

Plumas County Airport Land Use Commission Policies, Rules and Regulations

On July 10, 2007, the Plumas County Board of Supervisors re-instated the Plumas County Airport Land Use Commission (ALUC). The following policies, rules and regulations were adopted on February 27, 2008. These Policies, Rules and Regulations were adopted in order for the ALUC to meet its responsibilities in compliance with PUC 21670 thru 21679.5.

I. ALUC Responsibilities

In the broadest sense, the law defines the powers and duties of ALUCs in terms which parallel the Commission' purpose:

“To assist local agencies in ensuring compatible land use 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” (Section 21674(a)).

To fulfill this basic obligation, ALUCs have two specific duties:

A. Prepare Compatibility Plans

The Commission is required to “prepare and adopt” an airport land use plan for each of the airports within its jurisdiction (Sections 21674(c) and 21675(a)). In the case of Plumas County, this requirement applies to three County-owned airports: Rogers Airport at Chester, Gansner Airport at Quincy, and Nervino Airport at Beckwourth.

B. Review Local Agency Land Use Actions and Airport Plans

The Commission's second duty is to “reviw the plans, regulations, and other actions of local agencies and airport operators...” (Section 21674(d)) The ALUC is required to review certain types of actions taken by the County or other local agencies, and developments proposed by other parties, which affect land use in the vicinity of airports, to ensure that the proposed action is consistent with the ALUCP.

II. Meeting

A. Protocols

- ❖ Treat everyone with respect
- ❖ Focus questions and comments on the subject at hand and stick to the agenda.
- ❖ Let others finish before speaking.
- ❖ Share the air—let others speak before speaking twice.
- ❖ Collaborate with other committee members—seek to find common ground.
- ❖ Participate.
- ❖ Notify the Chair if you are unable to attend a meeting. If you are unable to reach the Chair, please contact the Vice Chair.

- ❖ Arrive on time.
- ❖ Read materials in advance.

B. Frequency

The ALUC will meet on the third Wednesday of every month. The agenda stating the time, location and order of business will vary and will be posted in various locations around the county. In addition, when possible the posting will be in the newspaper and announced on the local radio stations.

C. Decision Making

When it is necessary for the Commission to take action on an issue, PUC 21671.5.e will be adhered to. That is, "No action shall be taken by the Commission except by the recorded vote of a majority of the full membership."

D. Guidelines

- ❖ Meeting agenda will be sent at least one week prior to the meeting.
- ❖ Each meeting will include a dedicated time for public input.
- ❖ When possible, discussion materials will be provided in advance of the meeting.
- ❖ Meeting minutes will be provided to all Commission members.
- ❖ All subcommittee materials will be copied to all ALUC members.

III. Terms of Office

Commissioners will serve for terms defined in PUC 21671.5.a. That is for four years after the initial selection of Commissioners for which the terms will be determined by lot per PUC 21671.5.a.

IV. Officers

Officers will be that of a Chair and Vice Chair and will be selected by the Commission during a meeting that will be held in compliance with the Brown Act. Officer terms will be for two years at which time they will step down and an election will be held to select a Chair and Vice Chair. All Commission members will be eligible for nomination including past Chair and Vice Chair.

V. Proxies

Proxies must be declared in compliance with PUC 21670.d. That is, each Commissioner will appoint a proxy in writing. Staff has provided a form for this appointment. In order for the proxy to vote on any action item, they must:

- ❖ Have Attended the meeting at which the issue was discussed, or
- ❖ Have listened to a recording of the meeting at which the issue was discussed, or
- ❖ Have read the minutes of the meeting at which the issue was discussed.

VI. Conflict of Interest

When a Commissioner has a personal financial interest in an issue being considered by the Commission, that member will be temporarily disqualified from the discussion and voting on that issue. Failure of the Commissioner to declare a conflict may be cause for the Commission to recommend that the appointing body replace that Commissioner.

VII. Responsibilities of Staff

Duties usually delegated to staff are as follows:

- ❖ Coordinate with local agency staff to obtain information regarding specific projects to be reviewed by the ALUC;
- ❖ Provide general assistance to local agency staff regarding airport compatibility issues;
- ❖ Work with ALUC regarding meeting schedules and agendas;
- ❖ Prepare staff reports and meeting agendas;
- ❖ Issue required public notices of pending Commission actions;
- ❖ Record meeting minutes;
- ❖ Notify local agencies of Commission decisions on items submitted for review;
- ❖ Obtain documents for the Commission necessary to take action on an issue;
- ❖ Perform any other request by the Chair for the Commission to meet its responsibilities as long as it is lawful, moral and ethical.

VIII. Fees

Fees for Commission reviews or other actions are to be established and administered by the Plumas County Planning Department.

IX. Subcommittees

The ALUC may designate subcommittees to address concerns and present recommendations to the full Commission. The Chair shall nominate subcommittee members with the final approval of ALUC. Each subcommittee shall report to the Commission on its work, and exist until such time as its responsibilities and duties are accomplished, after which the Commission shall determine whether there is a need for the subcommittee to continue.

X. Process for Reviews

Decision on most actions and projects would normally be given by the Planning or Building Department on the basis of the ALUC and established policy.

Where a review is required by law, rule or established policy, or is desired by the Planning or Building Department, or is requested by the applicant for the action or project, the following shall apply:

- A.** A project or other action submitted to the Commission for review and decision must be accompanied by descriptions, maps and drawings that are complete and sufficient to indicate clearly:

1. The location and elevation of the site;

2. Dimensioned floor plans and elevation views of any structures involved;
3. Materials to be used and construction details where any mitigation of potential for damage or noise is claimed or would be pertinent to a Commission decision;
4. Usages of the site or structure that are planned, or are a likely potential;
5. Appropriate data regarding intensity of occupancy or usage where the ALUCP criteria would "limit" the proposed land use of the site;
6. In a case where the ALUCP criteria would indicate a decision to "avoid" the proposed use or action, a statement and supporting information that would justify a finding that no other site or action would be feasible; and
7. That the applicant has been advised of implications and potential obligations that might be imposed on the project or action by FAR Part 77.

A Plan or Project submitted to the ALUC for Advisory Review should include sufficient documentation to support at least the level of review and recommendation desired by the submitting party.

- B. When according to law or the ALUCP, a project or other action *requires* review and decision by the Commission, the Commission is allowed 60 days to make the decision, and that time starts when all the required information, as indicated above, has been submitted. However, the Commission will make reasonable effort to take action in a shorter time. Required actions and binding decisions shall be adopted by the Commission meeting in public session.
- C. When a project or other action is submitted for an advisory review, the Commission may issue recommendations, but these are not binding on either the sponsor of the project or action or on the Commission with regard to further review or subsequent decision. The Commission will make reasonable effort to provide an advisory review on the same time schedule as for a required review, but is not required to meet any particular schedule.
- D. In order to provide faster action on a less formal advisory review, and with concurrence of the sponsor of the project or action in question, a temporary sub-committee consisting of the Commission Chair and another Commissioner appointed by the Chair may issue an Advisory Opinion and/or informal recommendation, but such opinion and/or recommendation is intended to be helpful information to the sponsor and is in no way binding on any party involved.
- E. In reviewing and deciding on projects or other actions, the Commission is not required to adhere strictly to the ALUCP or its other policies and rules, but in any case where the plan or a policy or rule is not followed in a review or decision, the Commission's decision shall include a full explanation of such non-conforming action.