _____)**

State Mandates

As a result of adoption of Assembly Bill 2831 in the Fall 1994, the County and affected cities are required to reestablish the County Airport Land Use Commission, or adopt an alternate process. This is discussed further in a separate agenda item, in which an alternate process is recommended. This bill also reestablishes a state mandate for adoption of Airport Land Use Plans for all public use airports.

Pursuant to Section 21670.1 (c) 3A of the State Public Utilities Code, amended by AB2831, the Caltrans Division of Aeronautics is required to review and approve the Town's land use plans and processes for adoption, amendment, notification of the public, mediation of disputes, and consistency of the Town's General Plan with those plans. The Division of Aeronautics and must also determine that the land use plan relies on the height, use, noise safety and density criteria that are compatible with the State Airport Land Use Planning Handbook and Federal guidelines and regulations.

Should the Comprehensive Airport Land Use Compatibility Plan require modification in the future to address changes In the Apple Valley Airport Master Plan, General Plan, Zoning Maps or Development Code, then the Town would initiate an amendment in consultation with the County provide notification and public hearings in compliance with the processes outlined in the Development Code.

Background

The Planning Commission held a Public Hearing for the item on February 1, 1995. At the conclusion of the meeting, several changes were recommended by the Commission along with *a* request to send out Notices to property owners located within the proposed 'Airport Overlay District" indicating that the Public Hearing on the item would be continued until February 21, 1995 and that a Public Planning Commission Workshop would be conducted on February 15, 1995. During both the workshop and final public hearing, a number of changes to all of the documents dealing with development standards were recommended by the Planning Commission (see attached Planning Commission Staff Report and Minutes). Based on those recommendations, the appropriate changes were made by the staff to maintain consistency between all of the documents in compliance with State mandates. All of these changes have been incorporated in the attached exhibits.

Purpose

The purpose of the CALUCP is to promote the development of compatible land uses, in the areas surrounding the Airport that are impacted by aviation operations. The plan achieves that goal by providing guidelines for development standards, population densities and land uses for the two (2) proposed Airport Land Use Zone District Overlays (A-1 and A-2) contained in that document. The plan's proposed overlay districts, development standards and densities were developed based on Federal Aviation Regulations and the 1993 CaItrans Division of Aeronautics, Airport Land Use Planning Handbook and related mandates.

Discussion

The Draft Comprehensive Airport Land Use Compatibility Plan is based upon the proposed airport layout, flight track assumptions and plans, other information contained in the Airport Master Plan and Environmental Impact Report adopted by the County Board of Supervisors in June, 1994. The Apple Valley Airport is owned and operated by the County of San Bernardino. The Airport Master Plan proposed purchase of additional properties and construction of a crosswind runway. Several persons have inquired regarding the status of their property and potential purchases. Such issues are the responsibility of the County. The proposals by the Town do not change the underlying zoning of the property and any person could pursue development of their property subject to the zoning regulations.

The proposed regulations do include some limitations on uses and height The prohibited uses would be conditional uses, in any case, and would not generally be located in these areas. Likewise, height limitations would still allow construction to the height of any existing buildings in Apple Valley. Some uses, involving as a primary activity, handling of hazardous materials would also be limited by the proposed regulations. There are some additional restrictions posed on outdoor storage of hazardous materials and on exterior lighting, or electrical interference, or uses that would generate smoke or water vapor. A deed notice of potential noise and safety impacts would also be required as a condition of approval for new projects.

/pjh

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, COUNTY OF SAN BERNARDINO, CALIFORNIA, TO ADOPT A COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PALN FOR THE COUNTY OPERATED APPLE VALLEY AIRPORT AND TO AMEND THE GOALS, POICIES AND TEXT OF THE LAND USE AND NOISE ELEMENTS AND THE IMPLEMENTATION STRATEGY OF THE TOWN OF APPLE VALLEY GENERAL PLAN TO BE CONSISTENT WITH THE OBJECTIVES, POLICIES AND DEVELOPMENT STANDARDS OF THE COMPREHENSIVE AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP).

WHEREAS, the Town Council of the Town of Apple Valley is required by State mandates to adopt a Comprehensive Airport Land Use Compatibility Plan (CALUCP for the County of San Bernardino's Apple Valley Airport and to amend the Town of Apple Valley General Plan to be consistent with said plan, pursuant to California State Assembly Bill (AB) 2831, enacted in September 1994 and in conformance with Government Code Section, 21675 which requires that a Comprehensive Land Use Plan be developed for the affected. areas surrounding each public use airport within the County; and

WHEREAS, and Initial Study has been prepared and the proposed amendment does not have any significant adverse impact on the environment; and

WHEREAS, the Planning Commission has held a public workshop and public hearings and made recommendations to the Town Council on the proposed General Plan Amendment; and

WHEREAS, the Town Council has conducted properly noticed public hearings on the General Plan Amendment and has considered the staff and Planning Commission recommendations and public testimony; and

WHEREAS, the proposed General Plan Amendment is consistent with the goals and policies of the adopted Town General Plan; and

WHEREAS, elements of the General Plan may be amended four (4) times per year, this proposal and all other General Plan Amendment proposals acted upon at this same Town Council meeting are considered and intended as a single, combined amendment thereby amending the Land Use Element of the General Plan one (1) of the four (4) times allowed per year.

NOW, THEREFORE, BE IT RESOLVED, ORDERED AND DETERMINED that the Town Council of the Town of Apple Valley newly adopts the findings of the Planning Commission; adopts the Negative Declaration (NDC) 95-001 and, in conjunction with Resolution No.____, adopted this date, and hereby adopts the following:

Section 1. Adopt the Comprehensive Airport Land Use Compatibility Plan for Apple Airport as shown in Exhibit A, attached hereto and incorporated herein.

Section 2. Adopt General Plan Amendment (GPA) 95-001 amending the Land Use Element, Noise Element, Implementation Strategy of the General Plan as shown in Exhibit B attached hereto and incorporated herein.

Section 3. Adopt Amendment to the Special Studies Map Figure LU-2 of the Land Use Element of the General Plan to delete the Airport Influence Area has shown in Exhibit C, attached hereto and incorporated herein.

Section 4. Adopt Amendment to the Land Use Element of the General Plan to add Figure LU-5, Airport Influence Area Map as shown in Exhibit D, attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the Planning Services Division is hereby authorized and directed to implement these changes in the Apple Valley General Plan.

APPROVED AND ADOPTED by the Town Council of the Town of Apple Valley this _____ day of _____, 19___.

_____
MAYOR

ATTEST: (SEAL)

_____
TOWN CLERK

APPROVED AS TO FORM: APPROVED AS TO CONTENT:

_____ _____
TOWN ATTORNEY TOWN MANAGER

STATE OF CALIFORNIA COUNTY OF SAN BERNARDINO TOWN OF APPLE VALLEY

I, EUNICE S. PUCKETT, TOWN CLERK of the Town of Apple Valley, California do hereby certify that Resolution No.___ was duly and regularly adopted by the Town Council of the Town of Apple Valley, California, at a meeting thereof held on the___day of _____, 19 , by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Apple Valley, California, this_____day of_____ , 19____.

_____
TOWN CLERK

(SEAL)

reso/airport3/6/95