

Mono County Airport Land Use Commission

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AGENDA

Thursday, May 21, 2015 - 9:00 a.m.
Town/County Conference Room, Minaret Village Mall, Mammoth Lakes
Teleconference at CAO Conference Room, Bridgeport

**Agenda sequence (see note following agenda)*

1. Call to order & pledge of allegiance
2. Public comment for items not listed on the agenda
3. Minutes: Review and approve minutes of Special Meeting April 27, 2015 - p. 1
4. 9:10 A.M.
Public Hearing (*continued from April 27*): **Determine consistency of the Mammoth Yosemite Airport Layout Plan (ALP) with Mammoth/June Lake Airport Land Use Plan.** *Gerry Le Francois, ALUC staff - p. 3*
5. **Adopt amended ALUC rules and procedures.** *Gerry Le Francois, ALUC staff - p. 51*
6. Adjourn to next meeting as needed

*NOTE: Although the ALUC generally strives to follow the agenda sequence, it reserves the right to take any agenda item - other than a noticed public hearing - in any order, and at any time after its meeting starts. The Local Transportation Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the ALUC secretary at 760-924-1804 within 48 hours prior to the meeting in order to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

ALUC Commissioners
Grady Dutton, Colin Fernie, Tim Fesko, Michael Raimondo, Fred Stump, Jeff Walters

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DRAFT SPECIAL MEETING MINUTES

Monday, April 27, 2015

COMMISSIONERS: Tim Fesko & Fred Stump, Mono County; Colin Fernie, Town of Mammoth Lakes; Jeff Walters & Grady Dutton, airport representatives **ABSENT:** Michael Raimondo

STAFF: Scott Burns, Gerry Le Francois, Garrett Higerd, C.D. Ritter

GUESTS: Brian Picken & Jen Daugherty, Town of Mammoth Lakes; John Urdi, Mammoth Lakes Tourism; Ted Carleton, *The Sheet*; Pat Foster, Hot Creek Aviation; Tom Hodges, MMSA

1. **Call to order:** Acting Chair Fred Stump called the meeting to order at 9:06 a.m. at the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, and attendees recited the pledge of allegiance.

2. **Public comment:**

3. **Minutes:**

MOTION: Approve minutes of Special Meeting March 30, 2015, as submitted. (*Fesko/Walters. Ayes: 5. Absent: Raimondo.*)

4. **Requirement for and responsibilities of Airport Land Use Commission:**

Gerry Le Francois noted airport layout plans are lumped in with airport master plans. Burns: Board of Supervisors could opt out of ALUC if no land use issues are involved.

5. **Public Hearing:**

Determine consistency of the Mammoth Yosemite Airport Layout Plan (ALP) with Mammoth/June Lake Airport Land Use Plan:

Gerry Le Francois introduced four prominent areas: safety, overflight zones, height restriction, and noise. All improvements proposed were on Town property, hence not in ALUC's purview.

OPEN PUBLIC HEARING: Jen Daugherty indicated Dan Dawson at SNARL was notified. Hot Creek Fish Hatchery not notified except legal notice in newspapers. **CLOSE PUBLIC HEARING.**

A citizen comment letter from Stephen Kalish brought up five areas of concern that were addressed as follows:

1) **Kalish item 1. ALUP not reviewed by ALUC:** Each government agency approved necessary action. Effective date was 1999. Land exchange process initiated in 1997, approval unknown. ALUC discussed in 2001. Dutton: Will confirm 2001 date. Could bring back to ALUC if necessary. Plenty of prior scrutiny of boundaries.

Stump: Involvement predates all staff, commissioners and public attendees. Called out first Town EIR: How many comments submitted were written off as no significant impact? If 1999 date is firm, only one meeting held in between dates stated. Le Francois: Electronic files go back to 2006. Found 2001 agenda in paper records. Stump: Did ALUC or Board of Supervisors (BOS) consider land exchange? Le Francois: The ALUC met in 2006 to review/approve Lee Vining and Bryant Field airports, and met again on Whitmore track in 2011.

Stump recommended continuance due to unanswerable questions. A more comprehensive, thorough review 15 years ago could have prevented headaches.

2) **Kalish item 2. Runway protection zones:** Picken: Outside purview of ALUC; it's a Federal Aviation Administration (FAA) issue. Hangars incursion approved by FAA as non-standard incursion.

Fesko: Every airport has non-standards. Picken: FAA looks at safety, money, etc. Most airports started in 1940s-50s. Live with environment at time.

Dutton: Annual inspections scrutinize and point out issues. Question of what can do, what's safe, at what cost. An EIR OK'ed Q400 into airport, so now flying with no operational constraints.

Fernie: Renewed or in perpetuity? Picken: Getting 400' of separation would mean moving hangars, realigning runway and taxiway, realigning US 395 (\$150 million). Fix if operationally feasible, or leave as is until money and circumstances allow. No operational concerns, no timelines. If important to FAA, work directly with project request in writing.

Stump: FAA stamp Aug. 14, 2014, is on map.

Picken: Conditional means approved till environmental and finances are done. Has FAA approval on 14 sheets.

Dutton: Conditional approval is shown on Town's website.

3) **Kalish item 3. Runway object-free areas:** Issue with wildlife/aircraft collision potential. Town did environmental analysis on deer fence, need to raise height. Picken: FAA asked to move wind sock, segmented circle. Fence accepted as is, completed wildlife hazard assessment, formulating plan. FAA will want fence in place for deer migration. Anything inside fences under FAA purview.

Dutton: Wildlife assessment recommended raising fence.

Stump: Return to ALUC? Dutton: Go through environmental. Fence with USFS permit on Caltrans right of way. Entire fence on Town land except highway and runway.

4) **Kalish item 4. Off-airport obstructions to safe air navigation:** Letter to owners of obstructions to identify and possibly remove? Le Francois: Based on cost, function, safety impact. Obstructions exist, not proposed to be changed. Fence may increase in height based on FAA requirements.

Fesko: Does this fall within purview of ALUC?

Le Francois: May have ability to ask, but could be trumped by FAA.

Fesko: Outside Town property? Le Francois: Some. Dutton: Utility poles off airport property.

Picken: Obstructions also listed in non-standard conditions on ALP. Inspected by FAA and Caltrans as well. Obstruction lights accepted on utility poles and Verizon phone lines. Good relationship with Edison and Caltrans. Town mitigates whenever it can. Not penetrate until have declared distances. All deviations listed on ALP. If FAA wants Town to move quicker, will notify.

5) **Kalish item 5. Define "declared distances":** Picken: Either runway length available (7,000') or takeoff distance available. FAA double checks, gives pilot another 1,000' to take off differently. Study requires money. No change to land uses, runway.

Stump: Who would prepare ALUC response? Burns: ALUC staff with Town staff support. Not ignoring that staff is working with FAA. Stump: Certify consistency?

After discussion, Commission decided on continuance, with thorough investigation unlike 15 years ago when FPD was left out of process.

MOTION: Continue consistency of the Mammoth Yosemite Airport Layout Plan (ALP) with Mammoth/June Lake Airport Land Use Plan to May 21, 2015, for further staff investigation.
(Fesko/Walters. Ayes: 5. Absent: Raimondo.)

Le Francois: When a public hearing is continued, legally posted notice continues in effect. Add to agenda videoconferencing at Bridgeport.

6. **ALUC rules and procedures:**

Gerry Le Francois noted the following suggested amendments: 1) Section 3.1: Add videoconferencing at Bridgeport; 2) Section 3.8: Delete in its entirety; 3) Section 5.1: Insert public comment prior to approval or correction of minutes; 4) Add new Section 6.1: Appointment of Secretary: The Secretary shall be appointed from ALUC staff; and 5) Section 6.2: Renumber Section 6.1 as Section 6.2.

7. **Adjourn** at 10:20 a.m. to May 21, 2015

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STAFF REPORT

May 21, 2015

To: Mono County Airport Land Use Commission

From: Gerry Le Francois, principal planner

RE: Review of Mammoth Yosemite Airport Layout Plan (ALP) compatibility with Mammoth/June Lake Airport Land Use Plan (ALUP)

RECOMMENDATION

Find the Mammoth Yosemite ALP is consistent with the Mammoth/June Lake ALUP.

BACKGROUND

Among the duties of an Airport Land Use Commission (ALUC) is to prepare and adopt airport land use compatibility plans, and to review the Airport Master Plans (AMPs), Airport Layout Plans (ALPs), regulations, and other actions of local agencies and airport operator.

The Mammoth Yosemite ALP was recently updated with various projects to support current air service including: 1) new three-gate commercial terminal building; 2) aircraft parking apron; and 3) associated improvements. All of these improvements are within the jurisdiction of the Town of Mammoth Lakes.

According to Mammoth Lakes' staff, a new commercial terminal is critical to support current air service. The current terminal can accommodate only one flight at a time (approximately 80 people). Due to the limitations of the current terminal, a temporary holding facility installed in 2011 accommodates approximately 120 people prior to being screened through TSA security. The size of these facilities not only limits flight schedules, but also is a problem when flights are delayed. A new terminal that is appropriately sized and allows flexibility will solve these issues. Construction on the new terminal is anticipated to begin as early as late 2018 after funding, environmental review, and design/engineering are complete.

Since your last meeting of April 27, 2015, staff was able to research and find past ALUC meeting agendas and actions on the review and consistency of the Mammoth Yosemite ALP including lands acquired by the Town of Mammoth Lakes. In 1997, the ALUC did review the Mammoth Yosemite ALP and found it consistent with the Airport Land Use Plan (ALUP).

The ALUC met again in 2001 to review the airport expansion project for consistency with the ALUP. While no meeting notes or minutes have been found from this meeting, the recommendation found the proposed expansion project consistent with the Commission's ALP review in 1997. That information is contained at the end of this staff report. Staff has also consulted with commission counsel on the applicability of the Public Utility Code regarding airport expansions.

ALUC CONSISTENCY REVIEW

The ALUP consistency review focuses on four main areas: airport safety zones, overflight zones, height restriction policies, and noise. The applicable ALUP policy sections are stated below, together with consistency determinations that the Mammoth Yosemite ALP is either **consistent with, not applicable,** and/or **outside the jurisdiction of the Airport Land Use Commission.**

A) Safety Zone (p. 18 of ALUP)

The airport safety zone includes a Clear Zone adjacent to the runway and the Approach/Departure Surface. It is the most critical zone where aircraft operations might affect the safety of people and property in the airport environs.

1. The safety zone shall be kept free of all unrelated airport land uses. ***ALP is consistent***
2. No permanent structures or other objects projecting above the level of primary surface of any runway will be permitted unless directly related to a necessary airport operation. ***ALP is consistent***
3. No residential land uses are permitted. ***Not applicable - none proposed***
4. No industrial land uses are permitted. ***Not applicable - none proposed***
5. No use that may result in short- or long-term concentration of people. ***Not applicable. The ALP proposes a terminal building within the airport facility, which the ALUC does not regulate.***
6. No use that would result in large concentrations of people. ***Not applicable. Other than the terminal building, the ALP proposes no uses concentrating people. The airport terminal building is not within the purview of the ALUC.***

B) Overflight Zone (p. 19 of ALUP)

The overflight zone consists of normal approach/departure traffic patterns and lands within overflight areas. The ALUP restricts development to prevent incompatible land uses in zones outside the Mammoth Yosemite Airport.

1. The following are considered incompatible land uses within the airport traffic pattern zone:
 - a. Any use that would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial climb following takeoff or toward a landing at an airport: ***Not applicable - none proposed***
 - b. Any use that would cause sunlight to be reflected toward an aircraft: ***Not applicable - none proposed***
 - c. Any use that would generate large amounts of smoke or steam that may be detrimental to the operation of aircraft: ***Not applicable - none proposed***
 - d. Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or instrumentation: ***Not applicable - none proposed***
 - e. Other uses that may affect safe air navigation within this area: ***Not applicable - none proposed***
 - f. Uses that would attract large concentrations of birds: ***Not applicable - none proposed***
 - g. Uses within the primary traffic pattern zone that on a regular basis would result in concentrations of people exceeding 25 persons/acre, or 50 persons/acre over a period of two hours or more within the primary traffic pattern zone. Particularly unacceptable uses are shopping centers, restaurants, schools, hospitals, stadiums/arenas, and office complexes, industries and factories that would exceed the 25 persons per acre requirements: ***Not applicable - none proposed***

2. Uses or land divisions, which on a regular basis would result in a concentration of people exceeding 25 persons per acre over a 24-hour period, or 50 persons per acre over a period of two hours or more within the primary traffic pattern zone. ***Not applicable - none proposed***
3. Single-family residential or multiple-family uses, or land divisions, which would result in a density greater than one dwelling unit per acre may be permitted. ***Not applicable - none proposed***
4. The ALUC shall restrict the development of all new non-compatible land uses. ***Not applicable - none proposed***
5. All land uses or land use characteristics that may affect safe air navigation or which, because of their nature and proximity to an airport, may pose high risks to the land users shall be avoided/prohibited in the vicinity of an airport. ***Not applicable - none proposed***
6. All residential uses shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45dB CNEL in any habitable room with windows closed. ***Not applicable - none proposed***
7. Development or Airport Master Plans, or Layout Plans, or changes to existing plans of any public use airport that involves significant changes in land use, noise sources, or policy changes in size or type of aircraft to use the airport will, prior to finalizing or modifying the plans, be referred to the ALUC for consideration, as required by PUC 21676(c). ***The ALP proposed is consistent with the Mammoth June Lake ALUP in areas outside the Town of Mammoth Lakes, Mammoth Yosemite Airport's jurisdiction.***
8. No hazardous installations such as above-ground oil, gas or chemical storage facilities, excluding facilities for non-commercial, private domestic or private agricultural use shall be permitted. ***Not applicable - none proposed***
9. Except when overriding circumstances exist, a condition for approval of any project, subdivision, zoning change, or land exchange shall be subject of the dedication of an aviation easement to the airport. The aviation easement shall contain and/or address the following:
 - a. Right of flight at any altitude above acquired easements surfaces;
 - b. Right of cause noise, vibrations, fumes, dust, and fuel particle emissions;
 - c. Right of entry to remove, mark or light any structures or growths above easement surfaces; and
 - d. Right to prohibit creation of electrical interference, unusual light sources, and other hazards to aircraft flight. ***Not applicable - none proposed***

C) Airport Height Restriction Policies (p. 22 of ALUP)

The airport height restriction area is defined by Approach and Clear Zone Plan that is specified by Federal Aviation Regulation (FAR) part 77. The ALUP regulates height within the Airport Planning Area to ensure that objects will not impair flight safety or decrease the operational capability of the airport.

Height Restriction Policies:

1. No structures or obstructions are permitted within the designated primary runway surface, approach surfaces or clear zones. ***Not applicable - none proposed***
2. No structures over 35 feet in height are permitted within the ALUC Planning Boundary. ***Not applicable - none proposed***
3. The ALUC shall review any applicable development proposals and strict the erection or growth of objects that penetrate the established airport height restriction areas. ***Not applicable - none proposed***

4. Rotating beacons, spot lights, or similar aircraft navigation hazards markers that are not part of airport operations are prohibited within the entire overflight zone. ***Not applicable - none proposed***
5. Any structure, either within or outside the ALUC Planning Boundary, is not in conformance if it:
 - a. Penetrates the height restriction surfaces adopted by the ALUC (unless determined not a hazard by the FAA);
 - b. Would result in a loss in airport utility, such as causing the usable length of the runway to be reduced;
 - c. Would conflict with the VFR airspace used for the airport traffic pattern of enroute navigation to and from the airport; or
 - d. Is determined to be a hazard by the FAA. ***Not applicable. The ALP proposes a terminal building, but the ALUC does not have jurisdiction over construction projects at Mammoth Yosemite Airport.***

D) Noise (p. 23 of the ALUP)

Within the Airport Planning Area, the impact of noise is considered in addition to height restriction and safety. The impact of aircraft noise on surrounding land uses is at its peak on or near the airport property. The ALUP has the following requirements for uses within the Airport Planning Area:

- Non-residential development may be permitted within the 65 dB CNEL contour if structures are soundproofed to limit interior noise levels to 45 dB CNEL; and
- The maximum noise exposure considered acceptable for non-residential land uses without special sound reduction construction is 60 dB CNEL.

Not applicable. The ALP proposes a terminal building, but the ALUC does not have jurisdiction over Mammoth Yosemite Airport.

1. Noise and aviation easements, as necessary, shall be required before approval of any land trade or approval of any project with the Planning Boundary. ***Not applicable***
2. No residential development is permitted within the 65 dB CNEL contour. Non-residential development may be permitted within the 65 dB CNEL contour if structures are soundproofed to limit interior noise levels to 45 dB CNEL. ***Not applicable***
3. The maximum noise exposure considered acceptable for non-residential land uses without special sound reduction construction is 60 dB CNEL. ***Not applicable. The ALP proposes a terminal building, but the ALUC does not have jurisdiction over construction projects at Mammoth Yosemite Airport.***
4. The maximum noise exposure considered acceptable for residential land uses is 55 dB CNEL. All residential structures shall include soundproofing construction to limit interior noise levels to 45 dBA in any habitable room. ***Not applicable***
5. If a noise analysis, including noise monitoring, is conducted for a particular location and the results indicate that the maximum CNEL will be less than shown herein, then the lower exposure level may be used for the land use evaluation at the discretion of the ALUC. ***Not applicable***

CEQA REVIEW

The Town of Mammoth Lakes filed an exemption from the California Environmental Quality Act Guidelines section 15262 (Planning Studies). The ALUC review of the ALP is ministerial, and thus no CEQA action is necessary under CEQA Guidelines section 15300.1.

MONO COUNTY

AIRPORT LAND USE COMMISSION

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AGENDA

Monday, February 26, 2001
11:00 a.m.
Mammoth Lakes Community Center
Forest Trail

1. Roll Call
2. Election of Chair and Vice-Chair
3. ALUC Membership
Call for nomination of public member
4. Notes from meeting of October 9, 1997
5. Public Comment
6. Introduction and Overview of ALUC Purposes
7. Consistency Review of the Following Projects:
 - A. Mammoth/Yosemite Airport Expansion Project
 - B. Proposed 188-unit condominium project at Mammoth/Yosemite Airport
 - C. Sierra Business Park
8. Caltrans Aviation Capital Improvement Program Update
Verbal report - review list of projects/local airport projects
9. Future update of the Airport Layout Plans for Bryant Field and Lee Vining
Verbal report - no action required
10. Adjournment

MONO COUNTY

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ROSTER

MONO COUNTY AIRPORT LAND USE COMMISSION

(January 2001)

Representing the County

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Representing the General Public

Vacant

**MONO COUNTY
AIRPORT LAND USE COMMISSION**

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PUBLIC HEARING

**3:00 PM, OCTOBER 9, 1997
MONO COUNTY CONFERENCE ROOM
SUITE P, MINARET MALL, 437 OLD MAMMOTH ROAD**

AGENDA

1. Review Of Commission Membership
2. Determine Consistency Of Revised Mammoth Lakes Airport Layout Plan And Associated General Plan And Zoning Amendments With The Mammoth Airport Land Use Plan.
3. Public Comment
4. Adjourn

MONO COUNTY

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Notes from ALUC Meeting, October 9, 1997

Those Present

ALUC Members present: Chairman Kathy Cage, Paul B. Rowan, Art Bergman, and Bill Manning. Staff Members: Keith Hartstrom, and Gerry Le Francois, and Bill Taylor from the Town Planning Department. Public: Ray Turner.

Agenda Items

1. Review of Commission Membership

Staff reviewed the membership of the ALUC, noting the new representatives for the County: Andrea Lawrence and Paul Rowan. The balance of the members has been the same since 1994.

2. Determination of Consistency for the Revised Mammoth Lakes Airport Layout

Kathy Cage opened the meeting asking staff to present the staff report for consistency determination.

Staff noted that in accordance with Section 21676 of the Public Utilities Code, the Town of Mammoth Lakes has forwarded the modifications to the Mammoth Lakes Airport Layout Plan to the ALUC for a consistency determination. Section 21676 (c) of the Public Utilities Code states: "Each public agency owning any airport within the boundaries of an airport land use commission shall, prior to modification of its airport master plan, refer such proposed change to the airport land use commission"

The Town of Mammoth Lakes has prepared an Airport Layout Plan which differs in certain respects from the previous Airport Layout Plan. Staff summarized the changes as noted in the following table.

Use	1986 Use	1996 Use	Existing
Terminal Building	20,000 sq ft.	25,000 sq ft	4,000 sq ft
FBO	2,000 sq ft	10,000 sq ft	
Hotel	150 rooms two story	Min 60 - Max 250 (hotel/condominium)	None
Retail sales and Services	none	2. acres	None
RV Parking	None	10 acres 100 Sites	
Golf Course	120 acres subject to USFS approval	Eliminated	None
Auto Parking	310 spaces	750 parking spaces	
Restaurant	Café 90 seats Dining Room 120 Bar/Lounge 200 (to be located within the hotel)	300 seats (separate structure, but maybe with the hotel)	None
Airline Passengers	20,000 annual - 2007	125,000 annual - 2015	
Aircraft Operations	30,000 annual - 2007	34,400 annual - 2015	
Building Height	42' for copula/special design feature; 26' for the rest	45' for airport and special design features for the hotel/condominium	35'
Signs	1 @ 100 sq ft	2 free standing @ 650 sq ft 450 sq ft in sign area, ½ to denote Town activities	
Hangars	106	135	35
Tie Down Aprons/ Transient	125	100	
Tie Down Aprons/ Permanent	75	52	
Aircraft Storage	18.8 acres	22.7 acres	9.8 acres

The most significant aspect is the proposed elimination of the Cross wind runway, accompanying taxiways, and the 120 acre golf course, resulting in significant reductions in site disturbances, noise, and visual impacts. The Town has prepared and certified a Subsequent EIR and Environmental Assessment to address the proposed changes at the Mammoth Lakes Airport.

Most of the of the discussion that followed centered on height, visual, signs and usage.

Because the airport is within a scenic corridor the visual aspects of the airport were of importance. The height limit of 35' was noted and that some architectural design features may be up to 45', and that project review was also subject to design review approval. Final project designs have not yet been completed, but are to be compatible in design, color, materials, and character of the area. Staff encouraged all who were interested to become involved in the individual project approvals. The two proposed signs were also discussed, noting the location and the size.

Bill Taylor noted the proposed location of each and gave a general overview of the proposed signs and lighting. In respect to airport usage and proposed changes, staff noted that the ALUC did not have authority over airport operations. The uses noted in the Towns plan were in conformity with the ALUC Plan and those permitted within the plans uses noted for the airport development district. Bill Taylor also noted that the Town was processing general plan and zoning amendments to specifically address the proposed project.

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It was moved by Paul Rowan and seconded by Art Bergman that the revised Layout Plan for the Mammoth Lakes Airport was consistent with the ALUC airport Land Use Plan.

Public Comment

During public comment period Mr. Ray Turner, raised the issue of air safety particularly in light of potential increased use of the airport, calling attention to a map showing accident locations and deaths from aircraft crashes during the last fifteen years. In discussion that followed it was stated that many of the deaths occurred during bad weather, and near the base of the Sierra. Further discussion centered on getting aircraft to fly farther to the northeast, towards the White Mountains.

At the close of the discussion the Commission suggested that a follow up meeting was necessary to research and review the possibility of an approach which would be away from the Sierra Mountains and further to the northeast. Such review should look at the possibility of establishing noise sensitive areas and/ or restricting over flights by aircraft for the communities in the Long Valley

Public Utilities Code

PUBLIC UTILITIES CODE
SECTION 21679-21679.5

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.

(f) It is the intent of the Legislature to clarify that, for the purposes of this article, special districts are included among the local agencies that are subject to airport land use laws and other requirements of this article.

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

Public Utilities Code

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.

(c) (1) Notwithstanding subdivisions (a) and (b), and subdivision (b) of Section 21670, if the board of supervisors of a county and each affected city in that county each makes a determination that proper land use planning pursuant to this article can be accomplished pursuant to this subdivision, then a commission need not be formed in that county.

(2) If the board of supervisors of a county and each affected city makes a determination that proper land use planning may be accomplished and a commission is not formed pursuant to paragraph (1) of this subdivision, that county and the appropriate affected cities having jurisdiction over an airport, subject to the review and approval by the Division of Aeronautics of the department, shall do all of the following:

(A) Adopt processes for the preparation, adoption, and amendment of the comprehensive airport land use plan for each airport that is served by a scheduled airline or operated for the benefit of the general public.

(B) Adopt processes for the notification of the general public, landowners, interested groups, and other public agencies regarding the preparation, adoption, and amendment of the comprehensive airport land use plans.

(C) Adopt processes for the mediation of disputes arising from the preparation, adoption, and amendment of the comprehensive airport land use plans.

(D) Adopt processes for the amendment of general and specific plans to be consistent with the comprehensive airport land use plans.

(E) Designate the agency that shall be responsible of the preparation, adoption, and amendment of each comprehensive airport land use plan.

(3) The Division of Aeronautics of the department shall review the processes adopted pursuant to paragraph (2), and shall approve the processes if the division determines that the processes are consistent with the procedure required by this article and will do all of the following:

(A) Result in the preparation, adoption, and implementation of plans within a reasonable amount of time.

(B) Rely on the height, use, noise, safety, and density criteria that are compatible with airport operations, as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations.

(C) Provide adequate opportunities for notice to, review of, and comment by the general public, landowners, interested groups, and other public agencies.

(4) If the county does not comply with the requirements of paragraph (2) within 120 days, then the plan and amendments shall not be considered adopted pursuant to this article and a commission shall be established within 90 days of the determination of noncompliance by the division and a plan shall be adopted pursuant to this article within 90 days of the establishment of the commission.

(d) A commission need not be formed in a county that has contracted for the preparation of comprehensive airport land use plans with the Division of Aeronautics under the California Aids to Airport Program (Title 21 (commencing with Section 4050) of the California Code of Regulations), Project Ker-VAR 90-1, and that submits all of the following information to the Division of Aeronautics for review and comment that the county and the cities affected by the airports within the county, as defined by the plans:

Public Utilities Code

(1) Agree to adopt and implement the comprehensive airport plans that have been developed under contract.

(2) Incorporated the height, use, noise, safety, and density criteria that are compatible with airport operations as established by this article, and referred to as the Airport Land Use Planning Handbook, published by the division, and any applicable federal aviation regulations, including, but not limited to, Part 77 (commencing with Section 77.1) of Title 14 of the Code of Federal Regulations as part of the general and specific plans for the county and for each affected city.

(3) If the county does not comply with this subdivision on or before May 1, 1995, then a commission shall be established in accordance with this article.

(e) (1) A commission need not be formed in a county if all of the following conditions are met:

(A) The county has only one public use airport that is owned by a city.

(B) (i) The county and the affected city adopt the elements in paragraph (2) of subdivision (d), as part of their general and specific plans for the county and the affected city.

(ii) The general and specific plans shall be submitted, upon adoption, to the Division of Aeronautics. If the county and the affected city do not submit the elements specified in paragraph (2) of subdivision (d), on or before May 1, 1996, then a commission shall be established in accordance with this article.

21670.2. (a) Sections 21670 and 21670.1 do not apply to the County of Los Angeles. In that county, 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.

(b) By January 1, 1992, the county regional planning commission shall adopt the comprehensive land use plans required pursuant to Section 21675.

(c) Sections 21675.1, 21675.2, and 21679.5 do not apply to the County of Los Angeles until January 1, 1992. If the comprehensive land use plans required pursuant to Section 21675 are not adopted by the county regional planning commission by January 1, 1992, Sections 21675.1 and 21675.2 shall apply to the County of Los Angeles until the plans are adopted.

21670.4. (a) As used in this section, "intercounty airport" means any airport bisected by a county line through its runways, runway protection zones, inner safety zones, inner turning zones, outer safety zones, or sideline safety zones, as defined by the department's Airport Land Use Plan handbook and referenced in the comprehensive land use plan formulated under Section 21675.

(b) It is the purpose of this section to provide the opportunity to establish a separate airport land use commission so that an intercounty airport may be served by a single airport land use planning agency, rather than having to look separately to the airport land use commissions of the affected counties.

(c) In addition to the airport land use commissions created under Section 21670 or the alternatives established under Section 21670.1, for their respective counties, the boards of supervisors and city selection committees for the affected counties, by independent majority vote of each county's two delegations, for any intercounty airport, may do either of the following:

(1) Establish a single separate airport land use commission for that airport. That commission shall consist of seven members to be selected as follows:

(A) One representing the cities in each of the counties, appointed by that county's city selection committee.

(B) One representing each of the counties, appointed by the board of supervisors of each county.

(C) One from each county having expertise in aviation, appointed by a selection committee comprised of the managers of all the public airports within that county.

Public Utilities Code

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

(2) In accordance with subdivision (a) or (b) of Section 21670.1, designate an existing appropriate entity as that airport's land use commission.

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.

21671.5. (a) 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 or her 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 or her successor for a full term of four years. Any member may be removed at any time and without cause by the body appointing that member. The expiration date of the term of office of each member shall be the first Monday in May in the year in which that member's 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 chairperson of the commission shall be selected by the members thereof.

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

(c) 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.

(d) 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.

(e) The commission shall meet at the call of the commission chairperson or at the request of the majority of the commission members. A majority of the commission members shall constitute a quorum for the transaction of business. No action shall be taken by the commission except by the recorded vote of a majority of the full membership.

(f) The commission may establish a schedule of fees necessary to comply with this article. Those fees shall be charged to the proponents of actions, regulations, or permits, shall not exceed the estimated reasonable cost of providing the service, and shall be imposed pursuant to Section 66016 of the Government Code. Except as provided in subdivision (g), after June 30, 1991, a commission which has not adopted the comprehensive land use plan required by Section 21675 shall not charge fees pursuant to this subdivision until the commission adopts the plan.

(g) In any county which has undertaken by contract or otherwise completed land use plans for at least one-half of all public use airports in the county, the commission may continue to charge fees necessary to comply with this article until June 30, 1992, and, if the land use plans are complete by that date, may continue charging fees after June 30, 1992. If the land use plans are not complete by June 30, 1992, the commission shall not charge fees pursuant to subdivision (f) until the commission adopts the land use plans.

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.

Public Utilities Code

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.

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.

21674.5. (a) The Department of Transportation shall develop and implement a program or programs to assist in the training and development of the staff of airport land use commissions, after consulting with airport land use commissions, cities, counties, and other appropriate public entities.

(b) The training and development program or programs are intended to assist the staff of airport land use commissions in addressing high priority needs, and may include, but need not be limited to, the following:

(1) The establishment of a process for the development and adoption of comprehensive land use plans.

(2) The development of criteria for determining airport land use planning boundaries.

(3) The identification of essential elements which should be included in the comprehensive plans.

(4) Appropriate criteria and procedures for reviewing proposed developments and determining whether proposed developments are compatible with the airport use.

(5) Any other organizational, operational, procedural, or technical responsibilities and functions which the department determines to be appropriate to provide to commission staff and for which it determines there is a need for staff training or development.

(c) The department may provide training and development programs for airport land use commission staff pursuant to this section by any means it deems appropriate. Those programs may be presented in any of the following ways:

(1) By offering formal courses or training programs.

(2) By sponsoring or assisting in the organization and sponsorship of conferences, seminars, or other similar events.

(3) By producing and making available written information.

(4) Any other feasible method of providing information and assisting in the training and development of airport land use commission staff.

21674.7. An airport land use commission that formulates, adopts or amends a comprehensive airport land use plan shall be guided by information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook published by the Division of Aeronautics of the Department of Transportation.

Public Utilities Code

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 and shall be based on a long-range master plan or an airport layout plan, as determined by the Division of Aeronautics of the Department of Transportation, 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, specify use of land, and 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 of 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.

(d) The commission shall submit to the Division of Aeronautics of the department one copy of the plan and each amendment to the plan.

(e) If a comprehensive land use plan does not include the matters required to be included pursuant to this article, the Division of Aeronautics of the department shall notify the commission responsible for the plan.

21675.1. (a) By June 30, 1991, each commission shall adopt the comprehensive land use plan required pursuant to Section 21675, except that any county which has undertaken by contract or otherwise completed land use plans for at least one-half of all public use airports in the county, shall adopt that plan on or before June 30, 1992.

(b) Until a commission adopts a comprehensive land use plan, a city or county shall first submit all actions, regulations, and permits within the vicinity of a public airport to the commission for review and approval. Before the commission approves or disapproves any actions, regulations, or permits, the commission shall give public notice in the same manner as the city or county is required to give for those actions, regulations, or permits. As used in this section, "vicinity" means land which will be included or reasonably could be included within the plan. If the commission has not designated a study area for the plan, then "vicinity" means land within two miles of the boundary of a public airport.

(c) The commission may approve an action, regulation, or permit if it finds, based on substantial evidence in the record, all of the following:

(1) The commission is making substantial progress toward the completion of the plan.

(2) There is a reasonable probability that the action, regulation, or permit will be consistent with the plan being prepared by the commission.

(3) There is little or no probability of substantial detriment to or interference with the future adopted plan if the action, regulation, or permit is ultimately inconsistent with the plan.

(d) If the commission disapproves an action, regulation, or permit, the commission shall notify the city or county. The city or county may overrule the commission, by a two-thirds vote of its governing body, if it makes specific findings that the proposed action, regulation, or permit is consistent with the purposes of this article, as stated in Section 21670.

(e) If a city or county overrules the commission pursuant to subdivision (d), that action shall not relieve the city or county from further compliance with this article after the commission adopts the plan.

(f) If a city or county overrules the commission pursuant to subdivision (d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages

Public Utilities Code

to property or personal injury resulting from the city's or county's decision to proceed with the action, regulation, or permit.

(g) A commission may adopt rules and regulations which exempt any ministerial permit for single-family dwellings from the requirements of subdivision (b) if it makes the findings required pursuant to subdivision (c) for the proposed rules and regulations, except that the rules and regulations may not exempt either of the following:

(1) More than two single-family dwellings by the same applicant within a subdivision prior to June 30, 1991.

(2) Single-family dwellings in a subdivision where 25 percent or more of the parcels are undeveloped.

21675.2. (a) If a commission fails to act to approve or disapprove any actions, regulations, or permits within 60 days of receiving the request pursuant to Section 21675.1, the applicant or his or her representative may file an action pursuant to Section 1094.5 of the Code of Civil Procedure to compel the commission to act, and the court shall give the proceedings preference over all other actions or proceedings, except previously filed pending matters of the same character.

(b) The action, regulation, or permit shall be deemed approved only if the public notice required by this subdivision has occurred.

If the applicant has provided seven days advance notice to the commission of the intent to provide public notice pursuant to this subdivision, then, not earlier than the date of the expiration of the time limit established by Section 21675.1, an applicant may provide the required public notice. If the applicant chooses to provide public notice, that notice shall include a description of the proposed action, regulation, or permit substantially similar to the descriptions which are commonly used in public notices by the commission, the location of any proposed development, the application number, the name and address of the commission, and a statement that the action, regulation, or permit shall be deemed approved if the commission has not acted within 60 days. If the applicant has provided the public notice specified in this subdivision, the time limit for action by the commission shall be extended to 60 days after the public notice is provided. If the applicant provides notice pursuant to this section, the commission shall refund to the applicant any fees which were collected for providing notice and which were not used for that purpose.

(c) Failure of an applicant to submit complete or adequate information pursuant to Sections 65943 to 65946, inclusive, of the Government Code, may constitute grounds for disapproval of actions, regulations, or permits.

(d) Nothing in this section diminishes the commission's legal responsibility to provide, where applicable, public notice and hearing before acting on an action, regulation, or permit.

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

Public Utilities Code

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.

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.

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.

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.

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.

Public Utilities Code

(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.

21679.5. (a) Until June 30, 1991, no action pursuant to Section 21679 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, directly affecting the use of land within one mile of the boundary of a public airport, shall be commenced in any county in which the commission or other designated body has not adopted an airport land use plan, but is making substantial progress toward the completion of the plan.

(b) If a commission has been prevented from adopting the comprehensive land use plan by June 30, 1991, or if the adopted plan could not become effective, because of a lawsuit involving the adoption of the plan, the June 30, 1991, date in subdivision (a) shall be extended by the period of time during which the lawsuit was pending in a court of competent jurisdiction.

(c) Any action pursuant to Section 21679 commenced prior to January 1, 1990, in a county in which the commission or other designated body has not adopted an airport land use plan, but is making substantial progress toward the completion of the plan, which has not proceeded to final judgment, shall be held in abeyance until June 30, 1991. If the commission or other designated body adopts an airport land use plan on or before June 30, 1991, the action shall be dismissed. If the commission or other designated body does not adopt an airport land use plan on or before June 30, 1991, the plaintiff or plaintiffs may proceed with the action.

(d) An action 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, directly affecting the use of land within one mile of the boundary of a public airport for which an airport land use plan has not been adopted by June 30, 1991, shall be commenced within 30 days of June 30, 1991, or within 30 days of the decision by the local agency, or within the appropriate time periods set by Section 21167 of the Public Resources Code, whichever date is later.

MONO COUNTY

AIRPORT LAND USE COMMISSION

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February 26, 2001

To: Mono County Airport Land Use Commission

From: Keith Hartstrom, Senior Planner

RE: Consistency Determination
Mammoth/Yosemite Airport Expansion Project

Action

Find that the Airport Expansion Project for the Mammoth/Yosemite Airport is consistent with the ALUC Airport Land Use Plan.

Background

The purpose of this item is to determine if the proposed expansion project is consistent with the ALUC Mammoth/June Lake Airport Land Use Plan. Development of the Mammoth/Yosemite Airport (formerly Mammoth/June Lake Airport) is guided by an airport layout plan. The Town of Mammoth Lakes has prepared an expansion plan that is in conformance with the Airport Layout Plan reviewed in October 1997. An Environmental Assessment (EA) to address environmental issues was prepared in 2000.

Airport Expansion Project

The proposed action is to extend Runway 09-27 to the west to a length of 8,200 feet (a 1,200-foot addition) and widen the runway to 150 feet, resulting in a shift of the runway centerline 25 feet to the south. Also included is a new passenger terminal building, parking area and other landside support facilities capable of supporting air carrier and charter operation. Commercial airline service of narrow-body Boeing 757 is scheduled to begin during the winter season of 2001-2002 serving Dallas/Fort Worth and Chicago O'Hare international airports.

The extension of the runway to 8,200 feet and a new terminal building do not represent a change from the airport layout plan proposed in 1997.

ALUC Policy Issues

The configuration of the airport under the current proposal is generally the same as that analyzed in 1997, and the overall development is not significantly different with respect to uses within the boundaries of the airport. The ALUC plan (p. 16-

17) noted an expansion and improvement program which would include terminal area improvements; i.e., construction of a passenger terminal building and paved parking areas, and extension of the runway (see figure 7).

The terminal building and parking do not represent a conflict with the ALUC plan.

Height Restrictions

The proposed terminal building does not penetrate the restriction surfaces adopted by the ALUC (primary runway surface, approach surfaces or clear zone).

Noise Standards

The EA analyzed five different alternatives for the runway expansion. Although each alternative generated different noise contours, the EA indicates that the area exposed to aircraft noise of CNEL 65 and higher remains within the airfield boundary or on vacant land controlled by the Airport. The noise impacts are not unlike those anticipated in the ALUC plan.

Visual

Virtually all of the proposed project is within the scenic viewshed of U.S. Highway 395. Although the existing airport development has been part of the viewshed for many years, the EA notes that the terminal could have adverse impacts from viewpoints on U.S. 395, and additional structures could result in deterioration of visual quality. No ALUC visual policies have been established.

commercial and light industrial uses which are anticipated within the airport development district. Accordingly, the Airport Land Use Plan proposes that Title 19, Zoning and Development Code, be amended to include Chapter 19.47 which defines an Airport Development Zone and establishes the requirements and provisions applicable to the district. The proposed text of Chapter 19.47 is presented in Appendix A.

The Airport Development District has been specifically created to recognize the economic development potential associated with the expansion of services and facilities at the airport site. Although light industrial, manufacturing, and warehousing developments are necessary for economic stability and growth, these land uses are frequently incompatible with residential, agricultural, and open space land uses. This inherent incompatibility has limited the land resources available for economic development within the county. Subject to the constraints associated with the proximity of aircraft activities, the following land uses are proposed for the Airport Development District:

1. Airport operational facilities.
2. Aviation products and services.
3. Hotel/motel and lodging developments.
4. Limited light industrial and warehousing.
5. Office, business and commercial.
6. Public buildings.
7. Retail sales and services ancillary to airport terminal or hotel/motel facilities.
8. Automobile fueling facilities in conjunction with other land use/development.

All of the permitted land uses within the Airport Development District are subject to review and approval of the Airport Land Use Commission.

Proposed Airport Development and Expansion

The expansion and improvement programs outlined in the 1978 Mammoth/June Lake Airport Master Plan are only partially completed at the present time. A schematic layout of existing airport facilities is presented in Figure 7. As noted previously, proposed Master Plan improvements include expansions and development of the existing terminal area as well as infrastructure systems. In addition, a proposal has been submitted for the development of a major hotel within the core area of the terminal complex. The basic features of current airport development and expansion proposals are described in the following paragraphs.

Terminal Area Development. Proposed improvements for the development of the airport terminal complex are shown in Figure 8 and include the following facilities:

1. Construction of a crash/fire/rescue (CFR) building (5,000 sq. ft.).
2. Construction of an expanded and improved passenger terminal building (up to 20,000 sq. ft.) and paved parking areas.
3. Construction of a new fixed base operator (FBO) hangar and office facility (10,000 sq. ft.).

4. Construction of additional hangar, storage, and maintenance facilities (40,000 sq. ft.).
5. Installation of an instrument landing system for alternative non-precision aircraft navigational aids.

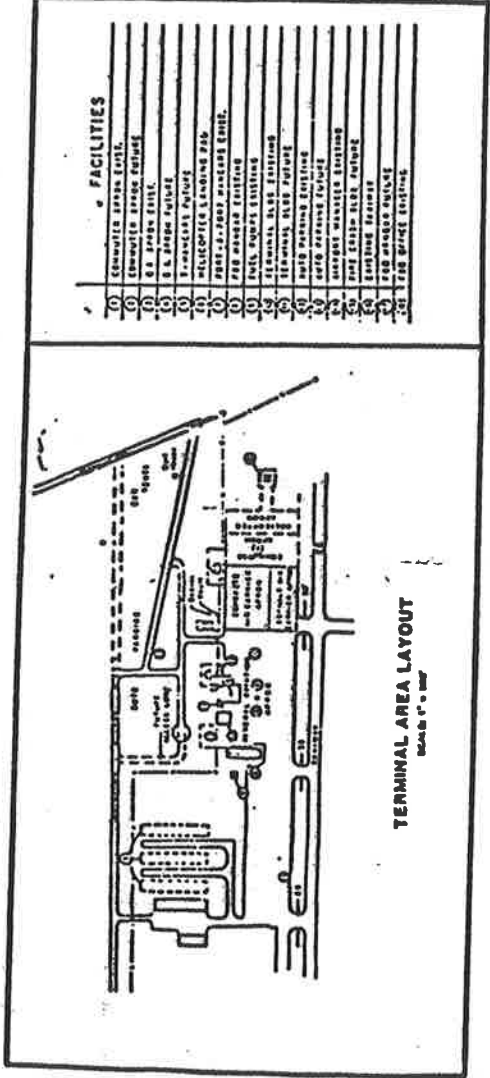
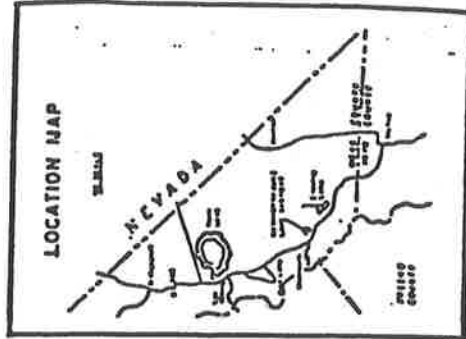
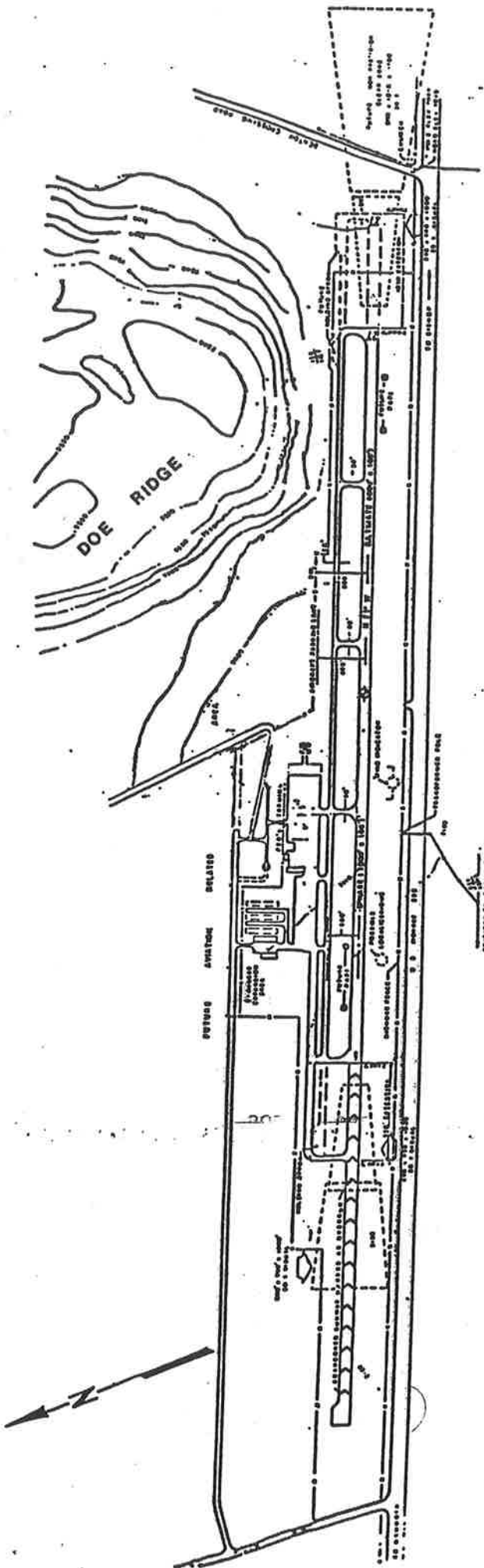
Infrastructure Improvements. The proposed improvements consist of the installation of complete water supply, fire protection, and sewage disposal systems for the central development core of the airport terminal complex. The proposed water and sewer improvements are shown schematically on Figure 9. Water system improvements include a 250 gpm deep well water supply, a complete distribution system sized to accommodate required fire flows and domestic demands, and an off-site 420,000 gallon storage tank with connecting main transmission line. The location of the proposed storage tank is shown on Figure 10. The proposed sewerage improvements include a complete gravity sewer collection system and a centralized septic tank/leach field treatment and disposal facility.

Airport Hotel. The proposed airport resort hotel will include 150 rooms in a two-story building structure which will have a total floor area of approximately 101,000 square feet. It will include shops, offices, convention rooms, indoor exercise and spa facilities, two restaurants (220 seat total capacity) and a bar/lounge room (200 seat capacity.) The hotel facility will be designed as a "destination" development which will accommodate virtually all personal services and amenities on site. Total area occupied by ancillary outdoor recreation facilities is anticipated to be approximately 25,000 square feet. The project proposal includes approximately 250 surface parking spaces for hotel patronage and employees. Gasoline pumps may be provided for the convenience of patrons. Due to the proximity of the site to the airport terminal facilities, there is an opportunity for providing joint parking facilities.

The hotel development plan includes the construction of an 18-hole golf course on Inyo National Forest land adjacent to the airport. The golf course is considered by the project proponent to be an essential element for the financial viability of the hotel development. Preliminary applications have been filed with the U.S. Forest Service for a use permit for the proposed golf course. A site-specific environmental assessment of the proposed golf course will be required prior to Forest Service approval of the project.

Airport Master Plan Update. An update of the Mammoth/June Lake Airport Master Plan is in progress. The update will address current aircraft activity levels, the status of existing airport improvements, and potential future expansions and improvements. It will also consider potential runway extensions and the need for an additional cross-wind runway.

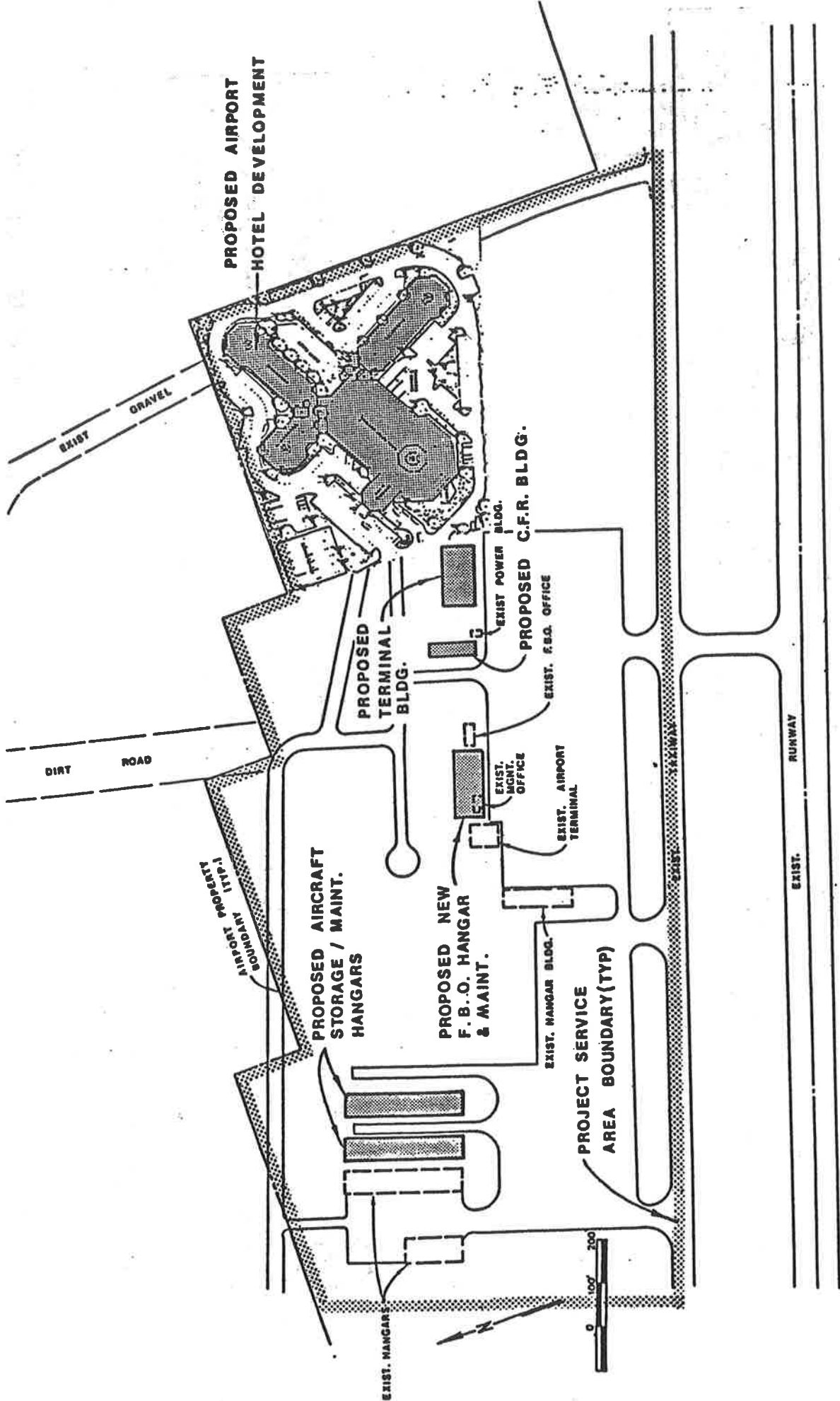
EXISTING AIRPORT DEVELOPMENT



FACILITIES

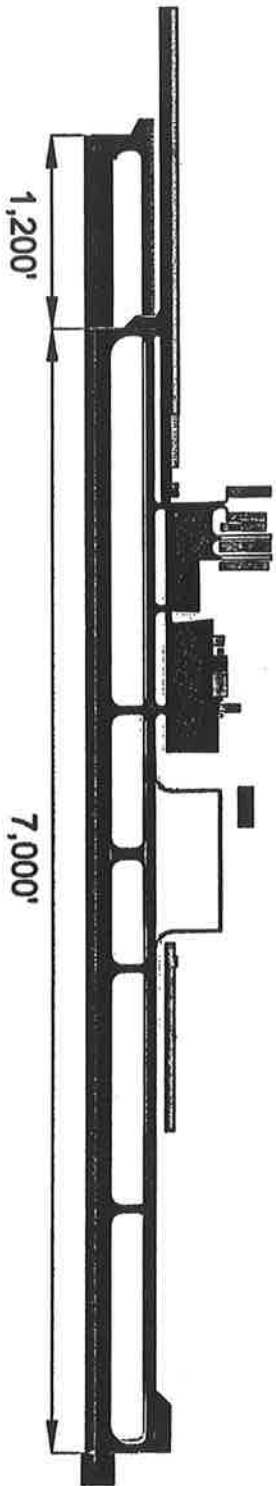
1	COMMUTER PARKING LOT
2	COMMUTER PARKING LOT
3	31 PARKING LOT
4	32 PARKING LOT
5	33 PARKING LOT
6	34 PARKING LOT
7	35 PARKING LOT
8	36 PARKING LOT
9	37 PARKING LOT
10	38 PARKING LOT
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13	41 PARKING LOT
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65	93 PARKING LOT
66	94 PARKING LOT
67	95 PARKING LOT
68	96 PARKING LOT
69	97 PARKING LOT
70	98 PARKING LOT
71	99 PARKING LOT
72	100 PARKING LOT

FIGURE 7



PROPOSED TERMINAL DEVELOPMENT

FIGURE 8



Source: Reinhard W. Brandley, Engineer / Ricondo & Associates, Inc.
 Prepared by: Ricondo & Associates, Inc.



Legend
 Existing Airfield
 Potential Airport Improvement

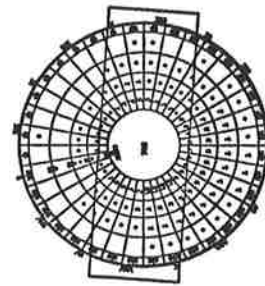
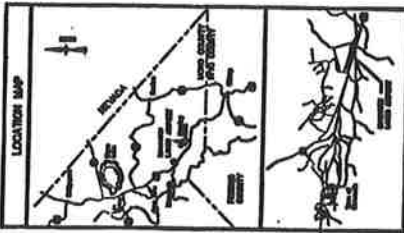
**Alternative 2 - Proposed Action,
 8,200 ft. Runway**

P:\Mammoth\Drawings\Exhibits\Exhibit III-3.dwg

Mammoth Yosemite Airport Expansion
 Environmental Assessment

October 2000

Mammoth Yosemite Airport



RUNWAY DATA

Runway	Length (ft)	Width (ft)	Surface	Notes
1	10,000	150	Asphalt	
2	8,000	150	Asphalt	
3	6,000	150	Asphalt	
4	4,000	150	Asphalt	

AIRPORT DATA

Category	Item	Value
General	Name	Mammoth Yosemite Airport
	Location	Yosemite National Park, California
	Owner	Yosemite National Park
	Operator	Yosemite National Park
	Established	1950
Runway	Length	10,000 ft
	Width	150 ft
	Surface	Asphalt
	Grade	1.5%
	Notes	See Runway Data Table

Runway	Length (ft)	Width (ft)	Surface
1	10,000	150	Asphalt
2	8,000	150	Asphalt
3	6,000	150	Asphalt
4	4,000	150	Asphalt

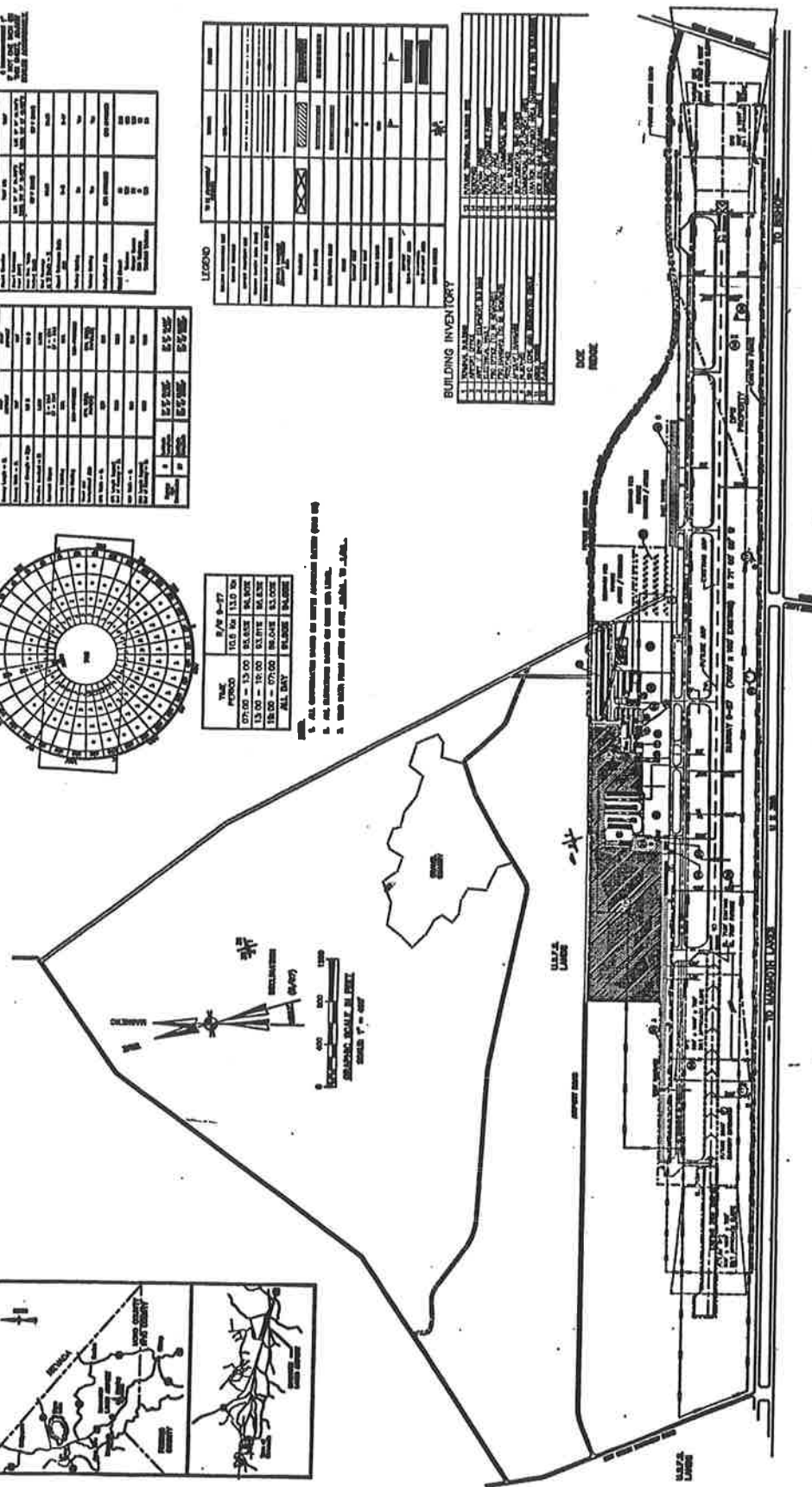
- 1. ALL OPERATIONS SHALL BE CONDUCTED UNDER THE SUPERVISION OF THE AIRPORT MANAGER.
- 2. ALL OPERATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE AIRPORT REGULATIONS.
- 3. THE AIRPORT MANAGER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE AIRPORT.

LEGEND

Symbol	Description
[Solid Line]	Property Line
[Dashed Line]	Right-of-Way Line
[Hatched Area]	Existing Building
[Stippled Area]	Proposed Building
[Diagonal Lines]	Proposed Runway

BUILDING INVENTORY

Building Name	Location	Notes
Terminal Building	East of Runway 1	Existing
Control Tower	North of Runway 1	Existing
Hangar	West of Runway 1	Existing
Office Building	South of Runway 1	Existing

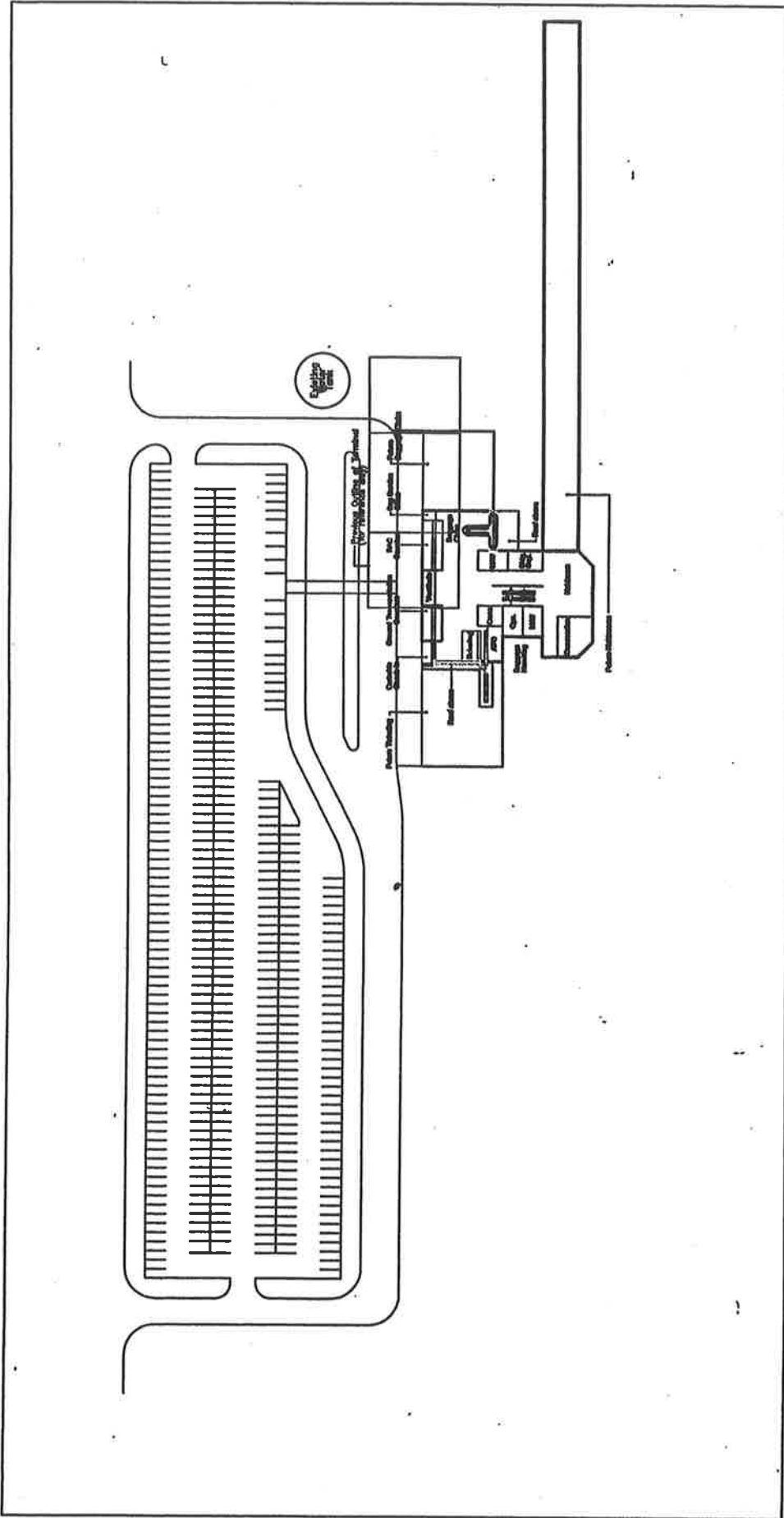


1000
north
Mammoth Yosemite Airport Expansion
Environmental Assessment

Exhibit IV-1

Approved Airport Layout Plan

October 2000



Source: Richard W. Brandley, Engineer / Moore & Associates, Inc.
Prepared by: Moore & Associates, Inc.



PLANNING AND DESIGN SERVICES
Mammoth Lakes Airport Expansion
Environmental Assessment

Exhibit III-1

Terminal Concept

October 2000

MONO COUNTY

AIRPORT LAND USE COMMISSION

P.O. BOX 8
BRIDGEPORT, CA 93517
760-932-5217
FAX 932-7145

P. O. BOX 347
MAMMOTH LAKES, CA 93546
760-924-5450
FAX 924-5458

February 26, 2001

To: Mono County Airport Land Use Commission

From: Keith Hartstrom, Senior Planner

RE: Consistency Determination
188-Unit Condominium Project at the Mammoth/Yosemite Airport

Action

Find that the proposed 188-unit condominium project at the Mammoth/Yosemite Airport is consistent with the ALUC Airport Land Use Plan.

Background

The purpose of this item is to determine if the proposed 188-unit condominium project is consistent with the ALUC Mammoth/June Lake Airport Land Use Plan. Development of the Mammoth/Yosemite Airport is guided by an airport layout plan. The Town prepared and certified a Subsequent EIR and Environmental Assessment to address the proposed changes to the Mammoth/Yosemite Airport Layout Plan in 1997. A major change of the layout plan was the increase in the density for the hotel/condominium project from 150 units to a maximum of 250 units.

Within the Airport Land Use Plan, changes proposed related to types or intensity of uses. The changes in airport development are summarized as follows:

Use	1986 Use	1997 Use
Terminal Building	20,000 sq ft.	25,000 sq ft
FBO	2,000 sq ft	10,000 sq ft
Hotel	150 rooms two story	Min 60 - Max 250 (hotel/condominium)
Retail sales and services	none	2. acres
RV Parking	None	10 acres 100 Sites
Golf Course	120 acres subject to USFS approval	Eliminated
Cross-wind Runway	Proposed	Eliminated
Auto Parking	310 spaces	750 parking spaces
Restaurant	Café 90 seats Dining Room 120	300 seats

	Bar/Lounge 200 (to be located within the hotel)	(separate structure, but maybe with the hotel)
Airline Passengers	20,000 annual - 2007	125,000 annual - 2015
Aircraft Operations	30,000 annual - 2007	34,400 annual - 2015
Building Height	42' for copula/special design feature; 26' for the rest	45' for airport and the hotel/condominium
Signs	1 @ 100 sq ft	2 free standing @ 650 sq ft 450 sq ft in sign area, ½ to denote Town activities
Hangars	106	135
Tie Down Aprons/ Transient	125	100
Tie Down Aprons/ Permanent	75	52
Aircraft Storage	18.8 acres	22.7 acres

188-Unit Condominium Project

The project will consist of 188 units (330 sleeping areas) on 19.95 acres (gross density 9.4 du/a), accessed from Airport Road. The project will have 56 triplex and 10 duplex townhomes, with one 25-child daycare building (2,000 sq ft) and one recreation building (1,000 sq ft). A total of 419 parking spaces will be provided (151 uncovered/268 uncovered). No solid-fuel burning appliances will be permitted. All utilities will be undergrounded, and water and sewer will be provided.

ALUC Policy Issues

The condominium proposal is generally in keeping with that analyzed in the 1997 Airport Layout Plan. The 1987 ALUC plan (p. 17 and figure 8) addressed the proposed construction of a 150-unit airport resort hotel.

Safety Provisions

Review of the ALUC Land Use Plan finds that the subject area is located out of the adopted ALUC's Airport Safety Zone (see figure 11), which is comprised of the Clear Zone, Approach Surface and Primary Surface.

Although the project lies outside the adopted Safety Zone and Overflight Zone, a review based on the Caltrans Airport Land Use Planning Handbook shows the project area to be in the Sideline Safety Zone (SSZ) and Traffic Pattern Zone (TPZ). The SSZ has an implicit acknowledgment of some degree of risk simply by being present on the airport. The Handbook suggests that land uses involving more than 40 to 60 people per acre should be avoided, and situated laterally from near the mid-point of the runway.

The project would meet this standard, as it has about 26.3 people per acre (2.8 persons per household x 188 units = 526.4 total population divided by 20 acres = 26.3). The people per acre for the TPZ is <150.

Noise Standards

The 2000 Environmental Assessment for the runway expansion analyzed five different alternatives for the runway expansion. Although each alternative generated different noise contours, no contours of the 60 CNEL encroached upon the development site for the 188-condominium project.

In accordance with ALUC policies, it is recommended that "All residential uses shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources not to exceed 45 db CNEL in any habitable room with windows closed."

Height Restrictions

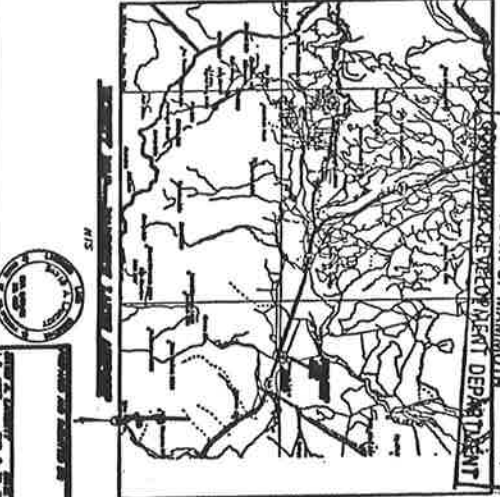
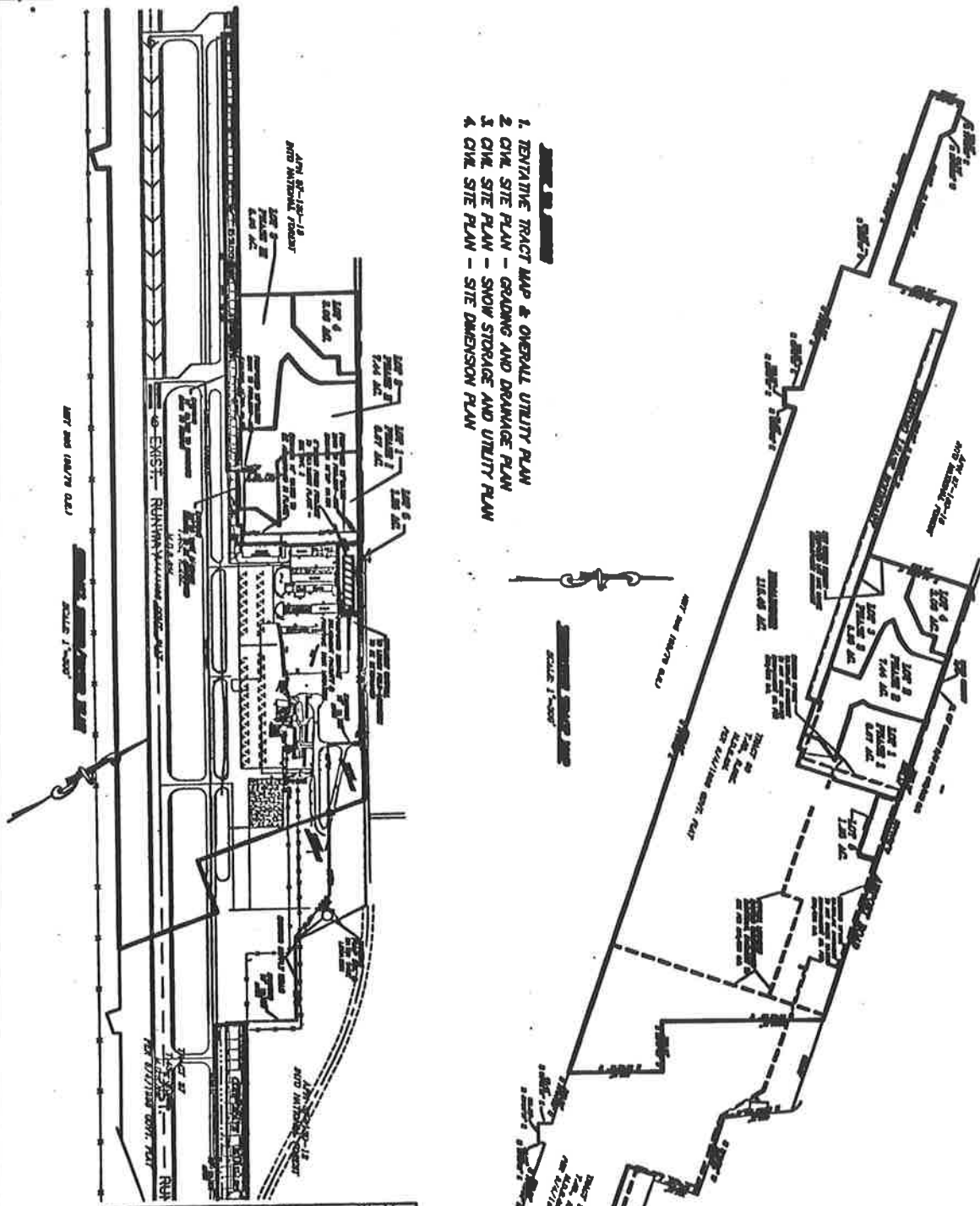
The proposed height of the condominiums is 29 feet (top of chimneys).

The proposed project does not penetrate the restriction surfaces adopted by the ALUC (primary runway surface, approach surfaces or clear zone).

Visuals

The project will be obscured from Highway 395 views by the existing hangars developed on the site immediately to the south. Visual impact mitigation measures from the 1997 EIR/EA will be applied. These include use of natural colors, indigenous landscaping, appropriate lighting, minimization of grading, use of the existing access road, underground utilities, and building heights conforming to a maximum 35' height standard. A lighting plan shall be required, with all lighting to be adequately shielded to reduce on- and off-site glare.

1. TENTATIVE TRACT MAP & OVERALL UTILITY PLAN
2. CIVIL SITE PLAN - GRADING AND DRAINAGE PLAN
3. CIVIL SITE PLAN - SNOW STORAGE AND UTILITY PLAN
4. CIVIL SITE PLAN - SITE DIMENSION PLAN

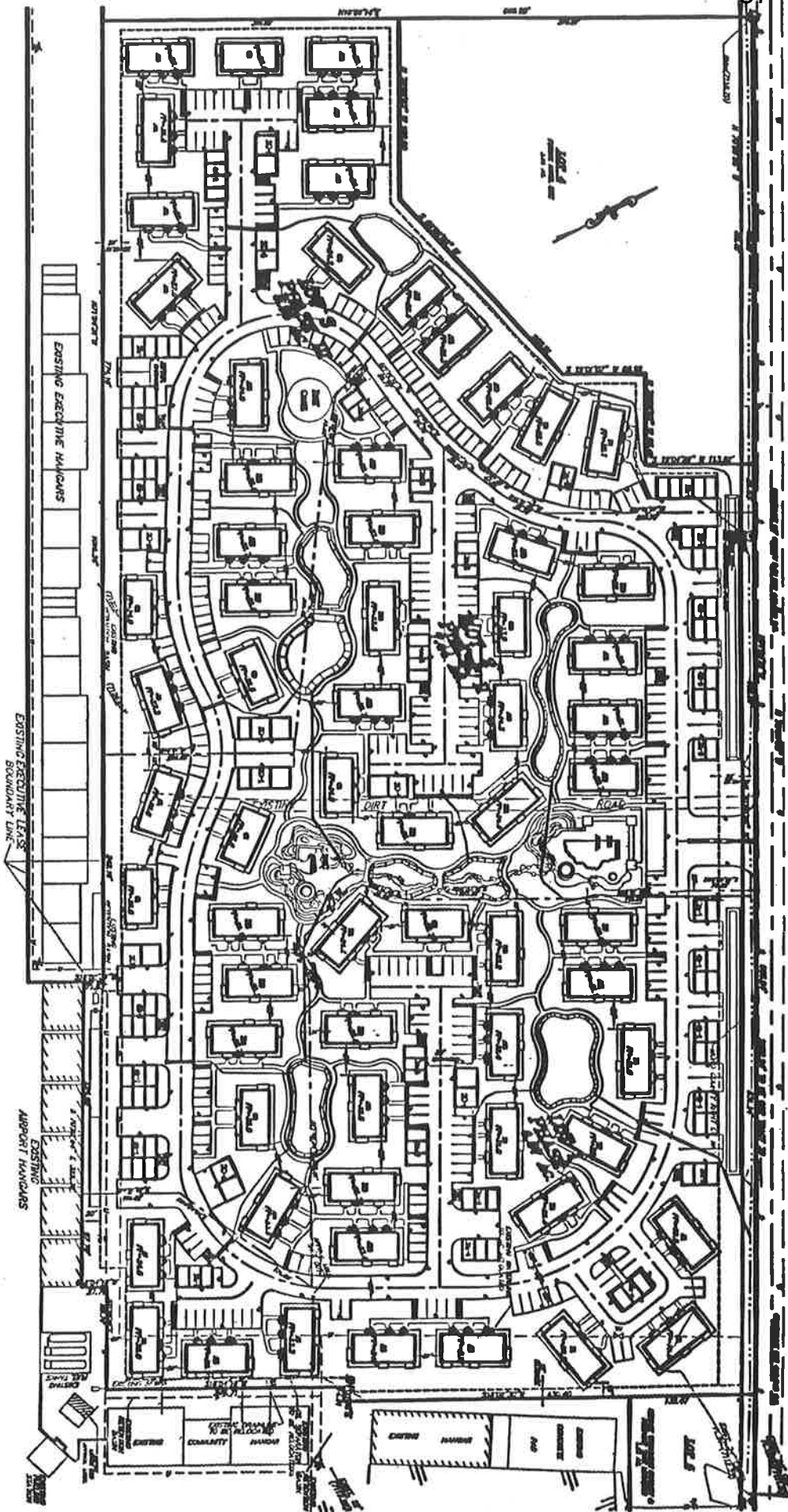


NOT CREEK RESORT DEVELOPMENT CO., L.L.C.
 11111 MAMMOTH LAKES, CA 93546
 800-368-3333

TOWN OF MAMMOTH LAKES
 11111 MAMMOTH LAKES, CA 93546
 800-368-3333

NOT CREEK RESORT DEVELOPMENT CO., L.L.C.
 11111 MAMMOTH LAKES, CA 93546
 800-368-3333

RECEIVED
 JAN 23 2001
 COMMUNITY DEVELOPMENT DEPARTMENT
 TOWN OF MAMMOTH



RECEIVED
 COMMUNITY DESIGN DEPARTMENT
 TOWN OF MAHARATH
 JAN 23 2001

NOT CHECK RESORT
 CIVIL SITE PLAN TENTATIVE TRACT NO. 36-190
 LOTS 1, 2 & 3 FOR CONDOMINIUM PURPOSES
 SITE DESIGN PLAN

GOOD ROADS
 12/12/02
 1:000
 0/02
 48-4
 68-11262

MONO COUNTY

AIRPORT LAND USE COMMISSION

P.O. BOX 8
BRIDGEPORT, CA 93517
760-932-5217
FAX 932-7145

P. O. BOX 347
MAMMOTH LAKES, CA 93546
760-924-5450
FAX 924-5458

February 26, 2001

To: Mono County Airport Land Use Commission

From: Keith Hartstrom, Senior Planner

RE: Consistency Determination
Sierra Business Park

Action:

Find that the Sierra Business Park Specific Plan is consistent with the Airport Land Use Plan.

Background

The purpose of this item is to determine if the proposed Sierra Business Park Specific Plan is consistent with the ALUC Mammoth/June Lake Airport Land Use Plan. In accordance with the Mono County General Plan Land Use Element, Objective A, Policy 2 of the Airport Land Use Plan, "The ALUC must review and approve all proposed private land uses prior to formal action by jurisdictional agencies. ALUC review will focus on compatibility with the adopted airport Land Use Plan and compliance with the safety provisions, height restrictions, and visual and noise standards."

Sierra Business Park Description

The proposed Sierra Business Park Specific Plan allows for light industrial uses on a 36 acre site previously used as an aggregate materials burrow. As proposed, the site would be subdivided into 37 lots ranging in size from 0.5 to 2.8 acres. The project proposes development in two phases, with phase 1 including the development of 24 lots and a visual screening berm along the site's perimeter. An EIR has been certified by Mono County for the project.

ALUC Policy Issues

In addition to land use designations, ALUC Land Use Plan policies focus on safety provisions, height restrictions, visual and noise standards.

Land Use Designation/Safety

The subject property is designated Industrial/Manufacturing in the Airport Land Use Plan (figure 6). This property is only one of three sites “considered suitable for industrial and manufacturing land use” in the Plan. The industrial designation allows for a higher intensity of use than that proposed in the Specific Plan.

The project site is not within the ALUC’s Airport Safety Zone (figure 11), which is comprised of the Clear Zone, Approach Surface and Primary Surface zones. A corner of the property is within the Airport Overflight Zone (figure 12), which represents local traffic patterns. The Specific Plan does not allow for any land uses inconsistent with Overflight Zone requirements.

Comments have been received (see attached letter from Mr. Dawson) indicating that the property falls into two Safety Zones, based upon Exhibit 10 of the Sierra Business Park Draft EIR/Specific Plan (see attached Exhibit 10), and suggest that “No industrial land uses shall be permitted” pursuant to ALUC policies.

These EIR Safety Zones, however, are based upon the Airport Land Use Planning Handbook, May 1994, not those established and adopted by the ALUC (i.e., figure 11 ALUC - Safety Zone). The Sierra Business Park development is not within the local ALUC Safety Zone, as illustrated on figures 11 and 13 of the Airport Land Use Plan.

Height Restrictions

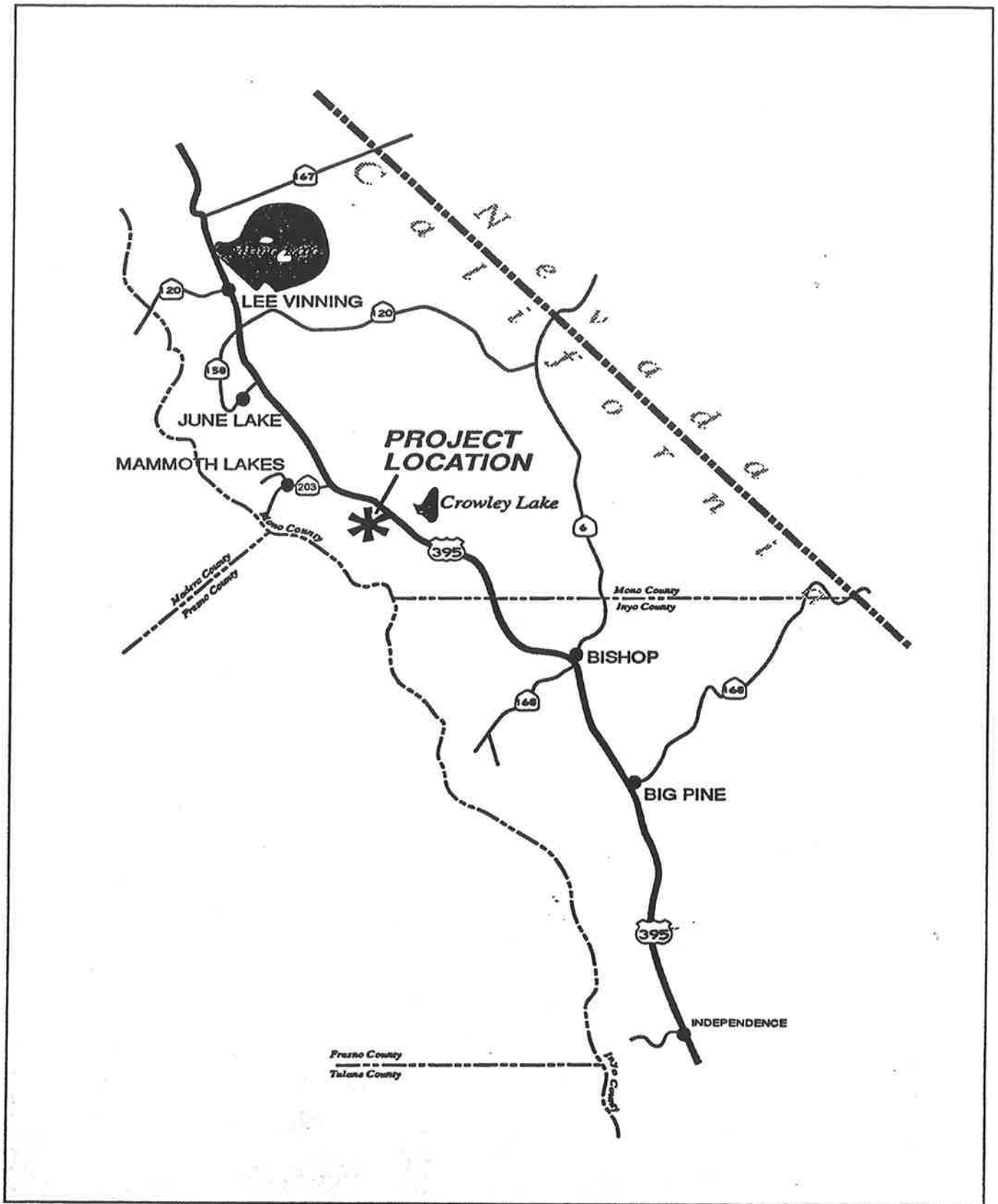
The Sierra Business Park Specific Plan contains project provisions that restrict the maximum building height to 30’ above the pit floor, which is depressed about 10’ – 20’ below the natural grade. The ALUC Plan contains a 35’ height restriction and permits limited development over 35’ above grade elevation. (Height Policies #2, p. 22). The Specific Plan complies with these height restrictions.

Noise Standards

ALUC noise policies permit non-residential development within the 65 db CNEL contour if structures are soundproofed to limit interior noise levels to 45 db CNEL (Noise Policies # 3, p. 23). The project is not within any 65 db CNEL airport - produced contour (see ALUC Projected Noise Contours- also Section V of the Mammoth Yosemite 2000 EA).

Visual

Specific Plan visual restrictions include limitations on lighting, including prohibitions on project upward lighting, requirements for low intensity exterior lighting, and no sign illumination (see lighting standards and aesthetics appendices B & C of the Sierra Business Park Final EIR & Specific Plan). These requirements ensure the development will be compatible with ALUC Plan requirements restricting lighting and visual impacts to airport operations.



10 5 0 10 20
Scale in Miles

EXHIBIT 1 Regional Location Map

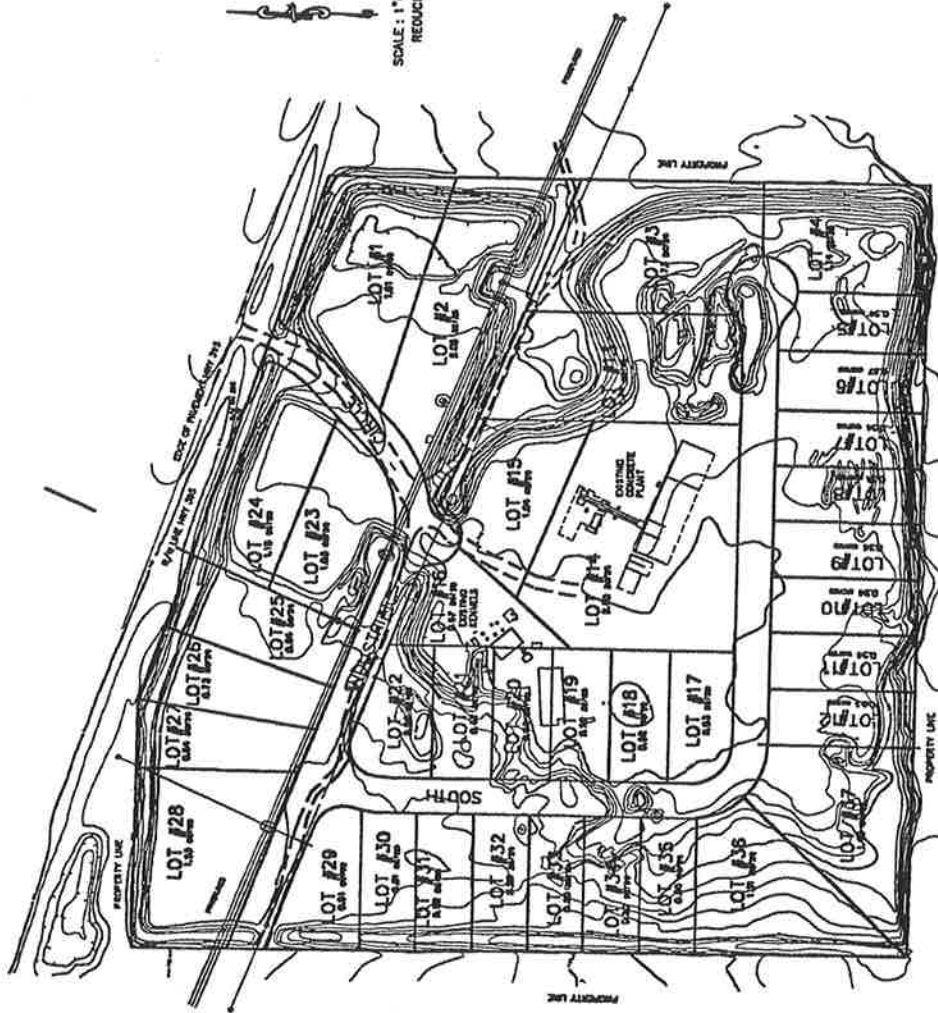
PROPOSED SIERRA BUSINESS PARK

EXHIBIT 3 Project Phasing Map

PROPOSED SIERRA BUSINESS PARK

PHASE	# OF LOTS	LOT SIZE IN ACRES		
		MIN.	AVG.	MAX.
PHASE 1	24	0.52	0.94	2.80
PHASE 2	13	0.50	0.78	1.53
TOTAL PROJECT	37	0.50	0.88	2.80

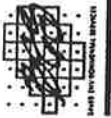
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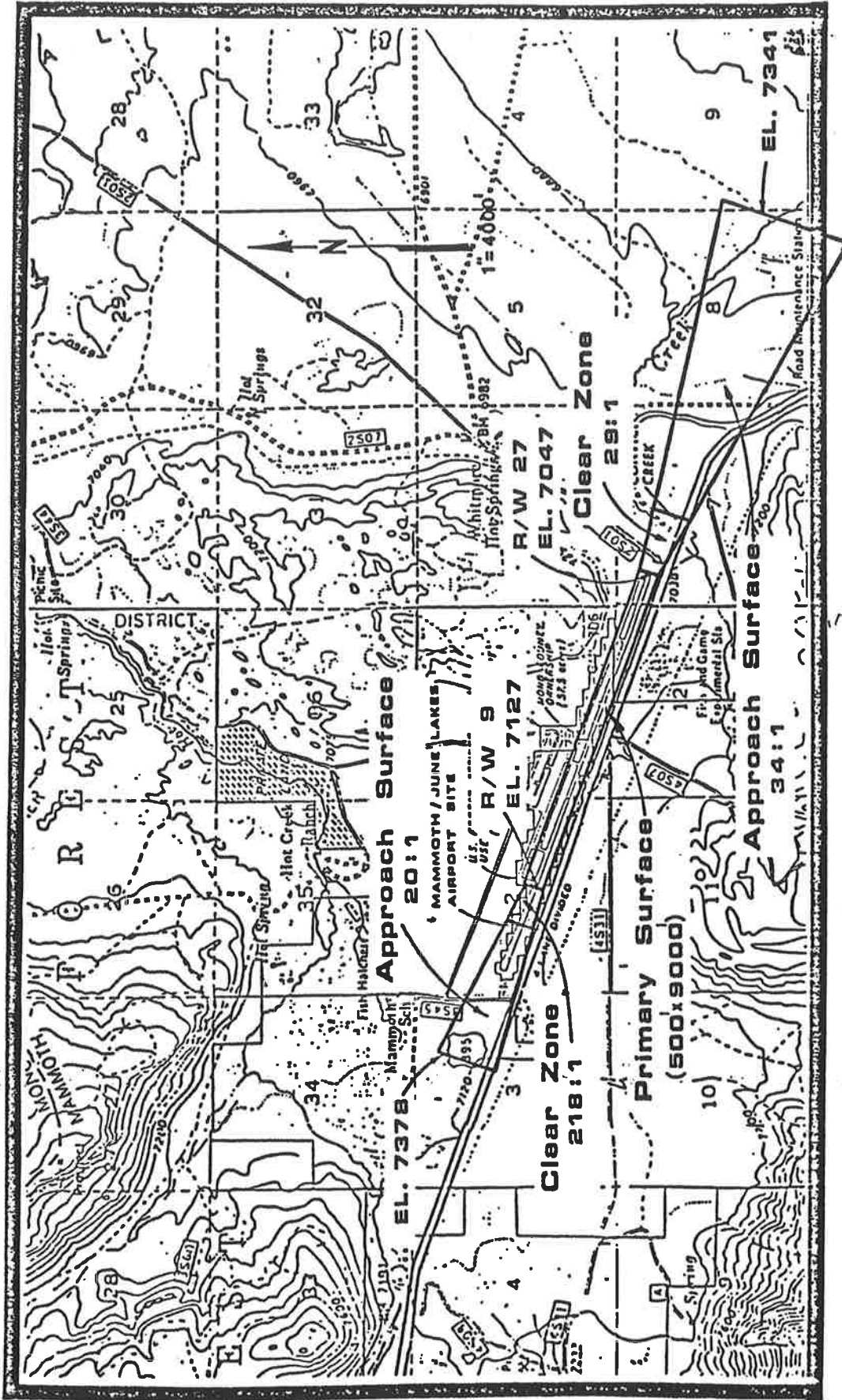


PHASE I
(SEE SHEET 4)
PHASE II
(SEE SHEET 3)
PROJECT PHASING

NOTES:
CONTOUR INTERVAL
SHOWN CONTAINS
MINOR CONTOURS OF
1 FOOT
EXISTING ELEVATIONS
ARE SHOWN
THE RIGHT OF WAYS, UTILITIES, AND AREAS CONSTRUCTED BY AUTHORITY
OF THE UNITED STATES (UPON ANY APPLICABLE RECORDS) IN QUARTER SECTION
AND THE PART OF ALL OF THAT PORTION OF LAND CONTAINING 50 FEET OF THE
ELECTRIC TRANSMISSION POWER PROJECT OF THE
RIGHT OF WAY SELECTED MARCH 7, 1984 SERIAL 8-3322, BY THE PLANNING BOARD
FOR TRANSMISSION LINE INTERSECTING THE SE 1/4 OF THE SE 1/4 OF SECTION 3
SHOWN AND APPROVED JANUARY 7, 1918 UNDER THE ACT OF FEBRUARY 18, 1907.

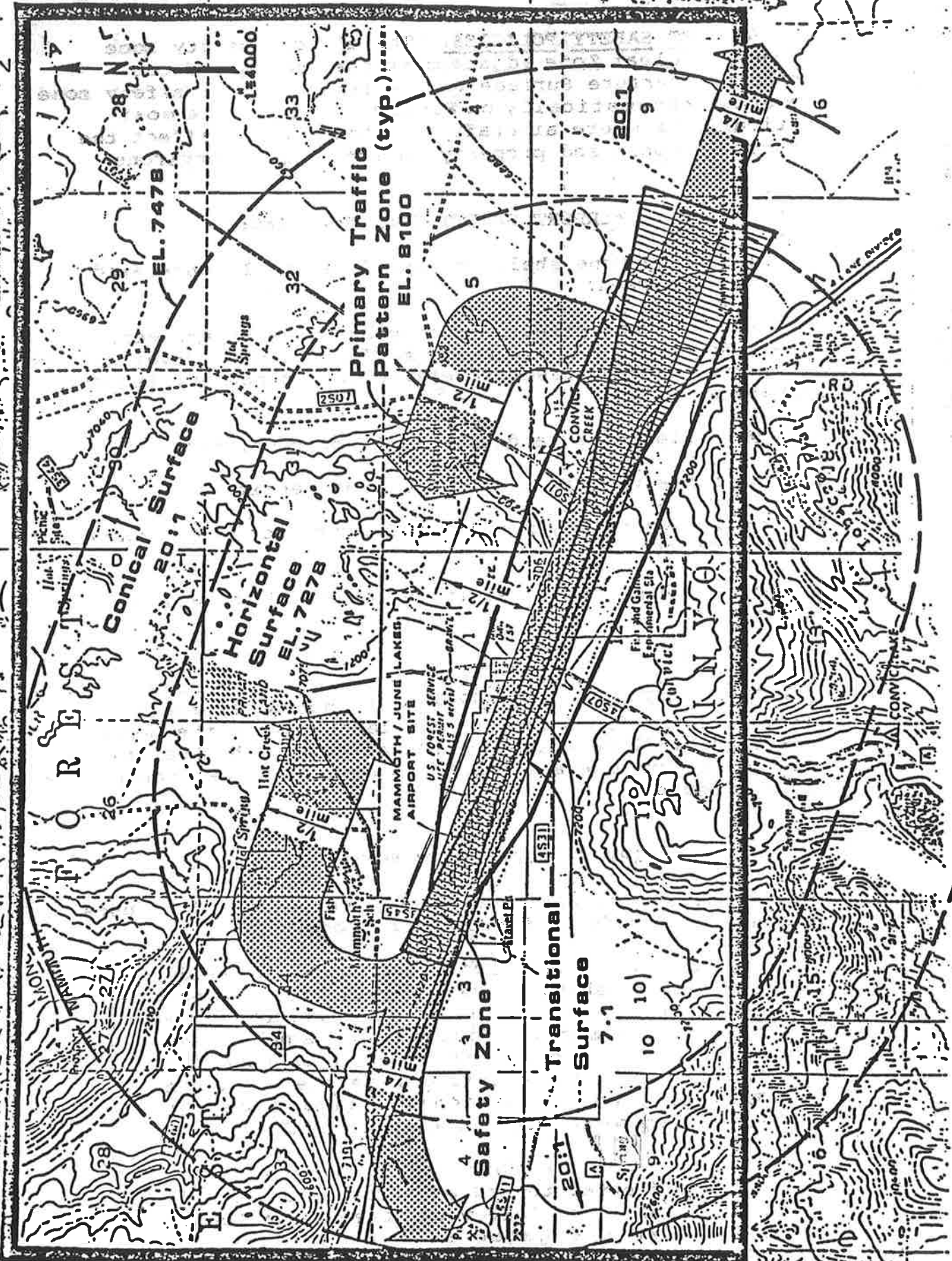
BY: MERRY LOT CONDO. & AREAS	DATE: 1/7/99
BY: MERRY LOT & LOT #24	DATE: 1/7/99
DESCRIPTION: BEAR ENGINEERING & SURVEYING	DATE: 1/7/99
TO: APPROVAL:	DATE: 3/19/99
TO: SHOP:	DATE: 3/19/99
TO: FIELD:	DATE: 3/19/99
AS BUILT:	DATE: 3/19/99
JOB NAME: MORRAN IND. PARK	
LOCATION: PORTION OF SECTION 3	
SCALE: 1"=100'	
DATE: 3/19/99	
CONTRACTOR: AP# 37-130-04	
DESCRIPTION: PHASING MAP	
JOB NUMBER: 37-130-04	
SHEET 2 OF 3	
MIPPROJ2.DWG	





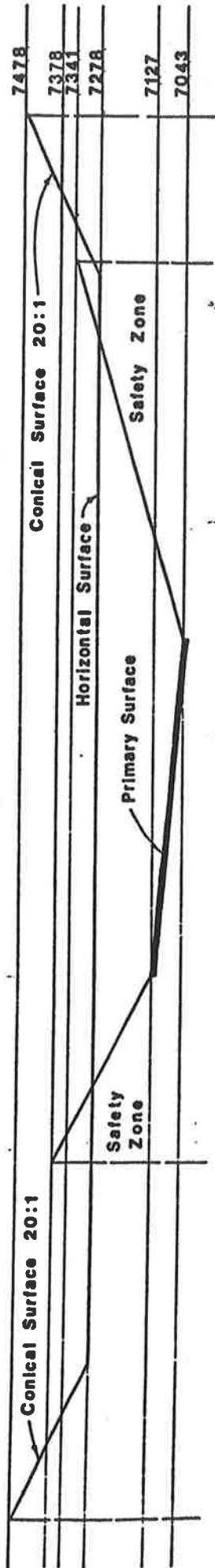
AIRPORT SAFETY ZONE

FIGURE 11



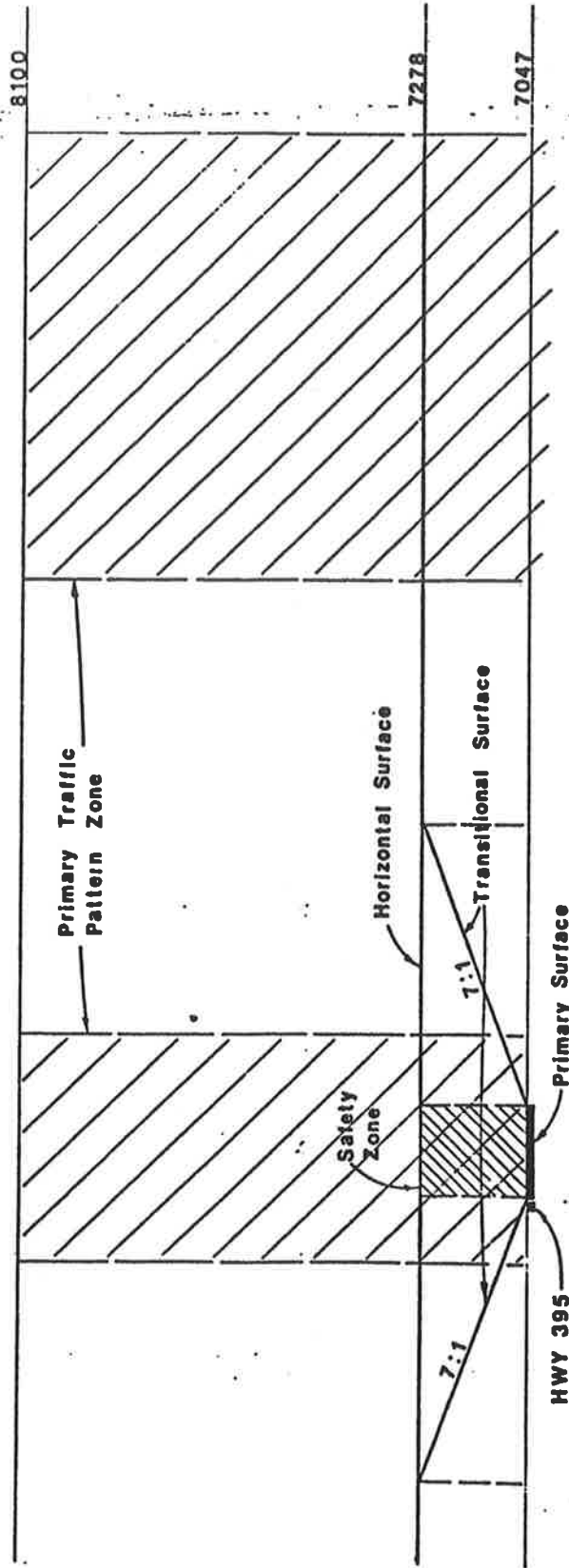
AIRPORT OVERFLIGHT ZONE

FIGURE 1



Longitudinal Section

Scales:
 Horiz.: 1" = 4000'
 Vert.: 1" = 400'



Cross Section

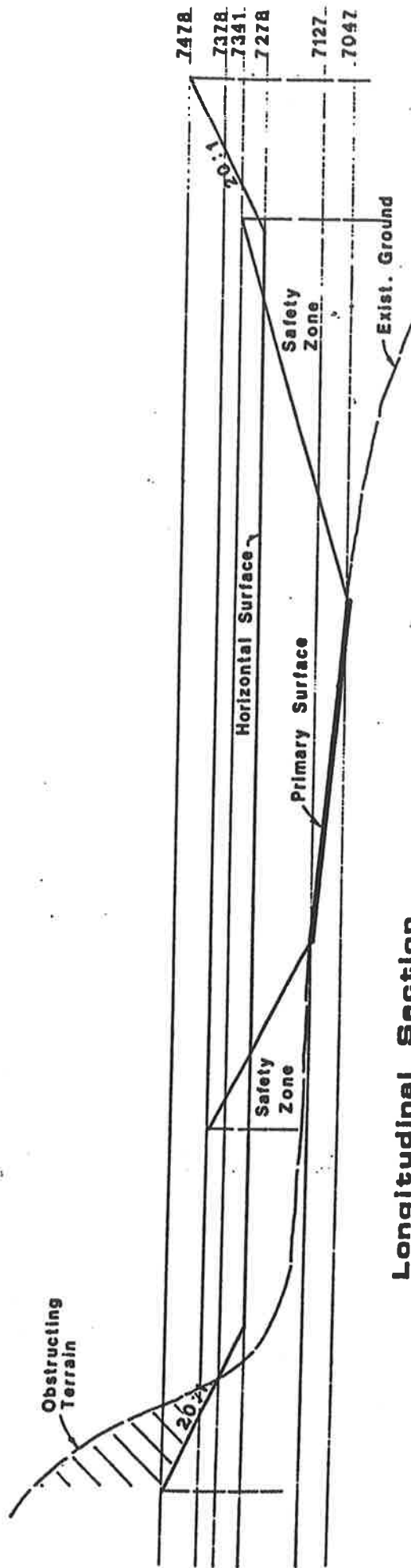
Scales:
 Horiz.: 1" = 100'
 Vert.: 1" = 400'

AIRPORT OVERFLIGHT ZONE

APPROACH AND CLEAR ZONE PLAN

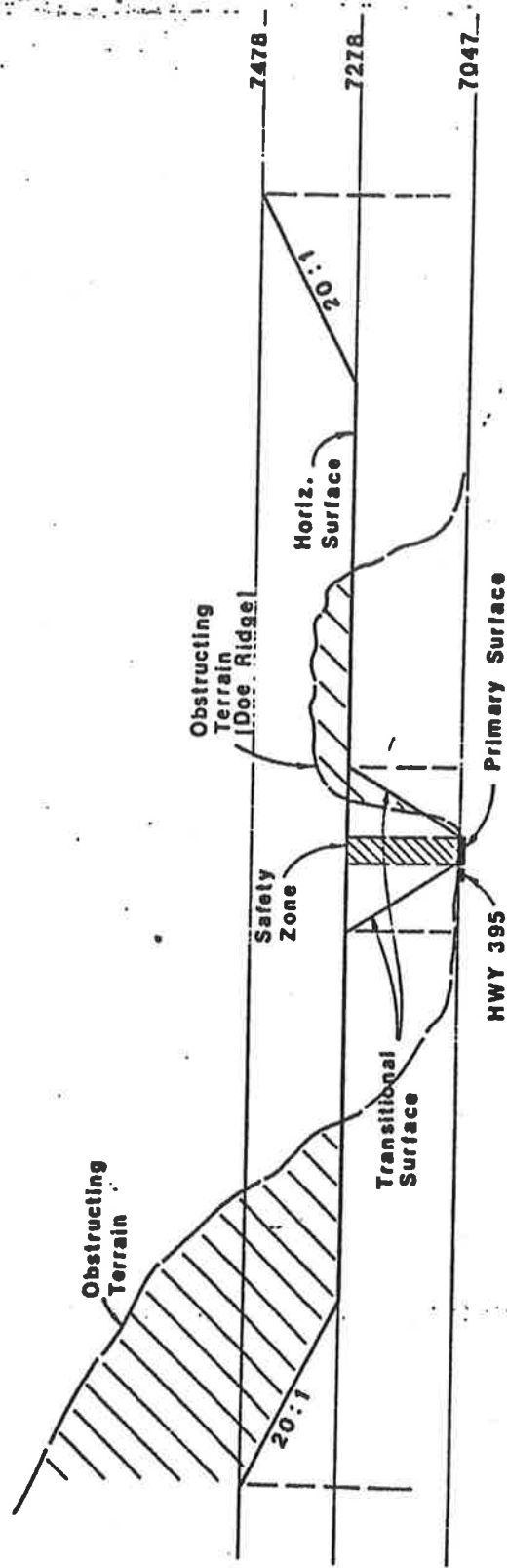


FIGURE 13



Longitudinal Section

Scales:
 Horiz.: 1" = 4000' Vert.: 1" = 400'



Cross Section

Scales:
 Horiz.: 1" = 4000' Vert.: 1" = 400'

APPROACH AND CLEAR ZONE PLAN

FIGURE 13 A

c. That the owners shall not protest or object to the operation of the airport or the landing or take-off of aircraft before any court or agency of government.

d. The above easement and agreement shall run with the land and shall be binding upon the owners and subsequent owners of the property.

10. A buyer notification statement shall be a requirement for the transfer of title of any property located within the airport's planning boundary. This statement should indicate that the buyer is aware of the proximity of an airport, the characteristics of the airports current and projected activity, and the likelihood of aircraft overflights of the affected property.

Airport Height Restriction Policies. The airport height restriction area is defined by Approach and Clear Zone Plan (ACZP) which is specified by Federal Aviation Regulation (FAR) Part 77. The ACZP for the Mammoth/June Lake Airport is Shown on Figure 13. Height restrictions are specified for the safety of aircraft navigation and the general public.

AIRPORT HEIGHT RESTRICTION POLICIES:

1. No structures or obstructions are permitted within the designated primary runway surface, approach surfaces or clear zones.
2. Structures within the ALUC Planning Boundary over 35 feet in height are permitted only when in conformance with requirements of the Mono County Zoning and Development Code and when not in conflict with any runway surface, approach surface or clear zone.
3. The ALUC shall review any applicable development proposals and restrict the erection or growth of objects which penetrate the established airport height restriction areas.
4. Rotating beacons, spot lights, or similar aircraft navigation hazards markers which are not part of airport operations are prohibited within the entire overflight zone.
5. Any structure, either within or outside the ALUC Planning Boundary is not in conformance if it:
 - a. Penetrates the height restriction surfaces adopted by the ALUC (unless it is determined not to be a "hazard" by the FAA).

b. Would result in a loss in airport utility, such as causing the usable length of the runway to be reduced.

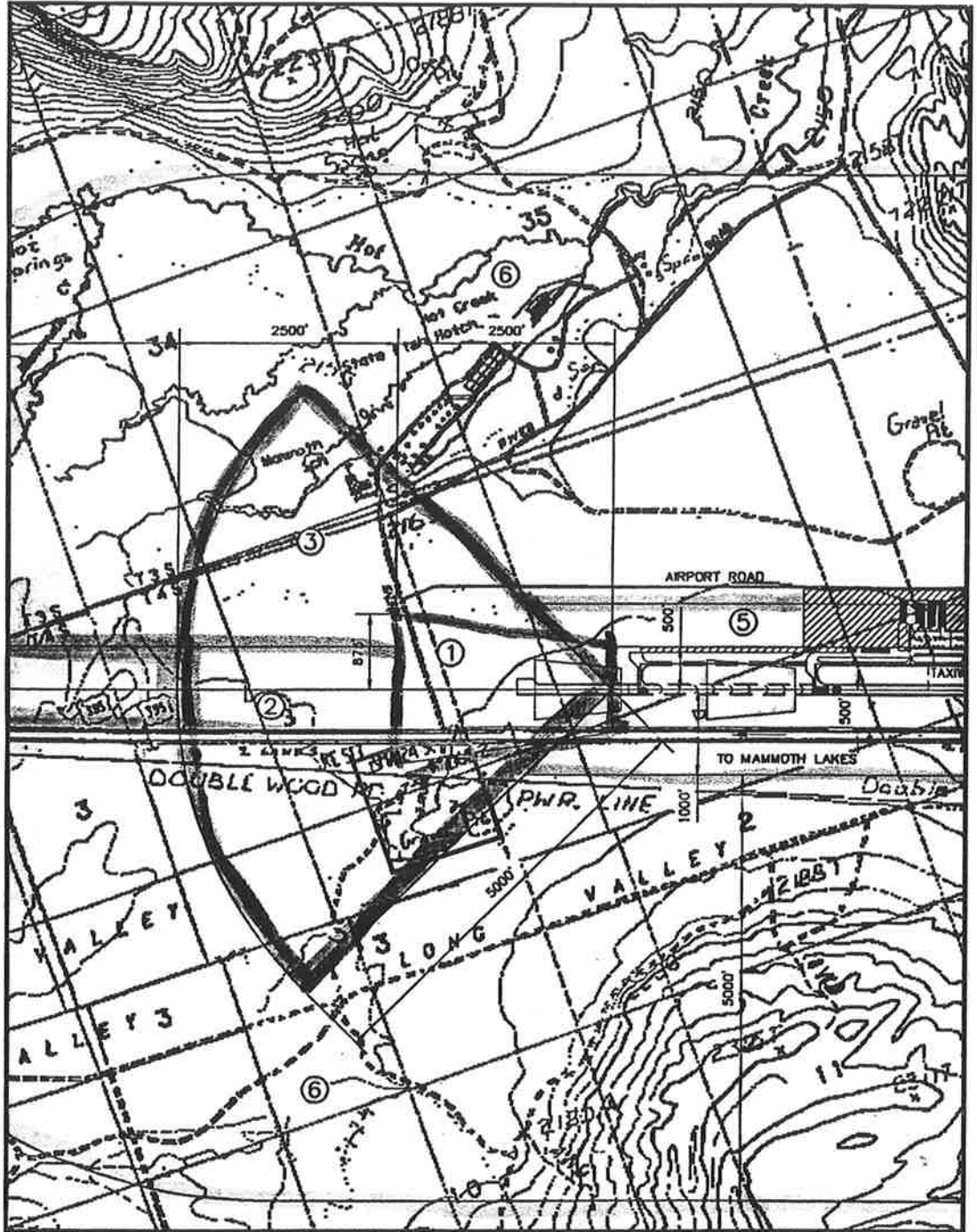
c. Would conflict with the VFR airspace used for the airport traffic pattern or enroute navigation to and from the airport.

d. Is determined to be a "hazard" by the FAA.

Airport Noise Policies. Within the planning area, the impact of airport or aircraft generated noise will be considered by the ALUC in the review of all development proposals. A noise impact analysis prepared for the Mammoth/June Lake Airport Master Plan is presented in Appendix C. The analysis describes the airport noise environment by determination of Community Noise Equivalent Level (CNEL) contours using the methodology defined in Title 21 of the California Administrative Code. The impact of aircraft noise associated with airport operations is the most obvious factor in determining land use compatibility with the planning area.

AIRPORT NOISE POLICIES:

1. Noise and aviation easements, as necessary, shall be required before approval of any land trade or approval of any project within the Planning Boundary.
2. No residential development is permitted within the 65 dB CNEL contour. Non-residential development may be permitted within the 65 dB CNEL contour if structures are soundproofed to limit interior noise levels to 45 db cnel.
3. The maximum noise exposure considered acceptable for non-residential land uses without special sound reduction construction is 60 dB CNEL.
4. The maximum noise exposure considered acceptable for residential land uses is 55 dB CNEL. All residential structures shall include soundproofing construction to limit interior noise levels to 45 dBA in any habitable room.
5. If a noise analysis, including noise monitoring, is conducted for a particular location and the results indicate that the maximum CNEL will be less than shown herein, then the lower exposure level may be used for the land use evaluation at the discretion of the ALUC.



Source: Reinard W. Brandley
Consulting Airport Engineer

March 10, 1997

ALUC LAND USE RECOMMENDATIONS

ZONE	SAFETY ZONE NAME	POPULATION DENSITY OF USE	RESIDENTIAL LAND USE	SPECIAL FUNCTIONS
●	RUNWAY PROTECTION ZONE	0-10/ACRE	PROHIBITED	PROHIBITED
●●	INNER SAFETY ZONE	40-60/ACRE	10 ACRES/DWELLING	PROHIBITED
●●●	INNER TURNING ZONE	40-60/ACRE	2-10 ACRES/DWELLING	PROHIBITED
●●●●	OUTER SAFETY ZONE	60-100/ACRE	2-5 ACRES/DWELLING	PROHIBITED
●●●●●	SIDELINE SAFETY ZONE	40-80/ACRE	2-5 ACRES/DWELLING	AVOIDED
●●●●●●	TRAFFIC PATTERN ZONE	<150/ACRE	4-6 DWELLINGS/ACRE	AVOID ASSEMBLIES OVER 60/ACRE AVOID ASSEMBLIES OVER 150/ACRE



0 ft 2000 4000 6000
SCALE: 1" = 2000'

EXHIBIT 10
Airport Land Use Zones

PROPOSED SIERRA BUSINESS PARK

Mono County Airport Land Use Commission

RULES OF PROCEDURE

ARTICLE 1

General Provisions

- Section 1.1 Name of Agency. The name of the agency is “Mono County Airport Land Use Commission.”
- Section 1.2 Purpose of Rules. The purpose of these rules is to provide for orderly and fair conduct of the hearings and other business of the Commission, consistent with applicable laws.

ARTICLE 2

Definitions

- Section 2.1 Commission. “Commission” means the Mono County Airport Land Use Commission.
- Section 2.2 Meeting. “Meeting” means any regular, special or adjourned meeting of the Commission.
- Section 2.3 Member. “Member” includes each of the seven regular members appointed to the Commission. “Member” also includes a proxy when acting in place of a member as provided in these Rules.

ARTICLE 3

Meetings, Quorum

- Section 3.1 Regular Meetings. Regular meetings of the Commission shall be held on the third Thursday of the month as needed, commencing at the hour of 9:00 a.m. at the Town/County Conference Room in the Minaret Village Mall in Mammoth Lakes, California, **with videoconferencing in Bridgeport** unless an alternative time or place is designated by the Commission.
- Section 3.2 Special Meetings. A special meeting may be called at any time by consultation by staff with the Chair or by a majority of the members of the Commission, by

delivering personally or by mail or email written notice to each member. Special meetings shall be noticed and conducted in compliance with the Brown Act.

- Section 3.3 Adjourned Meetings. The Commission may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided for special meetings, unless such notice is waived as provided for special meetings.
- Section 3.3.1 Cancellation of Meetings. The Commission may cancel any regular or special meeting in advance of the meeting date. Any Commissioner, or the Secretary, may recommend a cancellation due to the lack of timely business, or the unlikelihood of reaching a quorum.
- Section 3.4 Effect of Holiday. If any meeting or adjourned meeting day falls upon a holiday, the meeting of the Commission shall be held at the same place upon the next Thursday commencing at the same hour; in which event, all hearings, applications, petitions, and other matters before the Commission are continued to that time and place.
- Section 3.5 Quorum. Four members of the Commission constitute a quorum for the transaction of business. No act of the Commission shall be valid or binding unless three members concur therein.
- Section 3.6 Meetings Open to the Public. All meetings of the Commission are open to the public and shall be conducted in compliance with open meeting laws (Brown Act).
- Section 3.7 Disqualification of members. Members having a conflict of interest shall be disqualified from voting on any Commission action (a) adopting a proposed or final Comprehensive Use Plan; (b) fixing the planning boundaries therefor; or (c) determining if an action or regulation of a public agency is inconsistent therewith, or in the best interests of the airport and the adjacent area.

A conflict of interest shall be deemed to exist if a member is (a) an officer or employee of a public agency directly affected by any action enumerated above; (b) an officer or employee of the owner of any airport directly affected by any such action; (c) the owner of any interest in any real property directly affected by any such action; (d) under a contractual or professional relationship with the owner of an interest in any real property directly affected by any such action (including that of an independent contractor, attorney, accountant, etc.).

Each member shall advise the Commission of any other actual or potential conflict of interest not enumerated above.

ARTICLE 4

Presiding Officer

- Section 4.1 Successor to Chair and Vice-Chair. At the first meeting of the year following May, members of the Commission shall elect a Chair and Vice-Chair to serve one year and/or until the election of their successors.
- Section 4.2 Duties of Chair. The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission in the manner prescribed by these Rules. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission.
- Section 4.3 Duties of Vice-Chair. In the absence of the Chair, the Vice-Chair shall act as Chair, with all of the powers and duties of the Chair.
- Section 4.4 Duties of Chair Pro-Tempore. In the absence, or inability to act, of both the Chair and the Vice-Chair, the Commissioners in attendance shall elect a Chair Pro-Tempore. The Chair Pro-Tempore shall then preside and shall assume all of the powers and duties of the Chair.

ARTICLE 5

Conduct of Business

- Section 5.1 Order of Business. The business of each meeting of the Commission shall be transacted as follows:
- a) Public Comment
 - b) Approval or Correction of Minutes
 - c) Old Business
 - d) New Business
- Section 5.2 Minutes. The Secretary or his/her designee shall transcribe the minutes of each meeting and send copies in the agenda packet to all members prior to the next meeting.
- Section 5.3 Voting. Each question before the Commission may be decided by voice vote, or may be summarized by the Chair and a unanimous vote recorded if there is no objection. The Chair may make or second any motion without stepping down from the chair.
- Section 5.4 Public Hearings. Any affected city or if unincorporated area in the County shall be notified by mail or email. The Chair may allocate time for comment by interested parties as deemed necessary for the Commission's business.

- Section 5.5 Ad Hoc Committees. Ad Hoc Committees may be established for the further study of issues before the Commission. The formation, membership, purpose, and subsequent dissolution of any Ad Hoc Committee shall be at the discretion of the officer presiding at any regular or special meeting.
- Section 5.6 Acceptance of Referrals. Matters referred to the Commission for review shall be deemed accepted upon first consideration of the matter at a regular or special meeting. Such acceptance of a referral shall initiate the 60-day review period provided for by Public Utilities Code Section 21676(d). Upon receipt of a complete referral for Airport Land Use Commission acceptance and consideration, the Commission Secretary shall schedule said referral for an Airport Land Use Commission meeting not less than 14 days or more than 49 days thereafter.
- Section 5.7 Obligatory Referrals. By adopting this section, the Commission states its intention to exercise all of the powers granted to it by section 21676.5 of the Public Utilities Code (PUC). When the Commission finds that a local agency is subject to the provisions of PUC section 21676.5, the local agency shall be notified by mail. The type of project or action to be referred to the Commission by the local agency, and the scheduling of any such submittal, shall be governed by PUC section 21676.5, by section 5.6 of the Commission Rules of Procedure, and the pertinent guidelines of the Airport Land Use Plan.

ARTICLE 6

Secretary

- Section 6.1 Appointment of Secretary: The Secretary shall be appointed from ALUC staff.
- Section 6.2 Duties and Responsibilities. The Secretary of the Commission has the following duties:
- a) Attend each meeting of the Commission;
 - b) Maintain a record of all proceedings of the Commission;
 - c) Prepare an agenda packet for each meeting;
 - d) Notify all Commission members of the time and place of any special meeting;
and
 - e) Perform other duties directed by law or by the Commission.
- Section 6.2 Agenda. The agenda shall include those matters addressed to the Commission requiring its action on file with the Secretary, and all matters that have been set previously for hearing at such meeting.