

MINUTES
AIRPORT LAND USE COMMISSION (ALUC) MEETING

Monday, April 17, 2017, 1:30 P.M.

Board of Supervisors Chambers, County Administration Center
810 Court Street, Jackson, California 95642
(209) 223-6380

Members Present: Pat Crew, Chairman, County Member
Frank Axe, County Member
Ted Novelli, Public Member
Dave Sheppard, Airport Manager
Dave Richards, Airport Manager Appointee
Tim Murphy, City of Sutter Creek Member
Marilyn Lewis, City of Jackson Member

Staff Present: Susan Grijalva, Planning Director
Heidi Jacobs, Recording Secretary

This meeting was tape recorded.

NOTE: These minutes remain in draft form until approved at the next regular meeting of the Airport Land Use Commission. Any packets prepared by County staff are hereby incorporated into these minutes by reference as though set forth in full. Any staff report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Commission members in their decisions which are contained in the staff reports are part of these minutes by reference only. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes by reference.

The April 17, 2017 meeting of the Amador County Airport Land Use Commission (ALUC) was called to order by Chairman Crew at 1:40 p.m. by leading the Pledge of Allegiance.

Item 1: Approval of Agenda.

Motion: It was moved by Commissioner Lewis, seconded by Commissioner Murphy and unanimously carried to approve the agenda as submitted.

Item 2: Public Matters Not on the Agenda

Susan C. Grijalva asked the Commission to introduce themselves and identify their affiliation. David Richards, Airport; Ted Novelli, Public Member; Dave Sheppard, Airport; Frank Axe, Amador County Supervisor; Pat Crew, Amador County Supervisor, Chairman; Tim Murphy, City of Sutter Creek; and Marilyn Lewis, City of Jackson.

Item 3: Correspondence

Email dated April 15, 2017 from Murray Shubaly; email dated April 12, 2017 from Ralph Harder, M.D.; letter dated April 10, 2017 from Darlene Collins.

Item 4: Amador County Airport Land Use Commission – Review of the preliminary draft of the proposed Update to the Westover Field Airport Land Use Compatibility Plan (ALUCP) and provide direction to staff. The purpose of an ALUCP is to establish compatible land uses in the vicinity surrounding an airport. It also provides for the orderly growth of the airport and the area surrounding the airport while safeguarding the general welfare of the inhabitants within the vicinity of the airport and the public in general. The proposed Airport Influence Area, that area affected by the ALUCP, is a 5000' perimeter along the sides and ends of the runway. Westover Field Airport is located on Airport Rd. just south and east of the Highway 49/Ridge Rd. intersection in Martell.

Susan C. Grijalva, Planning Director and Staff to Airport Land Use Commission, reviewed the staff report which is hereby incorporated into these minutes as though set forth in full.

Steven Alverson, consultant with ESA, reviewed the PowerPoint presentation, attached.

Chairman Crew asked if the Commissioners had any questions.

Commissioner Richards asked about plans for Wicklow Way to be extended to Stoney Creek Road and how that would affect the ALUCP.

Mr. Alverson stated the ALUCP does not affect existing land uses. Commissioner Richards was concerned about what types of uses would be allowed in the area of Wicklow Way and Stoney Creek Road.

Commissioner Richards asked if the 55dB is an industry wide recommendation. Mr. Alverson stated 55dB is recommended for this type of airport operation while nationwide the standard is 65dB.

Commissioner Axe asked if there were any land use restrictions outside of Zone 6. Mr. Alverson answered the Commission needs to consider and define the overflight zone, the AIA and the wildlife corridors which are proposed to be larger than the proposed safety zones.

Commissioner Axe asked why the 60 dB zone changed from the old plan to the new draft plan. Mr. Alverson explained the information in the draft plan is more accurate.

Commissioner Murphy asked if the CalTrans Aeronautic Handbook is an advisory document. Mr. Alverson confirmed it is an advisory Handbook.

Commissioner Murphy asked what the practical effect of reducing the noise limits from 60 to 55dB. Mr. Alverson stated the assumption is the airport will continue to operate

the way it is. The noise limits affect the types of land uses allowed on the ground within the noise contours.

Commissioner Novelli asked if the Westover Field Plan can change as aviation changes. Mr. Alverson explained that if the airport sees a change in operation then the plan should be updated to reflect the potential changes. The airport land use plan looks at 20 years out.

Commissioner Novelli stated there are farms and grazing land in the proposed five mile wildlife hazard area and asked how that would impact the draft plan. Mr. Alverson explained the existing land uses are already considered in the draft plan; any project that proposes to change the existing uses would need to be evaluated according to the plan.

Discussion ensued about what types of projects could create new wildlife hazards for the airport. Mr. Alverson used a potential golf course as an example and explained the developer could design the golf course in such a way as to reduce attracting birds. In response to Commissioner Axe he stated it is mostly large waterfowl moving across flight paths which are the concern but that large flocks of small birds also pose a risk.

Commissioner Novelli asked if there have been any housing developments in the 5 mile area of the proposed wildlife hazard zone. Ms. Grijalva stated there is the Gold Rush project in the City of Sutter Creek and there was the Wicklow Way project but currently nothing proposed there. Commissioner Novelli stated he was concerned about potential golf courses which would attract birds.

Chairman Crew opened the public hearing.

Damon Wyckoff, Amador Water Agency (AWA), stated the Agency owns property immediately to the east of the airport and have purchased property between the Agency and the Airport for the possibility of constructing a regional water treatment facility. Mr. Wyckoff suggested the plan have a section addressing AWA specifically.

Commissioner Richards cautioned AWA about expanding and to consider the height limits because the new generator building is close to the maximum height limit. Mr. Wyckoff understood the concern and thought the airport and AWA could work together to meet the needs of the airport, AWA and the public.

Ms. Grijalva asked for clarification about which height limits Commissioner Richard was concerned about. Commissioner Sheppard clarified it is the FAA height limits not the County height limits.

Linda Poremba, Running Gold resident, asked if there is an impact to that area. Commissioner Sheppard explained Running Gold is currently in Zone 3 and is proposed to change to Zone 6. Ms. Grijalva explained the flight zone number changes but the allowed uses and height restrictions are not anticipated to change. Commissioner Sheppard stated there is voluntary noise abatement procedure for aircraft to not fly directly over Running Gold and it is posted at both ends of the runway.

Charles Huffman, former ALUC member, stated the 1987 ALUCP was in place when AWA acquired the property and believed AWA should have looked into the regulations before planning to expand their operations.

Commissioner Axe asked if AWA is where it is because it allows for the water to be gravity-fed. Mr. Wyckoff stated a large part of the service area is gravity-fed in addition to some pump stations. He added the site was previously a PG&E facility.

Mike Poremba, Running Gold resident, was concerned about redevelopment of the land and asked if there are future plans for expansion of the airport. Commissioner Sheppard explained the airport is landlocked to the north by Ridge Road and the slopes to the south, both of which make it very unlikely the airport would expand.

Wayne Vinciguerra, Sutter Creek, stated he is an aircraft owner and pilot and stated there is a delicate balance between the airport and surrounding property owners; the most critical issue is the landowners have known or should have known what the limitations are. He believed AWA should have known what uses would be allowed on the property they purchased. He stated there are 70 acres in the Williamson Act at the north end of the airport and any potential landowner should be aware that it would not be compatible to subdivide the property. He stated the south end has many preexisting uses and he owns a business along Depot Road. He stated there are many things in the draft plan which need to be checked; he believed the number of takeoffs and landings is overestimated. He stated topography is not considered in the south end of Zone 1; it should either be a reduced size Zone 1 or changed to Zone 2 based on the slopes involved. He believed Zone 1 was accurate for the north end because it does not have the same slopes as the south end. He referred to Note B and felt it should be clarified for the north end and the south end because there are no residential areas in the south end in Zones 1 and 2. Mr. Vinciguerra stated the document does recommend the airport own the land in Zone 1. Commissioner Sheppard stated the airport does own the property at the south end up to Trade Center Drive.

Commissioner Axe asked if there are preferred landing directions. Commissioner Sheppard stated the preferred direction is to land to the south; it is predicated on wind direction, it is preferred to land and take off into the wind.

Ron Regan, property owner, agreed with Mr. Vinciguerra that the plan does not address the topography at the south end of the airport. He stated he has addressed the Commission previously about adopting the overflight paths from the Handbook and is pleased to see that is what is being proposed. Mr. Regan also commented that the topography around the airport should be considered when considering compatible land uses and recommended reviewing the configuration of Zone 3 because it does not match the Handbook recommendation.

Kari Ortloff-Evernden, Amador Plaza Shopping Center, would like a better map that shows the parcels and overflight zones. She asked if a new tenant would be affected by any of the proposed changes. She also asked if the real estate notification requirement would apply to commercial tenants.

Al Nunes agreed with Ms. Ortloff-Evernden to have a better map.

John Kirkpatrick, Martell resident and landowner of numerous properties, asked how it would affect his property.

James Berg, homeowner, also asked for a better map so people can see where they are located in relation to the various zones.

Ms. Grijalva stated the maps were created based on the most current information at the time. It is possible to get close to determine which zone a property is in. In order to have a better map the GIS layers would have to be updated.

Keith Jarrett, property owner at the north end of the airport, stated he bought the land and understood the rules at the time and did not want the rules to be changed on him now.

Mark Ohlau, Running Gold resident and aircraft owner, congratulated the Commission on taking on this project. He stated on-going projects should be grandfathered in even if they do not meet the proposed rules. In response to Mr. Ohlau, Mr. Alverson stated the safety zones were laid out in accordance with the CalTrans Handbook.

Ms. Grijalva clarified that if there is a current use on the ground, or has an active, current permit for a use or there is an entitlement it would be considered to be an existing vested use. She stated Ms. Ortloff-Evernden did raise a concern that needs to be addressed regarding a potential incompatible tenant in an existing shopping center.

There was discussion regarding closing the public comment period. Ms. Grijalva recommended keeping the public comment open while the Commission gives direction to staff.

Chairman Crew recessed the meeting at 3:20 p.m.

Chairman Crew reconvened the meeting at 3:30 p.m.

Ms. Grijalva asked the Commission to provide direction on the "topics to discuss" listed in the staff report.

Commissioner Sheppard requested the west side flight tracking to be "brought in" as it is wider than he expected it to be based on actual flight track patterns.

Commissioner Axe asked if the flight track diagram illustrates where the pilots have to fly. Commissioner Sheppard stated it is the typical flight path but it is not a required flight path. Commissioner Axe asked how the pilots know not to fly over Running Gold. Commissioner Sheppard stated there is a sign posted on both ends of the runway and it is in the flight manuals.

Chairman Crew asked for discussion regarding the 55 dB versus 60 dB CNEL contour. Ms. Grijalva stated that based on information from the Building Department, typical

building insulation requirements would reduce interior noise levels to less than 45 dB. The Commission needs to also consider exterior noise levels.

Commissioner Sheppard asked what happens if we change Zone 6 to include the 55 dB CNEL. Mr. Alverson reviewed the map and it was agreed that approximately 500 feet would be added to Zone 6 if the 55 dB CNEL contour were to be included.

Commissioner Novelli asked where the 55 dB recommendation came from. Mr. Alverson stated it is the recommendation from CalTrans for smaller, general aviation airports.

Commissioner Sheppard asked what would happen if we brought Zone 6 back to the current 5,000' would the properties within the 55 dB range still be required to comply with mitigations to the interior noise level like our current plan is. Ms. Grijalva answered it would depend; if the 55 CNEL is adopted but Zone 6 is not extended to include the 55 CNEL there would be landowners who theoretically are in the 55 CNEL who would have to meet the 45 dB interior noise requirement.

Ms. Grijalva stated the noise contours are to mitigate for the noise. Mr. Alverson stated you don't have to include the noise contours in the Airport Influence Areas but that is how it is set up. In response to Ms. Grijalva, Mr. Alverson stated the noise models do take into account the topography.

There was discussion as to why the noise contours are different for the North and South ends of the runway. Commissioner Sheppard explained it is related to the operations; the majority of landings are from the north and are on low power. Take offs are to the south and the planes are on high power. Mr. Alverson added the terrain is also taken into account.

Commissioner Sheppard pointed out the difference between the current noise contours and the updated contours done using more current information and modeling. The proposed 55 dB CNEL is actually shorter than the current 60 dB CENL, however it is wider.

After further discussion, Commissioner Richards recommended including the 55dB CNEL contour.

Commissioner Sheppard asked about changing the southern boundary of Zone 6 to include the 55dB CNEL contour. Ms. Grijalva stated she did not see a significant difference but will provide an overlap of the old Zone 3 versus the new Zone 6 boundary over a parcel layer and incorporating the 55dB CNEL line. Chairman Crew asked if there was consensus that is what the Commission would like to see; the Commissioners agreed.

Ms. Grijalva asked for comments regarding the Wildlife Hazard Areas A and B. Mr. Alverson clarified there are now federal requirements that airports need to have a

wildlife hazard area. The question is whether or not to include both zones in the plan and what type of action is to be taken. Mr. Alverson recommended both zones would be depicted in the plan and if there are proposed projects within area a wildlife hazard analysis will be conducted to determine if it would attract wildlife in Zone A (5,000' perimeter) or cause wildlife to move from one area to another in Zone B (5 mile perimeter).

Commissioner Richards asked if wildlife was defined as animals or birds. Mr. Alverson stated it mostly refers to birds due to bird-strikes. Commissioner Richards stated the airport is in a migratory path that lasts about a week where flocks fly in and then leave.

Mr. Alverson stated the issue is there may be a feature, such as a golf course, that may encourage birds to stay in the area. The purpose of the wildlife hazard area is to eliminate features that would attract birds and list options of what can be done to minimize any potential impact.

Ms. Grijalva stated guidelines could be developed to provide standards for development and asked if the Commission had any comments.

Commissioner Murphy stated 5,000' is not enough but 5 miles seems excessive.

Commissioner Axe stated if development is being focused in the urban areas this could be an issue.

Commissioner Sheppard stated having guidelines would be helpful for project developers and the Airport Land Use Commission.

Commissioner Novelli agreed because wildlife hazard areas are new and a five mile distance is being proposed.

Commissioner Sheppard stated the wildlife hazard area is mainly concerning birds and birds go where they want; 5 miles seems to be an appropriate distance especially considering proposed developments such as golf courses in the past few years.

Commissioner Axe asked if it were just big birds that were an issue. Ms. Grijalva stated it is both large birds and small birds; large flocks of small birds are also an issue.

Commissioner Axe was concerned about crops and agricultural uses. Ms. Grijalva stated there are no discretionary permits in most cases for putting in a vineyard or agricultural crops. She added that farmers do not like birds in their crops so they take measure to keep them from settling in but that does not prevent the birds from flying around.

Commissioner Murphy asked for a list of the attractants to be identified; if it's not onerous to enforce a 5 miles area this could be a non-issue.

Ms. Grijalva stated on page 3-46 of the draft plan there are some descriptions of the types of uses that would be considered attractive to birds; she read from the list. Matt Pruter, ESA, explained these uses have the potential to attract birds but not necessarily in all cases.

Ms. Grijalva stated the County has had previous discussions with AWA on what would be required to expand their facilities; they also do not want birds so they take steps to limit birds. Ms. Grijalva clarified the Commission would like to keep both Area A and Area B and to further expand the list of attractants; the Commission agreed.

Ms. Grijalva reviewed the Overflight Zone and asked for direction. Mr. Alverson added the Commission should decide if they would like the Airport Influence Area (AIA) to be expanded to match the Overflight Zone. After discussion, Commissioner Murphy suggested the proposed Overflight Zone and AIA be the same; the Commission agreed.

Ms. Grijalva reviewed the next discussion item which is the updated ALUCP includes sources of glare, tall structures, and high velocity plumes as potential hazards vis-à-vis solar farms, wind turbine, and power plants. She asked if this language is acceptable to the Commission for inclusion into the Plan.

Commissioner Richards asked if there were limits on cell tower heights. Mr. Alverson answered yes, the height limits will be based on FAR Part 77.

Ms. Grijalva asked for feedback on the Draft ALUCP text and policies. She reviewed how projects affected by the ALUCP are reviewed by staff and when they are referred to the ALUC for review.

Commissioner Sheppard asked why Safety Zone 3 is being shown as extended from the example shown in the Handbook. Mr. Alverson stated there are wings that have been added to Safety Zone 3 based on the flight paths and can be modified as the Commission requests.

Commissioner Novelli asked if the dimensions of the north and south ends of Zone 3 can be changed. Mr. Alverson stated modifications can be made based on direction from the Commission. Commissioner Sheppard stated some of the Zones will most likely be amended to reflect legal agreements made in the past.

Commissioner Axe asked for a better map showing the parcel layers and safety zones. Ms. Grijalva stated she would check to see how easily and cost-effectively that could be done.

Mark Ohlau, area resident, asked how wide Zones 2 and 4 are. Ms. Grijalva stated it is approximately 1,000' wide and the side of Zone 3 is 3,000'. She stated there is more land in the proposed Zone 2 than there is currently.

Commissioner Murphy asked for a comparison of the current zones and the proposed zones. He also asked if the compatible uses tables could be combined for comparison.

Ms. Grijalva reviewed items she would like to have the Commission consider. She stated the settlement agreement would be included in the new plan; the height requirement that needs to be adopted by the cities and County to conform with FAR Part 77 height limitations; noise ordinances to implement the noise standards; the use of noise easements are encouraged for existing or future residential development within the current 65 CNEL. She added that lighting, balloons and inflatables, reflective objects or things that generate smoke, attract birds or cause electrical interference have not been specifically addressed but should be considered by the Commission. She stated the Commission needs to address what happens when a zone bisects a property; the current plan provides that when safety zones divide the property each side can have different uses.

Matt Fredrick stated he owns 98 acres at the north end of runway which is in different safety areas; geographically, there is 500' of vertical drop and asked if the elevation change would impact which safety zone the property is in. He would like to have the safety areas for his parcel to be clarified because he does plan to build a house. Ms. Grijalva recommended Mr. Fredrick visit the Planning Department for further clarification.

Mr. Alverson stated topography is important when considering the height restrictions; the safety zones do not take into consideration topography as much as where airplane crashes have occurred statistically – the elevation does not matter at that point.

Ms. Grijalva stated the plan currently contains language that matches the County's legal nonconforming use codes; specifically, if a legal non-conforming use ceases for a period of time, currently two years, any new uses would have to conform to the current plan. In addition, the current plan allows for a one-time expansion of a nonconforming use of up to 10% of the existing footprint. She asked if the Commission would like to retain that for the new plan.

Ms. Grijalva asked that language be incorporated to define the voting rules for an over-rule; if it is 2/3 or 4/5 of the total membership of the governing body or of the quorum present.

Ms. Grijalva stated fees are not charged to bring items to the Airport Land Use Commission despite the amount of staff time that is involved. She would like the Commission to consider adopting a fee schedule that would cover the cost of staff time. Commissioner Axe asked if there are examples of other airports that charge fees. Ms. Grijalva stated the fees would be based on the current staff charge-out; some counties do full-cost recovery, ours does not. She proposed having a fee schedule which would cover the hard costs of having a meeting, such as publication of the notice, as well as having fees for major or minor projects or resubmittal fees. She stated the Planning

Department has a fee schedule that could be modified for the Airport Land Use Commission.

Ms. Grijalva asked for discussion regarding the compatibility table.

Commissioner Sheppard stated the existing uses need to be considered. The Commission wanted to be sure gas stations, athletic clubs, dental/medical offices/clinics, churches, schools, daycare centers, vet clinics and boarding kennels are identified specifically on the list. Ms. Grijalva added that we need to make sure the existing uses are in the compatibility table.

Commissioner Murphy asked to have the current and proposed compatibility tables combined for ease of review and comparison.

Commissioner Axe asked what would happen if an existing use wanted to expand. Ms. Grijalva stated any expansion would have to comply with the safety zone in place at the time.

Commissioner Novelli suggested separating all medical uses; such as, hospital, urgent care, doctor office and surgery centers. He also suggested hours of operation be considered. He also asked what would happen if underground fuel tanks are banned and above-ground fuel tanks are required.

After discussion, the Commission agreed to continue the meeting to Wednesday, June 28, 2017 at 1:30 p.m.

ADJOURNED: Chairman Crew adjourned the meeting at 5:30 pm to meet again on Wednesday, June 28, 2017 at 1:30 p.m.