

**PLACER COUNTY AIRPORT LAND USE COMMISSION
(ALUC)**

**RULES OF PROCEDURE
FOR THE
PLACER COUNTY AIRPORT LAND USE COMMISSION**

The Placer County Transportation Planning Agency (PCTPA) has been designated as the Airport Land Use Commission (ALUC) for Placer County under provisions of the California Public Utilities Code. The Code mandates the establishment of ALUCs and details their various responsibilities. These Rules of Procedure are intended to provide for the orderly conduct of ALUC activities and meetings.

1. DEFINITIONS

- a. **“Airport”** means Auburn Municipal Airport, Blue Canyon Airport, Lincoln Regional Airport or any new public-use or military airport that may be created within the western Placer County area under jurisdiction of the Placer County ALUC.
- b. **“Airport Influence Area (AIP)”** means the area encompassed by the planning boundaries established by the ALUC for an airport 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 referral area within which certain airport actions and land use actions are subject to ALUC review to determine consistency with the Airport Land Use Compatibility Plan.
- c. **“Airport Land Use Commission (ALUC)”** means the Placer County Transportation Planning Agency (PCTPA) or a legally established successor agency acting in its capacity as the Airport Land Use Commission for the western portion of Placer County.
- d. **“Airport Land Use Commission Law (ALUC Law)”** means Chapter 4, Article 3.5 of the California Public Utilities Code (Sections 21670 et seq.) pertaining to airport land use commissions and airport land use compatibility plans (also including within the State Aeronautics Act).
- e. **“Airport Land Use Commission Executive Director”** means the Executive Director of PCTPA, or a designee of the Executive Director.

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- f. **“Airport Land Use Compatibility Plan (ALUCP)”** means the Placer County Airport Land Use Compatibility Plan, including the individual compatibility plans for Auburn Municipal Airport, Blue Canyon Airport and Lincoln Regional Airport, adopted by the ALUC. The ALUCP is used as the basis for ALUC planning to promote compatibility between airport operations and surrounding land uses considering noise, safety, airspace protection and overflight effects.
- g. **“Local Agency”** means all cities in Placer County, as well as Placer County itself.
- h. **“PCTPA”** means the Placer County Transportation Planning Agency.

2. PURPOSE

- a. It is the purpose of the ALUC to provide for the safe and orderly development of each public use, air carrier, and military airport and the area surrounding these airports, to promote the intent of the ALUC law.
- b. It is the purpose of the ALUC to protect health, safety, and welfare by ensuring the adoption of land use measures that minimize the public’s exposure to safety hazards and excessive noise within each airport area of influence, to the extent that these areas are not already devoted to incompatible uses.
- c. It is the purpose of the ALUC to prevent the creation of new safety and noise problems in each airport Area of Influence.

3. OPERATIONS

- a. The ALUC is subject to the following Bylaws of the Placer County Transportation Planning Agency (PCTPA):
 - Article I - Name and Composition
 - Article II - Officers
 - Article III - Meetings
 - Article V - Offices
 - Article VI - Duties and Responsibilities
 - Article IX - Committees
 - Article X - Executive Director
 - Article XI - Miscellaneous

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Article XII - Fiscal Year
Article XIII - Amendments

- b. The ALUC is subject to PCTPA's Conflict of Interest Code.
- c. The ALUC is subject to the California Environmental Quality Act (CEQA).
- d. Approval of all matters before the ALUC for action shall require a majority vote of the ALUC. No proxy voting shall be allowed.
- e. The ALUC shall utilize the staff of the Placer County Transportation Planning Agency (PCTPA). The PCTPA Executive Director, or a designee of the Executive Director, shall function as the Executive Director of the ALUC.
- f. The ALUC Executive Director may establish such administrative procedures as necessary to effectively conduct these Rules of Procedures.
- g. The ALUC will maintain a schedule of fees necessary to fulfill its duties as defined by state law. The fees shall cover costs for reviewing and processing proposals, for holding public hearings, for preparation of the Airport Land Use Compatibility Plan, and for providing copies of plans and other documents. ALUC fees shall be paid at the time the proposed land use action is submitted to the ALUC for review.

4. POWERS AND DUTIES OF THE ALUC

The powers and duties of the ALUC are to fulfill the requirements of the ALUC Law, Chapter 4, Article 3.5 of California Public Utilities Code (Sections 21670 et seq.). The ALUC shall have the following powers and duties, subject to any limitations contained in the ALUC Law:

- a. To prepare and adopt Airport Land Use Compatibility Plans for each of the airports within the jurisdiction of the ALUC.
- b. To review the plans, regulations, and other actions of local agencies and airport operators pursuant to PUC Section 21676 to determine their consistency with the adopted Airport Land Use Compatibility Plan.

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- c. 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.
- d. To coordinate planning at the state, regional, and local levels to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.
- e. To adopt rules and regulations consistent with Chapter 4, Article 3.5 of the California Public Utilities Code (Sections 21670 et seq.)
- f. Such other duties as allowed by the ALUC Law.
- g. The powers and duties of the ALUC shall in no way be construed to give the ALUC jurisdiction over the operation of any airport.

Nothing in these Rules of Procedure is intended to contravene any requirement of federal and state law. To the extent there is an inconsistency between these Rules of Procedure and federal or state law, these shall be interpreted in a manner consistent with that federal or state law.

5. AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP)

- a. The ALUC has adopted the Placer County Airport Land Use Compatibility Plan containing the policies to be used by the ALUC in reviewing and acting upon matters submitted to it in accordance with state law. The policies, procedures and compatibility criteria set forth in the plan are in addition to and shall be considered extensions of these Rules of Procedure.
- b. The ALUC shall update its review procedures and compatibility criteria as necessary to keep them current with airport conditions, state laws and guidelines.
- c. Amendments to an Airport Land Use Compatibility Plan may be initiated by ALUC staff, based on changing conditions at an airport, or may be requested by a local agency, airport operator, or interested party. State law limits amendments to an ALUCP once per calendar year. Decisions of the ALUC on ALUCP amendment requests are final. Although the Placer County Airport Land Use Compatibility Plan is contained within a single volume, the chapter addressing each airport is to be considered a separate plan for the purposes of plan amendments. Thus, amendment

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of maps or specific policies for one airport does not preclude subsequent amendment of maps or specific policies for another airport in the same calendar year. Any change to the countywide policies would constitute amendment of all individual airport plans.

- d. If the ALUC finds that a local agency has not brought its General Plan and any applicable specific plan into consistency with an adopted or amended Airport Land Use Compatibility Plan for an airport within the jurisdiction of the local agency, as required by Government Code Section 65302.3 (Planning and Zoning Law), the ALUC may require that the local agency submit all subsequent actions, regulations, and permits to the ALUC for review, until the requirements of Section 65302.3 are met.
- e. Upon adoption or amendment to an Airport Land Use Compatibility Plan by the ALUC, a copy of the plan shall be provided to each affected local agency within fifteen (15) days, along with an explanation of the action required of the local agency and the time limit for such actions, as contained in Government Code Section 65302.3 (Planning and Zoning Law). A copy shall also be provided to the Caltrans Division of Aeronautics.

6. REVIEW OF LOCAL AGENCY ACTIONS

- a. Actions referred to the ALUC for review shall be governed by the review process outlined in Chapter 2, "Procedural Policies," of the adopted Airport Land Use Compatibility Plan.
- b. Land use planning actions which require ALUC review include:
 - 1) Local Agency adoption or approval of any new general plan, specific plan, or facility master plan or any amendment thereto that affects lands within an Airport Influence Area.
 - 2) Local Agency adoption or approval of a zoning ordinance or building regulation, including any proposed change or variance to any such ordinance or regulation, that (1) affects land within an Airport Influence Area and (2) involves the types of airport impact concerns listed in the ALUCP.
 - 3) Amendments to general plans, specific plans, zoning ordinance or building regulation that have general applicability throughout the community or specifically to lands within an Airport Influence Area require referral to the ALUC for review.
 - 4) Land Use Actions for which a Special Conditions Exception is being sought.
- c. Airport planning actions which require ALUC review include:
 - 1) Adoption or modification of a master plan or airport layout plan.

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- 2) Any proposal for “expansion” of an airport covered by the ALUCP if such expansion will require an amended Airport Permit from the State.

7. PUBLIC HEARINGS

- a. Public hearings of the ALUC shall be scheduled to consider adoption or amendment to the Airport Land Use Compatibility Plan, for projects requiring mandatory review, and to hear an appeal of an Executive Director determination of land use consistency or inconsistency. Public hearings may be held for other items which would benefit from a public hearing.
- b. Public hearings can be requested by the ALUC, the ALUC staff, local agency, project applicants, citizens residing in the airport area of influence, or any other interested citizen. Requests for public hearings shall be in writing and must fully state the matter for which the hearing is requested.
- c. The Executive Director shall give notice of each public hearing by the ALUC. Such notices shall be given at least ten (10) days prior to the hearing by publication in a newspaper of general circulation in the territory in which the airport is located and by mailings to the requestor, the affected local agency, the affected airport, and any other person or agency deemed by the Secretary as requiring notice. The Executive Director shall also give notice by such other notice requirements as may be required by statute.
- d. Public hearings of the ALUC may be continued. The ALUC shall adopt a resolution making its decision concerning a public hearing item within sixty (60) days from the conclusion of the public hearing.

8. APPEALS

- a. Any person may appeal a consistency determination by the ALUC by submitting an Appeal Request Form with the reasons why the appellant believes that the subject consistency review should be modified within ten calendar days of the date when the determination was issued. The appeal will be placed upon the agenda of the next scheduled ALUC meeting. Depending on the project category, ALUC staff review of an appeal will be completed within fourteen calendar days and the ALUC review will be scheduled for a public hearing within within sixty calendar days of the appeal date. The appellant must be present at

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the ALUC meeting to state their case and explain why the consistency determination should be modified. The ALUC shall consider the appeal.

- b. Decisions of the ALUC may be appealed to the City Council of the City of Auburn, City Council of the City of Lincoln, or the Placer County Board of Supervisors consistent with subdivision (c) of section 21676 of the Public Utilities Code. Appeals must be submitted to the City Council of the City of Auburn, City Council of the City of Lincoln, or the Placer County Board of Supervisors in writing within ten calendar days of an action by the ALUC.

9. **JUDICIAL REVIEW**

Any judicial action to review a determination of consistency or inconsistency by the ALUC shall be filed within thirty (30) days after a determination by the ALUC is final.

10. **SEVERABILITY**

If any portion of these Rules of Procedure is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions.

11. **AMENDMENT TO RULES OF PROCEDURE**

The ALUC may amend these Rules of Procedures from time to time. Amendments to these Rules of Procedure shall be governed by the Article XIII.I, "Amendments to Bylaws," of the Placer County Transportation Planning Agency (PCTPA)

12. **RECORD OF ADOPTION AND AMENDMENT**

Adopted September 24, 1997 Resolution 97-01

Amended August 27, 2014 Resolution 14-04

Amended January 26, 2022 Resolution 22-07

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REQUEST FOR APPEAL	
PLACER COUNTY AIRPORT LAND USE COMMISSION 299 Nevada Street Auburn, CA 95603 Phone: 530-823-4030 Fax: 530-823-4036 Web: www.pctpa.net	Date Received: <hr/> Received From: <hr/> Airport Name: <hr/> ALUC Case No.
Project Applicant:	
Project Title:	
Project Description:	
Application for: <input type="checkbox"/> Rezone <input type="checkbox"/> General/Community Plan/Specific Plan Amendment <input type="checkbox"/> Other	
Reasons for Appeal:	
Applicable ALUC Policy: <input type="checkbox"/> Safety <input type="checkbox"/> Noise <input type="checkbox"/> Height <input type="checkbox"/> Density	
Applicable ALUC Plan:	Project was initially determined to be: <input type="checkbox"/> Compatible, subject to conditions <input type="checkbox"/> Incompatible, due to: <input type="checkbox"/> Safety <input type="checkbox"/> Noise <input type="checkbox"/> Height <input type="checkbox"/> Density
Appeal Reviewed By:	Date:
Appellant must be present at the ALUC meeting to explain their reasons for appeal. The burden of proof shall be on the appellant. The ALUC shall determine whether the appeal has merit.	

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**IN THE MATTER OF: ADOPTING AMENDED
RULES OF PROCEDURES FOR THE PLACER
COUNTY AIRPORT LAND USE COMMISSION**

RESOLUTION NO. 22-07

The following resolution was duly passed by the Placer County Airport Land Use Commission at a regular meeting held January 26, 2022 by the following vote on roll call:

AYES: Broadway, Clark-Crets, Dowdin Calvillo, Holmes, Houdesheldt, Joiner, Jones, Wilkins

NOES: None

ABSENT: None

Signed and approved by me after its passage.



ALUC Executive Director


Placer County Airport Land Use
Commission Vice Chair

WHEREAS, California Public Utilities Code, Chapter 4, Article 3.5 (Sections 21670 et seq.) requires the establishment of an Airport Land Use Commission (ALUC) in each county containing at least one public-use airport; and

WHEREAS, Resolution No. 97-10 (January 22, 1997) designated the Placer County Transportation Planning Agency as the Airport Land Use Commission for Placer County; and

WHEREAS, California Public Utilities Code, Chapter 4, Article 3.5 (Section 21674) authorizes the Airport Land Use Commission to adopt rules and regulations consistent with state law to fulfill its responsibilities; and

WHEREAS, Resolution No. 97-01 (September 24, 1997) adopted Rules and Procedures to provide for the orderly conduct of Airport Land Use Commission business, meetings, and public hearings; and

WHEREAS, Resolution No. 14-04 (August 27, 2014) amended the Rules of Procedures to reflect then law and practice; and

WHEREAS, the Airport Land Use Commission desires to update its Rules and Procedures to reflect current law and practice.

NOW, THEREFORE, BE IT RESOLVED that the Placer County Airport Land Use Commission does hereby:

1. Repeal Resolution No. 14-04 (August 27, 2014) adopting Airport Land Use Commission Rules and Procedures.
2. Adopt the “Placer County Airport Land Use Commission Rules of Procedure,” as amended, attached hereto, and incorporated herein by reference.