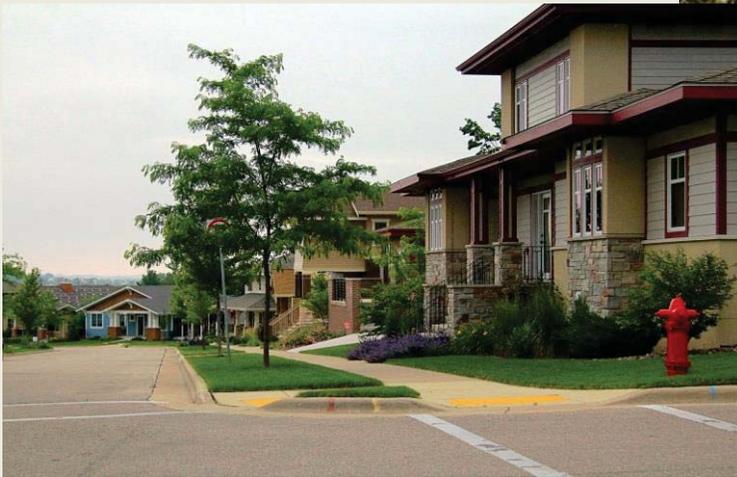


APPENDIX N

Avila Ranch Development Project ALUP Compatibility Analysis Pre-Application

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Avila Santa Fe Ranch ALUP Compatibility Analysis Pre-Application

Avila Santa Fe Ranch
Airport Land Use Plan Compatibility Analysis
Pre-Application

Avila Ranch LLC

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Attachment A LUCE Specific Plan Policies

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Avila Santa Fe Ranch

Residential Mixed Use Project

ALUC Pre-Application

Introduction

Avila Santa Fe Ranch is San Luis Obispo’s newest master planned residential development opportunity. It has been in the planning stages for a little over three years, and is being positioned to address housing and employment needs in the community through a combination of design excellence, value-added features, and location. Proposed by Avila Ranch LLC of San Luis Obispo and the Avila Family on the Avila Santa Fe Ranch, it is located north of Buckley Road in the southern portion of San Luis Obispo. (See Figure 1.)

As currently planned, it would include 399 single family homes (R-1 and R-2), 188 condo/townhouse units (R-3), and 113 multifamily dwelling units designed for a diverse range of housing needs. It would also include a centrally located “Town Center” with 25,000 to 30,000 square feet of neighborhood serving retail and office uses, and approximately 240,000 square feet of Business Park uses. There are also 51 acres of parks, open space, and community gardens.

The Airport Land Use Plan (ALUP) regulations have significantly informed and influenced the location and extent of these uses. During the process we have consulted with Airport Land Use Commission (ALUC) staff and ALUC commissioners; commissioned studies and technical analysis to determine the location of key ALUP regulatory zones on the property; and, modified the product mix to be compatible with the ALUP while still implementing the basic performance criteria in the City’s 2014 Land Use and Circulation Update (LUCE). As part of this process, a presentation was made to the ALUC on March 18, to receive initial comments from the commission. It is expected that this pre-application will be followed by a formal Specific Plan submittal to the City upon which an EIR will be prepared. Following preparation of the Draft EIR and initial review by the City, a formal submittal will be made to the ALUC for a determination of conformity with the ALUP.

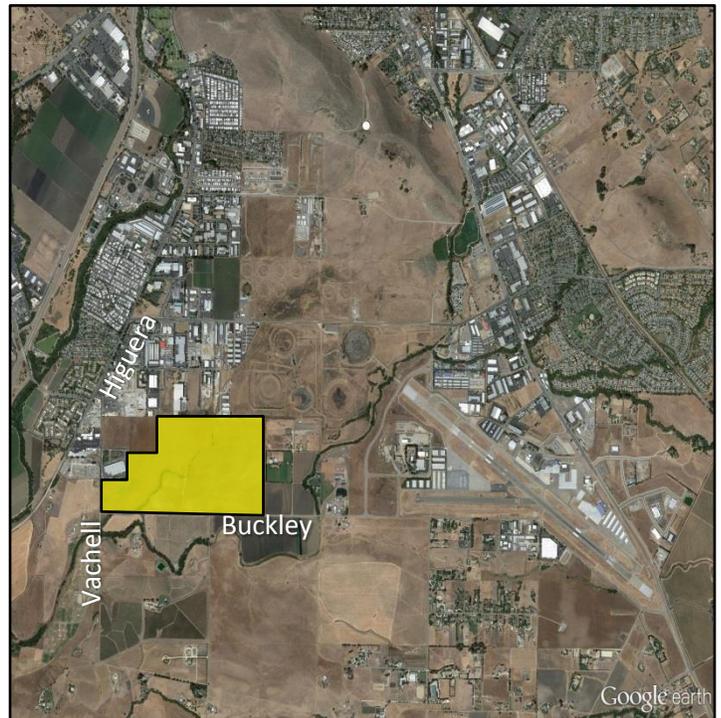


Figure 1 Project Location

City Development Regulations

The project site was identified in the 2010 and 2015 Housing Elements as one of the potential residential growth sites in the community over the foreseeable future. The project site currently has a “Business Park” zoning designation as a result of the Airport Area Specific Plan. However, Policy 8.3.2.6 of the LUCE update designated it for residential and mixed use development (See Attachment A). A specific plan is to be processed for the project and this is the first step in that process.

During its deliberations on the LUCE Update, the City adopted new Airport Overlay Zone regulations for certain properties in the Airport Area. However the specific plan properties were specifically exempted from these regulations and each component specific plan in the LUCE are to be processed separately and are subject to Airport Land Use Commission review for ALUP conformity. Section 17.57.030 C of the Airport Overlay Zone states that “...proposed general plan land use amendments, zoning amendments, and specific plan amendments that impact density or intensity of development within the Airport Overlay Zone (AOZ) shall be referred to the Airport Land Use Commission for a determination of compatibility with requirements of the State of California Department of Transportation Division of Aeronautics and Federal Aviation Administration (FAA) requirements.” This process is also to determine conformity with local ALUP policies and regulations.

The Site and the Project

The site is composed of 149.9 contiguous acres at the northeast corner of Buckley Road and Vachell Street, and is comprised of three separate parcels: APN: 053-259-006, APN: 053-259-04 and APN: 053-259-005. The site slopes from the northeast to southwest, although there are localized undulations. It is diagonally bisected by a drainage that is colloquially referred to as “Tank Farm Creek” which conveys on and offsite stormwater to San Luis Creek. This drainage comprises approximately 7 acres of the 149.9-acre site.

The site was annexed to the City in 2008 after the adoption of the Airport Area Specific Plan (AASP). At that time, it was given a holding land use designation of Business Park, the same designation that the county applied to it prior to its annexation. As part of the annexation and Specific Plan, a comprehensive Environmental Impact Report was prepared and certified, without legal challenge.

The site has a number of physical, environmental and regulatory constraints that have been taken into account in the land planning and development scheme. The immediate surrounding (1/2 mile radius) neighborhood provides a wealth of services, facilities and resources. A day care, drug stores, restaurants, schools, an upscale convenience store (Trader Joe’s), a bank, several places of worship, a fitness center, medical and/or dental services, personal care services, and a full service supermarket (Food 4Less) are currently located within biking or walking distance of the Avila Ranch project site. In addition, the extended neighborhood (1/2 mile to 1 ½ mile radius) includes some of the County’s premier shopping conveniences, including Costco, Home Depot, Target, MacSuperstore, Whole Foods Grocery, and others.

The site is also located in an area that has significant open space areas that are contractually restricted to remain in open space that contribute to airport land use compatibility and safety. Those include properties south of Buckley that are in City open space preserves, areas in Williamson Act agricultural preservation contracts, ACOS open spaces areas in the Margarita Area Specific Plan, city farm area west of Calle San Joaquin, the Chevron conservation/restoration area and other formal open space preserves. (See Figure 2 on the following page.) Not including other lands outside of the City's URL, these open space lands amount to approximately 825 acres, or approximately 25 percent of the land area immediately north and west of the airport.

Development Potential and Land Plan

A preliminary land plan and development program have been prepared based on the physical and regulatory constraints applicable to the site. The principal physical and regulatory constraints on the site are described as follows:

1. Tank Farm Creek. This drainage presently comprises approximately 7 acres of the site. During peak flood times it conveys up to 375 cubic feet per second (CFS) of stormwater flows. Its width currently varies from 30 to 50 feet; City development regulations prescribe setbacks from the creek to preserve the riparian corridor.
2. Designated Flood Areas. Approximately 50 acres of the site (including the 7-acre Tank Farm Creek area) is in a FEMA-designated flood hazard area, along an area that roughly parallels Tank Farm Creek. This designation was/is based on an assumption of uncontrolled flows from upstream properties north of the project site. Consultations with City officials and adjacent property owners have revealed that a major storm water retention facility is planned and funded upstream of the project site that, according to engineers at Cannon Associates of San Luis Obispo, will reduce the flood flows through the site by approximately two-thirds, and qualify the project for a Letter of Map Revision (LOMR) or Conditional Letter of Map Revision (CLOMR), thereby eliminating all but about 10 acres of the current designated floodway.
3. Urban Reserve Line. The City of San Luis Obispo employs an "Urban Reserve Line" (URL) as a growth phasing line. Urban development is not permitted outside of this line. This line affects the eastern 150 feet, and the southern 300 feet of the site.
4. County Agricultural Buffer. The County and the Airport Area Specific Plan require a setback from County agricultural operations. This line is coterminous with the City's Urban Reserve Line.

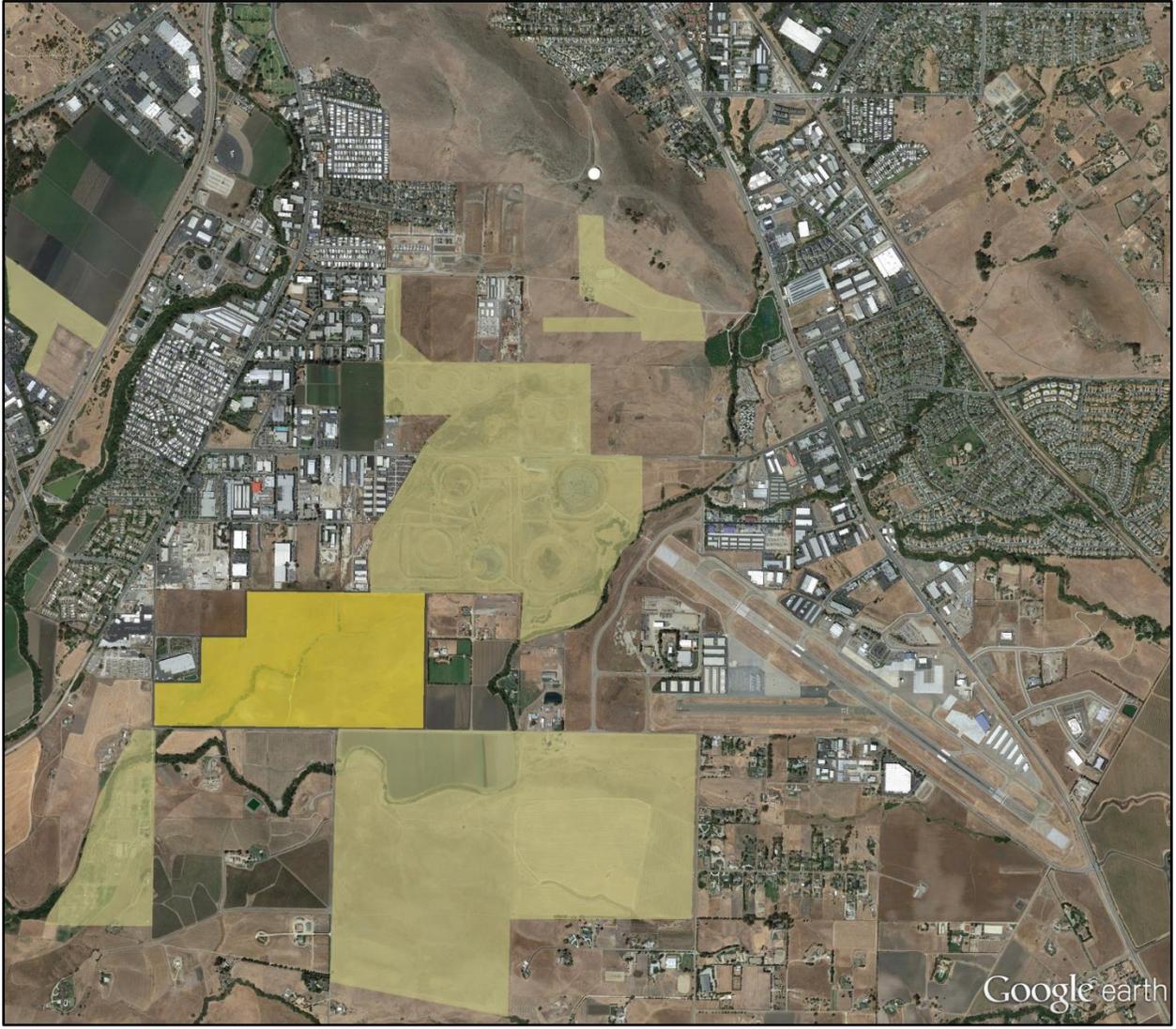


Figure 2 Offsite Open Space

Project Location Relative to Airport Facilities

One of the key factors in determining compatibility with the ALUP is the project's location relative to flight paths, regular and frequent approaches and departures, and the ALUP's various safety zone boundaries and noise contours. The location of the various safety zones is driven by mathematical criteria associated with the location of the runway facilities, distance from the runway ends, approved and frequently used approach and departure corridors, and the probable elevation of aircraft at different points in their flight operations. As described in Section 4.4.3.2 of the ALUP, the airport area is broken down into two Safety Zones and three subzones.

Safety Area S-1 is the area within the vicinity of the airport within which aircraft operate frequently or in conditions of reduced visibility at altitudes below 500 feet above ground level (AGL). The S-2 area is the area where aircraft operate frequently or in conditions of reduced visibility at altitudes between 501 and 1,000 feet AGL. In the S-2 Safety Zone area factors of concern include circle-to-land instrument approaches south of Runway 11-29, extensive "pattern work" by student pilots in fixed-wing aircraft (predominantly, but not exclusively to the south and west of the airport), and extensive practice flight by students in rotary-wing aircraft to the north of the airport. Nonetheless, because aircraft in Area S-2 are at greater altitude and are less densely concentrated than in other portions of the Airport Planning Area, the overall level of aviation safety risk is considered to be lower than that in the S-1 zones or the Runway Protection Zone.

Aviation Safety Area S-1 is broken down into three component sub-zones, S-1A, S-1B and S-1C. According to the ALUP, Safety Area S-1A is located within 500 feet of the extended runway centerline of Runway 11-29 and within 5,000 feet of the existing or planned Runway 11-29 end, or which is within 250 feet of the extended runway centerline of Runway 7-25 and within 3,000 feet of the Runway 7-25 end. Safety Area S-1B includes areas within probable gliding distance for aircraft on expected approach or departure courses, and includes State Handbook -defined sideline safety areas, inner turning zones and outer safety zones for both Runway 11-29 and Runway 7-25 and portions of existing Airport Land Use Zone 3. Safety Area S-1C is related exclusively to Runway 11-29 and includes areas within one half nautical mile (a distance of 3,038 feet) of Runway 11-29's centerline to accommodate low-visibility downwind aircraft operations at less than 500 feet AGL.

As with the safety zone criteria, the noise impact contours also follow mathematical rules related to noise dispersion, and aircraft type and flight frequency along established and flight corridors. Peak and average noise levels are projected through the usage of the FAA's Integrated Noise Model, and contours are normally mapped relative to runway centerlines. In the case of the San Luis Obispo Regional Airport, it is estimated that approximately 97%+ of the flights use Runway 11-29, and that those flights that use Runway 7-25 normally use Runway 25 as an alternate approach. According to the Airport Master Plan, Runway 11-29 provides 98.9% favorable wind coverage, and so the usage of Runway 7-25 is rare. Therefore, the ALUP's and the Master Plan's airport noise contours are both mapped relative to the extended centerline of Runway 11-29.

It is known that some of the key physical features and illustrated property boundaries in the ALUP base map are slightly skewed. Buckley Road, for example is almost due east and west (89.94 de-

grees easterly), whereas the base map shows this road approximately 87.75 degrees easterly. The runway centerlines are also slightly askew to the south and west, as was covered in the recent Chevron airport compatibility review. These variances do not create material discrepancies over short distances from the airport, but increased distance compounds these errors, resulting in material discrepancies that make it difficult to determine compatibility or incompatibility with the ALUP.

The ALUC is currently in the process of converting their “analog” maps into a more precise “GIS” format that will be compatible with local mapping accuracy standards so that the ALUP zones and contours can be easily integrated into the County’s and City’s GIS data bases. The base maps used on the ALUP figures are known to be somewhat off true north and the dimensions or portions of the map are exaggerated in different directions on different portions of the map. It is also recognized that parcel boundaries and lines that are indicated on the base map may have been superseded or do not reflect the actual parcelization. Properties may actually be closer than indicated on the map or may be farther away.

As a key first step in the ALUP compatibility/constraints determination, Avila Ranch LLC contracted with Cannon Associates to analyze and determine the correction location of the subject property relative to airport facilities and ALUP zones and contours. In the process, they consulted with the most recent version of the Airport Master Plan to determine the correct compass bearing and location of the airport’s runways, determined the appropriate scale of the base map drawing by establishing the distance between two known survey points (runway intersection and Vachell Road centerline), conducted a boundary survey of the property relative to local benchmarks, and conducted an ground controlled aerial photo survey of the site and vicinity.

Some of the conclusions from that analysis include the following:

1. Buckley Road should be shown as a due east-west street. This created a dimensional error that represented the property as being 150-200 too far north.
2. The bearing of Runway 11-29 shown on the ALUP is off by approximately one degree and should be modified and rotated to the northeast to conform to the Airport Master Plan. At a distance of 6,250 feet (portion where Runway 11-29’s extended runway centerline is northeast of Avila Ranch), this could create a discrepancy of approximately 125 feet.
3. The boundary of Aviation Safety Area S-1C is drawn at approximately 0.59 nautical miles from the corrected Runway 11-29 extended centerline. It is therefore shown approximately 550 feet too far south and west of its correct location.
4. The net affect of the map discrepancies is that the Avila Ranch property is correctly located approximately 250 feet south of the south line of the Suburban Tract shown on the ALUP base map, and approximately 100 west of the mapped east line of the project.

These adjustments and corrections are shown on Figure 3. Figure 4 shows a detail on the adjustment area. These corrections can be used to determine the project’s actual location on the ALUP maps. As a result of these calculations and adjustments, Attachment B includes ALUP Figures 1, 2, 3 and 9 that correctly locate the Avila Ranch project.

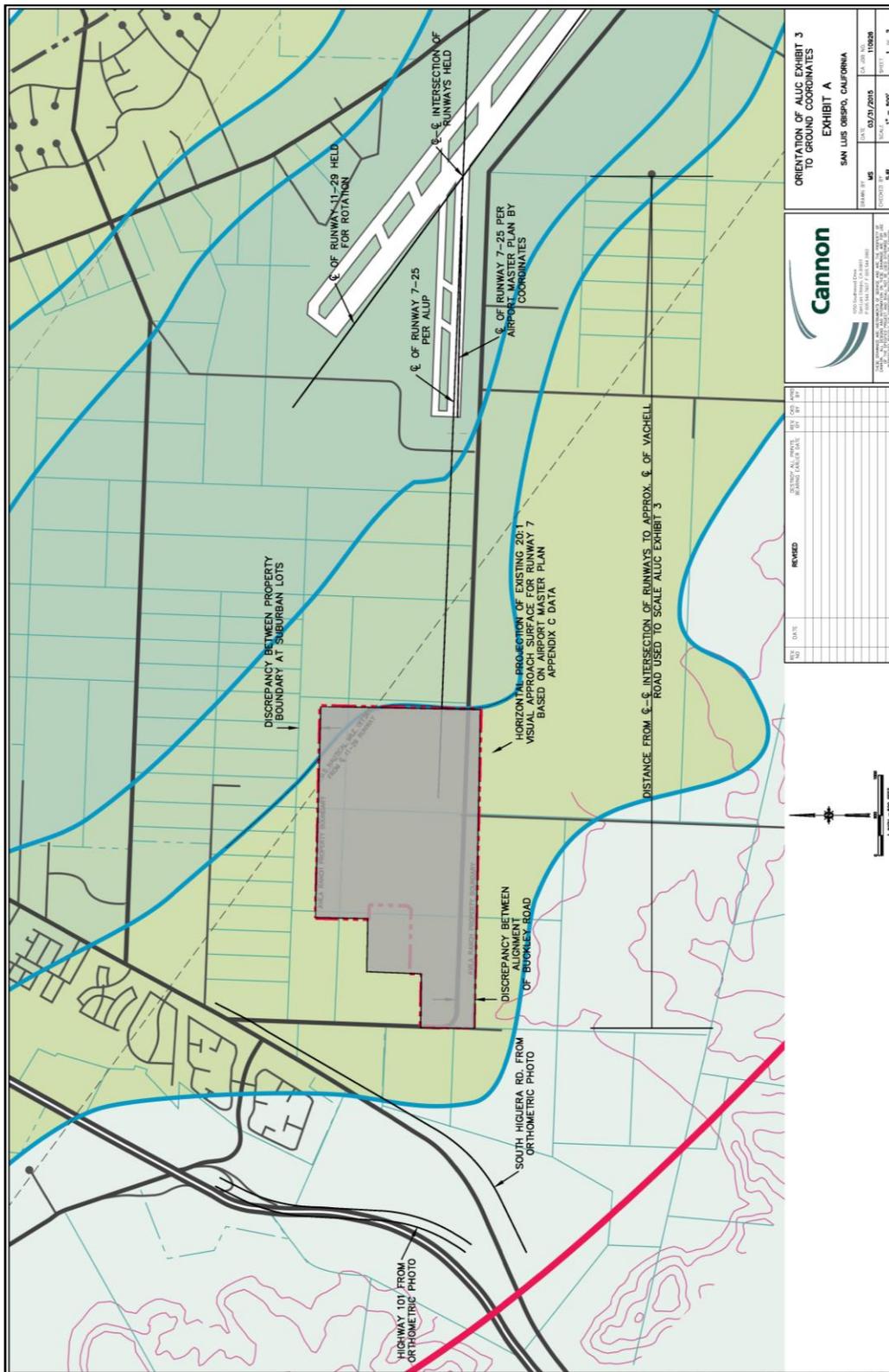


Figure 3 Map Discrepancy Shown on ALUP Figure 1

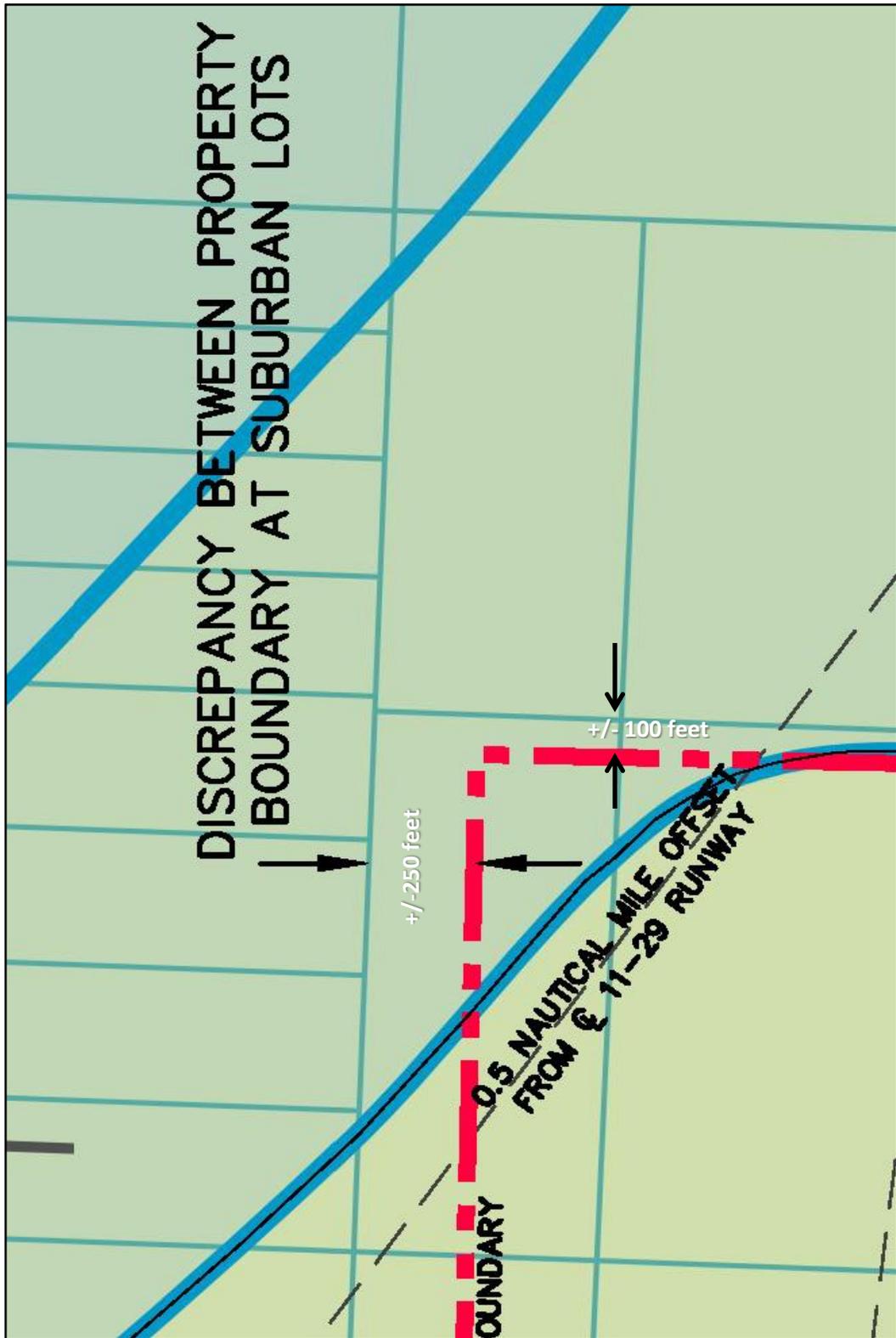


Figure 4 Detail of Discrepancy Area

Airport Land Use Compatibility

Airport Land Use Compatibility is an important constraint that has guided the development of the project. Numerous schemes were considered and developed that would comply with the City's expectations for an integrated, smart growth oriented community with centralized neighborhood services, open spaces, and a fully connected circulation network.

The site is located in Safety Zones S-2, S-1B and S-1C. A small portion (0.3 acres) of the site is located within the 65 dB(A) single event noise contour, and approximately 4.5 acres in the northeast portion of the site is located in the 55-60 Ldn/CNEL contour. According to the adjusted aviation safety zones, 34.9 acres (23.2%) of the project site is located in S-1B zone, 7.6 acres (5.1%) of the site is in the S-1C zone, and the predominant portion of project, 107.4 acres (71.6%), is located in the S-2 Safety Zone. In order to address the policies and constraints in the ALUP, the following project features and design guidelines are included:

1. Open space is maintained along 300 feet of the Buckley frontage, along the approximate extended centerline of Runway 7-5. This area will include an ALUP-compliant 100-foot wide by 1,200-foot long Reserve Space between Jespersion and the eastern project boundary.
2. Open space is maintained along the eastern 150 feet of the project.
3. All non-residential land uses are located easterly of Jespersion in the S-1B Safety Zone. Total open space in the S-1B zone is 10.3 acres, 29.5% of the total onsite S-1B zone.
4. Open space and park development only is proposed in the S-1C zone. That is, 100% of the S-1C area will be in open space.
5. The S-2 area includes portions of the neighborhood park, small pocket parks, and the Tank Farm Creek corridor. It includes 34.5 acres of open space, approximately one third of the total onsite S-2 area.
6. Where residential facilities are located on the boundary between zones non-living outdoor areas are to be located on or in the adjoining boundary. These facilities would include on-site landscape setbacks, parking and carport areas, internal circulation areas, and common area recreational facilities. Non-sleeping area of the structures (bathrooms, closets, kitchens, etc.) will also be located towards these transitional areas. Based on these criteria, it is projected that the living and sleeping portions of the R-3 dwelling units of no more than 9 dwelling units will be built in Safety Area S-1B.
7. The project will include special noise mitigation measures that will limit the aircraft-related interior 24-hour, 10-second interval peak noise level ("L_{max}") to 45 decibels. The ALUP's existing standard is 50 decibels, and this higher standard (lower threshold), will be used to reduce the number of noise complaints from project residents.
8. Single family detached components of the project will be located in the westerly portions of the S-2 zone (generally westerly of the Jespersion alignment).

9. The access road to the business park will be extended and connected to the easterly open space. This street and open space in the BP zone will create a 75-foot wide 1,500-foot long “no build” area that is fairly close to Runway 7-25’s extended centerline. This will not be a formal Reserve Space because of possible above ground utility obstructions, but will advance the ALUP’s safety and noise policies otherwise.

Figure 5 shows the proposed Land Plan, with the ALUP’s compatibility criteria, zones and contours. Table 1 shows a detailed statistical summary of the proposed project and the project’s conformance with the ALUP. Observations from those findings for the ALUC’s consideration and review are the following:

1. The project proposes development totaling 700 dwelling units pursuant to the LUCE performance standards (Attachment A). A total of 1,620 dwelling units are permitted by the ALUP, assuming development of a Detailed Area Plan (Specific Plan), ACOS compatible plan and Cluster Development Zones. Development on the site is less than half of that permitted by the ALUP.
2. The ALUP would permit the development of up to 3.7 million square feet of non-residential building area. The project proposes approximately 240,000 square feet of building area, approximately 6.5% percent of that permitted by the ALUP.
3. Cumulatively, the ALUP would permit up to 18,500 employees, or 3,650 residents. By comparison the proposed project would result in 1,575 residents and 1,200 employees.
4. With the exception of a less than one-acre area in the northwest corner of the S-1B zone, all residential development is confined to the S-2 zone. Cumulatively, nine single family residential units would be permitted in both S-1 zones, and 17 R-3 dwelling units are theoretically possible in the S-1B portion of project with the project plan. This minor variance is included to avoid an awkward and inefficient diagonal boundary, and is justified for the following reasons:
 - a. There are few, if any, approaches to Runway 7. Any such approaches would be “centered” or straight in, or would come from the south. The one acre encroachment is located entirely in the northwest “flair” portion of the approach area, away from any likely approaches.
 - b. There are even fewer, if any, approaches from the northeast since this would conflict with other traffic, including ILS and commercial approach traffic using Runway 11, and Runway 29 departures.
 - c. Departures from Runway 25 will go straight (west) or turn left (south), negating the reason for the flared line in the 1.0 acre area.
 - d. Runway 25 departures are rare and achieve an elevation of greater than 775 feet MSL (650 feet AGL based on average elevation of project surface) at the 1.0 acre area. Even with the extension of Runway 7-25 as planned, the departures are projected to operate above 600 AGL at the 1.0 acre area.
 - e. Net encroachment is minimal (less than 1.0 acre) and represents less than 3% of the S-1B zone and is in the least sensitive area of the zone.

- f. The proposed project approximates less than 50% of the residential units that would otherwise be permitted under the ALUP, even without the adjustment to the 0.50 NM line.
 - g. Where residential facilities are located on the boundary between zones non-living outdoor areas are to be located on or in the adjoining boundary. These facilities would include onsite landscape setbacks, parking and carport areas, internal circulation areas, and common area recreational facilities. It is projected that the living and sleeping portions of the R-3 dwelling units of no more than 9 dwelling units will be built in Safety Area S-1B.
 - h. The 45 decibel interior Lmax standard will reduce noise complaints overall.
5. Thirty-five percent (35%) of the property is in some form of open space such as agriculture, parks, drainage or riparian areas.
 6. The 7.6-acre portion of the park in the S-1C zone will offer an opportunity for a secondary Reserve Space/Area associated with downwind and touch and go traffic.
 7. The onsite and offsite open space will create a network of airport compatible open spaces that will support the ALUP safety and noise polices (See Figure 6).

The following sections provide a consistency analysis with the ALUP policies.

General Policies

Policy G-1: Notwithstanding any other provision of this ALUP, a proposed project or local action will be determined to be inconsistent with the ALUP if the information required for review of the proposed local action is not provided by the referring agency.

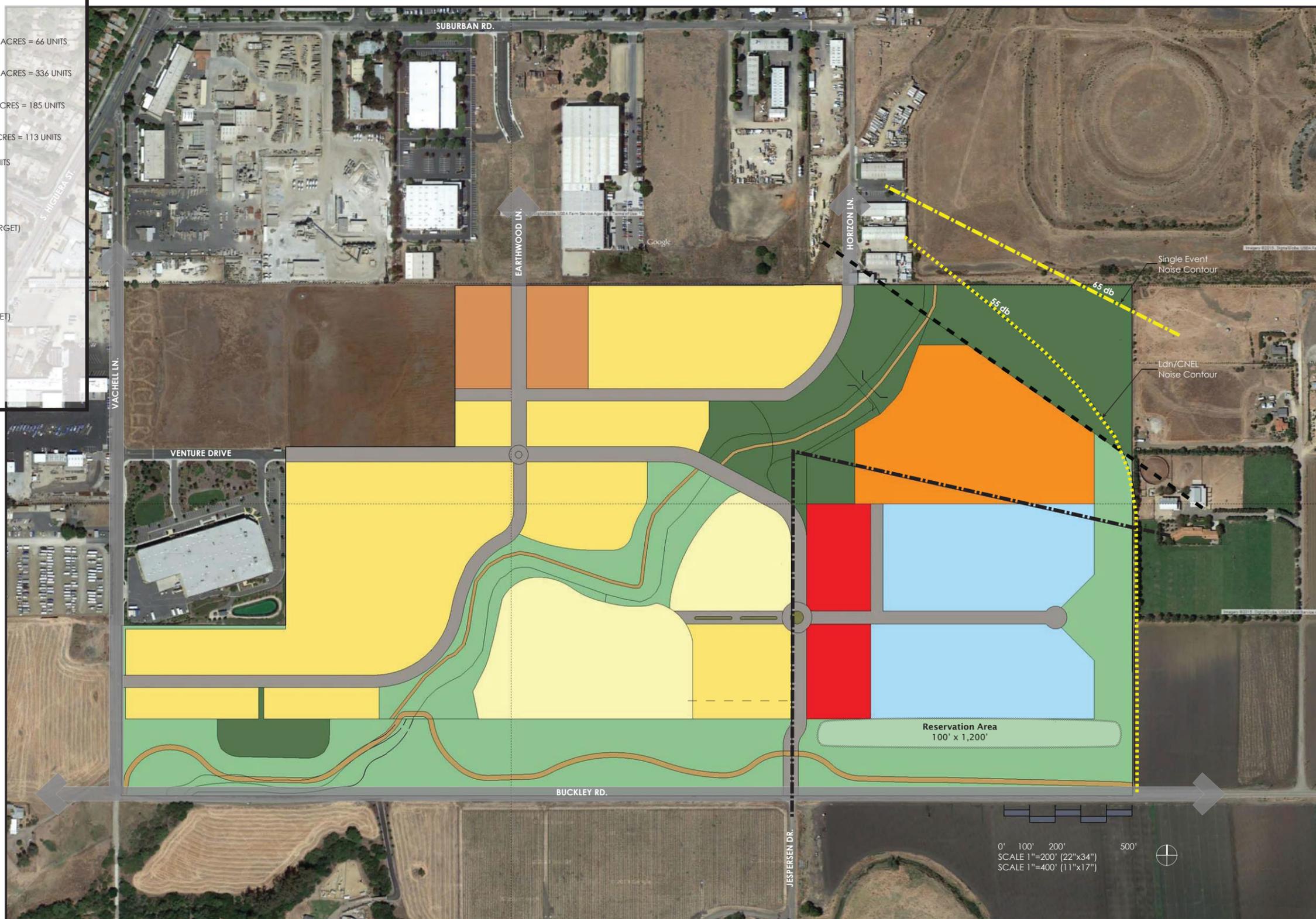
Response: The formal application will include all of the necessary materials.

Policy G-2: Notwithstanding any other provision of this ALUP, a proposed project or local action will be determined to be inconsistent with the ALUP if the proposal would, in the considered opinion of ALUC, present specific incompatibilities to the continued economic vitality and efficient operation of the Airport with respect to safety, noise, overflight or obstacle clearance.

Response: The project site is more than 3,500 feet from the end of Runway 7-25. Project normal flight tracks from Runways 7-25 and 11-29 indicate that traffic that passes over the site at elevations above 500 AGL. There are not projected to be any obstructions to airspace operations. The project statistics demonstrate compliance with the density and noise requirements. Further, to reduce complaints related to noise events that are occur from operations, a more restrictive 45 decibel interior peak noise standard is proposed. Therefore, there are no known specific incompatibilities associated with the project.

LEGEND

- R1 PRODUCT (5.25 DU/AC GROSS) : 12.7 ACRES = 66 UNITS
- R2 PRODUCT (8.75 DU/AC GROSS) : 38.5 ACRES = 336 UNITS
- R3 PRODUCT (18 DU/AC GROSS) : 10.3 ACRES = 185 UNITS
- R4 PRODUCT (25 DU/AC GROSS) : 4.5 ACRES = 113 UNITS
- TOTAL UNIT COUNT : 66.0 ACRES , 700 UNITS**
- CIRCULATION : 11.6 ACRES (AS SHOWN)
- OPEN SPACE : 35.7 ACRES (75 ACRES TARGET)
- BUSINESS PARKS : 14.9 ACRES
- PARKS : 17.1 ACRES (15.8 ACRES TARGET)
- COMMERCIAL : 4.6 ACRES
- TOTAL ACRES : 149.9 ACRES**



31 MARCH 2015

AVILA RANCH • LAND USE ALTERNATIVE



Table 1

Avila Ranch ALUP Conformity Study

ALUP Conformity Avila Ranch Property									
	Net Acres			ALUP Permitted Units				Proposed Units	
	Current	Proposed	Open Space (%)	Persons per Acre	Units per Net Acre	Dwelling Units	Non Residential SF	Residential	Non-Residential (Square Feet)
Airport Land Use Plan Noise Constraints									
65-75 dB Single Event Noise Contour		0.3	100.0%	90	-	-	5,400	-	-
55-60 dB Ldn/CNEL Noise Contour		4.5	100.0%	90	-	-	81,000	-	-
Less than 55 dB Ldn/CNEL Noise Contour		145.4	30.1%	125	11	1,620	3,621,400	700	239,088
Total		149.9				1,620	3,707,800	700	239,088
Airport Land Use Plan Safety Constraints									
S-1B Safety Zone	34.9								
Roads		3.1							
Park		1.1	3.2%						
Open Space/AG		6.4	18.3%						
Residential									
R-1					0	7			
R-2									
R-3		1.0						16	
R-4									
Non-Residential (NC)		4.5		50			349,000		30,000
Non Residential (BP)		16.0		50					209,088
Open Space/Reserve Space		2.8	8.0%						
Total		34.9	29.5%			7	349,000	16	239,088
S-1C Safety Zone	7.6								
Roads									
Park		7.6	100.0%						
Open Space/AG									
Residential									
R-1					0	2			
R-2									
R-3									
R-4									
Non-Residential (NC)							-	-	
Non Residential (BP)				90			136,800		
Open Space/Reserve Space									
Total		7.6	100.0%			2	136,800	-	-
S-1 Subtotal									
Area		42.5	28.4%						
Dwelling Units						9		16	
Non Residential SF							485,800		239,088
ACOS Open Space		17.9	42.1%						
S-2 Safety Zone	107.4								
Roads		8.2							
Park		9.7	9.0%						
Open Space/AG		24.8	23.1%						
Residential									
R-1		13.8			15	1,611		73	
R-2		37.3						326	
R-3		9.1						172	
R-4		4.5						113	
Non-Residential (NC)				150			3,222,000		0
Non Residential (BP)									-
Open Space/Reserve Space									
Total		107.4	32.2%			1,611	3,222,000	684	-
Total All Zones									
Area		149.9							
Total Dwelling Units						1,620		700	
Total Non-Residential Square Feet							3,707,800		239,088
Total Persons						3,644	18,539	1,575	1,195
Reservation Area/Space		2.8	1.9%						
Total Open Space		52.4	35.0%						

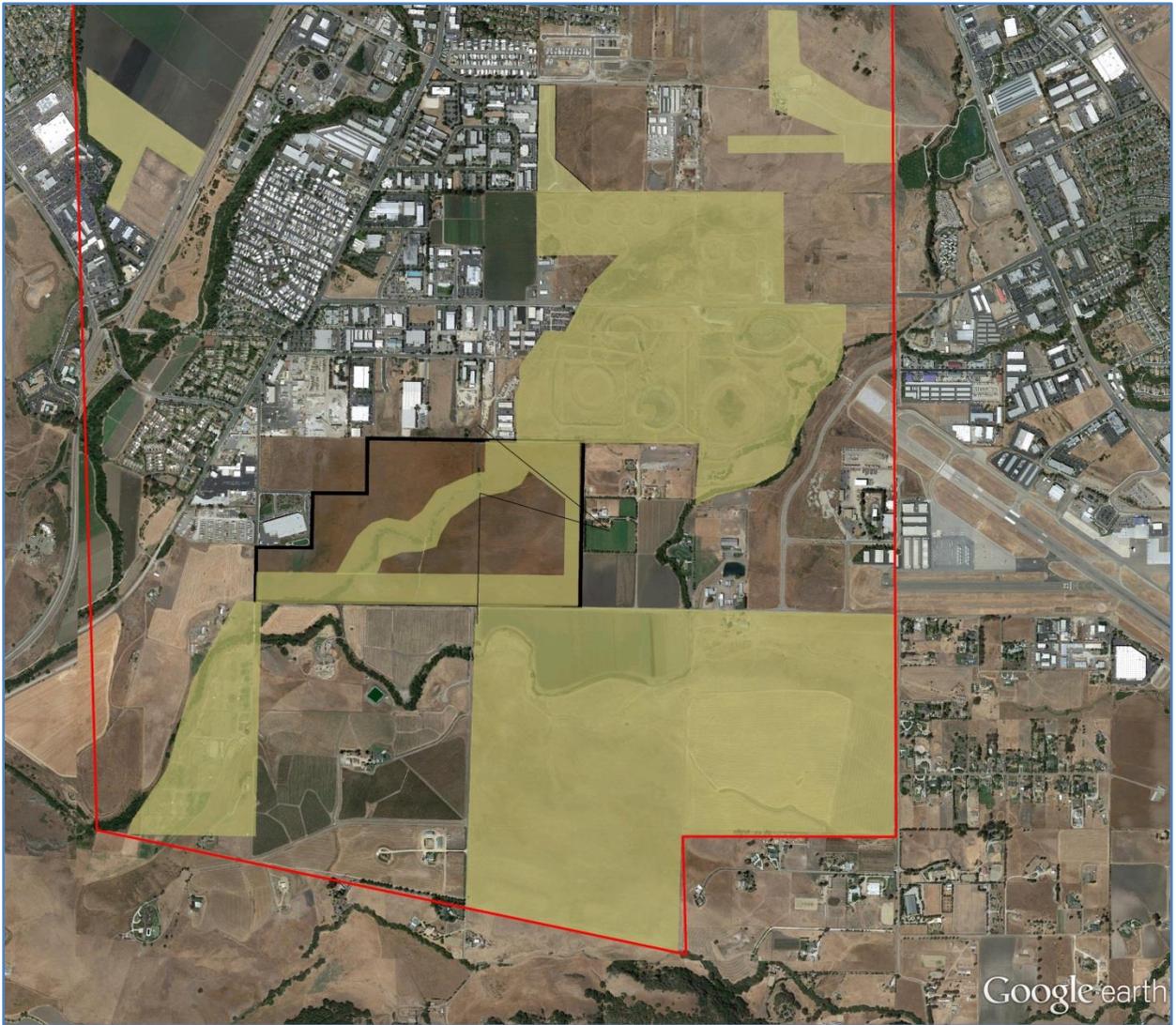


Figure 6 Onsite and Offsite Open Space

Policy G-3: Except as provided in Policy G-4, a proposed project or local action will be determined to be inconsistent with the ALUP if the proposal is not in conformance with all applicable Specific Land Use Policies. In the event that the site affected by a proposed project or local action is located in more than one noise exposure area or aviation safety area, the standards for each such area will be applied separately to the land area lying within each noise or safety zone.

Response: *Table 1 shows the site's compliance with the various regulations applicable to the multiple noise and safety zones on the project site.*

Policy G-4: When the site affected by a proposed project or local action is located in more than one noise exposure area or aviation safety area, the Airport Land Use Commission may, at its sole discretion, elect not to apply the requirements of Policy G-3 if:

- i. the total gross area(s) within the more restrictive area(s) is 2 acres or less; and
- ii. the land area(s) within the more restrictive area(s) is less than 50% of the total gross land area affected by the referred project or local action.

In such instance, the ALUC may elect to apply the policies applicable to the least restrictive noise and/or safety zone to the entire site affected by the project or local action. The ALUC must adopt specific findings that the proposed project or local action, so considered, would not result in the potential development of land uses incompatible with current or future airport operations.

Response: *The project proposes to designate less than one acre of property in the S-1B Aviation Safety Zone for R-3 development. This would normally not be in strict compliance with General Policy G-3. However, the ALUC as part of its quasi-judicial function is authorized to exercise discretion in its consistency determination where it believes that a non-substantive deviation from standards will substantially. For example, Section 7 of the ALUP allows the ALUC to find consistent a project that might otherwise not be in strict compliance with the ALUP, based on certain findings. If the ALUC were not to have such discretion, the finding of consistency would be an administrative or ministerial function that would not require public hearings, deliberations and ALUC judgement.*

The findings for a decision that the proposed minor deviation is in substantial compliance with the ALUP and the State Aeronautics Act may include, but need not be limited to the following:

- 1. There are few, if any, approaches to Runway 7. Any such approaches would be "centered" or straight in, or would come from the south. The one acre encroachment is located entirely in the northern flair portion of the approach area, away from any likely approaches.**
- 2. There are even fewer, if any, approaches from the northeast since this would conflict with other traffic, including ILS and commercial approach traffic using Runway 11, and Runway 25 departures.**
- 3. Departures from Runway 25 will go straight (west) or turn left (south), negating the reason for the flared line in the 1.0 acre area.**

4. *Runway 25 departures are rare and achieve an elevation of greater than 775 feet MSL (650 feet AGL based on average elevation of project surface) at the 1.0 acre area. Even with the extension of Runway 7-25 as planned, the departures are projected to operate above 600 AGL at the 1.0 acre area.*
5. *Net encroachment is minimal (less than 1.0 acre) and represents less than 3% of the S-1B zone and is in the least sensitive area of the zone.*
6. *Total allowed development in the S-1 zones is estimated to be 9 units as shown in Table 1. Total potential development from the 1-acre area is 17 dwelling units or less, an increase of 8 dwelling units, which would be clustered in the northwest corner of the safety zone.*
7. *Where residential facilities are located on the boundary between zones non-living outdoor areas are to be located on or in the adjoining boundary. These facilities would include onsite landscape setbacks, parking and carport areas, internal circulation areas, and common area recreational facilities. Non-sleeping area of the structures (bathrooms, closets, kitchens, etc.) will also be located towards these transitional areas. Based on these criteria, it is projected that the living and sleeping portions of the R-3 dwelling units of no more than 9 dwelling units will be built in Safety Area S-1B and the proposed plan may be deemed as completely consistent with the ALUP.*
8. *As an example, the multi-family development that has been built on the southwest corner of Madonna Road and Los Osos Valley Road has sited automobile parking around the perimeter of the project with a compact, pedestrian-oriented residential area in the center*
9. *The proposed project approximates less than 50% of the residential units that would otherwise be permitted under the ALUP, even without the adjustment to the 0.50 NM line.*
10. *The 45 decibel interior Lmax standard will reduce noise complaints overall.*

Noise Policies

Maximum Allowable Interior Noise Exposure from Aviation-Related Noise Sources-- (The reference event for determination of required single event noise mitigation shall be the straight-in arrival of a regional airline jet landing on Runway 29 and the straight-out departure of a regional airline jet from Runway 29. Measurements are to be of the maximum noise level, are to be A-weighted, and are to be obtained using a Fast response time).

Residential dwellings 50 dB(A) Lmax

Offices, office buildings 60 dB(A) Lmax

Response: The 65-decibel single event contour is located in the upper northeast corner of the project and affects approximately 0.3 acres. Based on standard construction techniques this would result in an interior peak noise level of 45 dB to 50 dB. No development is proposed in this area. Further, all residential buildings will be designed to ensure a maximum interior noise level of 45 decibels.

Policy N-1 – Would permit or fail to sufficiently prohibit establishment within the projected 60 dB CNEL contour of any extremely noise-sensitive land use.

Response: *No portions of the site are within the 60 Ldn/CNEL area.*

Policy N-2 – Would permit or fail to sufficiently prohibit any extremely noise-sensitive land use within the projected 55-dB CNEL contour, with the exception of developments which meet the criteria delineated in Section 4.3.2.3 for designation as infill.

Response: *No development is proposed within the 55 dB Ldn/CNEL contour. Area is reserved for parks and open space.*

Policy N-3 – Would permit or fail to sufficiently prohibit any moderately noise-sensitive land use within the projected 55-dB CNEL contour, with the exception of developments which meet the requirements for mitigation of interior noise levels specified in Table 4 and in Section 4.3.3.

Response: *No development is proposed within the 55 dB Ldn/CNEL contour. Area is reserved for parks and open space.*

Policy N-4 – Would permit or fail to sufficiently prohibit, in any location which is within or adjacent to an area of demonstrated noise incompatibility or in an acoustic environment substantially similar to an area of demonstrated noise incompatibility:

- a. Any new residential or other extremely noise-sensitive development
- b. Any new moderately noise-sensitive development, unless adequate, specific, and detailed provisions are set forth to mitigate noise incompatibility between allowable or proposed noise-sensitive uses (including foreseeable outdoor activities) and airport operations.

Response: *No development is proposed within the 55 dB Ldn/CNEL contour. Area is reserved for parks and open space. Noise monitoring on the site confirms that the noise levels on the site do not exceed the levels projected in the ALUP and there are no known noise impacts that are not adequately documented or accounted for in the ALUP.*

CNEL Level Compatibility

Land Uses Land Uses	Extremely Noise Sensitive (Residential)	Moderately Noise Sensitive (Office/Retail)
Inside 60 dB CNEL contour	Prohibited	<i>With mitigation</i>
<i>Between 55 and 60 dB contours</i>	<i>Infill only</i>	<i>With mitigation</i>
<i>Outside 55 dB contour</i>	<i>Allowable</i>	<i>Allowable</i>

Response: No development is proposed within the 55 dB Ldn/CNEL contour. All development is “outside” the 55 dB Ldn/CNEL contour line. Both residential and non-residential uses are allowed in that noise zone. Noise monitoring on the site confirms that the noise levels on the site do not exceed the levels projected in the ALUP and there are no known noise impacts that are not adequately documents or accounted for in the ALUP.

Safety Policies

Policy S-1 – Would permit or lack sufficient provisions to prohibit structures and other obstacles within the Runway Protection Zones for any runway at the Airport, as depicted in Figure 4.

Response: The project is not located in a Runway Protection Zone or Safety Area S-1A.

Policy S-2 – Would permit or fail to adequately prohibit any future residential or nonresidential development or redevelopment which would create, within the site to be developed or redeveloped, a density greater than specified in Table 7 or any mixed-use development or redevelopment which would create, within the site to be developed or redeveloped, densities greater than illustrated in Figures 5 through 8.

Response: Table 1 hereof demonstrates the compliance of the project with the ALUP Table 7 (See Table 2, reproduced below). There is no development proposed in Safety Zone S-1C. Safety Zone S-2 is permitted to have up to 1,611 dwelling units since the project’s Specific Plan will serve as a Detailed Area Plan, and the project will contain adequate open space to qualify for ACOS and Cluster Development Zone density transfer considerations. Maximum density is 25 units to the acre in the R-4 that is located in the S-2 zone. As a Detailed Area Plan with an ACOS and CDZ, maximum residential density for individual parcels or subareas is “unlimited”. A minor “encroachment” is proposed into the S-1B zone and is proposed based the findings above.

Policy S-3 – Would permit or fail to adequately prohibit any future development project which specifies, entails, or would result in a greater building coverage than permitted by Table 7.

Response: *Preparation of a Detailed Area Plan with an ACOS and CDZ does not have a coverage standard per ALUP Table 7. However, for the sake of information, total projected building coverage in the S-2 zone is estimated to be 15-18 percent (684 dwelling units x 1,100 square feet of coverage per 1,650 square foot dwelling unit over 107.4 acres) compared to the 20 percent maximum in ALUP Table 7 (without an ACOS, CDZ or DAP).*

Policy S-4 – Would permit or fail to adequately prohibit high intensity land uses or special land use functions (impaired egress uses or unusually hazardous uses), except that, when conditions specified by Table 7 for density adjustments have been determined to be met by the ALUC, high intensity land and/or special function uses may be allowed in Aviation Safety Area S-2.

Response: *Section 4.4.2.2 of the ALUP defines “High Intensity Land Uses” as any use which is characterized by a potential to attract dense concentrations of persons to an indoor or outdoor area, even for a limited period of time. Such uses include amusement parks, fairgrounds, convention/exhibit halls, major auditoriums, stadiums and arenas, temporary events attracting dense concentrations of people such as fairs, circuses, carnivals, revival meetings, sports tournaments, conventions, but not including events for which exposure to aviation safety hazard is a well-known expectation (air shows, airport open houses, pilots meetings, etc.) None of these uses are proposed for the project site.*

Reserve Space - Reserve space shall be provided where deemed necessary which meets the design criteria specified in Table 6 of the ALUP, and is restricted in perpetuity by deed restriction, easement, or other suitable legal instrument to uses characterized by low occupancy levels and substantially free of structures. Land uses which may, if the standards established in Table 6 are met, be consistent with this definition of Reserve Space include: 1) undeveloped land – “green belt” reserve; 2) parks; 3) agriculture; 4) certain low intensity recreational uses such as golf courses, shooting ranges; and, 5) cemeteries.

Response: *The project provides a 100-foot wide by 1,200 foot long Reservation Space in the open space along Buckley Road. This location is near to or along the approximate centerline of Runway 7-25. It is complemented by an additional 1,000 feet of open space along the Buckley Road frontage that will be enforceable restricted in compliance with the Reservation Space requirements. Additional, undesignated areas are available for this purpose along the Business Park access road, and in Safety Zone S-1C which is to remain as a park and open space area.*

Runway Protection Zones – Areas immediately adjacent to the ends of each active runway, within which the level of aviation safety risk is very high and in which, consequently, structures are prohibited and human activities are restricted to those which require only very low levels of occupancy. The size and configuration of the Runway Protection Zones are specified by Federal Aviation Regulations. The Runway Protection Zones are also referred to as the “clear zones” for each runway.

Response: The project is not located in a Runway Protection Zone or Safety Area S-1A.

Safety Area S-1A – Those portions of Safety Area S-1 which are located within 500 feet of the extended runway centerline of Runway 11-29 and within 5,000 feet of an existing or planned runway end or which are within 250 feet of the extended runway centerline of Runway 7-25 and within 3,000 feet of the runway end.

Response: The project is not located in a Runway Protection Zone or Safety Area S-1A.

Safety Area S-1B – Those portions of Safety Area S-1 which are not included in Safety Area S-1a, but are within probable gliding distance for aircraft on expected approach or departure courses; also includes State-defined sideline safety areas, inner turning zones and outer safety zones for both Runway 11-29 and Runway 7-25 and portions of existing Airport Land Use Zone 3. Aviation safety hazards to be particularly considered in this area include mechanical failures, fuel exhaustion, deviation from glideslope or MDA during IFR operations (due to pilot error or equipment malfunction), loss of control during short approach procedures, stall/spin incidents during engine-out maneuvers in multi-engine aircraft, loss of control during “go around” or missed approach procedures, and midair collisions. Figure 3 description: Areas within gliding distance of prescribed flight paths for aircraft operations at less than 500 feet above ground level, plus sideline safety areas, and inner turning zones and outer safety zones for each runway.

Response: The project proposes to designate less than one acre of property in the S-1B Aviation Safety Zone for R-3 development. This would normally not be in strict compliance with General Policy G-3. However, the ALUC as part of its quasi-judicial function is authorized to exercise discretion in its consistency determination where it believes that a non-substantive deviation from standards will substantially. For example, Section 7 of the ALUP allows the ALUC to find consistent a project that might otherwise not be in strict compliance with the ALUP, based on certain findings. If the ALUC were not to have such discretion, the finding of consistency would be an administrative or ministerial function that would not require public hearings, deliberations and ALUC judgement.

The findings for a decision that the proposed minor deviation is in substantial compliance with the ALUP and the State Aeronautics Act may include, but need not be limited to the following:

- 1. There are few, if any, approaches to Runway 7. Any such approaches would be “centered” or straight in, or would come from the south. The one acre encroachment is located entirely in the northern flair portion of the approach area, away from any likely approaches.***
- 2. There are even fewer, if any, approaches from the northeast since this would conflict with other traffic, including ILS and commercial approach traffic using Runway 11, and Runway 25 departures.***
- 3. Departures from Runway 25 will go straight (west) or turn left (south), negating the reason for the flared line in the 1.0 acre area.***
- 4. Runway 25 departures are rare and achieve an elevation of greater than 775 feet MSL (650 feet AGL based on average elevation of project surface) at the 1.0 acre area. Even with the***

extension of Runway 7-25 as planned, the departures are projected to operate above 600 AGL at the 1.0 acre area.

- 5. Net encroachment is minimal (less than 1.0 acre) and represents less than 3% of the S-1B zone and is in the least sensitive area of the zone.*
- 6. Total allowed development in the S-1 zones is estimated to be 9 units as shown in Table 1. Total potential development from the 1-acre area is 17 dwelling units or less, an increase of 8 dwelling units, which would be clustered in the northwest corner of the safety zone.*
- 7. Where residential facilities are located on the boundary between zones non-living outdoor areas are to be located on or in the adjoining boundary. These facilities would include onsite landscape setbacks, parking and carport areas, internal circulation areas, and common area recreational facilities. Non-sleeping area of the structures (bathrooms, closets, kitchens, etc.) will also be located towards these transitional areas. Based on these criteria, it is projected that the living and sleeping portions of the R-3 dwelling units of no more than 9 dwelling units will be built in Safety Area S-1B and the proposed plan may be deemed as completely consistent with the ALUP.*
- 8. As an example, the multi-family development that has been built on the southwest corner of Madonna Road and Los Osos Valley Road has sited automobile parking around the perimeter of the project with a compact, pedestrian-oriented residential area in the center*
- 9. The proposed project approximates less than 50% of the residential units that would otherwise be permitted under the ALUP, even without the adjustment to the 0.50 NM line.*
- 10. The 45 decibel interior Lmax standard will reduce noise complaints overall.*

Safety Area S-1C – Those portions of Safety Area S-1 which are not included in Safety Areas S-1a or S-1b, but are adjacent to (within 0.5 nm) frequent or low-visibility aircraft operations at less than 500 feet above ground level. Aviation safety hazards to be considered in this area include mechanical failures, deviation from localizer or VOR during IFR operations (due to pilot error or equipment malfunction), stall/spin incidents during engine-out maneuvers in multi-engine aircraft, loss of control during “go around” or missed approach procedures, and loss of visual references by aircraft performing circle-to-land procedures. Figure 3 description: Areas not included in Safety Areas S-1a or S-1b, but adjacent (within 0.5 nm) to aircraft operations at less than 500 feet above ground level.

Response: *The S-1C area is eligible for up to 2 dwelling units and 136,800 square feet of non-residential development. Open space and park development only proposed for Safety Area S-1C.*

Safety Area S-2 – The area, as designated in Figure 3, within the vicinity of which aircraft operate frequently or in conditions of reduced visibility at altitudes between 501 and 1,000 feet above ground level (AGL). Aviation safety hazards to be considered in this area include mechanical failures, fuel exhaustion, loss of control during turns from downwind to base legs or from base to final legs of the traffic pattern,

stall/spin incidents during engine-out maneuvers in twin engine aircraft, and midair collisions. Aircraft in Area S-2 are at greater altitude and are less densely concentrated than in other portions of the Airport Planning Area, the overall level of aviation safety risk is considered to be lower than that in Area S-1 or the Runway Protection Zones

Response: The S-2 area is eligible for up to 1,611 dwelling units and 3.2 million square feet of non-residential development. Proposed development is for 684 dwelling units. Open space and park development in Safety Zone S-2 is 34.5 acres, approximately one third of the total area.

Airspace Protection Policies

Policy A-1 – Projects shall ensure that no structure, landscaping, apparatus, or other feature, whether temporary or permanent in nature, shall constitute an obstruction to air navigation by having a height that is 200 feet above ground level (AGL) or is above 409 feet MSL, whichever is greater, or obstruct the approach or departure “imaginary surface” as defined in Section 77.25 or 77.29 of the Federal Aviation Regulations and as illustrated in Figure 9 of the ALUP. Further, that no use or activity shall constitute a hazard to air navigation by constructing an object which entails or is expected to entail characteristics which would potentially interfere with the takeoff, landing, or maneuvering of aircraft at the Airport, including objects that create electrical interference with navigation signals or radio communication between the aircraft and airport, has lighting which is difficult to distinguish from airport lighting, produces glare in the eyes of pilots using the airport, contains uses which attract birds and create bird strike hazards, contains uses which produce visually significant quantities of smoke, and contains uses which entail a risk of physical injury to operators or passengers of aircraft (e.g., exterior laser light demonstrations or shows).

Response: According to Figure 9 of the ALUP the Runway 7-25 approach surface penetrates the project site about 500 in the south east corner of the project site. The projected elevation of the bottom of the surface at the nearest portion of the Business Park is 450-500 feet AGL. City Zoning Ordinance regulations limit the height of such structures to 52 feet to the highest architectural feature. Development on the project site will not exceed the 200 AGL or 409 MSL standards. The project site will also be required to comply with the City’s Night Sky lighting regulations to limit glare.

Policy A-2 – Would permit or lacks sufficient provisions to prohibit any new landfill or other disposal site at a site or of a configuration which is not consistent with all current state and federal statutes, FAA regulations, and FAA Advisory Circulars concerning the relationship of landfills and waste disposal sites to aeronautical operations and facilities.

Response: The project does not involve the development of a landfill site.

Table 2

ALUP Table 7

<i>Safety Area</i>	<i>Maximum Building Coverage</i>	<i>Maximum Density of Use (Non-Residential)</i>	<i>Maximum Density of Residential</i>	<i>Special Function Land Uses Allowed</i>	<i>High Intensity Land Uses</i>
Runway Protection Zone	0	5	0	no	no
Airport Safety Area 1a	5	30	0.2	no	no
With approved ACOS	n/a	40	0.2	no	no
Airport Safety Area 1b	10	40	0.2	no	no
With approved ACOS	n/a	50	0.2	no	no
Airport Safety Area 1c	15	50	0.2	no	no
With approved ACOS	n/a	60	0.2	no	no
With approved ACOS and Detailed Area Plan (DAP) ³	n/a	80	0.2	no	no
Within CDZ specified by an approved ACOS	n/a	90	0.2	no	no
Within CDZ specified by approved ACOS and DAP ³	n/a	120	0.2	no	no
Airport Safety Area 2	20	150	6	no	no
With approved ACOS	n/a	150	12	no	no
With approved ACOS and Detailed Area Plan ³	n/a	150	18 ⁵	yes ⁴	yes ⁴
Within CDZ specified by an approved ACOS	n/a	180	18	no	no
Within CDZ specified by approved ACOS and DAP ³	n/a	Unlimited	Unlimited	yes ⁴	yes ⁴

1 Refers to the maximum number of persons that a development may be expected to attract during the course of normal operations.

2 Refers to the maximum number of dwelling units (as defined by this ALUP) per acre of gross land area allowable on any parcel under the terms of a proposed project or local action.

3 Requires that the development be controlled by a Detailed Area Plan that has been developed in consultation with the ALUC and has been reviewed by the ALUC and has been determined to be consistent with the ALUP after the date of adoption of this amendment.

4 Location and type of Special Function and/or High Intensity land uses shall be designated by Detailed Area Plan and shall be subject to ALUC approval.

5 Although a maximum residential density of up to 18 d.u./acre may be allowed for designated parcels within the Detailed Area Plan, the Detailed Area Plan must also provide for areas of lesser allowable densities, so that the maximum number of dwelling units which can be established within the Detailed Plan area, under conditions of maximum build-out, will not exceed 15 d.u./acre.

6 Except that, in those portions of Safety Areas S 1b and S 1c which are a distance of 1 nm or greater from the end of any active runway, a 75 persons/acre will be allowed.

Overflight Policies

Policy O-1 – Notwithstanding any other provision of this ALUP, any proposed general plan, general plan amendment, specific plan, specific plan amendment, zoning ordinance, zoning ordinance amendment, building regulation modification, or individual development proposal will be determined to be inconsistent with the ALUP if the proposed local action lacks sufficient provisions to ensure that both of the following provisions will be carried out:

1. Avigation easements will be recorded for each property developed within the area included in the proposed local action prior to the issuance of any building permit or conditional use permit; and,
2. All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) will receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area.

Response: Avigation Easements and Natural Hazard Disclosure Reports are required for real estate transactions in the Airport Area.

Attachment A

LUCE Polices

8.3.2.6 SP-4, Avila Ranch Specific Plan Area

Location: Avila Ranch is located on the north side of Buckley Road at the far southern edge of the City of San Luis Obispo. The three parcels that make up the Avila Ranch area comprise approximately 150 acres. The entire site is located within the Airport Area Specific Plan.

Purpose: This area will be developed as primarily a residential neighborhood development with supporting neighborhood commercial, park, recreation facilities, and open space/resource protection. Within the project, emphasis should be on providing a complete range of housing types and afford abilities. The specific plan for this area should consider and address the following land use and design issues:

- a. Provision of a variety of housing types and affordability levels.
- b. Modification of the Airport Area Specific Plan to either exclude this area or designate it as a special planning area within the Airport Area Specific Plan.
- c. Provision of buffers along Buckley Road and along eastern edge of property from adjacent agricultural uses.
- d. Provision of open space buffers along northern and western boundaries to separate this development from adjacent service and manufacturing uses.
- e. Provision of open space buffers and protections for creek and wildlife corridor that runs through property.
- f. Safety and noise parameters described in this General Plan and the purposes of the State Aeronautics Act; or other applicable regulations relative to the San Luis Obispo Regional Airport.
- g. Participation in enhancement to Buckley Road and enhancement of connection of Buckley Road to South Higuera Street.
- h. Appropriate internal and external pedestrian, bicycle, and transit connections to the City’s circulation network.
- i. Implementation of the City’s Bicycle Transportation Plan including connections to the Bob Jones Trail.
- j. Water and wastewater infrastructure needs as detailed in the City’s Water and Wastewater Master Plans. This may include funding and/or construction of a wastewater lift station.
- k. Fire protection and impacts to emergency response times.
- l. Architectural design that relates to the pastoral character of the area and preserves view of agrarian landscapes.
- m. Provision of a neighborhood park.

Performance Standards: This specific plan shall meet the following performance standards.

Type	Designations Allowed	% of Site	Minimum	Maximum
Residential	LDR MDR MHDR HDR		500	700
Commercial	NC		15,000 SF	25,000 SF
Open Space / Agriculture	OS AG	50% ¹		
Public	n/a			
Infrastructure	n/a			

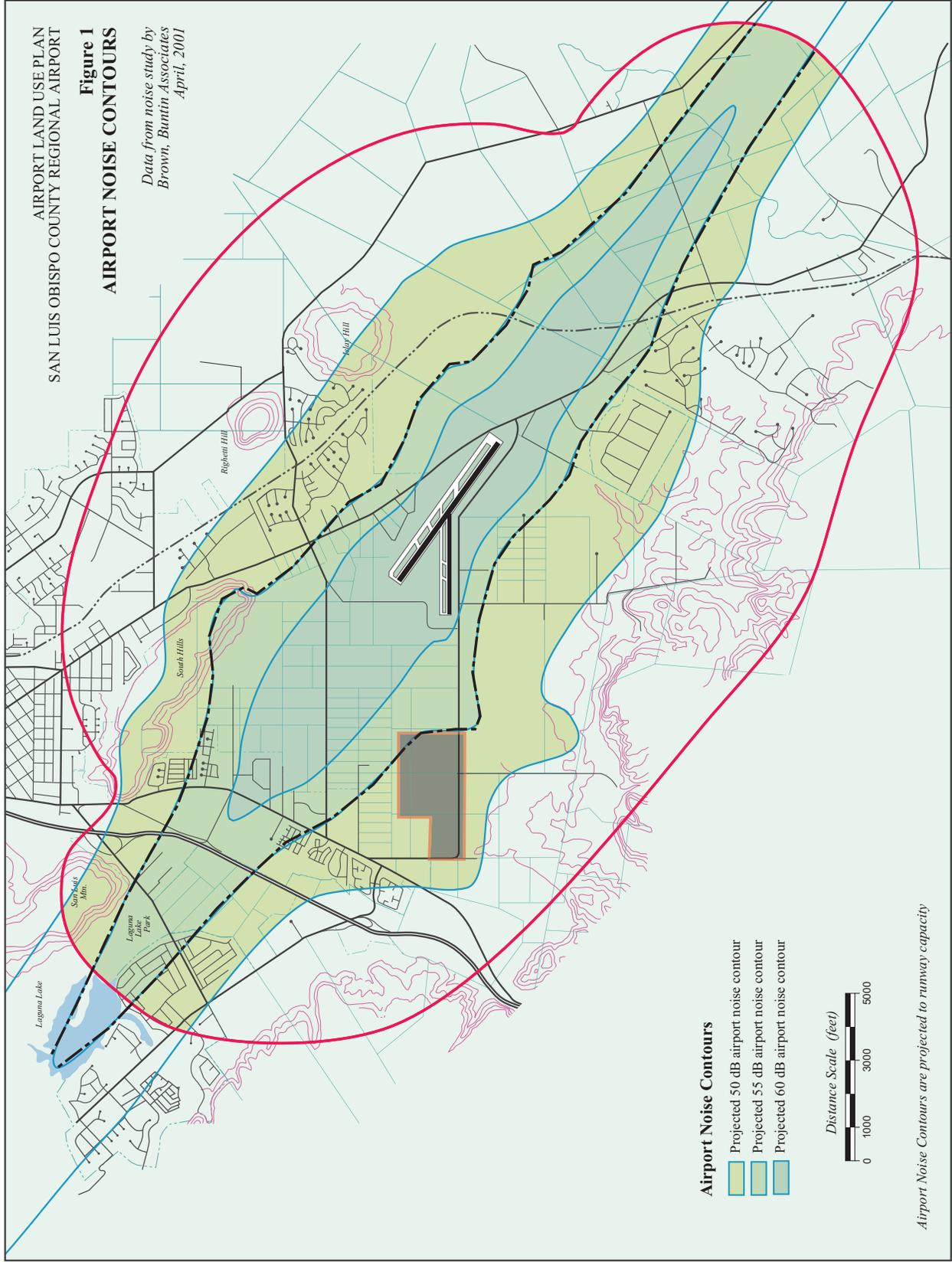
¹ Up to 1/3 of the open space may be provided off-site or through in-lieu fees consistent with the Airport Area Specific Plan.

Attachment B

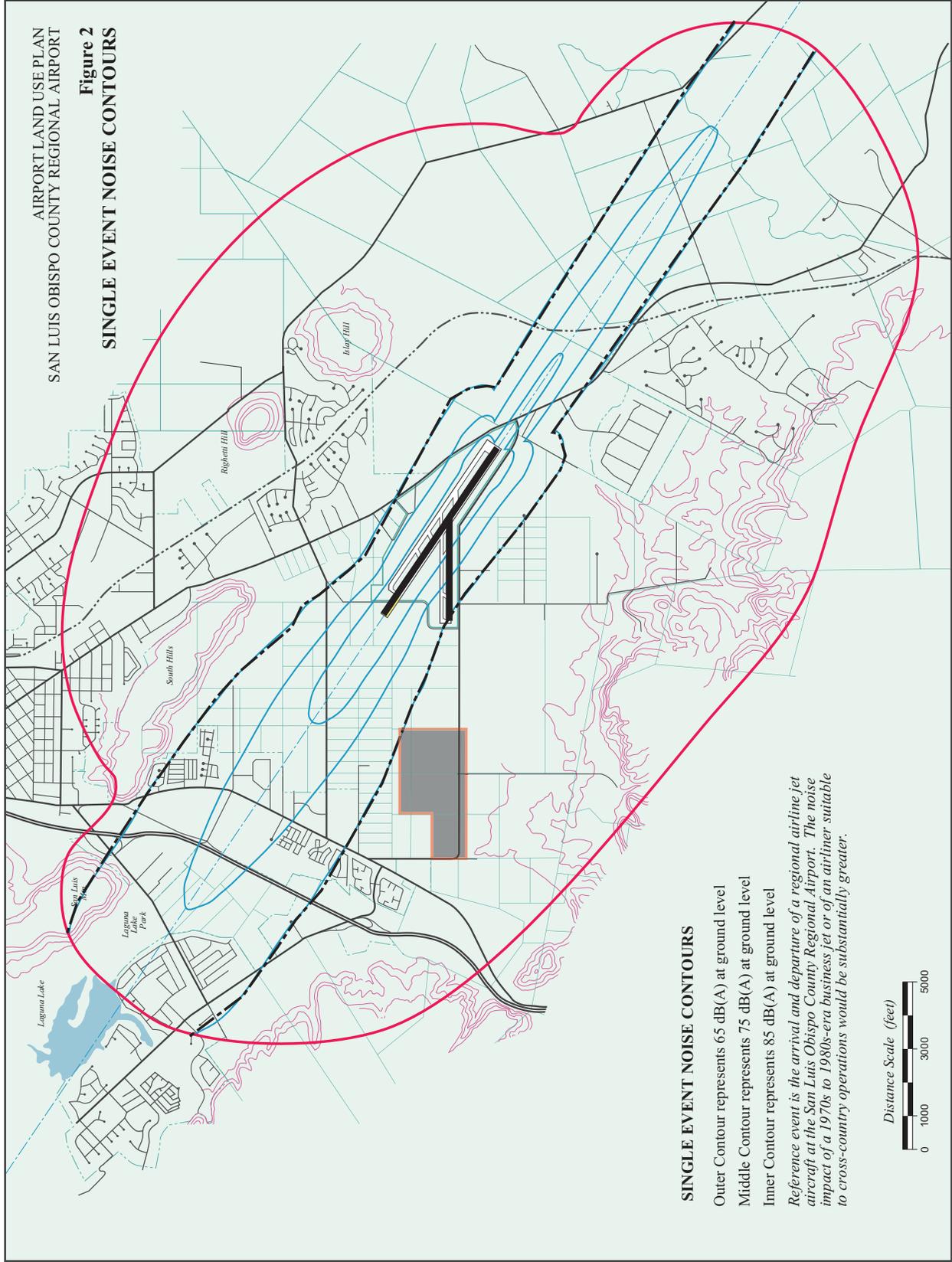
ALUP Figures 1, 2, 3 and 9

AIRPORT LAND USE PLAN
SAN LUIS OBISPO COUNTY REGIONAL AIRPORT
Figure 1
AIRPORT NOISE CONTOURS

Data from noise study by
Brown, Buntin Associates
April, 2001



Airport Noise Contours are projected to runway capacity



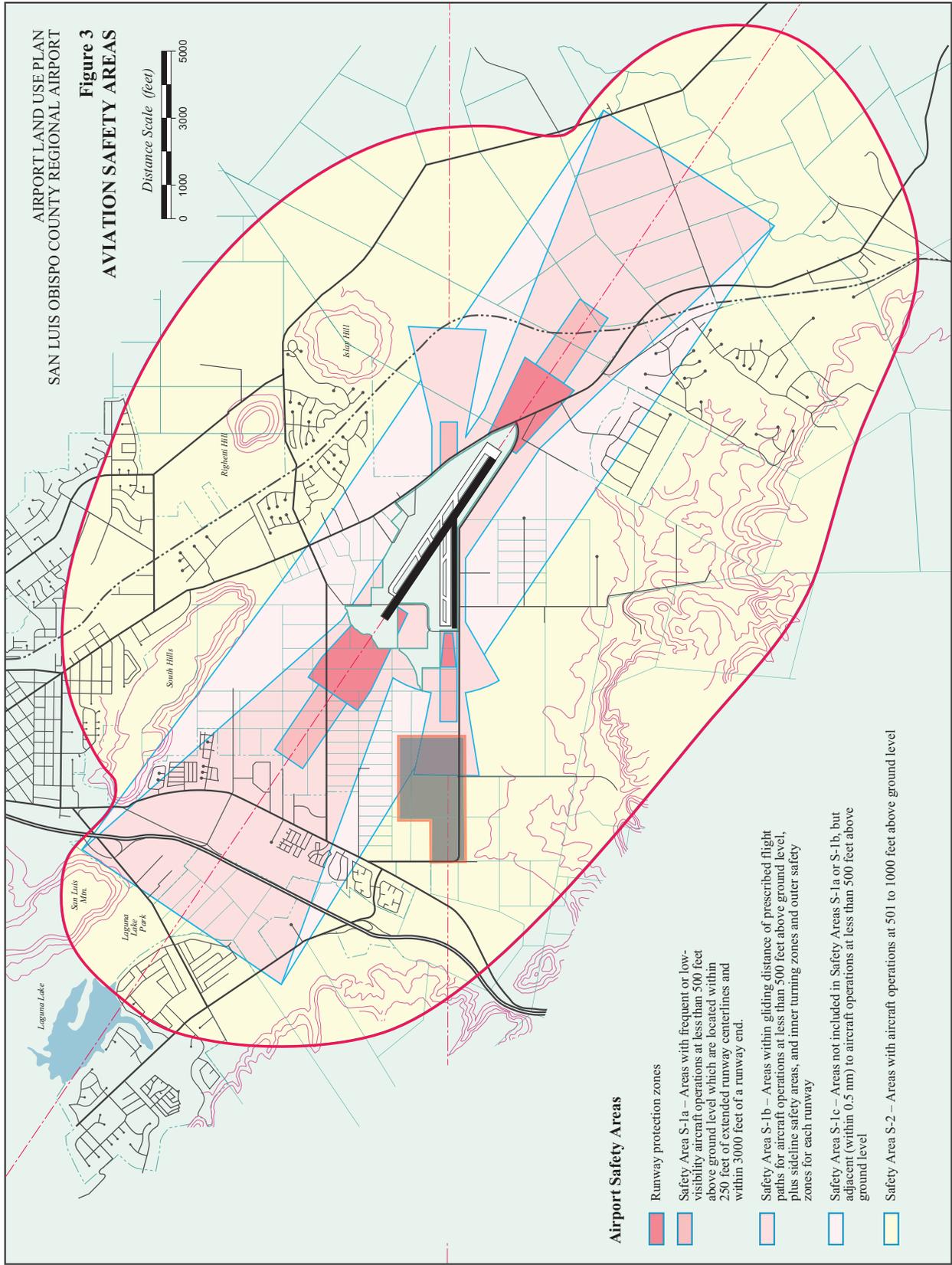
SINGLE EVENT NOISE CONTOURS

- Outer Contour represents 65 dB(A) at ground level
- Middle Contour represents 75 dB(A) at ground level
- Inner Contour represents 85 dB(A) at ground level

Reference event is the arrival and departure of a regional airline jet aircraft at the San Luis Obispo County Regional Airport. The noise impact of a 1970s to 1980s-era business jet or of an airliner suitable to cross-country operations would be substantially greater.



Figure 3
AVIATION SAFETY AREAS



Airport Safety Areas

-  Runway protection zones
-  Safety Area S-1a – Areas with frequent or low-visibility aircraft operations at less than 500 feet above ground level which are located within 250 feet of extended runway centerlines and within 3000 feet of a runway end.
-  Safety Area S-1b – Areas within gliding distance of prescribed flight paths for aircraft operations at less than 500 feet above ground level, plus sideline safety areas, and inner turning zones and outer safety zones for each runway
-  Safety Area S-1c – Areas not included in Safety Areas S-1a or S-1b, but adjacent (within 0.5 nm) to aircraft operations at less than 500 feet above ground level
-  Safety Area S-2 – Areas with aircraft operations at 501 to 1000 feet above ground level

**Figure 9
AIRPORT IMAGINARY SURFACES
and EXISTING OBSTRUCTIONS**

