

MINUTES
AIRPORT LAND USE COMMISSION (ALUC) MEETING

Monday, June 28, 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 June 28, 2017 meeting of the Amador County Airport Land Use Commission (ALUC) was called to order by Chairman Crew at 1:30 p.m. by leading the Pledge of Allegiance.

Item 1: Approval of Agenda.

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

Item 2: Public Matters Not on the Agenda. None

Item 3: Approval of Minutes for April 17, 2017 Meeting.

Motion: It was moved by Commissioner Novelli, seconded by Commissioner Richards, and unanimously carried to approve the minutes as submitted.

Item 4: Correspondence

- Email from Debbie Collins, owner of Amador Ledger Print

Item 5: Amador County Airport Land Use Commission – CONTINUED 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.

At the April 17, 2017 meeting the Commission requested staff develop additional information for their consideration. That information will be reviewed and further direction given to staff in developing the final draft ALUCP.

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

Steve Alverson, ESA introduced Matt Pruter and Harriet Ross who are working on the plan. Mr. Alverson and Ms. Ross reviewed the presentation which is hereby incorporated into these minutes as though set forth in full.

Chairman Crew asked for comments.

Commissioner Novelli asked who determines the Airport Influence Area (AIA). Mr. Alverson stated the Commission will determine the boundaries of the AIA during this review; the suggestion is to move the boundary of the AIA to the five mile radius so that any projects that propose a potential wildlife hazard attractant will be referred to the ALUC for comments. Commissioner Novelli stated the five mile radius will include three cities. Ms. Grijalva asked for clarification that if the five mile AIA is adopted then only projects that include a potential wildlife hazard attractant will be referred to the ALUC. She explained if the ALUC adopts the AIA, the affected cities will either have to adopt the plan in total or adopt an overrule for any portion they do not want to adopt. Commissioner Richards stated addressing wildlife in the document could be beneficial in case of a bird strike. Mr. Alverson stated by receiving airport improvement funds, the airport is required to follow the advisory circulars that have the wildlife hazard measures in them so it would make sense to incorporate them into the ALUCP.

Commissioner Murphy asked for a comparison of Overflight Zone 2 on the south end of the airport; Mr. Alverson reviewed the slides from the presentation of the proposed and existing zones. Ms. Grijalva stated proposed Zone 2 is wider and somewhat shorter than the current Zone 2; Zone 4 is at the end of the proposed Zone 2 and extends out to the about the same length of the current Zone 2.

Chairman Crew asked if there were any questions or public comments at this time.

Commissioner Novelli asked if there are any FAA guidelines for glare from solar installations. Mr. Alverson explained the FAA has a solar guidance document and a process for assessing potential glare issues from a project which has been incorporated into the proposed ALUCP.

Ron Regan, property owner, asked if the elevations around the airport were taken into consideration in the development of the safety zones. Mr. Alverson explained the safety zones are developed using accident data from many airports which have many different elevations so by using the CalTrans standards the varied elevation data is included.

Susan Grijalva continued going over the changes that are proposed in the Draft ALUCP.

Commissioner Richards stated CalTrans data is sufficient for safety zoning.

There was discussion raising the question if Amador City would have to adopt the Airport Land Use Plan and would the City need to be on the ALUC. It was explained they would have to adopt the ALUCP and could hold one of the two City Seats on the Commission. Ultimately the Mayor Select Committee would make the decision as to which 2 city representatives will be on the Commission.

Commissioner Axe asked if there are restrictions on what farmers or ranchers could grow or farm that would be considered a wildlife hazard. Ms. Grijalva responded that such things as a pond or irrigated pasture could be wildlife hazard generating and may need to come before the Commission.

Commissioner Richards asked if there is any word from Amador Water Agency about building a new pond between the airport and their existing pond. Ms. Grijalva stated that AWA has future plans for putting additional water storage on the northeast side of the north end of the runway. If AWA were to add another pond, it would come before this Commission.

The Commission agreed with the configuration of Zone 6 as it is proposed by incorporating the 55db CNEL contour line.

No questions or concerns were made regarding incorporating both the 5000' and 5 mile wildlife hazard perimeters.

The Commission agreed with amending the flight tracks by bringing the west side tracks closer toward the airport.

Commissioner Axe asked what is the significance of the Overflight Zone? Mr. Alverson explained that real estate notification will be required for parcels within the new Overflight Zone which follows the flight track boundary.

Ms. Grijalva asked the Commission to make a decision whether or not to retain a "shortened" version (i.e., what is in the CalTrans Handbook) or an "extended" version of Zone 3. She stated the original proposal was to have extended versions because of flight tracking but the flight tracking has been revised. At the last meeting the Commission indicated they wanted to

see side by side comparisons of the two Zone 3 configurations which was provided at today's meeting.

Ron Regan, property owner, pointed out there are several churches that would be affected by the new Zone 3 and would become pre-existing uses.

Commissioner Murphy asked Airport Manager and Commissioner Dave Sheppard, what would cause the flight paths to change. Dave Sheppard responded that extended flight paths would be for faster aircraft, which wouldn't be an issue because they are not extending the runway so the airport won't be seeing those type of aircraft.

Commissioner Murphy asked Mr. Sheppard what is the harm of having the flight path longer? Mr. Sheppard replied that it takes in more property with more restrictions.

There was discussion that the extended Zone 3 on the south end of the airport would take in a significantly larger area of Martell which is mostly commercial. On the north end the land uses are agricultural and residential.

Keith Jarrett, who owns four buildings on the north side of Ridge Rd. across from the end of the runway with one more to build, raised concern regarding regulations on adding solar to his commercial building. It was explained that he would have to submit his proposal to the FAA for approval regardless of whether the updated ALCUP will require review by the ALUC.

Commissioner Richards asked if the 89-acres for sale across from the airport will be affected. Ms. Grijalva stated this property is in the Williamson Act and lies within Zones 1, 2, 3, 4, and 6. If they were wanting to construct a building, or anything that might have a glare, or involve large crowds then it may raise an issue. Any concern would be mostly from a wildlife hazard.

The Commission decided to go forward with the "shortened" version of Zone 3 as it more closely follows the inner turning lanes of the updated flight tracking patterns.

Ms. Grijalva specified that a map was provided with the developed comparison maps of the current and proposed Safety Zones with dimensions of the zones. She asked if there were any questions or comments on the maps provided.

Ms. Grijalva referred to a letter that commercial building owner, Debbie Collins, wrote. She raised concern of having her Zone changed and the new Zone being significantly limited. Ms. Grijalva noted Mrs. Collins' confusion was related to the fact "printing" was located in two places on the Land Use Compatibility Table. Being that she is the Post Office in Martell, a decision needs to be made whether it would be incompatible, compatible, or conditional. She also objected to her Safety Zone being changed from the current Zone 3 which is fairly unlimited as to the restrictions on uses to the proposed Zone 2 which has significant restrictions on land uses. The final proposal will be made in the public review draft at a later time.

Ms. Grijalva asked if there are any other uses that need to be identified or categorized on the proposed Compatibility Table. There were none.

Commissioner Novelli asked what would happen if a Fire Station wanted to go on airport land, and if it would be hindered under the proposed Compatibility Table.

There was a discussion about a proposed Fire Station going up in Martell within Zone 2. Fire Stations are not identified in the Land Use Compatibility Table.

The Commission agreed that the Compatible Land Use Table needs to clarify the compatibility categories for Fire Stations, Post Offices, and Print Shops.

Ms. Grijalva asked the audience if any other uses come to mind that need to be identified in the Land Use Compatibility Table.

Ms. Grijalva reviewed the current “slightly shortened” Zone 2 that stops at the boundary of the Amador Plaza Shopping Center Plaza. Shopping center owner, Kari Ortloff-Evernden has requested that the proposed Zone 4 also be slightly shortened so as to not include her property as had the current Zone 2 been shortened. She also requested that if Zone 4 was not shortened, how would the legal non-conforming uses be addressed in the ALUCP because that area of the shopping center would then be non-conforming?

The Commission agreed that they should not change the configuration of Zone 4 (i.e., not shorten it), and that the appropriate compatibility category for Finance and Real Estate needs to be clarified in the Compatible Land Use Table. The Commission noted that the uses currently located in the Amador Plaza Shopping Center are, and most uses that would go in the Shopping Center would likely be, compatible or conditionally compatible in Zone 4.

Wayne Vinciguerra asked if build-out within Zone 6 is limited to residential. Ms. Grijalva answered that the property Mr. Vinciguerra is interested in purchasing is zoned “M,” Manufacturing and no residential uses are allowed in that zone district.

RECESS: At 3:50 p.m. Chairman Pat Crew recessed the meeting for a break.

The Commission discussed whether the required vote for an overrule should be either a 2/3 or 4/5 vote. Ms. Grijalva stated the 2/3 requirement cannot be changed because it is set out in statute. The Commission agreed to leave the language for an overrule as a 2/3 vote of the governing body.

Ms. Grijalva informed the Commission that the Real Estate notification of airport proximity is also required for commercial properties, per the 2011 Handbook as well as the Business and Professions codes.

Ms. Grijalva stated that the aircraft fleet mix in the ALUCP has been updated based on information received from the Airport Manager to reflect the current fleet on pages 2-3 through 2-8 of the Revised ALUCP.

Table 3-2, the Land Use Compatibility by Safety Zone Table has been updated to include the uses identified at the last meeting and a side-by-side comparison with the current Compatibility Table was provided for the Commission's use.

Ms. Grijalva went over the examples of how other jurisdictions deal with parcels that are "split" by two or more Safety Zones. Three samples are provided in the Staff Report. She asked how the Commission wants to deal with a building that lies within two or more Zones.

Commissioner Sheppard stated that Safeway is in several different Zones, and if that building ever changed to something different, it would go to the most restrictive use. There are other locations besides Safeway where the same thing could happen.

The Commission discussed the example of San Diego International Airport's version of split Zones on parcels and buildings.

The Commission agreed to go with San Diego's version; i.e., whichever Zone the greatest portion of the building is located in, will be the zone that it falls under, not necessarily the most restrictive Zone.

The Commission discussed drones and how their use relates to land use. Mr. Alverson stated there is legislation proposed that may deal with this issue and suggested that staff draft some language from the FAA on drone regulations from a Land Use standpoint for the Public Review Draft.

Ms. Grijalva reviewed the items set out in the letter received from Robert Fiori, CalTrans Division of Aeronautics. ESA and County staff have reviewed these comments and offer the following:

Mr. Fiori requested the resolution forming the commission be included in the ALUCP. Ms. Grijalva stated there was no resolution, but there are minutes authorizing the Airport Land Use Commission and appointments to the Commission which have been included as Appendix A of the revised draft ALUCP.

He commented on policy wording which has been revised. A definition of existing land use has been revised, but the Commission should review the list of "major land use actions," to confirm these are the types of actions to be reviewed by the ALUC.

There is a revised draft ALUCP for acceptable noise exposure for schools and other noise nuisance sensitive areas. ESA has reviewed the Land Use Compatibility Table and revised it as necessary to be consistent with the Handbook. ESA has reviewed other agency plans and found no areas of concern.

Ms. Grijalva reviewed the major land use actions contained in the ALUCP (pgs. 3-13 and 3-14) to confirm these are the types of actions that the Commission wants to review.

Commissioner Richards asked if anytime someone wants to build something within the proposed Zones and it's acceptable within the Zone, would it have to go to the Commission, and commented that that would seem excessive.

Ms. Grijalva stated that the Commission wouldn't get building permits unless it were a tall building. It is a sphere of influence, pre-zoning associated with an annexation, off airport nonaviation uses, development agreements, major capital improvements, etc.

Commissioner Murphy asked Ms. Grijalva if the Administrative Officer looks at a new project will the Officer be able to tell the Commission whether or not it needs to come to them. She said yes.

Commissioner Axe asked what the reason was for the Commission choosing a 5 mile radius.

Mr. Alverson responded that it is based on FAA guidance, and there's an advisory circular that defines those perimeters. He stated that it is not a regulation, but it is highly advised and not having it can jeopardize funding for the airport.

There was discussion about solar panels and how large they have to be in order to be considered an issue. Concern was raised that even one panel has the capability of causing glare and becoming a safety hazard for aircraft depending on its location and angle. There was discussion related to in what area within the ALUCP would solar projects need to be reviewed. Mr. Alverson felt that the Overflight Zone would be an appropriate boundary for reviewing solar panels.

Wayne Vinciguerra raised concern about the terms used in the Handbook guidelines which uses the terms normally allow, limit, avoid, and prohibit and the ALUCP uses compatible, conditional, and incompatible. The Commission and staff reviewed with Mr. Vinciguerra the compatibility categories for several land uses of concern to him and explained how the compatible, conditional, and incompatible classifications would be implemented. He commented that the safety of the airport does not seem compromised and the Commission is doing a wonderful job.

The Commission directed staff and the consultant to identify which of the listed Major Land Use Actions are statutory, advisory, or customarily found in other jurisdictions' ALUCPs.

Mr. Alverson raised the question about whether the Commission wanted to retain the current Safety Zone 1 south boundary which is angled to be parallel to the highway due to the settlement agreement. It was the consensus of the Commission to maintain the angled boundary for Safety Zone 1 on the south end of the runway.

Ms. Grijalva advised the Commission that with the direction provided today, the consultant can prepare a Public Review Draft ALUCP. That Public Review Draft ALUCP will be distributed for final review and comment and a public hearing to consider adoption of the proposed ALUCP will then be scheduled.

MOTION: It was moved by Commissioner Richards, seconded by Commissioner Axe, and unanimously carried to adjourn the meeting.

ADJOURNMENT: Chairman Crew adjourned the meeting at 5:30 pm.

/s/

Patrick Crew, Chairman
Amador County Airport Land Use Commission

/s/

Susan C. Grijalva, Planning Director
Amador County Planning Department

/s/

Robin Rehart, Recording Secretary
Amador County Administrative Secretary