

Chapter 17.16 -AE Airport Environs Overlay District

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17.16.010 Purpose

The purpose of the -AE Airport Environs Overlay District is to regulate land uses within the Airport Influence Area consistent with the adopted Airport Land Use Plan (ALUP) for Santa Barbara County, and to limit the height of structures and appurtenances (including vegetation) within these areas. The intent is to protect the safety of people both in the air and on the ground, to reduce and avoid noise and safety conflicts between airport operations and surrounding land uses, and to preserve navigable airspace around the Santa Barbara Municipal Airport.

17.16.020 Applicability

The standards and regulations of this Chapter apply within the Airport Influence Area of the Santa Barbara Municipal Airport shown on the Zoning Overlay Map. As used herein, "Airport" means the Santa Barbara Municipal Airport. Regulations in the -AE Overlay District modify and supplement the base zoning district regulations. In cases where the regulations of the -AE Overlay District conflict with the regulations of the base zoning district, the more restrictive regulations take precedence.

~~17.16.030 Consultation Required~~

~~The City must consult with staff of the Airport Land Use Commission (ALUC) and the Santa Barbara Airport Department for development projects and legislative acts within the Clear or Approach Zones as defined in the Santa Barbara County ALUP, as well as any development proposed within the 60 dBA Community Noise Equivalent Level (CNEL) noise exposure contour as depicted on the Noise contour map in the most recent ALUC-adopted ALUP.~~

17.16.040-030 Use Restrictions

- A. **General.** No use may be made of land or water within the -AE Overlay District in such a manner that would:
1. Create a "Hazard to Air Navigation," as determined by the Federal Aviation Administration (FAA);
 2. Result in glare in the eyes of pilots using the airport;
 3. Make it difficult for pilots to distinguish between airport lights and others;
 4. Impair visibility in the vicinity of the airport;
 5. Create steam or other emissions that cause thermal plumes or other forms of unstable air;
 6. Create electrical interference with navigation signals or radio communication between the airport and aircraft;
 7. Create an increased attraction for wildlife, which could pose bird strike hazards to aircraft in flight; or
 8. Otherwise, in any way, endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.
- B. **Residential Uses.** The following restrictions apply to residential development in the -AE Overlay District:
1. **Within the Clear Zone.** No new residential development of any kind is allowed.
 2. **Within the One-Mile Marker.** Residential development within the Approach Zones and also within the one-mile marker as shown on the Overlay Map is limited to new single unit dwelling construction on existing recorded lots, and rebuilding and alteration projects that do not increase on-site residential density.
 3. **Within the Approach Zone but Outside the One-Mile Marker.** New rResidential uses ~~must be~~ consistent with the ALUP Table 4-1 are allowed.

- C. **Non-Residential Uses.** All new non-residential uses within the Clear and Approach Zones must be consistent with the ALUP Table 4-1.
1. **Prohibited Uses.** The following uses are not permitted within the Airport Clear and Approach Zones unless such use is ~~found~~ consistent with the ALUP ~~by the ALUC or is approved by the City Council upon a two-thirds vote with specific a finding that the proposed development is consistent with the purpose and intent expressed in Public Utilities Code, Section 21670.~~
 - a. Hazardous installations or materials such as, but not limited to, oil or gas storage and explosive or highly flammable materials.
 - ~~b. Any use which may result in a permanent or temporary concentration of people greater than 25 persons per acre.~~
- D. **Runway 7 Safety Corridor.** ~~The Only the~~ following ~~are the only allowed features~~ may be permitted within the Runway 7 Safety Corridor:
1. Open Space.
 2. Landscaping.
 3. Roadways.
 4. Parking.

17.16.050-040 Residential Interior Noise-Level Reduction

New residential development exposed to sounds above 60 CNEL shall incorporate adequate sound attenuation to assure that all structures have been designed to limit interior noise levels in any habitable room to 45 CNEL.

17.16.060-050 Regulations for Airspace Protection

- A. **Height Limitations.** The criteria for determining the acceptability of a project with respect to height must be based upon the standards set forth in Title 14 of the Code of Federal Regulations (CFR) Part 77, Subpart C, Objects Affecting Navigable Airspace (14 CFR 77C). Additionally, where an FAA aeronautical study of a proposed object is required in accordance with 14 CFR 77C, the results of that study must be taken into account by the Review Authority.
1. **Maximum Height.** No object, including a mobile or temporary object, such as a construction crane, may have a height that would result in an obstruction within any of the imaginary surfaces depicted in the ALUP.
- B. **FAA Notification.** Any person proposing construction or alteration within the -AE Overlay District must submit notification of the proposal to the FAA if such construction or alteration exceeds one of the following height standards:
1. 200 feet above ground level; or
 2. The plane of an imaginary surface extending outward and upward at a slope of 100 to one for a distance of 20,000 feet from the nearest point of any runway.

17.16.070-060 Avigation Overflight Notification

- A. **Avigation Easement Dedication.** An avigation easement for noise and safety must be dedicated to the City of Santa Barbara for any development within an Airport Clear Zone or Airport Approach Zone.
- B. **Airport in Vicinity Notification Recordation.** An overflight notification consistent with the following must be recorded for any residential development within the Airport Influence Area.
1. **Disclosure.** The notification must contain the following language, as dictated by applicable law, with regard to real estate transfer disclosure:
 - a. *Notice of Airport in Vicinity.* This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.
 2. **Notice.** The notification must be made evident to prospective purchasers, lessees, and renters of the property and must appear on the property deed or Covenants, Conditions, and Restrictions (CC&Rs).