

**STAFF REPORT TO AMADOR COUNTY AIRPORT LAND USE COMMISSION
FOR MEETING OF MONDAY, DECEMBER 18, 2017**

ITEM NO. 1 - Review of the Public Draft for the update to Westover Field Airport Land Use Compatibility Plan (ALUCP). 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 5 mile perimeter along the sides and ends of the runway.

Applicant: Amador County Airport Land Use Commission

Location: Westover Field Airport is located on Airport Rd. just south and east of the Highway 49/Ridge Rd. intersection in Martell.

- A. History.** The current ALUCP was adopted in 1987 and amended in 1988 and 1990. In 1988 language related to non-conforming uses was added and the width dimensions of Safety Zones 1 and 2 were reduced on both ends of the runway from 500 and 2000 feet to 250 and 1250 feet. Safety Zone 1 on the south end of the runway was modified pursuant to the Garamendi Settlement Agreement (Book 416 of Official Records of Amador County, pages 343-353) by matching the configuration of Safety Zone 1 to that of the avigation easement purchased by the County (Exhibit B of the Settlement Agreement).

Safety Zone 2 on the south end of the runway was also shortened from 5000 feet to 3000 feet (overall length when combined with Safety Zone 1. The length of Safety Zones 1 and 2 on the north end of the runway were not altered. See Exhibit A, attached.

In 1990, automotive service, sales or repair was added as an allowed use on the south end of the runway only, subject to Footnote 2 related to the maximum concentration of persons allowed.

- B. Background.** A comprehensive update to the County's Westover Field Airport Land Use Compatibility Plan (ALUCP) was initiated in 2011 in part because the County was also undertaking a comprehensive update to its General Plan and also because the State Division of Aeronautics' Airport Land Use Planning Handbook had been updated. A workshop was conducted in June of 2012. A preliminary draft of the ALUCP was reviewed by the ALUC in April and June 2017. During these meetings the Commission took public comment and provided direction to staff. See attached minutes from June 28, 2017 ALUC meeting.

A Public Draft ALUCP was prepared, distributed to affected agencies, and made available to the public for review and comment prior to the Commission's review and adoption. Additional information is contained in the Public Draft ALUCP on the purpose, history, and use of the Plan.

A Displacement Analysis was done and found that while there could be some displacement of land uses as a result of implementing the policies related to safety (i.e., the new Safety Zone configurations) contained in the updated ALUCP, that displacement is not significant.

Several letters of comment have been received during the review period. The issues and comments contained in these letters are generally:

- Concerns about the effect on property values due to limitations on land uses per the Land Use Compatibility Table and the Wildlife Hazard Attractant Zone.
- The size of the AIA should be reduced.
- The need to submit all land use actions to the ALUC until the County and Cities update their general plans to be consistent with the ALUCP. This is felt to be overburdensome and not required by law.
- Eliminate the 5-mile Wildlife Hazard Analysis Boundary entirely or provide justification for its implementation.
- Eliminate the requirement for Wildlife Hazard Assessments for projects unless expressly required by 14CFR139.337.
- Need to clarify or justify the requirement for all proposed new solar facilities to be submitted to ALUC (see Policy 3.4.2.1 (k))
- Provided several editorial comments, suggestions, and corrections for the Commission's consideration.

Staff has reviewed the comments received as of the preparation of the Staff Report and has provide some responses (see attached letters and responses).

Any subsequent correspondence received will be provided to the Commissioners prior to, or at, the meeting. Staff will do their best to prepare responses to as many items as possible in those letters received prior to the meeting and present them to the Commission at the meeting.

The Commission should review these comments, the responses to comments provided by staff, and those comments that may be made during the public hearing and then determine if they wish to incorporate any changes into the ALUCP.

- C. ALUC Action:** After taking public comment, the Commission is requested to find the adoption of the ALUCP is Categorical Exempt from CEQA (see attached NOE) and consider the adoption of the 2017 Update to the Westover Field ALUCP as presented with the following **recommended** changes/corrections:

1. Page 1-2, Section 1.3.1 Amador County ALUC. Change makeup of the ALUC to match PUC 21670(b) to read, *“Pursuant to PUC 21670(b), the Amador County ALUC consists of two members representing the Amador County Board of Supervisor; two members representing the Cities in the County, appointed by a city selection committee comprised of the mayors of all the Cities within that county, of which at least one city representative shall be appointed from any cities contiguous or adjacent to the qualifying airport; two members representing the airports within the County appointed by the Airport Manager; and one member representing the general public, appointed by the other six members of the ALUC.”*

2. Page 3-6, Definition of Major Land Use Action – Clarify by amending as follows, “*Actions related to proposed land uses within the established AIA for which compatibility with airport activity is a particular concern, ...*”
3. Page 3-13, Section 3.4.2.1 Major Land Use Actions – Clarify by amending as follows, “*Major land use actions, for the purposes of this ALUCP, are actions involving land within the established AIA that, due to their size, ...*”
4. Page 3-13, Section 3.4.2.1(c) – Explain or define what a “clear zone” is or use another term that is clearly defined. It is recommended to change as follows, “*(c) Any off-airport, nonaviation use of land within the ~~“clear zone”~~ “Runway Protection Zone” (Safety Zone 1) at Westover Field.*”
5. Page 3-15, Section 3.5.2.1(b) – Recommend to either strike “and approval” or amend to read as follows, “*...of the proposal to the ALUC for review and ~~approval~~ consistency findings as set forth in Section 3.5.2.4, in accordance with PUC §21676(b).*”
6. On Page 3-16, Section 3.5.2.2, the following corrections are made to the text:

3.5.2.2 Subsequent Reviews of Land Use Development Proposals

As indicated in Policies ~~6.1.4 (a)(1)~~ **3.4.1.1 (a)** and ~~6.1.4 (a)(2)~~ **3.4.1.1 (b)**, prior to taking action to adopt a new or amended (or amendment to) a general plan or specific plan or the addition or approval of a zoning ordinance or building regulation affecting an AIA as defined herein, local agencies must submit the proposed plan, ordinance, or regulation to the ALUC for review. Subsequent land use development that is consistent with applicable, previously reviewed, local plans, ordinances, and regulations is subject to ALUC review only under the conditions indicated in ~~Policies 6.1.4 (b) and 6.2.3 (d)~~ **Policy 3.4.2.**

7. Page 3-19, Section 3.5.4.1(c) – Correct to read, “*Any development or development application that has been...*”
8. Page 3-20, Section 3.5.4.2 – Change section title to, “ALUC Action Choices.” Amend the third sentence to read, “*...the ALUC Administrative Officer ~~chooses~~ recommends one of three courses of action:...*” Delete last sentence, “*The ALUC has ultimate authority over the determination of all major land use actions.*”
9. Figure 2-3 and all other Figures. City of Sutter Creek boundaries are not accurate. Figures will be updated using current city boundaries.

10. Appendix H – Change “Rio Vista Airport” to “Westover Field Airport” in the heading on page i. of the Table of Contents of the Development Displacement Analysis Technical Report.
11. Appendix H – page 2-2 Table 2-1 – APN 044-020-037-000 doesn’t exist. That is correct. It was divided up and is now -127, -128, -129, 130, and -131. The new parcel number for the area located in Safety Zone 2 is -131 which is now a 1.88 acre parcel. The information noted in Table 2-1 for this parcel will be updated – no change in impact results from this change. The jurisdictions for the parcels listed in Tables 2-1, 2-2 and 2-3 are correct using the current city boundary.
12. Appendix H – Tables 2-1, 2-2, and 2-3, Note 2. – Clarify as follows, “2. *The zoning codes for Amador County and Sutter Creek will be updated or an overrule will be made within 12 months of the adoption of the Westover Field ALUCP to be in accordance with the development standards of this ALUCP.*”
13. Appendix H – Sources for Tables 2-1 and 2-3 and Tables 3-1 and 3-2. The citation for the City of Sutter Creek’s General Plan will be corrected to reflect it was adopted November 21, 1994.
14. Appendix H – Table 3-1. Jurisdiction column may be incorrect due to incorrect city boundary on Figures. Correct the Jurisdiction and Designation for those parcels incorrectly identified subject to confirmation of the accuracy by the City of Jackson. Also update the APNs with the new numbers for former APNs 044-040-037 (now -127 through -131) and -036 (now -132).
15. Any other corrections, addition, clarification, edits determined by the ALUC to be necessary. (See the attached Responses to Comments for possible additional revisions.)