

# AGENDA

## AIRPORT LAND USE COMMISSION (ALUC) MEETING

MONDAY, APRIL 16, 2012

3:00 P.M.

BOARD OF SUPERVISORS CHAMBERS  
COUNTY ADMINISTRATION CENTER  
810 COURT STREET  
JACKSON, CALIFORNIA 95642  
(209) 223-6380

ITEM NO. 1: Approval of Agenda.

ITEM NO. 2: Persons wishing to address the Commission on matters not on the Agenda/Off Agenda items.

ITEM NO. 3: Correspondence.

### AGENDA ITEMS

ITEM NO. 4: Review of the Airport Land Use Commission's Membership.

*The terms for the Airport Manager and the Airport Manager's Appointment seats expire May 2012. The Commission will take nominations for appointments to these seats.*

ITEM NO. 5: Request for determination of land use compatibility for a small eating establishment (deli/sandwiches) proposed to be located within Safety Area 2 of the Westover Field Airport Land Use Plan. Subject property is 3.94 acres located on the north side of the Hwy 88 and Martell Rd. junction in Martell.

**PLEASE NOTE:** All Airport Land Use Commission meetings are tape recorded.

•Anyone who wishes to address the Airport Land Use Commission must speak from the podium and should print their name on the speaker list located on the podium and identify themselves for the record.

•Items will commence no sooner than the times listed on the agenda.

•All proceedings are conducted in English.

•In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the Planning Department at (209) 223-6380 or (209) 257-5002 (fax) or by emailing [planning@amadorgov.org](mailto:planning@amadorgov.org). Requests must be made as early as possible and at least one-full business day before the start of the meeting.

**STAFF REPORT TO AMADOR COUNTY AIRPORT LAND USE COMMISSION  
FOR MEETING OF APRIL 16, 2012**

**ITEM NO. 5 - Request for determination of land use compatibility for a small (725 sq. ft.) eating establishment (deli/sandwiches) proposed to be located within Safety Area 2 of the Westover Field Airport Land Use Plan.**

**Applicant:** Martell Investments, Inc. (Ron Regan, representative)

**Location:** north side of the Hwy 88 and Martell Rd. junction in Martell.

**A. Acreage Involved:** 3.37 acres

**B. Background.** The property owner has a potential tenant for a 725 sq. ft. portion of the existing 31,500 sq. ft. building located on the subject parcel. The proposed use is for a deli/sandwich shop (see attached floor plan). Planning Department staff reviewed the proposal and determined the building is located within Safety Area 2 of the Westover Field Airport Land Use Compatibility Plan (ALUCP).

Compatible land uses for Safety Area 2 do not include retail food establishments or eating and drinking places (see attached excerpt from Figure 8 of the ALUCP). Because it could not be determined through the use of the Compatibility Guidelines that the proposed use was compatible, staff advised the land owner the project would have to be reviewed by the Airport Land Use Commission for a compatibility determination if he wished to pursue the project. He was also informed of the overrule process through the Amador County Board of Supervisors (see attached excerpts from the ALUCP).

**C. ALUC Action:** The Land Use Compatibility Guidelines contained in Figure 8 of the Westover Field Airport Land Use Plan were adopted as the criteria to be used when reviewing projects located in the various Safety Areas and Overflight Zones. The Commission is to use these guidelines to determine if the proposed use is compatible or non-compatible for this safety area.



RECEIVED  
Amador County  
MAR 22 2012  
PLANNING DEPARTMENT

December 15, 2006

Amador County Airport Land Use Commission  
810 Court St  
Jackson, CA 95642

RE: Martell Plaza, 12275 Martell Rd, Martell, CA 95642  
AP# 044-01-012

Dear Sir/Madam:

The developer requests that the Commission provide an interpretation that a small eating establishment (deli/sandwiches) would be permitted under the airport safety area 2.

The subject property (3.94 acres) is located within Safety area 2 with an existing 31,000 sq ft of commercial building. A potential tenant is interested in lease space for the deli in the complex. A certain eating establishment (Panda Restaurant) is currently permitted under the safety area. Therefore, it is requested that the Airport Land Use Commission approve this similiar use in Martell Plaza.

Please confirm that this matter can be placed on the Agenda and to schedule a meeting to hear applicants request for this permissible use.

Respectfully,

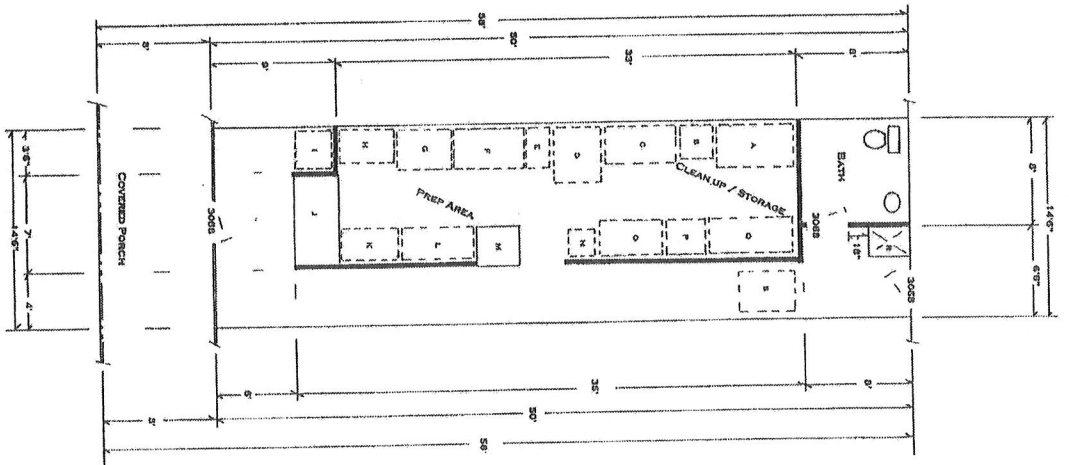
  
Ron Regan, Co-Managing Member,

**GENERAL NOTES**

1. PROPOSED TENANT IMPROVEMENTS TO 14' 0" X 30' 0" (25 SQ. FT.) OF EXISTING BUILDING TO CREATE TAKE OUT DELI. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2010 CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE LOCAL CODES. PROVIDE 1/2" O.C. WALLS TO CREATE MEAT, MEAT/VEGETABLE, CLEAN UP AREA, INSTALL 250 GALLON INTERIOR GREASE INTERCEPTOR. CONNECT SANITARY SEWER PER CALIFORNIA WATER AGENCY APPROVAL. INSTALL NEW ADA COMPLIANT ENTRY DOOR IN EXISTING GLASS STRUCTURE.
2. PLANS SHALL CONFORM WITH CALIFORNIA TITLES 24 AND THE 2010 EDITION OF THE C.B.C. / C.P.C. / C.M.C. / C.E.C. AND ALL APPLICABLE LOCAL CODES AND ORDINANCES. PROVIDE ALL NECESSARY PERMITS AND APPROVALS IN ACCORDANCE WITH CBC SECTION 2308.
3. WRITTEN DIMENSIONS TAKE PRIORITY OVER SCALED DIMENSIONS.
4. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO ANY WORK STARTING.
5. DRAFTSMAN ACCEPTS NO RESPONSIBILITY FOR ANY CHANGES MADE DUE TO FIELD CONDITIONS.
6. PROVIDE FIBERGLASS REINFORCED PANEL TO FOUR (4) FEET ABOVE FINISH FLOOR ON BATHROOM WALLS.
7. INSTALL DRAFT HOOD WITH ANIBLE SYSTEM PER A. F. P. D. STANDARDS.

**EQUIPMENT LEGEND**

- A. DRY FOOD STORAGE (60" X 36")
- B. PREP TABLE W/ SINK (60" X 30")
- C. CONNECTION OVER (60" X 27")
- D. SINK (30" X 18")
- E. SINK (30" X 18")
- F. SINK (30" X 18")
- G. SINK (30" X 18")
- H. SINK (30" X 18")
- I. SINK (30" X 18")
- J. SINK (30" X 18")
- K. SINK (30" X 18")
- L. SINK (30" X 18")
- M. SINK (30" X 18")
- N. SINK (30" X 18")
- O. SINK (30" X 18")
- P. SINK (30" X 18")
- Q. SINK (30" X 18")
- R. SINK (30" X 18")



PROPOSED FLOOR PLAN  
SCALE 1/4" = 1'

PROPOSED TAKE OUT DELI

PROJECT INFORMATION  
12275 MARTELL ROAD  
MARTELL, CA  
A.P.N. 044-010-012-00



# Excerpts from ALUCP

of the State Hwy. 49 right-of-way (Garamendi Settlement; Book 18 of judgments-Page 151-160 of Official Records of Amador County). At the northern approach Safety Area 1 has an inner width of 250 feet and extends outward to a length of 1000 feet and has an outer width of 450 feet.

- 2) Safety Area 2 (Approach/Departure Zone) begins at the outer end of Safety Area 1 and is centered along the extended runway centerline. At the southern approach Safety Area 2 extends out, beginning with a width in compliance with the Garamendi Settlement, to a total length combining Safety Area 1 and 2 to 3000 feet and a width of 850 feet. At the northern approach Safety Area 2 has an inner width of 450 feet and extends in length 4000 feet to a width of 1250 feet.
- 3) Safety Area 3 (Overflight Zone): generally coincides with the area overflown by aircraft during normal traffic pattern procedures and coincides with the area underlying the Horizontal Surface which is outside of Safety Area 1 and Safety Area 2. For Westover Field, the perimeter of the Overflight Zone is constructed by swinging arcs of 5,000 foot radii from the center of each end of the primary surface of the runway and connecting these arcs by lines tangent to the arcs.

b. Table I, the Land Use Compatibility Guidelines for Safety, is adopted as the criteria to be used when reviewing projects in Safety Areas 1, 2 and 3. The Guidelines list potential uses and indicate compatibility, conditional compatibility or non-compatibility for each safety area. In the event compatibility cannot be determined through use of the Guidelines, the ALUC should be contacted by the Local jurisdiction to make a determination. The Guidelines address safety concerns only, and noise or height restrictions may also apply to specific projects under review.

c. In addition to the uses specified in the Land Use Compatibility Guidelines for Safety, the following generalized land uses are defined as non-compatible for Westover Field:

l) Safety Areas 1 and 2 Combined (Clear Zones and Departure Zones):

- a) Any use which would direct a steady light or flashing light of white, red, green or amber color toward an aircraft engaged in an initial straight climb following take-off or toward an aircraft engaged in a straight final approach toward a landing at the airport, other than an FAA approved navigational signal light or visual approach slope indicator (VASI).
- 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 the airport.
- c) Any use which would generate smoke or which could 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 may be detrimental to the operation of aircraft and/or airport instrumentation.

- e) Any hazardous installations such as above-ground oil, gas or chemical storage facilities, excluding facilities for non-commercial, private domestic or private agricultural use.

2. Safety Area 1 (Clear Zones):

- a) Permanent structures (not necessarily including such items as roads or underground vaults).
- b) Residential development.
- c) Any use resulting in a gathering of more than ten persons per acre at any time.

3. Safety Area 2 (Approach/Departure Zones):

- a) Any new residential development which would result in a building density of greater than two dwelling units per acre excepting, however, minor alteration to existing structures and the construction of new structures on single-family residential lots created by residential subdivision maps recorded prior to the date this plan is adopted.
- b) Any use which would result in concentrations of people such as, but not limited to, shopping centers, restaurants, schools, factories, hospitals, office complexes or stadiums.

4. IMPLEMENTATION OF AIRPORT SAFETY POLICIES

- a) The Land Use Compatibility Guidelines provide the basis for determining compatibility of a particular land use with ALUC safety policies for Westover Field. Basic compatibility may be determined by first identifying the safety area within which a project is located, and then finding the use category on the guidelines chart. If a "yes" is indicated for the use in the particular zone, the project is compatible with ALUC policy. A "no" indicates incompatibility. A "yes" with a footnote indicates a conditional compatibility depending upon the size and intensity of use. In the event that a particular parcel lies close to any safety area boundary, the ALUC staff should be contacted to determine precisely which safety area the parcel in question is located within.
- b) In the case of a safety area line splitting a parcel, the parcel may be developed to split uses and densities as long as the individual portions of the parcel are consistent with the land use policies for the safety zone in which they lie.
- c) The lawful use of land or buildings existing on the effective date of the Airport Land Use Plan, although such use does not conform to the policies specified in the safety zone in which such land is located, is a nonconforming use and may be continued as hereinafter provided, except that any such use ceases for a period of two years, the subsequent use of

such land shall be in conformity to the policies specified for the safety zone in which such land is located.

The enlargement, increase or extension of a nonconforming use building may be allowed, provided such enlargement, increase or extension does not consist of more than ten percent of the total floor area of the building.

Ordinary maintenance and repairs may be made to any nonconforming building. Structural alterations may be made, including complete remodeling and renovation of the building.

If at any time any nonconforming building is damaged or destroyed by fire, explosion, act of God, or act of the public enemy, such building may be rebuilt.

The nonconforming use of a building may be changed to a use which is found to be similar or more restrictive in nature.

- d) Strict applications of the Land Use Compatibility Guidelines for Safety may create undue hardships which outweigh interests of public health and safety. Deviation from the guidelines through an overrule by the Cities of Jackson and Sutter Creek or the County of Amador should be approved only upon a finding that such hardships clearly outweigh the public health, safety and welfare objectives of this plan. As stated in Section 21678(a) of the Public Utilities Code, the overriding jurisdiction must bear the responsibility of any property damage or personal injury resulting from their decisions; the airport operator shall be immune.
- e) Amador County and the Cities of Jackson and Sutter Creek shall implement the airport safety policies established by this plan through such actions as preparing and adopting an airport safety area zoning ordinance, the preparation and adoption of a specific plan for the airport area of influence, or inclusion of appropriate standards in the general plan for each jurisdiction. Until such time as those implementation measures are in effect all permits shall be referred to ALUC for review and approval.
- f) Within the safety areas established by this plan, Amador County and the City Cities of Jackson and Sutter Creek shall submit for ALUC review any proposed Land Use change including general plan or specific plan adoptions or amendments, rezonings, rezonings, use permits or variances.



FIGURE 8

LAND USE CATEGORY	COMPATIBILITY WITH SAFETY AREA		
	1 CLEAR ZONE	2 APPROACH ZONE	3 OVERFLIGHT ZONE
<b>COMMERCIAL/RETAIL TRADE</b>			
Wholesale warehousing and sales	Yes <sup>8</sup>	Yes <sup>8</sup>	Yes
Building materials - retail	No	No	Yes
General merchandise - retail	No	No	Yes
→ Food - retail →	No	No	Yes
Automotive service, sales, or repair	No	See <sup>8</sup>	Yes
Apparel and accessories - retail	No	No	Yes
→ Eating and drinking places →	No	No	Yes
Furniture, home furnishing - retail	No	No	Yes
Other retail trade	No	No	Yes
Residential hotels	No	No	Yes
Transient lodging - hotels, motels	No	No	Yes
<b>PERSONAL AND BUSINESS SERVICES</b>			
Finance, insurance and real estate	No	Yes <sup>2</sup>	Yes
Personal services	No	Yes <sup>2</sup>	Yes
Business services	No	Yes <sup>2</sup>	Yes
Repair services	No	Yes <sup>2</sup>	Yes
Contract construction services, yard	Yes <sup>8</sup>	Yes <sup>2</sup>	Yes
Indoor recreation services	No	Yes <sup>2</sup>	Yes
Other services	No	Yes <sup>2</sup>	Yes
<b>PUBLIC AND QUASI-PUBLIC SERVICES</b>			
Hospital, custodial care, preschool	No	No	Yes <sup>6</sup>
Government services	No	No	Yes
Schools	No	No	Yes <sup>7</sup>
Cultural activities, inc. churches, libraries	No	No	Yes
Medical and other health clinics	No	No	Yes
Cemeteries	Yes <sup>8</sup>	Yes <sup>2</sup>	Yes
Other public and quasi-public services	No	No	Yes
<b>OUTDOOR RECREATION</b>			
Neighborhood parks	No	Yes <sup>2,4</sup>	Yes
Community and regional	No	Yes <sup>2,4</sup>	Yes
Nature Exhibits	No	Yes <sup>2</sup>	Yes
Spectator sports, stadiums, arenas	No	No	No
Golf course, riding stables	No	Yes <sup>2</sup>	Yes
Water based recreational areas	No	Yes <sup>2,4,5</sup>	Yes
Resort and group camps	No	No	Yes
Auditoriums, concert halls	No	No	No
Outdoor amphitheaters, music shells	No	No	No
<b>RESOURCE PRODUCTION, EXTRACTION AND OPEN SPACE</b>			
Agricultural production	Yes <sup>3,5</sup>	Yes <sup>5</sup>	Yes
Permanent open space	Yes <sup>3,5</sup>	Yes <sup>5</sup>	Yes
Water areas	Yes <sup>3,5</sup>	Yes <sup>5</sup>	Yes
Wholesale horticultural production	Yes <sup>3,5</sup>	Yes <sup>2,5</sup>	Yes
Livestock farming, animal breeding	Yes <sup>8</sup>	Yes <sup>2</sup>	Yes

LAND USE CATEGORY	COMPATIBILITY WITH SAFETY AREA		
	1 CLEAR ZONE	2 APPROACH ZONE	3 OVERFLIGHT ZONE
<b><u>RESIDENTIAL</u></b>			
Single family	No	Yes <sup>1</sup>	Yes
Two family	No	Yes <sup>1</sup>	Yes
Multi-family dwelling	No	Yes <sup>1</sup>	Yes
Group quarters	No	No	Yes
Mobile home parks or courts	No	No	Yes
Custodial care facilities	No	No	Yes <sup>6</sup>
<b><u>INDUSTRIAL/MANUFACTURING</u></b>			
Food and kindred product	No	Yes <sup>2</sup>	Yes
Textile mill products	No	Yes <sup>2</sup>	Yes
Apparel	No	Yes <sup>2</sup>	Yes
Lumber and wood products storage	Yes <sup>6</sup>	Yes <sup>2</sup>	Yes
Furniture and fixtures	No	Yes <sup>2</sup>	Yes
Paper and allied products	No	Yes <sup>2</sup>	Yes
Printing, publishing	No	Yes <sup>2</sup>	Yes
Chemicals and allied products	No	No	Yes
Petroleum refining and related industries	No	No	No
Rubber and miscellaneous plastic	No	No	No
Stone, clay, and glass products	No	Yes <sup>2</sup>	Yes
Primary metal industries	No	Yes <sup>2</sup>	Yes
Fabricated metal products	No	Yes <sup>2</sup>	Yes
Miscellaneous manufacturing	No	Yes <sup>2</sup>	Yes
Warehousing/storage	Yes <sup>6</sup>	Yes <sup>2</sup>	Yes
<b><u>TRANSPORTATION, COMMUNICATIONS &amp; UTILITIES</u></b>			
Railroad	Yes <sup>3</sup>	Yes	Yes
Highway and street ROW	Yes <sup>3</sup>	Yes	Yes
Auto parking lots/airplane parking areas	Yes <sup>6</sup>	Yes <sup>2</sup>	Yes
Communications	Yes <sup>3</sup>	Yes <sup>2</sup>	Yes
Utilities	Yes <sup>3</sup>	Yes <sup>2</sup>	Yes
Other trans., comm., and util.	Yes <sup>3</sup>	Yes <sup>2</sup>	Yes

- <sup>1</sup> Single-family residential is a compatible land use only if the building density is two or less single dwelling units per acre.
- <sup>2</sup> Uses compatible only if they do not result in a large concentration of people. A large concentration of people is defined as a gathering of individuals in an area that would result in an average density of greater than 25 people per acre during a 24-hour period, not to exceed 50 persons per acre at any time (see Appendix 1 for a suggested method of determining concentrations of people).
- <sup>3</sup> No building, structures, above-ground transmission lines, or storage of flammable or explosive material above ground, and no uses resulting in a gathering of more than 10 persons per acre at any time.
- <sup>4</sup> No high-density use or facilities, such as structured playgrounds, ball fields, or picnic pavilions.
- <sup>5</sup> Uses compatible only if they do not result in a possibility that a water area may cause ground fog or result in a bird hazard.
- <sup>6</sup> No more than six persons under care.
- <sup>7</sup> If the requirements of Section 39005 of the Education Code have been satisfied.
- <sup>8</sup> No more than 10 persons per acre at any one time.
- <sup>9</sup> North end of airport--No. South end of airport--Yes<sup>2</sup>. (July 16, 1990 Amendment)

NOTE: These guidelines define only those land uses which are compatible within safety areas. Where proposed land uses fall within the established noise contours or may penetrate any of the height imaginary surfaces, additional restrictions apply as contained in the height and noise policy sections of this plan.



Jackson Gate Rd

65 dB

Safety Area boundary

this property

60 dB

MARTÉLL

THY