

APPENDIX H

Airport Protection Area

The Airport Land Use Commission of Alameda County
Hayward, California

Resolution 93-01 – At a meeting held January 13, 1993

Introduced by Commissioner Maestas
Seconded by Commissioner Stone

WHEREAS the Airport Land Use Commission of Alameda County did receive a request by the City of Livermore for an amendment to the Alameda County Airport Land Use Policy Plan to incorporate policies and standards to create an Airport Protection Area (APA) around Livermore Municipal Airport, as set forth in City of Livermore Resolution 192-91 (adopted June 10, 1991); and

WHEREAS this Commission did hold a hearing on said proposed amendment on the Seventeenth day of November, 1992, in the County of Alameda Public Works Building, Auditorium, 399 Elmhurst Street, Hayward, California; and

WHEREAS said public hearing was continued to the thirteenth day of January, 1993; and

WHEREAS notice of this public hearing was given as required by law; and

WHEREAS Livermore's objective for amending the Alameda County Airport Land Use Policy Plan to create an Airport Protection Area around the Livermore Municipal Airport is to protect the airport from possible closure or curtailment of operations due to the encroachment of incompatible land uses, i.e., noise-sensitive residential uses, near the airport or under the flight pattern for the airport; and

WHEREAS the Livermore Municipal Airport serves as an important flight training facility in the Bay Area because its airspace is not as restricted as that found at other Bay Area airports, and the area around the airport is largely undeveloped or devoted to land uses compatible with aircraft operations; and

WHEREAS the Livermore Municipal Airport represents a significant financial investment in land and facilities by the federal government and the City of Livermore, with a current estimated replacement value of 104 million dollars; and

WHEREAS the conditions that make Livermore Municipal Airport a vital resource in the Bay Area cannot be replicated elsewhere within Alameda County; and

WHEREAS the City of Livermore cites the experience of Reid-Hillview Airport in San Jose and Hayward Air Terminal in Hayward, both of which have been threatened with closures or restrictions on aircraft due to incompatible land uses locating close to the airports; and

WHEREAS Airport Land Use Commissions (ALUCs) were established by state law to promote orderly development and expansion of airports, and to protect the health, safety, and welfare of the public by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports provided that these areas are not already devoted to incompatible uses; and

WHEREAS the APA would protect an airport for continued operations by placing restrictions on residential and other noise-sensitive land uses while minimizing the public's exposure to noise and safety impacts from aircraft in the airport traffic pattern, and adoption of an APA is consistent with the objectives which prompted the establishment of ALUCs statewide; and

WHEREAS the ALUC *Airport Land Use Policy Plan* allows this Commission to consider factors other than specific CNEL contours when establishing noise impact zone boundaries; and

WHEREAS noise levels around the Livermore Municipal Airport during peak operating periods will increase in the traffic pattern area due to increases in the number of aircraft operations per hour, and therefore this Commission finds that it is appropriate to design an APA to account for both peak period noise levels and CNEL, rather than CNEL alone; and

WHEREAS the City of Livermore's proposed APA was reviewed in accordance with the provisions of the California Environmental Quality Act and an Initial Study was prepared which determined that adoption of an APA around Livermore Municipal Airport would not result in any significant environmental impacts, since (1) creation of an APA would not result in a physical change to the existing environment because the APA would not cause something to be built but instead only exclude certain uses; and (2) CEQA requires that a project be evaluated to determine whether it would conflict with an adopted plan policies, and while much of the undeveloped land within the boundaries of the APA is subject to ongoing planning efforts, policies proposed for these lands have not yet been adopted; and

WHEREAS a Draft Negative Declaration was circulated for public review and comment;

WHEREAS this Commission considered all comments offered by the public in response to the draft Negative Declaration, and determined that the comments did not raise any issue which would require further analysis under CEQA;

NOW THEREFORE

BE IT RESOLVED that this Commission adopts a Negative Declaration and amends Chapters II and III of the Alameda County Airport Land Use Policy Plan to incorporate policies and standards to create an Airport Protection Area around Livermore Municipal Airport, as described in Exhibit A and shown in Exhibit B.

ADOPTED BY THE FOLLOWING VOTE:

AYES: Maestas, Morris for Westgard, Morgan for Brown, Roth for Withrow, Stone, Welch, Foster

NOES: None

ABSENT: None

EXCUSED: None

ABSTAINED: None

ADOLPH MARTINELLI, ADMINISTRATIVE OFFICER
ALAMEDA COUNTY AIRPORT LAND USE COMMISSION

THE AIRPORT PROTECTION AREA AMENDMENT
TO THE ALUC LAND USE POLICY PLAN

Chapter II of the ALUC *Land Use Policy Plan* outlines the standards and policies that apply to airports in the County. Standards and policies are tailored to the conditions unique to each airport. The City of Livermore proposes that Chapters II and III of the *Land Use Policy Plan* be amended to include policies and standards that would provide for an APA at Livermore Municipal Airport only. In addition, the plan amendment would enable the designation of APAs around other airports in Alameda County, but would not specify any policies or standards (e.g., dimensions) which would apply to the County's other airports. Any future proposal for an APA around another airport in Alameda County would have to include site-specific standards and would have to be fully evaluated as a separate amendment to the *Land Use Policy Plan*.

The proposed changes to Chapters II and III read as follows:

Chapter II: POLICY AND STANDARDS

E. ALUC AIRPORT PROTECTION AREA (Insert between D. NOISE IMPACT ZONES and E. EXCEPTIONS TO ALUC LAND USE POLICIES)

Airport Protection Areas are established to prohibit new residential land use designations, or the intensification of existing residential land use designations, within the Airport Protection Area. The purpose is to forestall the complaints and adverse impacts on the health, safety and welfare of future citizens that will otherwise reside in the protection areas. Such complaints typically result from the extended daily exposure of residential land uses close to airports because they have a mix of passive, leisure, recreational and labor activities both in and out of doors. As outlined, the Airport Protection Area will eliminate complaints from persons that would otherwise reside in those areas and thus will minimize pressures to limit airport operations which are needed to serve the citizens in the airport service area.

Airport Protection Area Boundaries

The ALUC may adopt an Airport Protection Area as shown in the maps for each airport in Chapter III. The boundaries of the Airport Protection Area are generally located in all direction from the runways. The protected areas will normally include all space that will be affected by the largest extent of the traffic patterns. The dimensions of the Protection Area will depend on the conditions at each individual airport. The size and shape of the protection areas may be set to encompass those areas where it is anticipated that residential developments would result in significant complaints about noise and safety from future citizens that would otherwise reside there.

Airport Protection Area Policies

New residential land use designations, or the intensification of existing residential land use, shall be prohibited within the Airport Protection Area as shown in Map XXIII-A [See figure 2 of this Initial Study]. Land uses other than residential may be allowed within the Airport Protection Areas that are consistent with other ALUC zone and area designations in the ALUC policy plan.

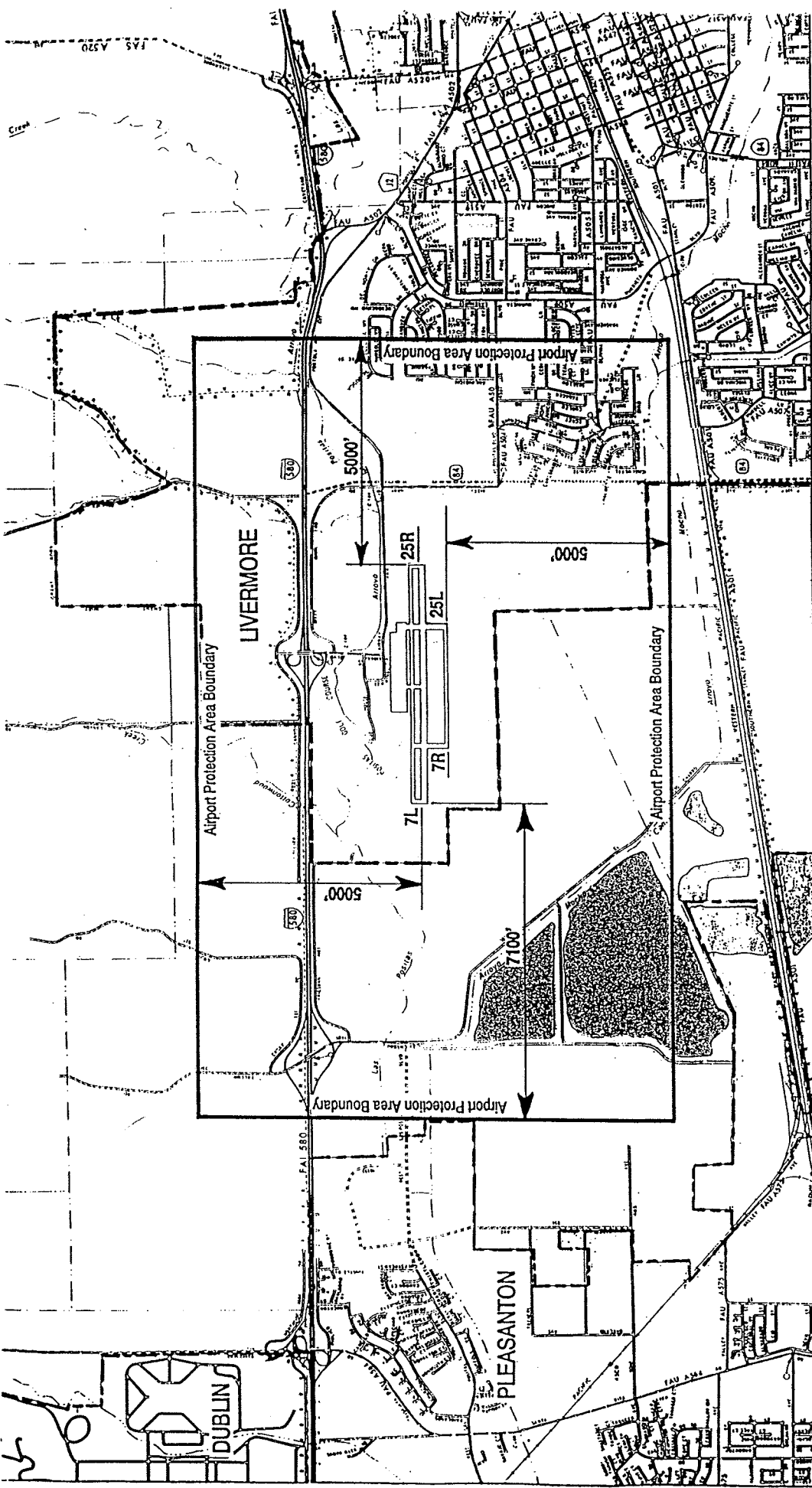
Chapter III: AIRPORT LAND USE PLANS

D. LIVERMORE MUNICIPAL AIRPORT

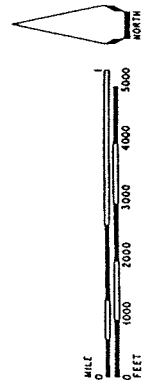
Airport Protection Area [Insert between Noise Impact Zone and Background Information: Livermore Municipal Airport.]

The adopted Airport Protection Area boundaries at the Livermore Municipal Airport are as shown on Map XXIII-A [see Figure 2 of this Initial Study] and are as follows:

- North Boundary: Running generally east to west, parallel to and north a perpendicular distance of 5000 feet from Runway 25R-7L.
- South Boundary: Running generally east to west, parallel to and south a perpendicular distance of 5000 feet from Runway 25L-7R.
- East Boundary: Running generally north to south, perpendicular to and 5000 feet east from the east end of Runway 25R-7L.
- West Boundary: Running generally north to south, perpendicular to and 7100 feet west from the west end of Runway 7L-25R.



ALAMEDA COUNTY AIRPORT LAND USE COMMISSION
 ALAMEDA COUNTY PLANNING DEPARTMENT



AIRPORT PROTECTION AREA
 Livermore Municipal Airport
 Adopted January 13, 1993