

CITY OF JACKSON**MEMORANDUM**

TO: Honorable Mayor and Members of the City Council

FROM: Susan M. Peters, City Planner

DATE: December 11, 2017

SUBJECT: Westover Field Airport Land Use Compatibility Plan

RECOMMENDATION

It is recommended that the City Council consider directing staff to prepare a letter to the Amador County Airport Land Use Commission regarding the potential impacts to the City of Jackson from adoption and implementation of the proposed Westover Field Airport Land Use Compatibility Plan.

DISCUSSION

The Amador County Airport Land Use Commission (ALUC) recently released a draft of the Westover Field Airport Land Use Compatibility Plan (ALUCP). The ALUCP is a requirement of the California State Aeronautics Act and is intended to provide the ALUC a role in review and approval of land development and associated impacts as they relate to airport operations. The proposed ALUCP, if adopted would replace the existing ALUCP which was first adopted in 1987 and amended in 1990. The October 2017 draft of the Westover Field Airport Land Use Compatibility Plan can be viewed online at the following address:
<http://amadorgov.org/home/showdocument?id=28364>

Staff has reviewed the proposed ALUCP and has serious concerns regarding impacts to development in the City of Jackson. In accordance with State law the ALUC has established an Airport Influence Area (AIA) that incorporates a five-mile radius around the airport. This means that AIA covers the cities of Amador City, Sutter Creek and Jackson as well as a large portion of the unincorporated area of the County. Once adopted the City of Jackson will have 180 days to bring the City's General Plan into compliance with the ALUCP policies. The policies in the ALUCP related to development apply to all development activities – discretionary and ministerial – within the AIA. These policies include a 60 day review period by the ALUC for approval of development projects. What this boils down to is all projects in the City of Jackson, including building permits, must be reviewed and approved by the ALUC. For example, when the City receives a Building Permit Application for roof mounted solar panels on a residence the application will need to be routed to the ALUC for consideration. This means an application which normally would take a week to process could now take two months or more. Additionally, there will be a processing fee charged to the applicant. The ALUCP does not

clearly define the application review process, provide standards for development projects, or indicate the application fee amount.

Staff has the following additional concerns with the ALUCP:

- Growth assumptions for forecasted operations – the numbers don't add up and there is no mention of UPLAN which is the model used for growth assumptions for the City's and County's General Plan Housing Elements. The ALUCP should use the same growth model to be consistent with the General Plan.
- The extent of open space preservation around the airport needs to be defined.
- The impact of the Hazardous Wildlife Attractants policies on recreational development of the Oro de Amador site needs to be determined.
- Impacts to homebuyers resulting from the disclosure requirements for all homes sales in the five-mile AIA should be addressed.

While staff understands the need to protect the airport and airport operations from impacts from development, the policies in the proposed ALUCP are effectively taking control of land use decisions away from the City. Page 3-20 of the ALUCP states "the ALUC has ultimate authority over the determination of all major land use actions." Staff is requesting City Council authorization to draft a letter communicating these concerns to the ALUC for consideration at their December 18, 2017 meeting.

Response to City of Jackson Memo

City of Jackson

- 01 Once adopted the City of Jackson will have 180 days to bring the City's General Plan into compliance with the ALUCP policies. The policies in the ALUCP related to development apply to all development activities - discretionary and ministerial - within the AIA. These policies include a 60-day review period by the ALUC for approval of development projects. What this boils down to is all projects in the City of Jackson, including building permits, must be reviewed and approved by the ALUC. For example, when the City receives a Building Permit Application for roof mounted solar panels on a residence the application will need to be routed to the ALUC for consideration. This means an application which normally would take a week to process could now take two months or more. Additionally, there will be a processing fee charged to the applicant.

RESPONSE

See response to City of Sutter Creek comment 02.

- 02 The ALUCP does not clearly define the application review process, provide standards for development projects, or indicate the application fee amount.

RESPONSE

Review procedures and fees will be determined by the ALUC and relevant jurisdiction following adoption of the updated ALUCP.

- 03 Growth assumptions for forecasted operations - the numbers don't add up and there is no mention of UPLAN which is the model used for growth assumptions for the City's and County's General Plan Housing Elements. The ALUCP should use the same growth model to be consistent with the General Plan.

RESPONSE

The State Aeronautics Act requires the ALUC to prepare the ALUCP based on an Airport Master Plan or Airport Layout Plan that reflects the growth of the Airport during the next 20 years (Pub. Util. Code, § 21675(a)). The forecasts used to develop the policies in the Draft ALUCP were prepared by the Airport and based on the current Airport Master Plan as required by law.

- 04 The extent of open space preservation around the airport needs to be defined.

RESPONSE

No response prepared.

- 05 The impact of the Hazardous Wildlife Attractants policies on recreational development of the Oro de Amador site needs to be determined.

Response to City of Jackson Memo

RESPONSE

No response prepared.

06 Impacts to homebuyers resulting from the disclosure requirements for all homes sales in the five-mile AIA should be addressed.

RESPONSE

No response prepared.

07 While staff understands the need to protect the airport and airport operations from impacts from development, the policies in the proposed ALUCP are effectively taking control of land use decisions away from the City. Page 3-20 of the ALUCP states "the ALUC has ultimate authority over the determination of all major land use actions."

RESPONSE

The statement in question can be revised at the direction of the ALUC.