

California Department of Transportation

DIVISION OF AERONAUTICS - M.S. #40
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October 14, 2024

Michael Coyne
Principal Planner
City of Santee
10601 Magnolia Avenue
Santee, CA 92071

Electronically Sent <mcoyne@cityofsanteeca.gov>

Re: SCH # 2023090032 - Santee Town Center Specific Plan Update

Dear Mr. Coyne:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), has reviewed the Draft Environmental Impact Report (EIR) for the Santee Town Center Specific Plan Update (Project). The Division of Aeronautics collaborates with cities, counties, and Airport Land Use Commissions (ALUC) to ensure compliance with the State Aeronautics Act (California Public Utilities Code Section 21001 et seq.). We appreciate the opportunity to participate in the EIR review process.

The City of Santee (City) is proposing to update the Santee Town Center Specific Plan (TCSP) and proposes five neighborhoods and includes a comprehensive update with expanded boundaries and updated standards within the TCSP consistent with densities and intensities established by existing zoning and the adopted and certified 2021-2029 Housing Element.

Compliance with Airport Land Use Compatibility Plan (ALUCP)

Pursuant to the State Aeronautics Act, California Public Utilities Code Section 21676(b) mandates that local agencies refer proposed amendments to general or specific plans within airport land use commission boundaries to the commission for review. If the commission deems the proposed action inconsistent with its plan, the referring agency will be notified. Any development within safety zones or airport influence areas must comply with the safety criteria and restrictions outlined in the Airport Land Use Compatibility Plan(s).

Portions of the Project site lie within Review Area 1, Review Area 2, Safety Zone 3, Safety Zone 4, and Safety Zone 6 of Gillespie Field. Therefore, it must adhere to the safety criteria and

restrictions outlined in the 2010 Gillespie Field Airport Land Use Compatibility Plan (ALUCP), adopted by the ALUC pursuant to the PUC, Section 21674.

The Project stipulates that it contains increased density development and introduces new noise and safety concerns that are incompatible with the ALUCP and do not comply with the guidelines outlined in the California Airport Land Use Planning Handbook. This could lead to more people living or working in areas that are affected by airport noise or pose a risk in the event of an aircraft incident. To ensure compatibility between the Santee Town Center Specific Plan Update and the ALUCP, we recommend implementing several mitigation measures. These include requiring avigation easements from developers to grant the airport overflight rights, enhancing soundproofing for new buildings within high-noise areas, and adjusting residential densities to minimize noise exposure and airport safety hazards. Additionally, height restrictions should be enforced to maintain safe flight paths, while disclosure agreements would ensure that potential buyers or tenants are fully informed about airport proximity and associated noise and safety impacts. Ongoing coordination between the city, developers, and the ALUC is essential to align future projects with ALUCP guidelines and ensure a balanced approach to urban growth.

The ALUCP density and intensity limits were determined in accordance with PUC section 21001 relating to the State Aeronautics' Act and the mandated guidance provided by the Handbook. The ALUCP is a fundamental tool used by ALUCs in fulfilling their purpose of promoting airport land use compatibility, in order to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.

The Division recognizes that, like many other cities in California, the City is facing a shortage of affordable housing and is seeking new opportunities for residential development. In this context, it is crucial to review environmental justice and equity concerns for alignment with the goals outlined in the California Transportation Plan 2050 and the California Aviation System Plan 2020. It is also important to note that new housing laws do not override existing statutes, including PUC Section 21670, which mandates that counties establish ALUCs and compatibility plans to safeguard public health, safety, and welfare.

Noise Compatibility

A portion of the plan area falls within the 60-65 decibel (dB) Community Noise Equivalent Level (CNEL) contours for Gillespie Field as shown in the ALUCP. Development within this area must adhere to the noise criteria and use restrictions outlined in the ALUCP. Due to its proximity to the airport, the Project site may be subject to aircraft overflights and subsequent aircraft-related noise impacts.

Other Airport Hazards

California Public Utilities Code Section 21659 prohibits structural hazards near airports. Structures should not be at a height that will result in penetration of the airport imaginary surfaces. In accordance with Federal Aviation Regulation, Part 77 "Objects Affecting Navigable Airspace" a Notice of Proposed Construction or Alteration (Form 7460-1) may be required by the Federal Aviation Administration (FAA). For further information or a copy of Form 7460-1, please refer to the FAA website <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

We recommend further review of potential compatibility concerns related to airport obstructions and hazards to flight, such as:

- **Wildlife attractants:** Project elements (e.g., open waste disposal areas) that could attract wildlife, posing a hazard to aircraft.
- **Lighting:** Improper lighting design or excessive light intensity could interfere with night-time airport operations and can cause safety hazards to pilots.
- **Glare:** Reflective surfaces (e.g., extensive use of solar panels) could create glare that disrupts pilots' visibility.

Intent to Overrule

If the ALUC determines that the proposed action is inconsistent with the airport land use compatibility plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the ALUC by a two-thirds vote of its governing body after it makes specific findings. At least 45 days prior to the decision to overrule the ALUC, the local agency's governing body shall provide to the ALUC and Caltrans a copy of the proposed decision and findings. Caltrans reviews and comments on the specific findings a local government intends to use when proposing to overrule an ALUC. Also, pursuant to the PUC 21670 et seq., findings should show evidence that the local agency is minimizing "...the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

The intent to override an ALUCP should not be taken lightly. PUC Section 21675.1(f) provides: "If a city or county overrules the commission pursuant to subdivision (d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to property or personal injury resulting from the City/County decision to proceed with the action, regulation, or permit."

The Division encourages collaboration among the Lead Agency, the Airport Land Use Commission, and Gillespie Field representatives to prioritize the safety and well-being of current and future residents in the Santee Town Center Specific Plan Update area.

Mr. Michael Coyne, Principal Planner
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Thank you for the opportunity to review and comment. If you have any questions, please contact me by email at tiffany.martinez@dot.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Tiffany Martinez". The signature is written in a cursive, flowing style.

Tiffany Martinez
Associate Transportation Planner
Division of Aeronautics

c: State Clearing House <state.clearinghouse@opr.ca.gov>,
Matthew Friedman, Chief Office of Aviation Planning, <matthew.friedman@dot.ca.gov>,
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