

**AMADOR COUNTY AIRPORT LAND USE COMMISSION
SUMMARY MINUTES OF TAPE RECORDED MEETING
September 1, 2021 – 1:30 P.M.**

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The Airport Land Use Commission of the County of Amador met on Wednesday, September 1, 2021 in the Board Chambers at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 1:30 p.m. by Chuck Beatty.

MEMBERS PRESENT WERE: Andy Byrne, Proxy Board of Supervisors Seat 1
Jeff Brown, Board of Supervisors Seat 2 and Chair
Steve McLean, City Seat 1 - Jackson
Robin Peters, City Seat 2 – Sutter Creek
Dave Sheppard, Airport Manager
Dave Wardall, Airport Manager's Appointee

MEMBERS ABSENT WERE: None

Staff present: Chuck Beatty, Planning Director
Mary Ann Manges, Recording Secretary

NOTE: The Staff Report packet prepared for the Airport Land Use Commission is 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 Commissioners in their action motions on project decisions which are contained in the Staff Reports are part of these minutes. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the Amador County Planning Department.

A. Approval of Agenda:

MOTION: It was moved by Commissioner Brown, seconded by Commissioner Byrne, and unanimously carried to approve the agenda.

B. Minutes: December 18, 2017

MOTION: It was moved by Commissioner Sheppard, seconded by Commissioner McLean, and carried to approve the December 18, 2017 minutes.

AYES: Sheppard, McLean, Peters, Wardall, Brown
NOES: None
ABSTAIN: Byrne

C. Correspondence: None

D. Public Matters not on the Agenda: None

E. Agenda Items:

Item 1: Election of Chair

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner McLean, and unanimously carried to elect Jeff Brown as Chair.

Item 2: Election of Vice Chair

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner Peters, and unanimously carried to elect Steve McLean as Vice Chair.

Item 3: Discussion of ALUC functions

Mr. Beatty shared history of the ALUC as well as its functions. He stated that the primary function of the Commission is to prepare an Airport Land Use Compatibility Plan and interpret it as needed. He explained that a project can be found compatible, conditionally compatible, or not compatible with the Plan.

Commissioner Peters asked if Mr. Beatty could provide an example of how a recommendation from the ALUC works as the project moves forward.

Mr. Beatty responded that if it is a zone change application, the ALUC would be asked for a recommendation of whether or not the proposed zone change is compatible, conditionally compatible, or not compatible with the Airport Land Use Compatibility Plan in effect. That recommendation goes to the Board of Supervisors because they ultimately decide on that zone change. The matter also goes to the Planning Commission prior for their review before it goes to the Board of Supervisors, but the ALUC recommendation goes to the Board of Supervisors.

Commissioner Peters asked where the grey area is.

Mr. Beatty said that it is through interpretations and deliberations it is decided if it is consistent with the plan that is in effect. He said to look at the Staff Report and whether or not the proposal is consistent with County's General Plan and to also look at fly over zones, height restrictions, and noise contours around the airport. He added that there is discretion in approving.

Discussion ensued amongst the Commission with more examples.

Commissioner Peters shared that he has a conflict of interest with Item 4 and will need to recuse himself. He asked that they talk in general terms so that they do not talk about that project.

Chair Brown asked if there was further discussion. There was no further discussion.

Public Hearing

Item 4: Review and possible compatibility determination relative to a request to rezone ±0.74 acres to establish uniform zoning on the Jackson Gate North project site. The request seeks to rezone ±0.37 acres of APN 044-030-024 and ±0.37 of APN 044-030-026 from the R1/Single-family Residential zoning district to the C2/Heavy Commercial zoning district.

Applicant: RTR Investments, Inc., et al.

Supervisory Districts: 1

Location: 12461 Jackson Gate Rd. and 12454 Depot Rd., Jackson, northeast of the intersection of State Highway 49 and Jackson Gate Rd.

Commissioner Peters recused himself and left the meeting.

Chair Brown introduced the item.

Mr. Beatty presented the Staff Report which is hereby incorporated by reference into these minutes as though set forth in full. He shared that the applicant is present if he wants to provide any comments.

Chair Brown opened the hearing.

Ron Regan, president of RTR Investments, shared that they have a Tenants In Common (TIC) agreement and that there are 3 other parties in the membership. He stated that the residential use is not compatible

with the intent to develop the property commercially. He added that it is 200 feet below the flight path, but the FAA does not recognize that and that all data has been that it is at the same elevation. He shared that a gym is being considered to go where this parcel is.

Commissioner Sheppard asked if one of the proponents is Mr. Vinciguerra and, if so, that he has a conflict and will have to recuse himself.

Mr. Regan shared that Mr. Vinciguerra is not one of the TIC owners and not involved with this project. He added that he is involved though with the removal of Depot Rd.

Mr. Beatty shared potential uses in the C2 zoning, information about the current Safety Zone 3, as well as information about possible future Safety Zones 2 and 3. He added that when a project is proposed that staff will determine if it is compatible with the safety zone at the time. He also shared that the current safety zone plan is still compliant with the General Plan.

Commissioner Wardall asked that there be an avigation easement recorded on the property prior to the zone change.

Commissioner Sheppard added that the airport will also be asking for that and that it is important to know if a parcel is susceptible to noise and pollutants and have owners accept that.

Mr. Regan questioned having the avigation easement at this time.

Discussion ensued amongst the Commission about whether an avigation easement should be required at this time.

Mr. Beatty said that ultimately the property is going to end up with an avigation easement across the property, either as a mitigating factor of the rezoning, or a condition of construction.

MOTION: It was moved by Commissioner McLean, seconded by Commissioner Sheppard, and unanimously carried to find that the proposed zone change is compatible with the 1990 Airport Land Use Compatibility Plan and compatible with the 2018 Draft Airport Land Use Plan update, and that an avigation easement be recorded on the property prior to the zone change.

Mr. Beatty stated that the Airport Land Use Commission has found that the proposed zone change is compatible with the 1990 Airport Land Use Compatibility Plan and compatible with the 2018 Draft Airport Land Use Plan update. The zone change will be presented to the Board of Supervisors and the Planning Commission at a later date.


Mary Ann Manges, Recording Secretary
Amador County Planning Department


Jeff Brown, Chair
Amador County
Airport Land Use Commission


Chuck Beatty, Planning Director
Amador County Planning Department

