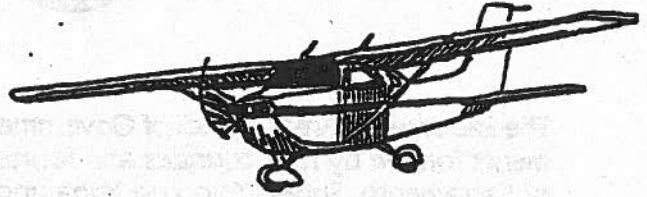


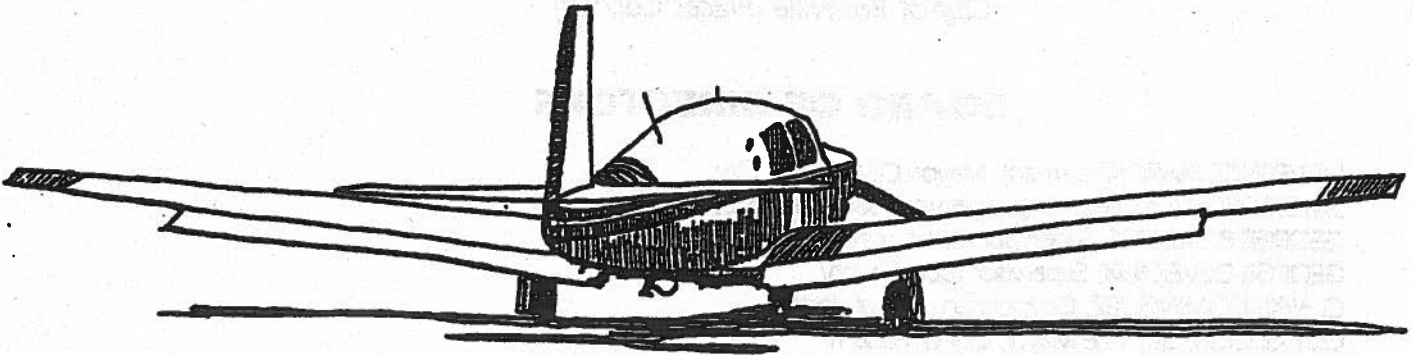
OCT 15

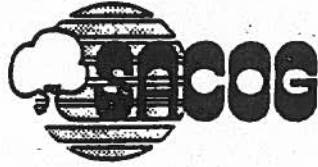


WATTS - WOODLAND AIRPORT

COMPREHENSIVE LAND USE PLAN

December 1988





The Sacramento Area Council of Governments (SACOG) is an association of local governments formed by four counties and fourteen cities. SACOG serves the entire Counties of Sacramento, Sutter, Yolo and Yuba and the Cities of Lincoln, Rocklin and Roseville in Placer County.

SACOG is governed by a Board of Directors composed of County Supervisors or City Councilpersons, appointed by the member jurisdictions. The Board is advised by several policy and technical committees. A full time staff is employed to implement Council policies and work programs as well as coordinate the efforts of consultants who are retained to augment the staff's efforts.

SACOG serves as an advisory agency to local government on matters of interjurisdictional concern, and has developed a comprehensive planning program in the areas of transportation, housing, water quality, land use and air quality.

MEMBER CITIES AND COUNTIES

SACRAMENTO COUNTY

City of Sacramento
City of Folsom
City of Galt
City of Isleton

YOLO COUNTY

City of Davis
City of West Sacramento
City of Winters
City of Woodland

SUTTER COUNTY

City of Yuba City
City of Live Oak

YUBA COUNTY

City of Marysville
City of Wheatland

City of Lincoln (Placer County)
City of Rocklin (Placer County)
City of Roseville (Placer County)

BOARD OF DIRECTORS

LAWRENCE MARK (Chairman), Mayor, City of Yuba City
JIM STRENG (Vice Chairman), Supervisor, Sacramento County
GEORGE P. DeMARS, Supervisor, Yolo County
GEORGE DEVERAUX, Supervisor Yuba County
CLARKE DOMINGUEZ, Councilman, City of Rocklin
GUY GIBSON, JR., Vice Mayor, City of Folsom
DAVID NOFZIGER, Mayor, City of Woodland
TOM PFEFFER, Supervisor, Sutter County
LYNN ROBIE, Councilwoman, City of Sacramento
DAVID E. ROLOFF, Mayor, City of Marysville

TABLE OF CONTENTS

	<u>Page</u>
PART 1: INTRODUCTION	1
PART 2: THE AIRPORT	2
A. EXISTING FACILITIES AND AIRPORT ACTIVITY	2
B. FUTURE FACILITIES AND AIRPORT ACTIVITY	2
C. OFF-AIRPORT LAND USE	5
PART 3: FINDINGS AND POLICIES	6
A. AIRPORT HEIGHT RESTRICTION AREA	6
1. Findings	7
2. Policies	7
3. Implementation	8
B. AIRPORT NOISE RESTRICTION AREA	11
1. Findings	11
2. Policies	14
3. Implementation	17
C. AIRPORT SAFETY RESTRICTION AREA	18
1. Findings	19
2. Policies	19
3. Implementation	27
PART 4: REQUIREMENTS FOR LAND USE CONSISTENCY.	28
A. LAND USE CONSISTENCY	28
B. ADDITIONAL REQUIREMENTS.	29
1. Public Utilities Code	29
2. Education Code	31

APPENDICES

- A. CONCENTRATIONS OF PERSONS PER ACRE STANDARD
- B. AIRPORT LAND USE COMMISSION LAW
- C. CALIFORNIA GOVERNMENT CODE, SECTION 65302.3 (GENERAL PLAN)

PART 1: INTRODUCTION

A. BACKGROUND

This Comprehensive Land Use Plan (CLUP) was prepared by the Airport Land Use Commission (ALUC) under the authority of the Airport Land Use Commission Law, Article 3.5, California Public Utilities Code. The purpose of this law is to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards. The Sacramento Area Council of Governments (SACOG) has been designated the ALUC for the counties of Sacramento, Sutter, Yolo and Yuba.

The policies and guidelines contained in this plan have three major functions:

- 1) To protect Watts-Woodland Airport from non-compatible land uses;
- 2) To safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general by protecting them from the adverse effects of aircraft noise and reducing the number of people exposed to airport-related hazards; and
- 3) To ensure that no structures affect navigable airspace.

This plan establishes planning boundaries for the airport and provides a comprehensive plan that defines compatible types and patterns of future land use. It should be clearly understood that this plan provides a basis for determining compatible land uses and is not a specific development plan. This plan neither sets forth specific land uses for any particular parcel or parcels of land, nor is it retroactive with respect to any existing incompatible land uses. It should also be understood that this plan governs the relationship between the airport and the land uses surrounding it and contains no recommendations concerning operations of the airport. State law provides no authority to the ALUC over airport operations.

While this plan provides a guide to compatible land uses around the airport, some development already exists in the area surrounding the airport that is inconsistent with the plan's policies. This document is primarily directed at preventing new problems of land use compatibility, not at removing existing incompatible uses. Incompatible development that currently exists is recognized as an existing condition. It should be noted that although the ALUC recognizes the existence of these incompatible land uses, neither this plan, nor the ALUC, finds these uses to be consistent with this plan.

B. SUMMARY

Following this introductory section, Part 2 describes existing and planned airport facilities, existing airport activity, and off-airport land use patterns. Part 3 establishes planning boundaries for height, noise, and safety; and defines compatible and incompatible land uses within each planning boundary. Part 4 describes the legal requirements for land use consistency.

PART 2: THE AIRPORT

A. EXISTING FACILITIES AND AIRPORT ACTIVITY

Watts-Woodland Airport is located in Yolo County approximately five miles west of the City of Woodland and adjacent to the intersection of State Highway 16 and Road 94B. The privately-owned airport is located on approximately 100 acres of land and is classed as a basic utility stage II airport. It was established in 1947 and received a permit from the Division of Aeronautics in 1949. The location of the airport is depicted in Figure 1.

The airport's single paved runway is 3,770 feet in length and 60 feet wide. Displaced thresholds exist at both ends due to approach obstructions; the Yolo Flier's Club Clubhouse constrains the runway to the north, while Highway 16 constrains the runway to the south. While the purpose of the displaced thresholds is to assure a pilot an obstruction-free surface for landing, pilots are not required to use them for takeoff. Pilots can use the entire runway surface, including those portions of the displaced thresholds, for their aircraft operations. The runway has medium intensity lighting, a visual approach slope indicator, and Unicom.

Services provided from the airport include flight instruction, charter flights, aircraft repair, fuel sales, and rentals. Taxi service, food, and an air ambulance are also available. There are 32 uncovered parking spaces, 47 T-hangers, 19 transient parking spaces, and an aircraft capacity of 37 in conventional hangers. Figure 2 displays the existing airport layout.

The most recent estimate of annual operations is 60,000. There is currently 64 aircraft based at the airport. 56 of the based aircraft are single-engined and 8 are twin-engined. Agricultural aircraft are no longer operated from the airport.

B. FUTURE FACILITIES AND AIRPORT ACTIVITY

The airport operator does not expect to add any substantial new facilities to the airport and existing obstructions prevent lengthening the current runway. Future levels of based aircraft and operations are difficult to estimate because of the low numbers of small aircraft that are currently being produced. Manufacturer product liability laws have driven some manufacturers out of production. Current private plane production is not high enough to even replace the planes that are taken out of service each year. With the present liability laws in place, the number of based aircraft and airport operations should not increase significantly. Relaxing liability laws may stimulate greater aircraft production and result in larger increases in the number of based aircraft and operations.

FIGURE 1

LOCATION OF WATTS-WOODLAND AIRPORT

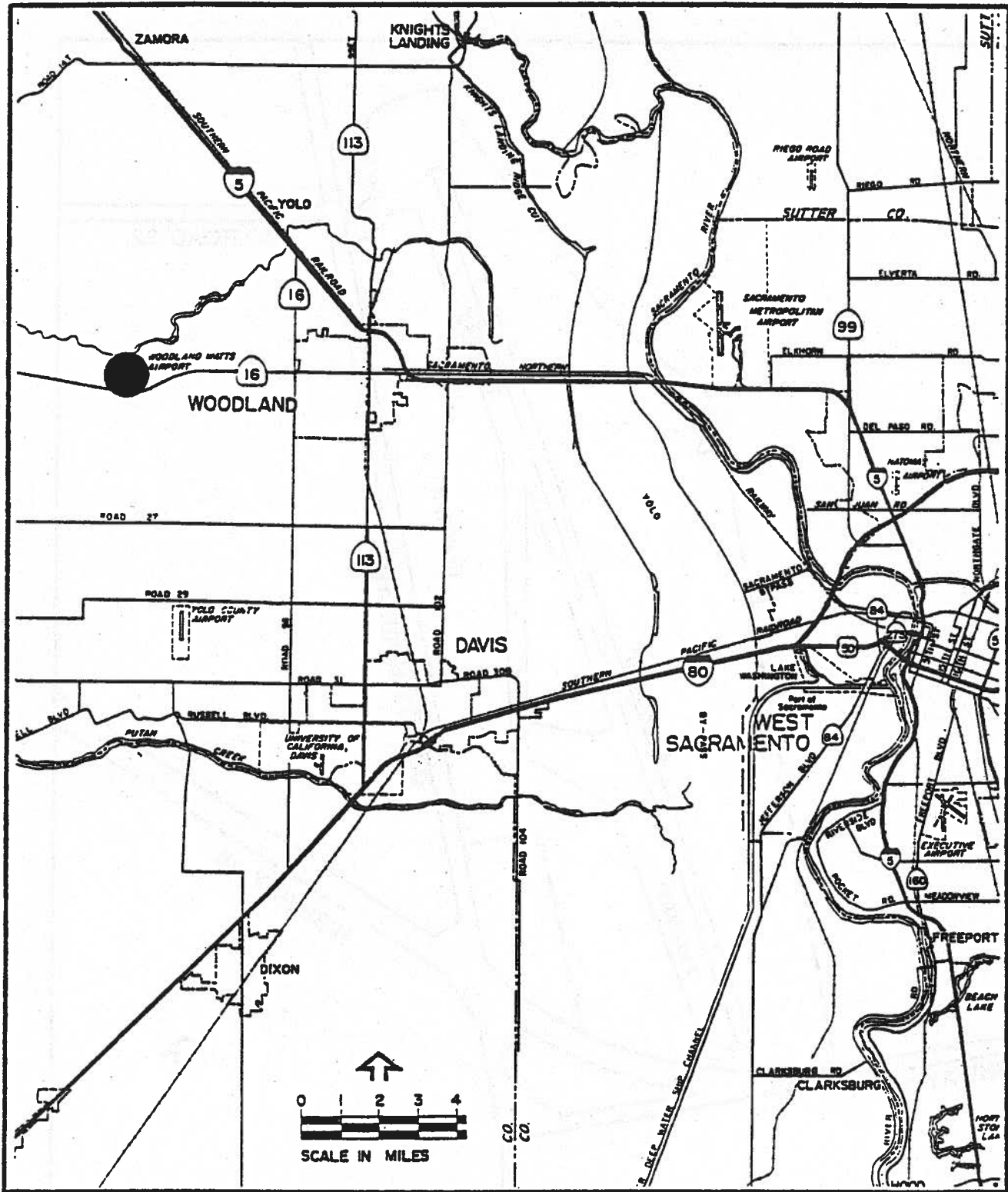
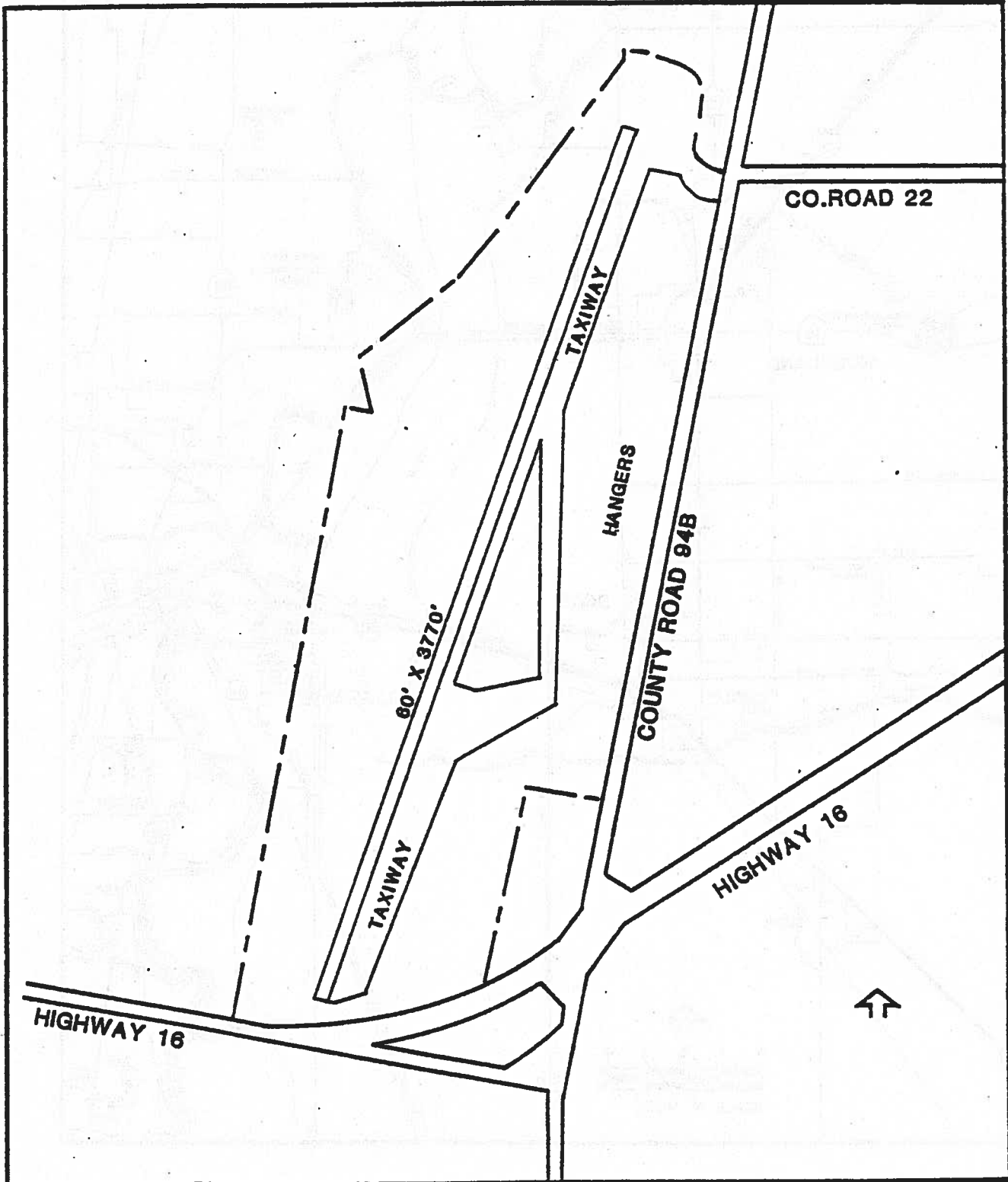


FIGURE 2

AIRPORT LAYOUT



C. OFF-AIRPORT LAND USE

The land surrounding the airport is presently used in several different ways; agriculture and open space are the most common. Other uses include: a golf course and clubhouse that border the airport to the north and northwest; a local water district office that is directly adjacent to the airport's southeast corner; a few low-density residences; and Cache Creek with its associated gravel mining operations.

The land surrounding the airport is primarily zoned for agriculture only. In addition, the lands along Cache Creek are zoned for agriculture along with sand and gravel mining operations. The lands located to the southeast of the airport have a residential suburban zoning which specifies a minimum lot size of 130,000 square feet.

The present land uses surrounding the airport have been compatible with the airport in the past. Since the area surrounding the City of Woodland has experienced rapid growth in the past several years, a prime function of this plan is to ensure that uses surrounding the airport will continue to be compatible in the future. Hundreds of millions of dollars have been spent by airport operators around the nation to correct or mitigate incompatible uses around their airports. Proper land use planning in the areas surrounding the Watts-Woodland Airport can prevent future problems.

One development has already been approved near the airport. In 1985, the Yolo County Board of Supervisors approved a specific plan for the Monument Hills development. This development will be located just west of the runway and includes 192 single family units, 90 condominiums, and a small commercial area. Homes adjacent to the runway will have access to the runway via a new taxiway that will be constructed on airport property. The project proponents expect pilots and other plane enthusiasts to purchase the homes developed adjacent to the airport.

The Monument Hills development is designed to avoid conflicts with the airport's operation. Construction will not occur in locations that could present safety problems and homes will be built with adequate acoustic insulation. This development is not expected to be incompatible with the airport. Construction may begin sometime in 1988 and is expected to take from 5 to 10 years to complete.

PART 3: FINDINGS AND POLICIES

The concerns of airport land use planning fall into three categories:

Height Restrictions - protecting the navigable airspace around airports for aircraft safety;

Noise Compatibility - minimizing the degree to which noise from aircraft affects the communities around airports;

Safety of Persons on the Ground - minimizing the danger to the population around airports from aircraft accidents.

Thoughtful planning in these three areas, reflected in land use policies and regulations, will minimize the exposure of the public to noise and safety hazards; will provide safer aircraft operations; and will help protect the airport and the public resources it represents from encroachment by incompatible land development.

Airport planning boundaries define areas where height, noise, or safety restrictions are imposed. Height standards for defining obstructions to air navigation are established by the Federal Aviation Administration (FAA) and are defined in Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace. Noise restrictions are governed by California Administrative Code, Title 21, Subchapter 6. Airport safety areas are determined by the Airport Land Use Commission. The total area encompassed by these three sets of boundaries is referred to as the airport area of influence.

A. AIRPORT HEIGHT RESTRICTION AREA

Height restrictions are necessary to ensure that objects will not impair flight safety or decrease the operational capability of the airport. FAR Part 77 defines a series of imaginary surfaces surrounding airports. Any object or structure which would penetrate any of these imaginary surfaces is considered by the FAA to be an obstruction to air navigation. While an obstruction to air navigation may not necessarily be a hazard to air navigation, the FAA presumes it to be and treats it as such until an FAA aeronautical study has determined that it does not have a substantial adverse effect upon the safe and efficient use of navigable airspace by aircraft.

Proponents of projects penetrating certain imaginary surfaces are required to notify the FAA of their intent. Upon notification, the FAA initiates an aeronautical study to analyze whether or not the proposed project would be a hazard to air navigation, makes a determination, and sends copies to all known interested parties.

It should be noted that even if the FAA makes a determination that a project would constitute a hazard to air navigation, they cannot prohibit its construction. California law goes further, however, and prohibits the construction of any structure that would constitute a hazard to air navigation, as defined in FAR Part 77, unless the State Department of Transportation, Division of Aeronautics issues a permit. The permit is not required if the FAA determines that the proposed project does not constitute a hazard to air navigation.

1. Findings

- a. Height guidelines for determining if an object is an obstruction to air navigation are set forth in Federal Aviation Regulation Part 77, Objects Affecting Navigable Airspace. Objects that would be of greater height than the imaginary horizontal and sloping surfaces contained in this regulation are deemed to be an obstruction to air navigation.
- b. Penetration of these imaginary surfaces by permanent structures would interfere with the operation capability of the airport, would endanger pilots and passengers of aircraft operating at the airport, and would pose a hazard to persons occupying those structures.

2. Policies

- a. The Airport Land Use Commission adopts FAR Part 77 imaginary surfaces to determine height restrictions for natural and manmade objects as follows:
 - 1) Primary Surface: A surface longitudinally centered along the runway, extending 200 feet beyond each end of the paved runway and having a total width of 250 feet.
 - 2) Horizontal Surface: A horizontal plane 150 feet above the established airport elevation (the highest point of an airport's usable landing area measured in feet above mean sea level), the perimeter of which is constructed by swinging arcs 5,000 feet out from the center of each end of the primary surface and connecting the adjacent arcs of lines tangent to these arcs.
 - 3) Conical Surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
 - 4) Approach Surface: A surface longitudinally centered on the extended runway centerline, extending outward and upward from each end of the primary surface at a slope of 20 to 1 for a length of 5,000 feet.
 - 5) Transitional Surface: A surface extending outward and upward at right angles to the runway centerline plus runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces.

These surfaces are depicted generally in Figure 3.

Note: Where imaginary surfaces overlap, such as is the case where the approach surface penetrates and continues upward and outward from the horizontal surface, the lowest surface is used to determine whether or not an object would be an obstruction to air navigation.

- b. Any proposed new construction or expansion of existing structures that would penetrate any of the imaginary surfaces for the Watts-Woodland Airport, as defined in FAR Part 77, is deemed to be an incompatible land use, unless either the FAA has determined that the proposed structure does not constitute a hazard to air navigation or the State Division of Aeronautics has issued a permit allowing construction of the proposed structure.

Caution: Land use compatibility is determined by comparing proposed land use against height, noise, and safety guidelines. Proposed land uses must be compatible with each.

3. Implementation

- a. Federal Aviation Regulations (FAR) Part 77 requires each person proposing any kind of construction or alteration to give notice to the Federal Aviation Administration on form 7460-1, Notice of Proposed Construction or Alteration, if such construction or alteration is:

- 1) More than 200 feet in height above the ground level at its site, or
- 2) Of a greater height than an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from all edges of the runway surface, if the runway is more than 3,200 feet in length.

No person is required to notify FAA, however, for any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater heights, and would be located in the congested area of a city, town, or settlement where it is evident beyond a reasonable doubt that the proposed structure so shielded will not adversely affect safety of air navigation.

The Notice of Proposed Construction of Alteration is used by FAA to conduct an aeronautical study of the effect of the proposal upon navigable airspace, and to make a determination whether the proposal constitutes a hazard to air navigation.

- b. California state law, Public Utilities Code sections 21658 and 21659, prohibits the construction of any structure that would constitute a hazard to air navigation, as defined in FAR Part 77, unless:
- 1) The State Department of Transportation, Division of Aeronautics, issues a permit; however,
 - 2) The permit shall not be required if FAA has determined that the proposed construction does not constitute a hazard to air navigation.

- c. ALUC adoption of this plan sets in motion a 180 day period, within which Yolo County must take one of two possible actions:
- 1) The first option is to amend its general plan and other land use controls and regulations, where necessary, to be consistent with this plan.
 - 2) The second option, if the county does not concur with provisions of this plan, is to overrule that portion of the plan it does not agree with. The overruling must, however, be by two-third (2/3) vote of the governing body and must be based on findings that the action to overrule is consistent with Section 21670 of the California Public Utilities Code.

Section 21670 of the California Public Utilities Code makes it clear that the purpose of the California Airport Land Use Commission Law is to protect the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards.

- d. It is the responsibility of Yolo County to ensure that project proponents fulfill the notification requirements of FAR Part 77 and California Public Utilities Code sections 21658 and 21659. Until these requirements are fulfilled, any project that may penetrate the adopted height restriction surfaces is deemed to be an incompatible land use.
- e. Prior to the approval of a project that may penetrate the adopted height restriction surfaces, the proposal must be submitted to the ALUC for review and determination of compatibility. The county is responsible for submitting the proposal to the ALUC.
- f. Before a proposed project that would exceed Airport Land Use Commission (ALUC) adopted standards can be approved, the county must take action to override the ALUC. The action to override, including the required findings, is governed by the Airport Land Use Commission Law, Article 3.5 of the California Public Utilities Code.
- g. Upon adoption of this plan, existing incompatible land uses may continue; however, no incompatible land use may be changed to another incompatible land use.
- h. Upon adoption of this plan, no incompatible land use, building, or structure may be expanded.
- i. If any incompatible land use, building, or structure is damaged and the damage exceeds 50 percent of the value of the use, building, or structure, any subsequent land use shall be in accordance with this plan.

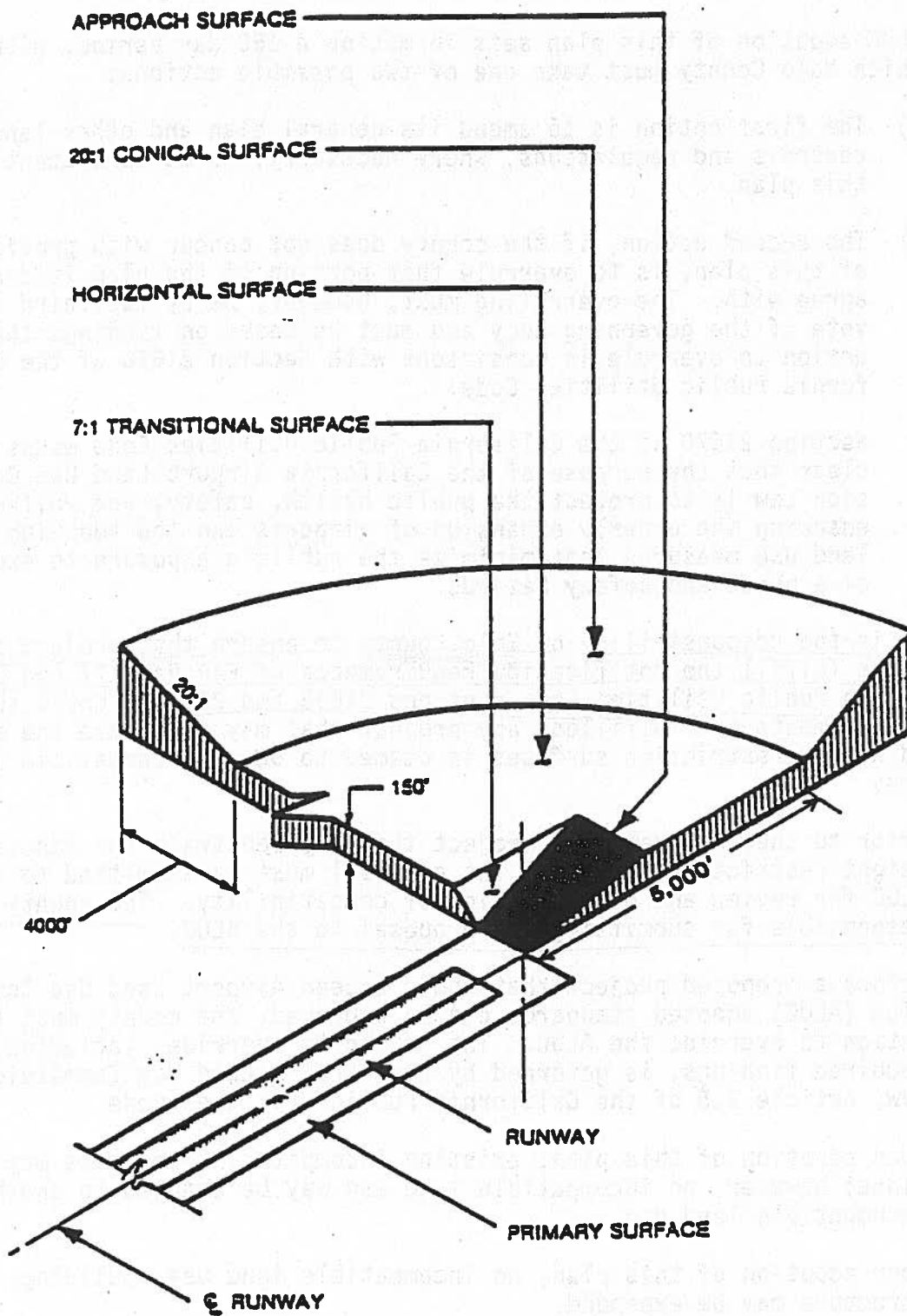


Figure 3

EXAMPLE OF PART 77 CIVIL AIRPORT IMAGINARY SURFACES
Isometric View

B. AIRPORT NOISE RESTRICTION AREA

Most complaints concerning airports are related to noises generated by aircraft operations. At low levels, noise in the area around an airport is normally tolerated with few complaints; however, as exposure to noise increases, it begins to interfere with sleep, conversation, school, business, and recreational activities. At this point, complaints normally start to increase, along with demands for noise reduction. In most cases, noise reduction is accomplished by restricting airport or aircraft operations. Figure 4 illustrates common sound levels and Figure 5 depicts community reaction to intrusive noise.

One of the most important elements of land use planning for the area around airports is the selection of land use compatibility standards for noise. The purpose of these standards is to encourage the best use of land, consistent with community planning objectives, while preventing exposure of the public to excessive noise levels. The noise contours for Watts-Woodland Airport are presented in Figure 6.

1. Findings

- a. There is adequate data to indicate that noise can be a disturbing influence on people, particularly those exposed to higher sound levels.
- b. Based on studies of noise, the State of California has established noise standards in the California Code of Regulations, Title 21, Subchapter 6. These standards designate the Community Noise Equivalency Level (CNEL) as the noise rating method to be used at airports in California. The criteria established by the code for airports with four-engine turbojet or turbofan aircraft and 25,000 annual operations is 65 dB (CNEL).
- c. For land uses within the noise contour of the state mandated criteria, 65 dB (CNEL), the state has deemed the following land uses to be incompatible:
 - 1) Single-family dwellings
 - 2) Multiple-family dwellings
 - 3) Trailer parks
 - 4) Schools of standard construction
- d. The state has established noise reduction requirements for new hotels, motels, apartment houses, and other dwelling units, except single family dwellings, in California Administrative Code, Title 25, Section 28. The code establishes a standard that limits noise to 45 dB (CNEL), with windows closed, in any habitable room in affected dwellings. For residential dwellings, other than single family detached, in areas having an airport caused CNEL greater than 60 dB, the code requires an acoustical study showing that the structure has been designed to meet the interior standard of 45 dB (CNEL).

- e. Based on studies of building materials and construction types, the following noise reduction estimates for common building construction have been calculated:

Noise Reduction from Common Building Construction*

Construction Type	Range of Noise Reduction (dBA)**
1. Wood frame, stucco or wood sheathing exterior. Interior drywall or plaster. Sliding glass windows, with windows partially open.	15-20
2. Same as above, but with windows closed.	25-30
3. Same as 1 above, but with fixed 1/4 inch plate glass windows.	30-35
4. Steel or concrete frame, curtain wall, or masonry exterior wall. Fixed 1/4 inch plate glass windows.	30-40

* Range depends on the amount windows are open, degree of window seal, and glass area of windows.

** dBA is used to express the relative loudness of sound according to the frequency range the human ear is most sensitive to.

Source: Noise Insulation Problems in Buildings, Paul S. Veneklasen and Associates, 1973.

- f. Practical noise control techniques are available to improve the noise reduction of common building construction by an additional 10 to 20 dBA. The techniques include:
- 1) Heavy weatherstripping of exterior doors;
 - 2) Fixed, sealed, double-paned windows with forced ventilation or air conditioning;
 - 3) Elimination of baffling or openings through exterior walls, including: wall air conditioning units, mail slots, and attic and crawl space vents;
 - 4) Adding materials to ceiling surfaces where no attics exist.

Figure 4

COMMON SOUND LEVELS

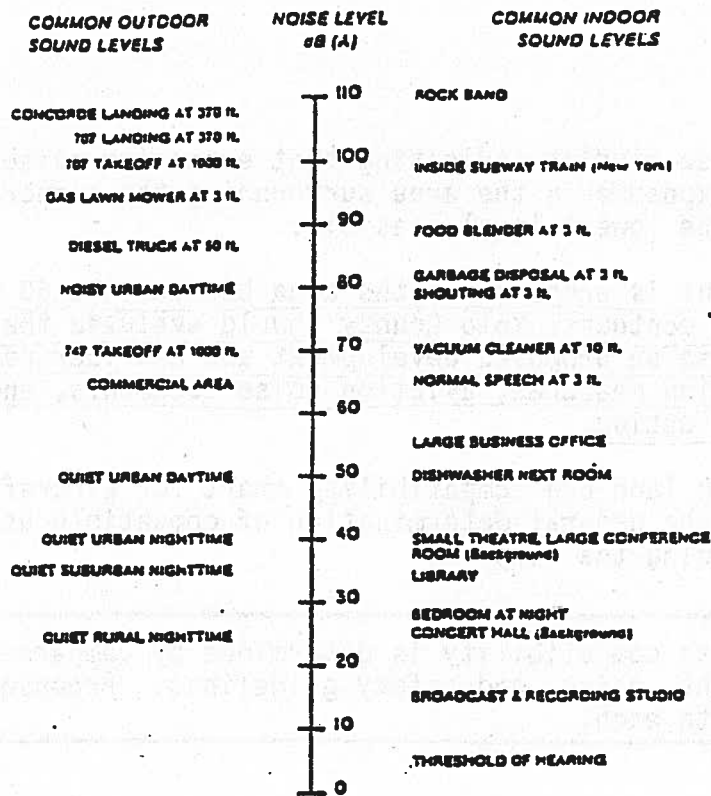


Figure 5

COMMUNITY REACTION TO INTRUSIVE NOISE

COMMUNITY REACTION

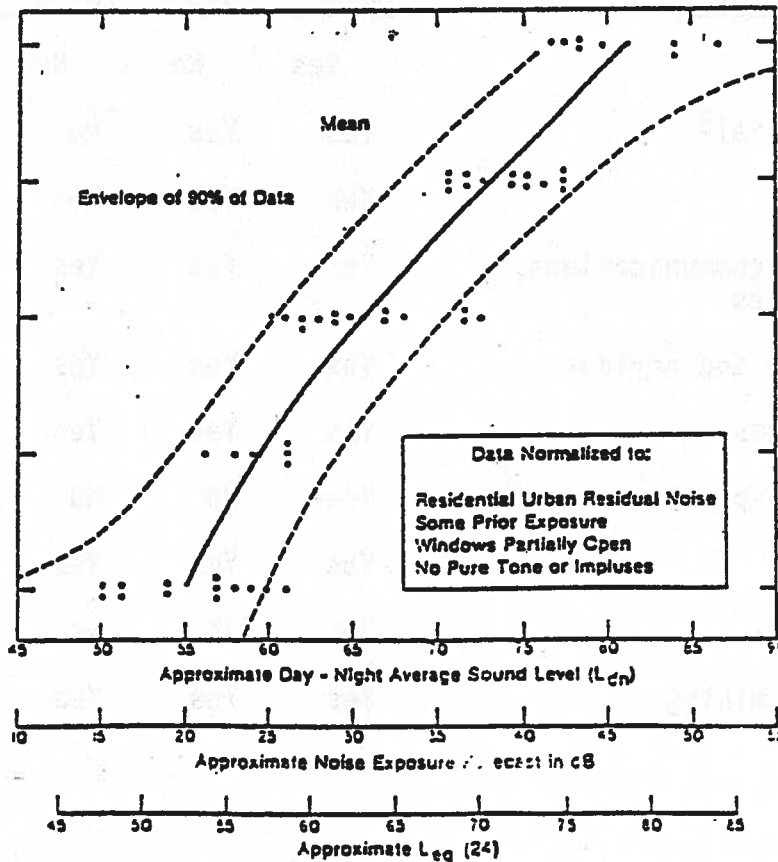
Vigorous community action

Several threats of legal action, or strong appeals to local officials to stop noise

Widespread complaints or single threat of legal action

Sporadic complaints

No reaction, although noise is generally noticeable



Source: U.S. Environmental Protection Agency, "Community Noise," K.M.

3. Policies

- a. Based on noise studies indicating that excessive noise is annoying, noise exposure in the area surrounding the airport should be reduced to the lowest level feasible.
- b. As development is proposed in the area between the 60 and 65 dB (CNEL) noise contours, Yolo County should evaluate the impact of aircraft noise on proposed development and consider requiring noise reduction measures, aviation noise easements, and buyer-renter notification.
- c. The following land use compatibility chart for aircraft noise is adopted for the general determination of compatible uses in the area surrounding the airport.

Caution: Land use compatibility is determined by comparing proposed land use against height, noise, and safety guidelines. Proposed land uses must be compatible with each.

LAND USE COMPATIBILITY CHART FOR AIRCRAFT NOISE¹

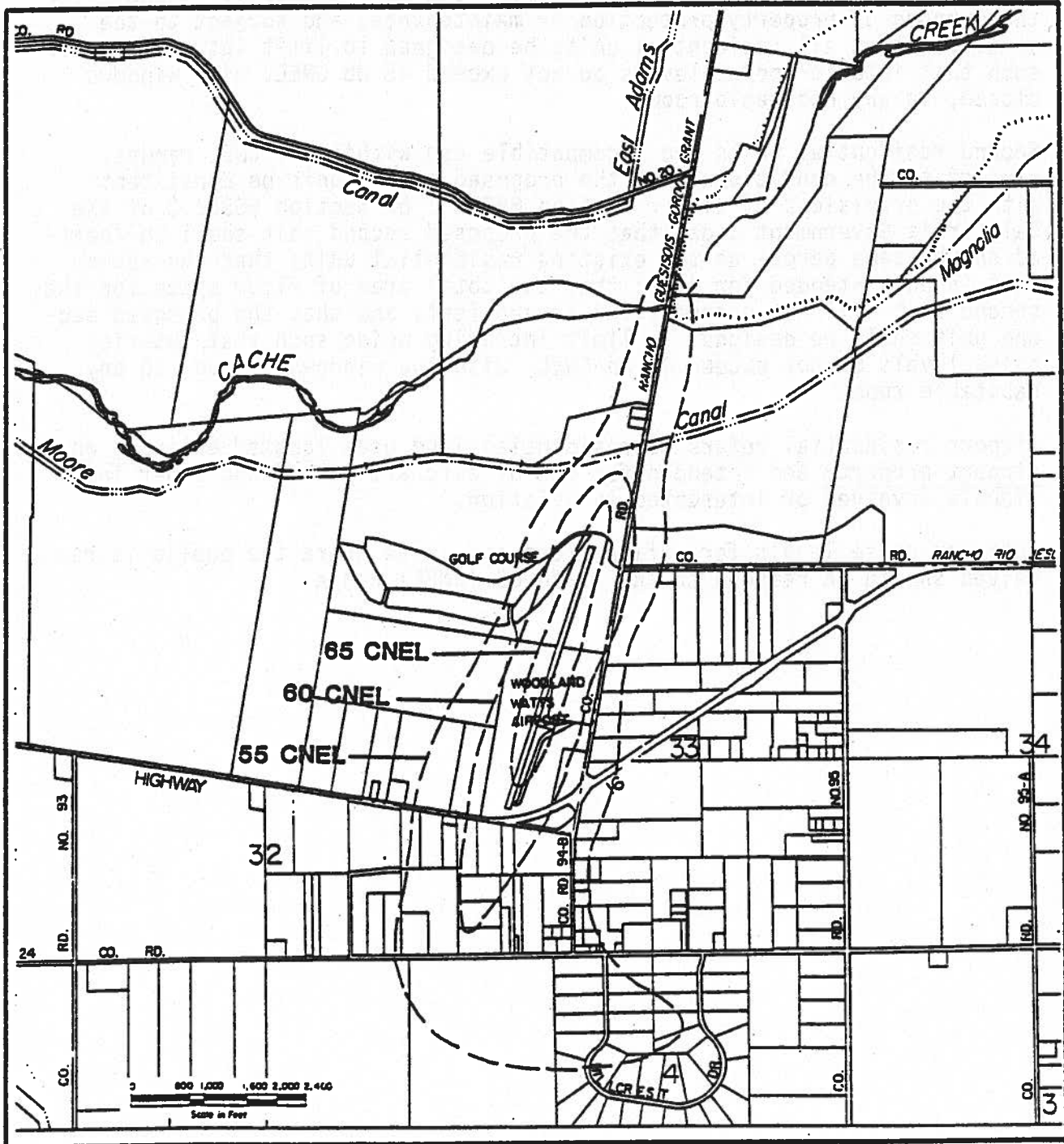
<u>Generalized Land Use</u> ²	CNEL RANGE				
	60-65	65-70	70-75	75-80	80-85
Residential ^{3,4}	Yes	No	No	No	No
Airport Residential ⁵	Yes	Yes	No	No	No
Manufacturing	Yes	Yes	Yes	Yes ⁶	Yes ⁶
Transportation, communications, and utilities	Yes	Yes	Yes	Yes ⁶	No
Trade, business, and offices	Yes	Yes	Yes	Yes ⁶	No
Shopping districts	Yes	Yes	Yes	Yes	No
Public and quasi-public services	Yes	No	No	No	No
Recreation	Yes	Yes	Yes	No	No
Public assembly	Yes	No	No	No	No
Agriculture and mining.	Yes	Yes	Yes	Yes	Yes

FOOTNOTES:

1. It should be recognized that some land uses within each category may be more noise sensitive than others. For these noise sensitive areas, special acoustical studies and additional noise insulation may be required.
2. For a more detailed breakdown of these categories, see the land use compatibility guidelines for safety (Figure 9).
3. Caretaker residences are a compatible use within all CNEL ranges, provided that they are ancillary to the primary use of a property, intended for the purpose of property protection or maintenance, and subject to the condition that all residential units be designed to limit intruding noise such that interior noise levels do not exceed 45 db CNEL, with windows closed, in any habitable room.
4. Second residential units are a compatible use within all CNEL ranges, subject to the conditions that the proposed second unit be consistent with the provisions of either Section 65852.1 or Section 65852.2 of the California Government Code; that the proposed second unit shall be located on the same parcel as the existing residential unit; that the second unit is not intended for sale; that the total area of floor space for the second unit will not exceed 1,000 square feet; and that the proposed second unit shall be designed to limit intruding noise such that interior noise levels do not exceed 45 db CNEL, with the windows closed, in any habitable room.
5. Airport residential refers to residential land uses located entirely on airport property and intended for use by aircraft pilots and other individuals involved or interested in aviation.
6. Interior noise levels for office areas and areas where the public is received should be reduced to the 45-50 dB (CNEL) range.

FIGURE 6

AIRPORT NOISE CONTOURS



3. Implementation

- a. ALUC adoption of this plan sets in motion a 180 day period, within Yolo County must take one of two possible actions:
- 1) The first option is to amend its general plan and other land use controls and regulations, where necessary, to be consistent with this plan.
 - 2) The second option, if the county does not concur with provisions of this plan, is to overrule that portion of the plan it does not agree with. The overruling must, however, be by two-third (2/3) vote of the governing body and must be based on findings that the action to overrule is consistent with Section 21670 of the California Public Utilities Code.

Section 21670 of the California Public Utilities Code makes it clear that the purpose of the California Airport Land Use Commission Law is to protect the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards.

- b. Prior to the amendment of the general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation that would affect land that lies within the airport area of influence, the proposal must be submitted to the ALUC for review and determination of compatibility. The county is responsible for submitting the proposal to the ALUC.
- c. Before a proposed project that would exceed Airport Land Use Commission (ALUC) adopted noise standards can be approved, Yolo County must take action to override the ALUC. The action to override, including the required findings, is governed by the Airport Land Use Commission Law, Article 3.5 of the California Public Utilities Code.
- d. Upon adoption of this plan, existing incompatible land uses may continue; however, no incompatible land use may be changed to another incompatible land use.
- e. Upon adoption of this plan, no incompatible land use, building, or structure may be expanded, except:
- 1) Expansions of single family detached residences; and
 - 2) Expansions of schools that would increase the capacity by less than one-third (1/3).
- f. If any incompatible land use, building, or structure is damaged and the damage exceeds 50 percent of the value of the use, building, or structure, any subsequent land use shall be in accordance with this plan, except:
- 1) Single family detached dwellings; and
 - 2) Schools.

C. AIRPORT SAFETY RESTRICTION AREA

Urban areas around airports are exposed to the possibility of aircraft accidents even with well-maintained aircraft and highly trained pilots. Despite stringent maintenance requirements and countless hours of training, past history makes it clear that accidents are going to occur.

Airport safety areas are established to minimize the number of people exposed to aircraft crash hazards. This is accomplished by placing restrictions on land uses in various safety areas.

This plan designates three safety areas: the clear zone, the approach-departure zone, and the overflight zone. The clear zone is near the end of the runway and is the most restrictive. The approach-departure zone is located under the takeoff and landing slopes and is less restrictive. The overflight zone is the area under the traffic pattern and is even less restrictive.

The dimensions of the safety areas are determined by analyzing historical aircraft accident data and designating safety zone dimensions that encompass significant hazard areas.

The risk of people on the ground being killed or injured by a falling plane is small; however; an aircraft crash is a high consequence event and when a crash does occur, the result is often catastrophic. Because of this, most attempts at setting safety standards on the ground have not attempted to estimate accident probabilities. They have, instead, approached safety standards by determining acceptable land uses assuming a crash would occur.

For general aviation aircraft, accident rates are almost equal between landing and takeoff phases. A National Transportation Safety Board (NTSB) study of 1974-1979 general aviation accidents indicated 3,241 accidents related to landing and 3,182 related to takeoff. A significant factor affecting general aviation accidents is pilot error. The NTSB study found the pilot was a related factor in 83% of general aviation accidents.

The study also showed that 45% of accidents occurred on airport property and 15% were in the traffic pattern or within one mile of the airport boundary. Considering just those accidents within one mile of the airport boundary, 33% were within 1/4 mile and 29% occurred in the traffic pattern. These data suggest that land use off the immediate ends of the runway and under the airport traffic pattern is a significant safety concern in preparing airport land use safety zones.

1. Findings

- a. Designation of safety zones around the airport and restriction of incompatible land uses can reduce the public's exposure to safety hazards.
- b. Certain types of land uses have been recognized as hazards to air navigation. They are:
 - 1) Land uses that attract large concentrations of birds within approach-climbout areas;
 - 2) Land uses that produce smoke;
 - 3) Land uses with flashing lights;
 - 4) Land uses that reflect light;
 - 5) Land uses that generate electronic interference; and
 - 6) Land uses related to flammable materials.
- c. The hazard to people and buildings in the overflight zone is less than in areas near the ends of the runways. There is, however, a potential for accidents in this area under airport traffic patterns; particularly midair collisions which are more prevalent in this aircraft maneuvering area.

2. Policies

- a. The Airport Land Use Commission (ALUC) designates the following airport safety areas for Watts-Woodland Airport:
 - 1) Safety Area 1 (Clear Zone): begins at the end of the primary surface, 200 feet beyond the end of the paved runway surface, and is centered along the extended runway centerline. Safety Area 1 has an inner width of 250 feet, extends outward for a length of 1,000 feet and has an outer width of 450 feet.
 - 2) Safety Area 2 (Approach/Departure Zone): begins at the outer end of Safety Area 1 and is centered along the extended runway centerline. Safety Area 2 has an inner width of 450 feet, extends outward for a length of 2,000 feet, and has an outer width of 850 feet.
 - 3) Safety Area 3 (Overflight Zone): generally coincides with the area overflowed by aircraft during normal traffic pattern procedures and coincides with the area underlying the Horizontal Surface which is outside of Safety Area 1 and Safety Area 2.

Figure 7 indicates all three of the designated safety areas. Figure 8 shows the Clear Zone and the Approach/Departure Zone in greater detail.

FIGURE 7

WATTS - WOODLAND AIRPORT SAFETY ZONES

LEGEND

① Safety Area 1 - Clear Zone

③ Safety Area 3 - Overflight Zone

② Safety Area 2 - Approach/Departure Zone

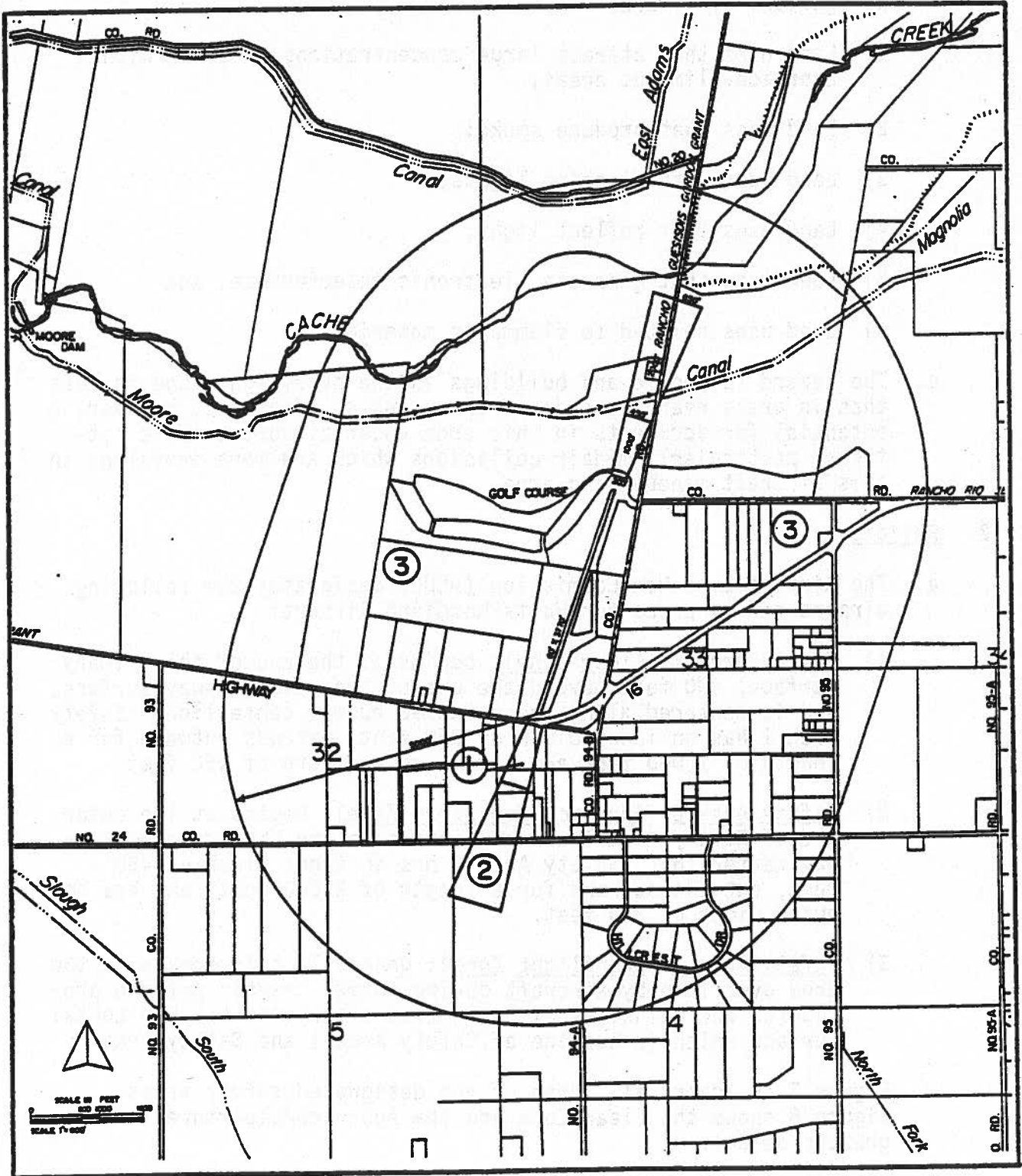
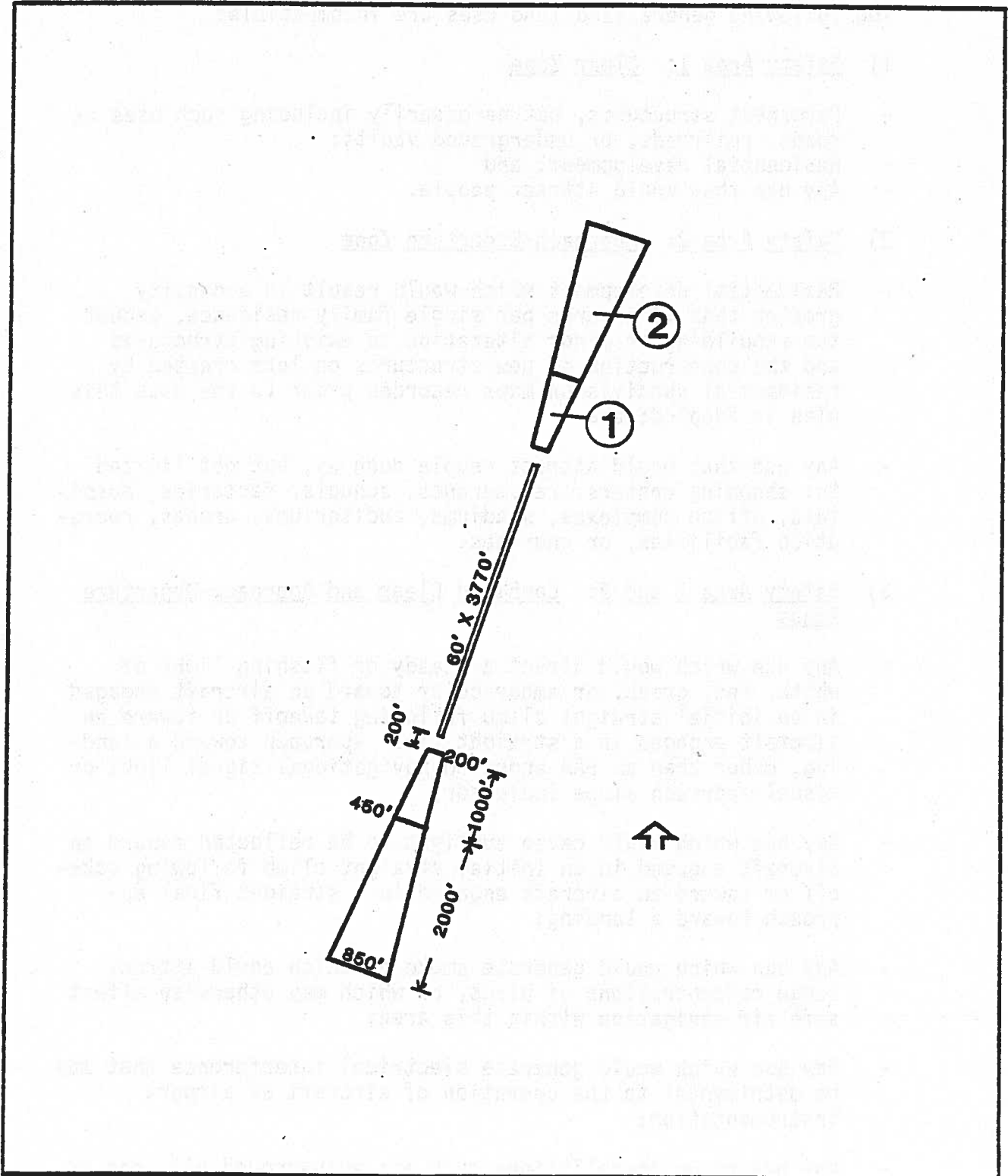


FIGURE 8

AIRPORT SAFETY AREAS 1 AND 2 (DETAIL)



- b. The designated safety areas indicate geographic areas in which land uses and population density are restricted to conditions specified by the ALUC.

The following generalized land uses are incompatible:

1) Safety Area 1: Clear Zone

- Permanent structures, not necessarily including such uses as roads, railroads, or underground vaults;
- Residential development; and
- Any use that would attract people.

2) Safety Area 2: Approach-Departure Zone

- Residential development which would result in a density greater than five acres per single family residence, except the rebuilding or minor alteration to existing structures and the construction of new structures on lots created by residential subdivision maps recorded prior to the date this plan is adopted; and
- Any use that would attract people such as, but not limited to: shopping centers, restaurants, schools, factories, hospitals, office complexes, stadiums, auditoriums, arenas, recreation facilities, or churches.

3) Safety Area 1 and 2: Combined Clear and Approach-Departure Zones

- Any use which would direct a steady or flashing light of white, red, green, or amber color toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing, other than an FAA approved navigational signal light or visual approach slope indicator;
- Any use which would cause sunlight to be reflected toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing;
- Any use which would generate smoke or which could attract large concentrations of birds, or which may otherwise affect safe air navigation within this area;
- Any use which would generate electrical interference that may be detrimental to the operation of aircraft or airport instrumentation;
- Any hazardous installations such as: aboveground oil, gas or chemical storage facilities, but excluding facilities for noncommercial, private domestic, or private agricultural use.

4) Safety Area 3: Overflight Zone

- Any use which would result in large assemblies of people such as, but not limited to:

Hospitals
Stadiums and arenas
Auditoriums and concert halls
Outdoor amphitheaters and music shells
Regional shopping centers
Jails and detention centers

- c. Figure 9 contains the land use compatibility guidelines for safety that shall be used to determine allowable land uses and population densities for the Watts-Woodland Airport safety areas. These guidelines provide a basis for determining those land uses which are compatible. The guidelines are not intended to be a specific development plan, do not set forth specific uses for any particular parcel, and are not retroactive with respect to existing incompatible uses.

In the case of a safety zone line splitting a parcel, the split parcel may be developed to split uses and densities, as long as the individual portions of the parcel are consistent with the land use policies for the safety zone in which they lie.

In the event compatibility cannot be determined through use of the guidelines, the ALUC should be contacted by the city or county to make a determination.

Caution: Land use compatibility is determined by comparing proposed land use against height, noise, and safety guidelines. Proposed land uses must be compatible with each.

Figure 9
WATTS-WOODLAND AIRPORT
LAND USE COMPATIBILITY GUIDELINES FOR SAFETY¹

COMPATIBILITY WITH

LAND USE CATEGORY	CLEAR ZONE	APPROACH ZONE	OVERFLIGHT ZONE
<u>RESIDENTIAL</u>			
Single-family detached	No	Yes ²	Yes
Two-family dwelling	No	No	Yes
Multi-family dwelling	No	No	Yes
Group quarters	No	No	Yes
Mobile home parks or courts	No	No	Yes
<u>MANUFACTURING</u>			
Food and kindred products	No	Yes ³	Yes
Textiles and apparel	No	Yes ³	Yes
Transportation equipment	No	Yes ³	Yes
Lumber and wood products	No	Yes ³	Yes
Furniture and fixtures	No	Yes ³	Yes
Paper and allied products	No	Yes ³	Yes
Printing and publishing	No	Yes ³	Yes
Chemicals and allied products	No	No	No
Petroleum refining	No	No	No
Rubber and plastic	No	No	No
Stone, clay and glass	No	Yes ³	Yes
Primary and fabricated metal	No	Yes ³	Yes
Electrical and electronics	No	Yes ³	Yes
Miscellaneous manufacturing	No	Yes ³	Yes
<u>TRANSPORTATION, COMMUNICATIONS, AND UTILITIES</u>			
Passenger terminals	No	No	Yes
Streets, roads, highways and rail lines	Yes ⁴	Yes ³	Yes
Parking lots	No	Yes ³	Yes
Radio & TV stations, telephone service	No	Yes ³	Yes
Electric, gas, water, & sewer plants	No	No	Yes
Trucking and rail freight terminals	No	Yes ³	Yes
Landfills	No	No	Yes ⁵
Hazardous waste facilities	No	No	No
<u>TRADE, BUSINESS, AND OFFICE SERVICES</u>			
Wholesale trade and distribution	No	Yes ³	Yes
Warehousing and storage	No	Yes ³	Yes
Retail trade - general	No	Yes ³	Yes
Service stations	No	No	Yes
Eating and drinking	No	Yes ³	Yes
Hotels, motels, and campgrounds	No	No	Yes
Repair services	No	Yes ³	Yes
Personal services	No	Yes ³	Yes
Business services	No	Yes ³	Yes
Banks and financial services	No	Yes ³	Yes
Business parks	No	Yes ³	Yes
Office buildings	No	Yes ³	Yes

COMPATIBILITY WITH

LAND USE CATEGORY	CLEAR ZONE	APPROACH ZONE	OVERFLIGHT ZONE
<u>SHOPPING DISTRICTS</u>			
Neighborhood shopping center	No	No	Yes
Community shopping center	No	No	Yes
Regional shopping center	No	No	No
<u>PUBLIC AND QUASI-PUBLIC SERVICES</u>			
Government services	No	Yes ³	Yes
Schools	No	No	Yes ⁶
Hospitals	No	No	No
Medical clinics	No	No	Yes
Libraries, museums, and art galleries	No	No	Yes
Churches	No	No	Yes
Cemeteries	No	Yes ³	Yes
Jails and detention centers	No	No	No
Child care centers (6 or more children)	No	No	Yes
<u>RECREATION</u>			
Neighborhood parks	No	No	Yes
Community-wide regional park	No	No	Yes
Riding stables	No	Yes ^{3,7}	Yes
Golf courses	No	Yes ^{3,7}	Yes
Open space and natural areas	Yes ^{4,5}	Yes ^{5,7}	Yes
Water areas	Yes ^{4,5}	Yes ^{5,7}	Yes
Indoor recreation and amusements	No	No	Yes
<u>PUBLIC ASSEMBLY</u>			
Motion picture theater-single or double	No	No	Yes
Motion picture theater complex, 3 or more	No	No	No
Stadiums and arenas	No	No	No
Auditoriums, concert halls, amphitheaters	No	No	No
Fairgrounds	No	No	No
<u>AGRICULTURE AND MINING</u>			
Agriculture - row crops	Yes ^{4,5}	Yes ⁵	Yes
Agriculture - tree crops	No	Yes ⁵	Yes
Agriculture - intensive livestock	No	Yes ⁵	Yes
Pasture and grazing	Yes ^{4,5}	Yes	Yes
Agricultural services	No	Yes ³	Yes
Mining and quarrying	No	Yes ^{3,5}	Yes

FOOTNOTES:

1. These guidelines define only those land uses which are compatible within safety areas. Where proposed land uses fall within the established noise contours or may penetrate any of the height imaginary surfaces, additional restrictions apply as contained in the height and noise policy sections of this plan.
2. Single-family detached residential is a compatible land use only if the density is five acres or more per single family residence.
3. Uses compatible only if they do not result in a large concentration of people. A large concentration of people is defined as a gathering of individuals in an area that would result in an average density of greater than 25 people per acre per hour during a 24 hour period, or a single event that would result in a gathering of greater than 50 people per acre at any time. (See Appendix A).
4. No building, structures, aboveground transmission lines, or aboveground storage of flammable or explosive material, and no uses resulting in a gathering of more than 10 people per acre at any time.
5. Uses compatible only if they do not result in a possibility that a water area may cause ground fog or result in a bird hazard.
6. Uses compatible only if the requirements of California Education code, Sections 39005-7, 81036, and 81038 are fulfilled.
7. No high-intensity use or facilities, such as structured playgrounds, ballfields, or picnic pavillions.

3. Implementation

- a. ALUC adoption of this plan sets in motion a 180 day period, within Yolo County must take one of two possible actions:
 - 1) The first option is to amend its general plan and other land use controls and regulations, where necessary, to be consistent with this plan.
 - 2) The second option, if the county does not concur with provisions of this plan, is to overrule that portion of the plan it does not agree with. The overruling must, however, be by two-third (2/3) vote of the governing body and must be based on findings that the action to overrule is consistent with Section 21670 of the California Public Utilities Code.

Section 21670 of the California Public Utilities Code makes it clear that the purpose of the California Airport Land Use Commission Law is to protect the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards.

- b. Prior to the amendment of the general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation that would affect land that lies within the airport area of influence, the proposal must be submitted to the ALUC for review and determination of compatibility. The county is responsible for submitting the proposal to the ALUC.
- c. Before a proposed project that would exceed Airport Land Use Commission (ALUC) adopted safety standards can be approved, Yolo County must take action to override the ALUC. The action to override, including the required findings, is governed by the Airport Land Use Commission Law, Article 3.5 of the California Public Utilities Code.
- d. Upon adoption of this plan, existing incompatible land uses may continue; however, no incompatible land use may be changed to another incompatible land use.
- e. Upon adoption of this plan, no incompatible land use, building, or structure may be expanded, except:
 - 1) Expansions of single family detached residences; and
 - 2) Expansions of schools that would increase the capacity by less than one-third (1/3).
- f. If any incompatible land use, building, or structure is damaged and the damage exceeds 50 percent of the value of the use, building, or structure, any subsequent land use shall be in accordance with this plan, except:
 - 1) Single family detached dwellings; and
 - 2) Schools.

PART 4: REQUIREMENTS FOR LAND USE CONSISTENCY

A. LAND USE PLAN CONSISTENCY

The requirements for land use plan consistency between Airport Land Use Commission plans and local government plans are contained in State law, specifically the Public Utilities Code, and the Government Code.

Article 3.5 of the Public Utilities Code, known as the Airport Land Use Commission Law, requires that each county with a public use airport establish an Airport Land Use Commission (ALUC). The powers and duties of the ALUC are:

1. To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports;
2. To coordinate planning for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare;
3. To prepare and adopt comprehensive airport land use plans that may contain height restrictions, specify the use of land, and may determine building standards;
4. To review the plans, regulations and other actions of local agencies and airport operators to determine whether they are consistent with the commission's plan.

To accomplish the determination of consistency, State law provides two methods. First, the Government Code, Section 65302.3, requires that a city or county general plan or specific plan be consistent with the ALUC plan. This consistency must be accomplished within 180 days of the preparation or amendment of the ALUC plan.

In the event the city council or board of supervisors does not agree with any provision of the plan, it can satisfy the consistency requirement for that provision by overruling the ALUC by a two-thirds vote. The overruling must, however, be made after a public hearing and must be based on specific findings that the proposed action is consistent with the purposes of the Airport Land Use Commission Law.

Second, prior to the amendment of a general plan or specific plan, or adoption of a zoning ordinance or building regulation that affects an area within an airport planning boundary established by the ALUC, the city or county must first refer the proposed action to the ALUC for a consistency determination.

If the ALUC determines the proposed action to be inconsistent, the city or county proposing the action may overrule the ALUC by a two-thirds vote, again after a public hearing and based on specific findings.

In addition to these two basic methods of accomplishing consistency, if the ALUC finds that a city or county has not revised its general plan or specific plan, or overruled the ALUC, the ALUC may require that city or county to submit all subsequent actions, regulations, or permits in the affected airport

area to the ALUC for consistency determination. If the ALUC finds the proposed action inconsistent, the city or county must hold a public hearing to reconsider its proposal. If, after the public hearing, the city or county still wishes to pursue the action, it may overrule the ALUC, once again, on a two-third vote based on specific findings.

B. ADDITIONAL REQUIREMENTS

1. Public Utilities Code

In addition to the land use consistency requirements, the Public Utilities Code contains the following provisions related to land use around airports:

Section 21655: Notification to, and investigation by department before acquiring site for state building.

Notwithstanding any other provision of law, if the proposed site of any state building is within two miles, measured by air line, of that point on an airport boundary which is nearest the site, the state agency or office which proposes to construct the building shall, before acquiring title to property for the new state building or for an addition to a present site, notify the Department of Transportation, in writing, of the proposed acquisition. The department shall investigate the proposed site and, within 25 days after receipt of the notice, shall submit to the state agency or office which proposes to construct the building a written report of the investigation and its recommendations concerning acquisition of the site.

If the report of the department does not favor acquisition of the site, no state funds shall be expended for the acquisition of the new state building, or the expansion of the present site, or for the construction of the state building.

Section 21656: Permit for structures having height in excess of prescribed maximum: Exception where approval by federal agency required.

No person shall erect or add to the height of any structure within the boundaries of this state which will result in a structure that extends more than 500 feet above the ground on which such structure rests until a permit therefor has been issued for such purpose by the Department of Transportation. This section is not applicable to the construction of any structure if the Federal Communications Commission is required to approve the height of the structure or if the height of the structure is required to be approved under the Federal Aviation Act of 1958 (Public Law 85-726; 72 State 731).

Section 21658: Prohibition against public utility construction constituting obstruction to air navigation.

No public utility shall construct any pole, pole line, distribution or transmission tower, or tower line, or substation structure in the vicinity of the exterior boundary of an aircraft landing area of any airport, in a location with respect to the airport and at a height so as to constitute an obstruction to air navigation, as an obstruction is defined in accordance

with Part 77 of the Federal Aviation Regulations, Federal Aviation Administration, or any corresponding rules or regulations of the Federal Aviation Administration, unless the Federal Aviation Administration has determined that the pole, line, tower, or structure does not constitute a hazard to air navigation.

Section 21659: Permit for structure or growth constituting hazard to air navigation under federal regulation: Exceptions

No person shall construct any structure or permit any natural growth to grow at a height so as to constitute a hazard to air navigation, as a hazard to air navigation is defined in accordance with the regulations of the Federal Aviation Administration relating to objects affecting navigable airspace contained in Title 14 of the Code of Federal Regulations, Part 77, unless a permit allowing the construction or growth is issued by the Department of Transportation.

The permit shall not be required if the Federal Aviation Administration has determined that the construction or growth does not constitute a hazard to air navigation or would not create an unsafe condition for air navigation. The previous paragraph does not apply to a pole, pole line, distribution or transmission tower, or tower line or substation of a public utility.

Section 21661.5: Approval of plan for new airport

No political subdivision, any of its officers or employees, or any person may submit any application for the construction of a new airport to any local, regional, state, or federal agency unless the plan for such construction is first approved by the board of supervisors of the county, or the city council of the city, in which the airport is to be located and unless the plan is submitted to the appropriate commission exercising powers pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9, and acted upon by such commission in accordance with the provisions of such article.

Section 21661.6: Submission and approval of plan for expanding publicly owned airport: Conformity to approved plan, and approval of variance.

Prior to the acquisition of land by any political subdivision for the purpose of expanding or enlarging an existing publicly owned airport, the acquiring entity shall submit a plan of such expansion or enlargement to the board of supervisors of the county, or the city council of the city, in which the property proposed to be acquired is located.

The plan shall show in detail the airport-related uses and other uses proposed for the property to be acquired. The board of supervisors or the city council, as the case may be, shall, upon notice, conduct a public hearing on such plan, and shall thereafter approve or disapprove the plan. Upon approval of the plan, the proposed acquisition of property may begin.

The use of property so acquired shall thereafter conform to the approved plan, and any variance from such plan, or changes proposed therein, shall first be approved by the appropriate board of supervisors or city council after a public hearing on the subject of the variance or plan change.

The requirements of this section are in addition to any other requirements of law relating to construction or expansion of airports.

Section 21662: Approval of airport sites and issuance of airport permits

The Department of Transportation shall have the authority to issue airport site approval permits, amended airport site approval permits, airport permits, and amended airport permits. No charge shall be made for the issuance of any permit.

2. Education Code

These sections reflect provision of the Education related to proposed sites near airports:

Section 39005: Investigation of school sites near airport

To promote the safety of pupils, comprehensive community planning, and greater educational usefulness of school sites, the governing board of each school district, if a proposed school site is within two miles, measured by air line, of that point on an airport boundary which is nearest the site, before acquiring title to property for a new school site or for an addition to a present site, shall give the Department of Education notice in writing of the proposed acquisition and shall submit any information required by the Department of Education.

Immediately after receiving notice of the proposed acquisition, the Department of Education shall notify the Department of Transportation, in writing, of the proposed acquisition. The Department of Transportation shall make an investigation and report to the Department of Education within 25 days after receipt of the notice. If the Department of Transportation is no longer in operation, the Department of Education shall, in lieu of notifying the Department of Transportation, notify the Civil Aeronautics Board or any other appropriate agency, in writing, of the proposed acquisition for the purpose of obtaining from the board or other agency any information or assistance that it may desire to give.

The Department of Education shall investigate the proposed site and, within 30 days after receipt of the notice, shall submit to the governing board a written report and its recommendations concerning acquisition of the site.

Section 39006: Notice and public hearing

Notwithstanding Section 39005, immediately after receiving notice of a proposed acquisition of property which is within two miles, measured by air line, of that point on an airport boundary which is nearest the site, the Department of Education shall notify the Department of Transportation, in writing, of the proposed acquisition. The Department of Transportation shall make an investigation and report to the Department of Education within 25 days after receipt of the notice. As part of the investigation, the Department of Transportation shall give notice thereof to the owner and operator of the airport who shall be granted the opportunity to comment upon the proposed school site.

If the report of the Department of Education required by Section 39005 does not favor the acquisition of the property for a school site, or an addition to a present school site, the governing body shall not acquire title to the property until 30 days after the department's report is received and until the department's report has been read at a public hearing duly called after 10 days notice by publication in a newspaper of general circulation within the school district or, if there is no such newspaper, in a newspaper of general circulation within the county in which the property is located.

Section 39007: Proposed school site within two miles of airport runway

If, with respect to a proposed site located within two miles of an operative airport runway, the report of the Department of Education submitted to a school district governing board under Section 39005 or 39006 does not favor the acquisition of the site on the sole or partial basis of the unfavorable recommendation of the Department of Transportation, no state agency or officer shall grant, apportion, or allow to the school district for expenditure, in connection with that site, any state funds otherwise made available under any state law whatever for school site acquisition or school building construction, or for expansion of existing sites and buildings, and no funds of the school district or of the county in which the district lies shall be expended for those purposes, except that the provisions of this section shall not apply to sites acquired prior to January 1, 1966, nor to any additions or extensions to those sites.

If the recommendation of the Department of Transportation is unfavorable, the recommendations shall not be overruled without the express approval of the Department of Education and the State Allocation Board.

Section 81036: Investigation of community college site near airport

To promote the safety of students, comprehensive community planning, and greater educational usefulness of community college sites, the governing board of each community college district, if the proposed site is within two miles, measured by air line, of that point on an airport boundary which is nearest the site, before acquiring title to property for a new community college site or for an addition to a present site, shall give the board of governors notice in writing of the proposed acquisition and shall submit any information required by the board of governors.

Immediately after receiving notice of the proposed acquisition, the board of governors shall notify the Division of aeronautics of the Department of Transportation, in writing, of the proposed acquisition. The Division of Aeronautics shall make an investigation and report to the board of governors within 25 days after receipt of the notice. If the Division of Aeronautics is no longer in operation, the board of governors shall, in lieu of notifying the Division of Aeronautics, notify the Federal Aviation Administration or any other appropriate agency, in writing of the proposed acquisition for the purpose of obtaining from the authority or other agency such information or assistance as it may desire to give.

The board of governors shall investigate the proposed site and within 30 days after receipt of the notice shall submit to the governing board a written report and its recommendations concerning acquisition of the site. The governing board shall not acquire title to the property until the

report of the board of governors has been received. If the report does not favor the acquisition of the property for a community college site or an addition to a present community college site, the governing board shall not acquire title to the property until 30 days after the department's report is received and until the board of governors' report has been read at a public hearing duly called after 10 days notice published once in a newspaper of general circulation within the community college district, or if there is no such newspaper, then in a newspaper of general circulation within the county in which the property is located.

Section 81038: Effect of disfavor of acquisition of community college site near airport.

If, with respect to a proposed site located within two miles of an operative airport runway, the report of the board of governors submitted to a community college district governing board under Section 81036 does not favor the acquisition of the site on the sole or partial basis of the unfavorable recommendation of the Division of Aeronautics of the Department of Transportation, no state agency or officer shall grant, apportion, or allow to such community college district for expenditure in connection with that site, any state funds otherwise made available under any state law whatever for community college site acquisition or college building construction, or for expansion of existing sites and buildings, and no funds of the community college district or the county in which the district lies shall be expended for such purposes; provided that the provisions of this section shall not be applicable to sites acquired prior to January 1, 1966 nor to any additions or extensions to such sites.

If the recommendation of the Division of Aeronautics is unfavorable, such recommendation shall not be overruled without the express approval of the board of governors and the State Allocation Board.

APPENDIX A

CONCENTRATIONS OF PERSONS PER ACRE STANDARD

Uses are compatible if they do not result in a gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24 hour period, not to exceed 50 persons per acre at any time.

- 1) Average densities of persons per hour during a 24 hour period are determined by calculating the number of persons per acre expected on a site, multiplying by the number of hours they will be on the site, and dividing the total by 24.

Example #1: One 8 hour shift of 30 workers on a one acre site

$$30 \text{ persons expected} \times 8 \text{ hours on site} = 240$$

$$\frac{240}{24 \text{ hours}} = \text{average density of 10 persons per acre per hour during a 24 hour period}$$

Example #2: Two 8 hour shifts of 30 workers on a one acre site

$$30 \text{ persons expected} \times 16 \text{ hours on site} = 480$$

$$\frac{480}{24 \text{ hours}} = \text{average density of 20 persons per acre per hour during a 24 hour period}$$

- 2) The maximum number of persons allowed per acre per hour is calculated by dividing the number of hours persons will be on the site by 24 hours, and then dividing 25 persons per acre per hour by the result. The resulting number is the maximum number of persons allowed per acre per hour, provided it does not exceed 50. 50 persons per acre at any one time is the maximum number of persons allowed under the standard.

Example: A use on a one acre site has two 8 hour shifts.

$$25 \frac{16 \text{ hours}}{24 \text{ hours}} = 37.5 \text{ maximum persons per acre per hour allowed}$$

Application of this formula results in the following table which specifies the maximum persons per acre per hour for the duration of time that persons are expected to be on site during a 24 hour period.

<u>Hours of Operation Per Day</u>	<u>Maximum Persons Allowed Per Acre/During Each Hour</u>
24	25
23	26
22	27
21	28
20	30
19	31
18	33
17	35
16	37
15	40
14	42
13	46
12 or less	50*

Note: Fractions in the maximum persons allowed column are rounded to the lowest whole number.

* Concentrations of persons per acre cannot exceed 50 persons per acre at any time.

AERONAUTICS LAW—AIRPORTS

Article 3.5. Airport Land Use Commission

Creation; Membership; Selection

21670. (a) The Legislature hereby finds and declares that:

(1) It is in the public interest to provide for the orderly development of each public use airport in this state and the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards adopted pursuant to Section 21669 and to prevent the creation of new noise and safety problems.

(2) It is the purpose of this article to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.

(b) In order to achieve the purposes of this article, every county in which there is located an airport which is served by a scheduled airline shall establish an airport land use commission. Every county, in which there is located an airport which is not served by a scheduled airline, but is operated for the benefit of the general public, shall establish an airport land use commission, except that the board of supervisors of the county may, after consultation with the appropriate airport operators and affected local entities and after a public hearing, adopt a resolution finding that there are no noise, public safety, or land use issues affecting any airport in the county which require the creation of a commission and declaring the county exempt from that requirement. The board shall, in this event, transmit a copy of the resolution to the Director of Transportation. For purposes of this section, "commission" means an airport land use commission. Each commission shall consist of seven members to be selected as follows:

(1) Two representing the cities in the county, appointed by a city selection committee comprised of the mayors of all the cities within that county, except that if there are any cities contiguous or adjacent to the qualifying airport, at least one representative shall be appointed therefrom. If there are no cities within a county, the number of representatives provided for by paragraphs (2) and (3) shall each be increased by one.

(2) Two representing the county, appointed by the board of supervisors.

(3) Two having expertise in aviation, appointed by a selection committee comprised of the managers of all of the public airports within that county.

(4) One representing the general public, appointed by the other six members of the commission.

(c) Public officers, whether elected or appointed, may be appointed and serve as members of the commission during their terms of public office.

(d) Each member shall promptly appoint a single proxy to represent him or her in commission affairs and to vote on all matters when the member is not in attendance. The proxy shall be designated in a signed written instrument which shall be kept on file at the commission offices, and the proxy shall serve at the pleasure of the appointing member. A vacancy in the office of proxy shall be filled promptly by appointment of a new proxy.

(e) A person having an "expertise in aviation" means a person who, by way of education, training, business, experience, vocation, or avocation has acquired and possesses particular knowledge of, and familiarity with, the function, operation, and role of airports, or is an elected official of a local agency which owns or operates an airport. The commission shall be constituted pursuant to this section on and after March 1, 1988.

AERONAUTICS LAW—AIRPORTS

Action by Designated Body Instead of Commission

21670.1. (a) Notwithstanding any other provision of this article, if the board of supervisors and the city selection committee of mayors in the county each makes a determination by a majority vote that proper land use planning can be accomplished through the actions of an appropriately designated body, then the body so designated shall assume the planning responsibilities of an airport land use commission as provided for in this article, and a commission need not be formed in that county.

(b) A body designated pursuant to subdivision (a) which does not include among its membership at least two members having an expertise in aviation, as defined in subdivision (e) of Section 21670, shall, when acting in the capacity of an airport land use commission, be augmented so that that body, as augmented, will have at least two members having that expertise. The commission shall be constituted pursuant to this section on and after March 1, 1988.

Applicability to Counties Having Over 4 Million Population

21670.2. Sections 21670 and 21670.1 do not apply to counties of more than 4 million population. In such counties, the county regional planning commission has the responsibility for coordinating the airport planning of public agencies within the county. In instances where impasses result relative to this planning, an appeal may be made to the county regional planning commission by any public agency involved. The action taken by the county regional planning commission on such an appeal may be overruled by a four-fifths vote of the governing body of a public agency whose planning led to the appeal.

Airport Owned by a City, District, or County; Appointment of Certain Members by Cities and Counties

21671. In any county where there is an airport operated for the general public which is owned by a city or district in another county or by another county, one of the representatives provided by paragraph (1) of subdivision (b) of Section 21670 shall be appointed by the city selection committee of mayors of the cities of the county in which the owner of that airport is located, and one of the representatives provided by paragraph (2) of subdivision (b) of Section 21670 shall be appointed by the board of supervisors of the county in which the owner of that airport is located.

Term of Office; Removal of Members; Vacancies; Compensation; Staff Assistance; Meetings

21671.5. Except for the terms of office of the members of the first commission, the term of office of each member shall be four years and until the appointment and qualification of his successor. The members of the first commission shall classify themselves by lot so that the term of office of one member is one year, of two members is two years, of two members is three years, and of two members is four years. The body which originally appointed a member whose term has expired shall appoint his successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing him. The expiration date of the term of office of each member shall be the first Monday in May in the year in which his term is to expire. Any vacancy in the membership of the commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant. The chairman of the commission shall be selected by the members thereof.

Compensation, if any, shall be determined by the board of supervisors.

AERONAUTICS LAW—AIRPORTS

Staff assistance, including the mailing of notices and the keeping of minutes, and necessary quarters, equipment, and supplies shall be provided by the county. The usual and necessary operating expenses of the commission shall be a county charge.

Notwithstanding any other provisions of this article, the commission shall not employ any personnel either as employees or independent contractors without the prior approval of the board of supervisors.

The commission shall meet at the call of the commission chairman or at the request of the majority of the commission members.

Rules and Regulations

21672. Each commission shall adopt rules and regulations with respect to the temporary disqualification of its members from participating in the review or adoption of a proposal because of conflict of interest and with respect to appointment of substitute members in such cases.

Initiation of Proceedings for Creation by Owner of Airport

21673. In any county not having a commission or a body designated to carry out the responsibilities of a commission, any owner of a public airport may initiate proceedings for the creation of a commission by presenting a request to the board of supervisors that a commission be created and showing the need therefor to the satisfaction of the board of supervisors.

Powers and Duties

21674. The commission has the following powers and duties, subject to the limitations upon its jurisdiction set forth in Section 21676:

(a) To assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses.

(b) To coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.

(c) To prepare and adopt an airport land use plan pursuant to Section 21675.

(d) To review the plans, regulations, and other actions of local agencies and airport operators pursuant to Section 21676.

(e) The powers of the commission shall in no way be construed to give the commission jurisdiction over the operation of any airport.

(f) In order to carry out its responsibilities, the commission may adopt rules and regulations consistent with this article.

Land Use Plan

21675. (a) Each commission shall formulate a comprehensive land use plan that will provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission, and will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The commission plan shall include a long-range master plan that reflects the anticipated growth of the airport during at least the next 20 years. In formulating a land use plan, the commission may develop height restrictions on buildings, may specify use of land, and may determine building standards, including soundproofing adjacent to airports, within the planning area. The comprehensive land use plan shall be reviewed as often as necessary in order to accomplish its purposes, but shall not be amended more than once in any calendar year.

(b) The commission may include, within its plan formulated pursuant to subdivision (a), the area within the jurisdiction of the commission surrounding any federal military airport for all the purposes specified in subdivision (a). This

subdivision does not give the commission any jurisdiction or authority over the territory or operations of any military airport.

(c) The planning boundaries shall be established by the commission after hearing and consultation with the involved agencies.

Review of Local General Plans

21676. (a) Each local agency whose general plan includes areas covered by an airport land use commission plan shall, by July 1, 1983, submit a copy of its plan or specific plans to the airport land use commission. The commission shall determine by August 31, 1983, whether the plan or plans are consistent or inconsistent with the commission's plan. If the plan or plans are inconsistent with the commission's plan, the local agency shall be notified and that local agency shall have another hearing to reconsider its plans. The local agency may overrule the commission after such hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670.

(b) Prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission pursuant to Section 21675, the local agency shall first refer the proposed action to the commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The local agency may, after a public hearing, overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670.

(c) Each public agency owning any airport within the boundaries of an airport land use commission plan shall, prior to modification of its airport master plan, refer such proposed change to the airport land use commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. The public agency may, after a public hearing, overrule the commission by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article stated in Section 21670.

(d) Each commission determination pursuant to subdivision (b) or (c) shall be made within 60 days from the date of referral of the proposed action. If a commission fails to make the determination within that period, the proposed action shall be deemed consistent with the commission's plan.

Review of Local Plans

21676.5. (a) If the commission finds that a local agency has not revised its general plan or specific plan or overruled the commission by a two-thirds vote of its governing body after making specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670, the commission may require that the local agency submit all subsequent actions, regulations, and permits to the commission for review until its general plan or specific plan is revised or the specific findings are made. If, in the determination of the commission, an action, regulation, or permit of the local agency is inconsistent with the commission plan, the local agency shall be notified and that local agency shall hold a hearing to reconsider its plan. The local agency may overrule the commission after the hearing by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670.

(b) Whenever the local agency has revised its general plan or specific plan or has overruled the commission pursuant to subdivision (a), the proposed action of the local agency shall not be subject to further commission review, unless the

commission and the local agency agree that individual projects shall be reviewed by the commission.

Marin County Override Provisions

21677. Notwithstanding Section 21676, any public agency in the County of Marin may overrule the Marin County Airport Land Use Commission by a majority vote of its governing body.

Airport Owner's Immunity

21678. With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676 or 21676.5 overrides a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to override the commission's action or recommendation.

Court Review

21679. (a) In any county in which there is no airport land use commission or other body designated to assume the responsibilities of an airport land use commission, or in which the commission or other designated body has not adopted an airport land use plan, an interested party may initiate proceedings in a court of competent jurisdiction to postpone the effective date of a zoning change, a zoning variance, the issuance of a permit, or the adoption of a regulation by a local agency, which directly affects the use of land within one mile of the boundary of a public airport within the county.

(b) The court may issue an injunction which postpones the effective date of the zoning change, zoning variance, permit, or regulation until the governing body of the local agency which took the action does one of the following:

(1) In the case of an action which is a legislative act, adopts a resolution declaring that the proposed action is consistent with the purposes of this article stated in Section 21670.

(2) In the case of an action which is not a legislative act, adopts a resolution making findings based on substantial evidence in the record that the proposed action is consistent with the purposes of this article stated in Section 21670.

(3) Rescinds the action.

(4) Amends its action to make it consistent with the purposes of this article stated in Section 21670, and complies with either paragraph (1) or (2) of this subdivision, whichever is applicable.

(c) The court shall not issue an injunction pursuant to subdivision (b) if the local agency which took the action demonstrates that the general plan and any applicable specific plan of the agency accomplishes the purposes of an airport land use plan as provided in Section 21675.

(d) An action brought pursuant to subdivision (a) shall be commenced within 30 days of the decision or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever is longer.

(e) If the governing body of the local agency adopts a resolution pursuant to subdivision (b) with respect to a publicly owned airport that the local agency does not operate, the operator of the airport shall be immune from liability for damages to property or personal injury from the local agency's decision to proceed with the zoning change, zoning variance, permit, or regulation.

(f) As used in this section, "interested party" means any owner of land within two miles of the boundary of the airport or any organization with a demonstrated interest in airport safety and efficiency.

APPENDIX C

THE PLANNING AND ZONING LAW
(California Government Code)

TITLE 7. PLANNING AND LAND USE

DIVISION 1. PLANNING AND ZONING

Article 5. Authority for and Scope of General Plans

SECTION 1. Section 65302.3 of the Government Code is amended to read:

65302.3. (a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

(b) The general plan, and any applicable specific plan, shall be amended, as necessary, within 180 days of any amendment to the plan required under Section 21675 of the Public Utilities Code.

(c) If the legislative body does not concur with any provision of the plan required under Section 21675 of the Public Utilities Code, it may satisfy the provisions of this section by adopting findings pursuant to Section 21676 of the Public Utilities Code.

CREDITS

SACRAMENTO AREA COUNCIL OF GOVERNMENTS

**Michael Hoffacker, Executive Director
Carl Kuhn, Deputy Executive Director
Peter Hill, Planning Manager**

PROJECT STAFF

**David Boyer, Associate Planner
Anthony Eulo, Planner II**

SUPPORT STAFF

**Beverly Budig, Secretary
Roy Tellefson, Graphics Supervisor
Sandra Monroe, Administrative Clerk III**

1983

DEPARTMENT OF JUSTICE

Michael Hoffmann, Executive Director
Carl Mann, Deputy Executive Director
Ralph Hill, Planning Manager

MEMBER STATE

David Soper, Associate Manager
Anthony E. Pinner, II

MEMBER STATE

Kevin J. Budy, Secretary
Ray Johnson, Executive Director
Lester H. Brown, Executive Director III