



Chapter **2**

BASIC PROVISIONS

Basic Provisions

2.1. Purpose and Use

- 2.1.1. *El Dorado County Airport Land Use Commission:* The El Dorado County Airport Land Use Commission (ALUC) is formed and operates in accordance with the requirements of California state law. The El Dorado County Transportation Commission (EDCTC) is designated to serve as the El Dorado County ALUC.¹
- 2.1.2. *Airport Land Use Compatibility Plans for Individual Airports in El Dorado County:* With limited exceptions, California law requires an airport land use compatibility plan for each public-use and military airport in the state. This document, the *El Dorado County Airport Land Use Airport Land Use Compatibility Plan (ALUCP)* contains the individual *ALUCP* for each of the three public-use airports on the western slope of El Dorado County.² There are no military airports in the county.
- (a) The three airports covered by this *ALUCP* are:
- (1) Cameron Airpark Airport, a public-use, privately owned airport.
 - (2) Georgetown Airport, a public-use airport owned by the County of El Dorado.
 - (3) Placerville Airport, a public-use airport owned by the County of El Dorado.
- (b) The policies in this document are divided into five chapters. The policies in Chapters 2 through 5 together with the respective airport-specific policies in Chapter 6 comprise the *ALUCP* for each airport.
- (1) Chapters 2 through 5 contain policies applicable separately but uniformly to the *ALUCP* for each of the three airports.
 - (2) Chapter 6 provides airport-specific land use compatibility policies. These policies consist of a set of five maps for each airport plus any compatibility criteria unique to a particular airport.
- 2.1.3. *Basic Purpose:* The basic purpose of this *ALUCP* is to articulate procedures and criteria established in accordance with the California State Aeronautics Act,³ applicable to airport land use compatibility planning in the vicinity of the airports under the jurisdiction of the

¹ *Public Utilities Code Sections 21670 and 21670.1.*

² Lands and airports within the Tahoe Regional Planning Agency boundaries are not within the El Dorado County ALUC jurisdiction and are not addressed by this document.

³ *Public Utilities Code Section 21670 et seq.*

ALUC. Another purpose of this *ALUCP* is to establish policies applicable to ALUC review of airport master plans and plans for construction of any new airport or heliport.⁴

2.1.4. *Effective Date:* The policies herein are effective as of the date that the ALUC adopts the *ALUCP* for each airport.

(a) The effective date of the respective *ALUCP* for each airport is:

- (1) Cameron Airpark Airport – June 28, 2012
- (2) Georgetown Airport – June 28, 2012
- (3) Placerville Airport – June 28, 2012

(b) The previous *ALUCPs*—then referred to as Comprehensive Land Use Plans (CLUPs)—for the three airports addressed by this *ALUCP* were adopted by the Foothill Airport Land Use Commission when that agency served as the ALUC for El Dorado County.

(1) The original adoption and latest amendment dates were:

- ▶ Cameron Airpark Airport – Adopted June 4, 1986
- ▶ Georgetown Airport – Adopted October 14, 1987; Revised June 5, 1996
- ▶ Placerville Airport – Adopted October 14, 1987; Revised June 5, 1996

(2) These earlier plans are in effect for each airport until the ALUC adopts the respective *ALUCP* for each airport covered by this document. If the present *ALUCP* for one or more individual airports should be invalidated by court action, the earlier plan for the affected airport or airports shall again become effective. The *ALUCP* for each unaffected airport, as contained within this document, shall remain in effect.

(c) Any project or phase of a project that has received local agency approvals sufficient to qualify it as an existing land use (see Policies 2.3.3 and 2.7.10) prior to the date of the ALUC’s adoption of the respective *ALUCPs* shall not be required to comply with the policies herein. Rather, the policies of the earlier plans (the CLUPs) shall apply.

2.1.5. *Use by ALUC:* The ALUC shall:

(a) Formally adopt this *ALUCP*.⁵

(b) When a land use or airport-related action is referred for review as provided for by Section 2.4 of this *ALUCP*, make a determination as to whether such action is consistent with the criteria set forth herein.⁶

2.1.6. *Use by Affected Local Agencies:*

(a) The policies of this *ALUCP* apply to local agencies in western El Dorado County having jurisdiction over lands within an airport influence area defined by this *ALUCP*; specifically:

- (1) County of El Dorado.
- (2) City of Placerville.

⁴ ALUC review of these airport plans is a requirement of *Public Utilities Code Sections 21676(c) and 21661.5*, respectively.

⁵ In accordance with *Public Utilities Code Section 21674(c)*.

⁶ As required by *Public Utilities Code Section 21674(d)*.

- (3) Any future city that may be incorporated within all or part of an airport influence area.
 - (4) Special districts, school districts, and community college districts.
- (b) Each of these agencies shall:
- (1) Modify its respective general plan, specific plan, and zoning ordinance to be consistent with the policies in this *ALUCP*, or take the steps required to overrule the ALUC (see Section 2.6).⁷
 - (2) Use the *ALUCP*, either directly or as reflected in the appropriately modified general plan and zoning ordinance, when making planning decisions regarding proposed development of lands within the influence areas of the airports addressed by this *ALUCP*.
 - (3) Refer proposed land use and airport actions for mandatory review by the ALUC as specified by Policies 2.4.1 and 2.4.2.⁸
- (c) Special districts, school districts, and community college districts in the western slope of El Dorado County shall:
- (1) Apply the policies of this *ALUCP* when creating plans and making other planning decisions regarding the proposed development of lands under their control within an airport influence area.
 - (2) Refer proposed land use actions for review by the ALUC as specified by Policy 2.4.3.
- (d) The entities owning each of the public-use airports addressed by this *ALUCP* shall refer proposed airport master plans and certain airport improvement plans to the ALUC for review (see Policy 2.4.2(a)). Also, any public or private entity proposing construction of a new airport or heliport for which a State Airport Permit is required must submit the proposed plans to the ALUC for land use compatibility review (see Policy 2.4.2(b)).⁹
- (e) Local agencies preparing an environmental document for any project within an airport influence area shall address the compatibility criteria contained in this *ALUCP*.¹⁰

2.2. Geographic Coverage

2.2.1. *Airport Influence Areas*: The influence area of each airport addressed by this *ALUCP* encompasses all lands on which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restriction

⁷ Required by *Public Utilities Code Section 21676(a)*.

⁸ Also, local agencies are requested to voluntarily refer certain major land use actions to the ALUC for informal review and comment. See Policy 2.4.4.

⁹ Required by *Public Utilities Code Sections 21661.5, 21664.5, and 21676(c)*.

¹⁰ The California Environmental Quality Act (CEQA) requires environmental documents for projects situated within an airport influence area to evaluate whether the project would expose people residing or working in the project area to excessive levels of airport-related noise or to airport-related safety hazards (*Public Resources Code Section 21096*). For projects in western El Dorado County, the criteria in this *ALUCP* provide the primary basis for these evaluations. The law also specifically requires that the *Airport Land Use Planning Handbook* published by the California Division of Aeronautics be utilized as a technical resource when preparing these environmental documents.

on those uses.¹¹ The airport influence area constitutes the area within which certain land use actions are subject to ALUC review to determine consistency with *ALUCP* policies.

- (a) In delineating the influence area of each airport, the geographic extent of the four types of compatibility concerns are considered. The policies in Chapter 4 and maps in Chapter 6 of this *ALUCP* separately address each of these four concerns within its own “layer” representing that particular compatibility factor.
 - (1) Noise: Locations exposed to potentially disruptive levels of aircraft noise.
 - (2) Safety: Locations where the risk of an aircraft accident poses heightened safety concerns for people and property on the ground.
 - (3) Airspace Protection: Locations where height and other land use characteristics need to be restricted to prevent creation of physical, visual, or electronic hazards to flight within the airspace required for operation of aircraft to and from the airport.
 - (4) Overflight: Locations where overflying aircraft can be intrusive and annoying to many people.
- (b) Other impacts potentially associated with airport operations (e.g., air pollution, automobile traffic, etc.) are not addressed in this *ALUCP* and are not factors that the ALUC shall consider in reviewing land use projects.

2.2.2. *Review Areas:* Each airport influence area is divided into two sub-areas: Review Area 1 and Review Area 2. The requirements for referral of Major Land Use Actions to the ALUC for review differ between these two areas (see Policy 2.4.5). The airport influence area maps in Chapter 6 depict the limits of each of the two review areas.

- (a) Review Area 1 encompasses locations where all four factors (noise, safety, airspace protections, and overflight) represent compatibility concerns.
- (b) Review Area 2 includes locations where airspace protection and/or overflight are compatibility concerns, but not noise or safety.

2.2.3. *New Airports and Heliports:* If any new public-use, special-use, personal-use (if a permit is required from the California Division of Aeronautics), or military airport or heliport is proposed within the area of jurisdiction of the El Dorado County ALUC, the policies contained in Section 5.2 of this *ALUCP* shall be used to evaluate that proposal.¹²

2.3. Limitations of the ALUC and ALUCP

- 2.3.1. *Agencies Not Affected by this ALUCP:* Lands controlled by federal or state agencies or by Native American tribes are not subject to the provisions of this *ALUCP*.
- 2.3.2. *Airport Operations:* Neither the ALUC nor this *ALUCP* have authority over airport operations including where and when aircraft fly, the types of aircraft flown, and other aspects of aviation.¹³ ALUC authority over the planning and design of aviation-related uses is limited to the following:

¹¹ The basis for delineating the airport influence area is set by state law in *Business and Professions Code Section 11010*.

¹² ALUC review of plans for new airports or heliports is required by *Public Utilities Code Section 21661.5*. Definitions of classes of airports are found in *California Code of Regulations Section 3527* and included in the Glossary (Appendix H) of this *ALUCP*.

¹³ This is an explicit limitation of state law under *Public Utilities Code Section 21674(e)*.

- (a) To the extent that the associated aviation-related facilities or activities could have off-airport land use compatibility implications and review of the proposed plans or design is required under state law (see Policy 2.4.2).
- (b) Non-aviation development of airport property is subject to ALUC review in the same manner that ALUC review is required for non-aviation development actions off airport property. The review may take place as part of an airport master plan or on an individual development project basis (see Policy 2.4.5(c)).

2.3.3. *Existing Land Uses:* The policies of this *ALUCP* do not apply to existing land uses.¹⁴ A land use is considered to be “existing” when one or more of the below conditions has been met prior to the adoption date of the *ALUCP* by the ALUC.

- (a) Qualifying Criteria: An existing land use is one that either physically exists or for which local agency commitments to the proposal have been obtained in one or more of the following manners:
 - (1) A tentative parcel or subdivision map has been approved and not expired;
 - (2) A vesting tentative parcel or subdivision map has been approved;
 - (3) A development agreement has been approved and remains in effect;
 - (4) A final subdivision map has been recorded;
 - (5) A use permit or other discretionary entitlement has been approved and not yet expired; or
 - (6) A valid building permit has been issued and not yet expired.
- (b) Filing of a new version of any of the approval documents listed in Paragraph (a) of this policy means that the use no longer qualifies as existing and, therefore, is subject to ALUC review in accordance with the policies of Chapter 3.
- (c) Expiration of Local Agreements: If a local agency’s commitment to a development proposal expires, the proposal will no longer qualify as an “existing” land use. As such, the proposal shall be subject to the criteria of this *ALUCP*.
- (d) Existing Nonconforming Uses: The ALUC has no ability to reduce or remove existing incompatible land uses from airport environs. However, proposed changes to existing uses (i.e., reconstruction, redevelopment) *are* subject to ALUC review if the changes would result in increased nonconformity with the compatibility criteria (see Policy 4.6.3).

2.3.4. *Development by Right:*

- (a) Nothing in this *ALUCP* prohibits:
 - (1) Construction of a single-family home on a legal lot of record as of the date of adoption of this *ALUCP* provided that the home is not within Safety Zone 1 or the CNEL 65 dB contour and the use is permitted by local land use regulations.
 - (2) Construction of a secondary unit as defined by state law.
 - (3) Lot line adjustments provided that new developable parcels would not be created and the resulting density or intensity of the affected property would not exceed the applicable safety criteria indicated in **Table 2**.

¹⁴ This is an explicit limitation of *Public Utilities Code Sections 21670(a)* and *21674(a)*.

- (4) Construction or establishment of a family day care home serving 14 or fewer children either in an existing dwelling or in a new dwelling permitted by the policies of this *ALUCP*.
- (b) The sound attenuation and avigation easement dedication requirements set by Policies 4.2.3 and 4.6.1 shall apply to development permitted under this policy.

2.4. Actions Subject to ALUC Review

- 2.4.1. *Mandatory Referral of Land Use Actions:* Prior to approving any of the following types of land use actions, the affected local agency (see Policy 2.1.6(a)) must refer the action to the ALUC for a determination of consistency with the policies of this *ALUCP*.¹⁵
- (a) The adoption or approval of any new general or specific plan or any amendment thereto that affects land anywhere within an airport influence area.
 - (b) The adoption or approval of a zoning ordinance or building regulation, including any proposed change or variance to any such ordinance or regulation, that affects land anywhere within an airport influence area.
- 2.4.2. *Mandatory Referral of Airport Planning and Development Actions:* Certain actions involving planning for or development of airport property are subject to ALUC review.
- (a) Prior to approving either of the following types of airport planning and development actions, the airport owner must refer the action to the ALUC for determination of consistency with this *ALUCP*:
 - (1) Adoption or modification of a master plan.¹⁶
 - (2) Any proposal for “expansion” of an existing airport or heliport if such expansion will require an amended Airport Permit from the State of California.¹⁷
 - (b) Any proposal for a new airport or heliport whether for public use or private use must be submitted for ALUC review if the facility requires a state airport permit.¹⁸
- 2.4.3. *Interim Mandatory Referral of Major Land Use Actions:* In addition to the actions listed in Policies 2.4.1 and 2.4.2 for which referral to the ALUC is always required, referral of certain other actions is mandatory as follows.
- (a) During the interim mandatory review period, all “Major Land Use Actions” of the types listed in Policy 2.4.5 are required to be referred to the ALUC for review. Referral of lesser actions of types not included on the list is optional.¹⁹
 - (b) Referral of Major Land Use Actions” is mandatory only until such time as:

¹⁵ Required by *Public Utilities Code Section 21676(b)*.

¹⁶ Required by *Public Utilities Code Section 21676(c)*.

¹⁷ *Public Utilities Code Section 21664.5* defines “expansion” to include construction of a new runway, extension or realignment of an existing runway, or related acquisition of land for these facilities or associated runway protection zones.

¹⁸ Required by *Public Utilities Code Section 21661.5*. Airports and heliports requiring state permits are defined in *California Code of Regulations Title 21 Sections 3525 through 3560*.

¹⁹ Under the conditions indicated in Policy 2.4.3(b), state law (*Public Utilities Code Section 21676.5(a)*) allows ALUCs to require local agencies to refer *all* actions, regulations, and permits involving land within an airport influence area to the ALUC for review. The ALUC has opted to reduce this all inclusive list to just “major land use actions.”

- (1) The ALUC finds that a local agency's general plan or specific plan is consistent with the *ALUCP*; or
- (2) The local agency has overruled the ALUC determination of inconsistency (see Section 2.6).

2.4.4. *Voluntary Referral of Major Land Use Actions:* After a local agency has revised its general plan or specific plan to be consistent with this *ALUCP* (see Section 2.5) or has overruled the ALUC, referral of major land use actions for ALUC review is optional.²⁰

- (a) The ALUC requests local agencies to continue to refer Major Land Use Actions as listed in Policy 2.4.5 for informal review and comment. ALUC review of these types of projects can serve to enhance their compatibility with airport activity.
- (b) The ALUC Executive Director is authorized on behalf of the ALUC to provide comments on Major Land Use Actions referred to the ALUC on a voluntary basis.
- (c) Because the ALUC reviews of land use actions under these circumstances do not represent formal consistency determinations as is the case with actions referred under Policies 2.4.1 or 2.4.3, local agencies are not required to adhere to the overruling process if they elect to approve a project without incorporating design changes or conditions recommended by the ALUC or ALUC Executive Director.

2.4.5. *Major Land Use Actions:* The scope or character of certain Major Land Use Actions, as listed below, is such that their compatibility with airport activity is a potential concern. Even though these actions may be basically consistent with the local general plan or specific plan, sufficient detail may not be known to enable a full airport compatibility evaluation at the time that the general plan or specific plan is reviewed. To enable better assessment of compliance with the compatibility criteria set forth herein, ALUC review of these actions may be warranted. The circumstances under which ALUC review of these actions is to be conducted are indicated in Policies 2.4.3 and 2.4.4 above. Actions not listed do not require review.

- (a) Actions Affecting Land Uses within Review Area 1:
 - (1) Any proposed expansion of the sphere of influence of a city or district.
 - (2) Proposed pre-zoning associated with future annexation of land to a city.
 - (3) Proposed development agreements or amendments to such agreements.
 - (4) Proposed residential development, including land divisions, consisting of 5 or more dwelling units or parcels.
 - (5) Any discretionary development proposal for projects having a building floor area of 20,000 square feet or greater unless only ministerial approval is required.
 - (6) Any discretionary development proposal for projects attracting more than 100 people (including employees, customers/visitors) to outdoor activities on the project site.
 - (7) Major infrastructure or other capital improvements which would promote urban uses in undeveloped or agricultural areas to the extent that such uses are not reflected in a previously reviewed general plan or specific plan.

²⁰ Once the conditions indicated in Policy 2.4.3(b) have been met, the ALUC no longer has authority under state law to require that all actions, regulations, and permits be referred for review. However, the ALUC and the local agency can agree that the ALUC should continue to receive, review, and comment upon individual projects.

- (8) Proposed land acquisition by a local agency for any facility accommodating a congregation of people.
- (9) Any non-aviation use of off-airport land within Safety Zone 1.
- (b) Actions Affecting Land Uses Anywhere in an Influence Area:
 - (1) Any proposed object (including buildings, antennas, and other built or erected structures) having a height that requires review by the Federal Aviation Administration (FAA) in accordance with Part 77 of the Federal Aviation Regulations (see Appendix C).
 - (2) Any project having the potential to create electrical or visual hazards to aircraft in flight (see Policy 4.4.3), including:
 - Electrical interference with radio communications or navigational signals;
 - Lighting which could be mistaken for airport lighting;
 - Glare in the eyes of pilots of aircraft using the airport; and
 - Impaired visibility near the airport.
 - (3) Any project (e.g., water treatment facilities, waste transfer or disposal facilities, parks with open water areas) or plan (e.g., Habitat Conservation Plan) having the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the vicinity of an airport.
- (c) Proposed Non-Aviation Development of Airport Property: Review is required if such development has not previously been included in an airport master plan, general plan, or specific plan reviewed by the ALUC.
- (d) Proposed Redevelopment: Redevelopment projects are subject to the provisions of this *ALUCP* to the same extent as other forms of proposed development (see Policy 2.7.31 for definition and Policy 4.6.5 for additional guidance).
- (e) Other Actions: At its discretion, the local planning agency may submit for ALUC review any other proposed land use action involving a question of compatibility with airport activities.

2.4.6. *Environmental Documents*: Referring California Environmental Quality Act (CEQA) environmental documents for ALUC review is not required. However, if an environmental document has been prepared for a land use action referred to the ALUC for a consistency review, a copy shall be provided as part of the referral. Changes to the environmental document also should be recirculated for ALUC review if the changes affect the airport compatibility of the project.

2.5. General Plan and Specific Plan Consistency with ALUCP

- 2.5.1. *Statutory Requirement*: State law requires each local agency having territory within an airport influence area to modify its general plan and any applicable specific plan to be consistent with the ALUCP for the particular airport unless it takes the steps indicated in Section 2.6 to overrule the ALUC. In order for a general plan to be considered consistent with this *ALUCP*, the following must be accomplished:²¹
- 2.5.2. *Elimination of Conflicts*: No direct conflicts can exist between the two plans.

²¹ See Chapter 1 and Appendix F for additional guidance.

- (a) Direct conflicts primarily involve general plan land use designations that do not meet the density or intensity criteria specified in Chapter 4 of this *ALUCP*. In addition, conflicts with regard to other policies—height limitations in particular—may exist.
- (b) A general plan cannot be found inconsistent with the *ALUCP* because of land use designations that reflect existing land uses even if those designations conflict with the compatibility criteria of this *ALUCP*. General plan land use designations that merely reflect the existing uses are exempt from requirements for general plan consistency with the *ALUCP*.²²
- (c) Proposed redevelopment or other changes to existing land uses are not exempt from compliance with this *ALUCP* and are subject to ALUC review in accordance with Policy 4.6.5. To ensure that nonconforming uses do not become more nonconforming, either general plans or implementing documents must include policies setting limitations on expansion and reconstruction of nonconforming uses located within an airport influence area consistent with Policies 4.6.3 and 4.6.4 of the *ALUCP*.
- (d) To be consistent with the *ALUCP*, a general plan and/or implementing ordinance also must include provisions ensuring long-term compliance with the compatibility criteria. For example, future reuse of a building must not result in a usage intensity that exceeds the applicable standard or other limit approved by the ALUC.

2.5.3. *Establishment of Review Process:* Local agencies must define the process they will follow when reviewing proposed land use development within an airport influence area to ensure that the development will be consistent with the policies set forth in this *ALUCP*. A general plan consistency checklist is provided in Appendix F.

- (a) Specifically, the process established must ensure that the proposed development is consistent with the land use or zoning designation indicated in the local agency's general plan, specific plan, zoning ordinance, and/or other development regulations that the ALUC has previously found consistent with this *ALUCP* and that the development's subsequent use or reuse will remain consistent with the policies herein over time. Additionally, consistency with other applicable compatibility criteria—e.g., usage intensity, height limitations, aviation easement dedication—must be assessed.
- (b) This review process may be described either within land use plans themselves or in implementing ordinances. Local jurisdictions have the following choices for satisfying this review process requirement:
 - (1) Sufficient detail can be included in the general plan and/or referenced implementing ordinances and regulations to enable the local jurisdiction to assess whether a proposed development fully meets the compatibility criteria specified in the applicable *ALUCP* (this means both that the compatibility criteria be identified and that project review procedures be described);
 - (2) The *ALUCP* can be adopted by reference (in this case, the project review procedure must be described in a separate policy document or memorandum of understanding presented to and accepted by the ALUC); and/or
 - (3) The general plan can indicate that all land use actions, or a list of action types agreed to by the ALUC, shall be submitted to the ALUC for review in accordance with the policies of Section 3.3.

²² This exemption derives from state law which proscribes ALUC authority over existing land uses.

2.6. Overruling the ALUC

- 2.6.1. *ALUC Determination of "Inconsistent"*: If the ALUC determines that a proposed land use action, regulation, or permit or a proposed airport project is inconsistent with the *ALUCP*, the ALUC must notify the local agency and shall indicate the reasons for the inconsistency determination.
- 2.6.2. *Overruling of ALUC by Local Agency*: If a local agency wishes to proceed with a proposed action, regulation, permit, or project that the ALUC has determined to be inconsistent with the *ALUCP*, the local agency must overrule the ALUC determination. To do so, the local agency must make the findings and follow the notification and voting requirements specified in state law.²³
- 2.6.3. *ALUC Comments on Proposed Overruling*: The ALUC may provide comments on the proposed overruling decision and the local agency shall make any such comments part of the final record on the decision to overrule.²⁴ The ALUC delegates to the ALUC Executive Director the authority to provide comments.

2.7. Definitions

The following definitions apply for the purposes of the policies set forth in this *ALUCP*. Additional terms are defined in the *Glossary*.

- 2.7.1. *Airport*: Cameron Airpark Airport, Georgetown Airport, Placerville Airport or any new public-use or military airport that may be created within the western El Dorado County area under the jurisdiction of the El Dorado County ALUC.
- 2.7.2. *Airport Influence Area*: An area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses. The airport influence area constitutes the area within which certain land use actions are subject to ALUC review to determine consistency with the policies herein. The influence areas for each airport covered by this *ALUCP* are presented in Chapter 6.
- 2.7.3. *Airport Land Use Commission (ALUC)*: The El Dorado County Transportation Commission or a legally established successor agency acting as the Airport Land Use Commission for El Dorado County.
- 2.7.4. *Airport Land Use Commission Executive Director*: The Executive Director of the El Dorado County Transportation Commission.
- 2.7.5. *Airport Land Use Compatibility Plan (ALUCP)*: This document, the *El Dorado County Airport Land Use ALUCP*, which includes the individual *ALUCPs* for Cameron Airpark Airport, Georgetown Airport, and Placerville Airport.
- 2.7.6. *Airspace Protection Surfaces*: Imaginary surfaces in the airspace surrounding the Airport defined in accordance with criteria set forth in Federal Aviation Regulations Part 77. These surfaces establish the maximum height that objects on the ground can reach

²³ *Public Utilities Code Sections 21676 and 21676.5* establish the procedures for overruling the ALUC. Further guidance is provided in the *California Airport Land Use Handbook* published by the California Division of Aeronautics (see beginning on page 5-15 of the 2011 edition). Also see Chapter 1 of this *ALUCP* for a summary of the statutory requirements.

²⁴ This is a requirement of *Public Utilities Code Sections 21676 and 21677.5*.

- without potentially creating constraints or hazards to the use of the airspace by aircraft approaching, departing, or maneuvering in the vicinity of the airport. The Airspace Protection Surfaces for each airport addressed by this *ALUCP* are presented in Chapter 6.
- 2.7.7. *Ancillary Use*: A use occupying no more than 10% of total building floor area.
- 2.7.8. *Aviation-Related Use*: Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include, but are not limited to, runways, taxiways, and their associated protection areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations facilities, terminal buildings, etc.
- 2.7.9. *Aviation Easement*: An easement that conveys rights associated with aircraft overflight of a property and establishes restrictions on use of the underlying property. See Policy 4.6.1 for areas requiring an aviation easement and Appendix G for sample language.
- 2.7.10. *Compatibility Zone*: Any of the noise, safety, airspace protection, or overflight zones established herein.
- 2.7.11. *Critical Airspace Protection Zone*: A compatibility zone consisting of the Federal Aviation Regulations (FAR) Part 77 primary surface, the area beneath portions of the approach and transitional surfaces to where these surfaces intersect with the horizontal surface, and the High Terrain Zone.
- 2.7.12. *Density*: The number of dwelling units per acre. Density is used in this *ALUCP* as the measure by which proposed residential development is evaluated for compliance with safety compatibility criteria (compare *intensity*).
- 2.7.13. *Existing Land Use*: A land use that either physically exists or for which local agency commitments to the proposal have been obtained.
- 2.7.14. *Heliport*: A helicopter landing facility for which a Heliport Permit is required from the California Department of Transportation. Public-use and special-use heliports (including those at hospitals) are included within this definition, but helipads (see Glossary) located on an airport are excluded.
- 2.7.15. *High Noise/Risk Zone*: A compatibility zone encompassing all areas within the CNEL 55 dB contour, Safety Zones 1 through 5, and the Critical Airspace Protection Zone.
- 2.7.16. *High Terrain Zone*: An area encompassing locations where the ground elevation exceeds or is within 35 feet beneath an airspace protection surface.
- 2.7.17. *Infill*: Development of vacant or underutilized land within established communities or neighborhoods that are comprised of existing uses inconsistent with the compatibility criteria set forth in this *ALUCP*.
- 2.7.18. *Intensity*: The number of people per acre. Intensity is used in this *ALUCP* as the measure by which most proposed nonresidential development is evaluated for compliance with safety compatibility criteria (compare *density*).
- 2.7.19. *Land Use of Special Concern*: A land use that represents special safety concerns irrespective of the number of people associated with the use. Specifically: uses having vulnerable occupants; hazardous materials storage; and critical community infrastructure.
- 2.7.20. *Local Agency*: The County of El Dorado, the City of Placerville, and any other local governmental entity such as a special district, school district, or community college

- district—including any future city or district—having jurisdictional territory lying within an airport influence area as defined herein.
- 2.7.21. *Major Land Use Action*: Actions related to proposed land uses for which compatibility with airport activity is a particular concern, but for which ALUC review is not always mandatory under state law.
- 2.7.22. *Noise Impact Area*: An area, defined in terms of Community Noise Equivalent Level (CNEL), within which the noise impacts generated by aircraft activity at an airport may represent a land use compatibility concern. The noise impact zones for each airport are depicted in Chapter 6.
- 2.7.23. *Noise-Sensitive Land Uses*: Land uses for which the associated primary activities, whether indoor or outdoor, are susceptible to disruption by loud noise events. Types of noise sensitive land uses include, but are not limited to, the following: residential, hospitals, nursing facilities, intermediate care facilities, educational facilities, libraries, museums, places of worship, child-care facilities, and certain types of passive recreational parks and open space.
- 2.7.24. *Nonconforming Use*: An existing land use that does not comply with the compatibility criteria set forth in this *ALUCP*.
- 2.7.25. *Object Free Area (OFA)*: An area on the ground surrounding an airport runway within which the Federal Aviation Administration (FAA) prohibits all objects except certain ones necessary for aircraft navigation or maneuvering. The OFA dimensions to be applied for the purposes of this *ALUCP* are as established by the FAA.
- 2.7.26. *Override*: An action that a local agency can take in accordance with provisions of state law if it wishes to proceed with a proposed project affecting lands within the airport influence area when the ALUC has determined the action to be inconsistent with this *ALUCP*.
- 2.7.27. *Project: Land Use Action; Development Proposal*: Terms referring to the types of land use matters, either publicly or privately sponsored, that are subject to the provisions of this *ALUCP*.
- 2.7.28. *Real Estate Transaction Disclosure*: A form of buyer awareness documentation required by California state law and applicable to many transactions involving residential real estate including previously occupied dwellings. Disclosure notifies a prospective buyer that the property is located in proximity to an airport and may be subject to annoyances and inconveniences associated with the flight of aircraft to, from, and around the airport.
- 2.7.29. *Reconstruction*: The rebuilding of an existing nonconforming structure that has been fully or partially destroyed as a result of a calamity (as opposed to redevelopment which may involve intentional destruction of structures).
- 2.7.30. *Recorded Overflight Notification*: A form of buyer awareness documentation recorded in the title of a property stating that the property may be subject to annoyances and inconveniences associated with the flight of aircraft to, from, and around a nearby airport. Unlike an *avigation easement*, a *recorded overflight notification* does not convey property rights from the property owner to the airport and does not restrict the height of objects.
- 2.7.31. *Redevelopment*: Replacement or expansion of existing structures or uses on a site with new or additional structures or uses to replace an existing use at a density or intensity that may vary from the existing use.

- 2.7.32. *Residential Development:* Any subdivision of land for residential purposes or any construction of residential units other than on a designated single-family residential parcel.
- 2.7.33. *Routine Overflight Zone:* The area commonly overflown by aircraft at an altitude of approximately 1,000 feet or less as they approach, depart, or engage in flight training at an airport.

This page intentionally blank