

## RESOLUTION NO. 13-\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON, APPROVING THE CITY-INITIATED GENERAL PLAN AMENDMENT TO ADOPT GENERAL PLAN AMENDMENTS RELATED TO ALAMEDA COUNTY'S UPDATED LIVERMORE MUNICIPAL AIRPORT LAND USE COMPATIBILITY PLAN, AS FILED UNDER CASE P12-1778**

**WHEREAS**, Alameda County adopted a new Airport Land Use Compatibility Plan on July 18, 2012 and,

**WHEREAS**, Section 65302.3(b) and(c) of the Government Code and section 21676 of the Public Utilities Code provide that within 180 days of an amendment to (or adoption of) an Airport Land Use Compatibility Plan, a local government must: 1) update its General Plans and specific plans to be in compliance with the new/updated ALUCP; or 2) it can override it: a) if the City Council makes special findings in accordance with state law; and b) if the City Council makes a two-thirds vote in support of the override and,

**WHEREAS**, Correspondence from the Airport Land Use Commission Chair states the 180-day review period began October 1, 2012 and ends March 29, 2013 and,

**WHEREAS**, Staff forwarded proposed General Plan Amendments to the Airport Land Use Commission on December 7, 2012 for a determination of consistency and,

**WHEREAS**, on January 9, 2013, the Planning Commission held a public hearing on the proposed General Plan Amendments and made recommendations to the City Council and,

**WHEREAS**, the Airport Land Use Commission reviewed the General Plan Amendments to the Airport Land Use Commission at a public hearing on January 16, 2013 and,

**WHEREAS**, a Negative Declaration for the Airport Land Use Compatibility Plan was prepared by Alameda County; and

**WHEREAS**, a duly noticed public hearing was held on February 5, 2013 with respect to this General Plan Amendment,

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE, AND ORDER THE FOLLOWING:**

**SECTION 1.** The City-initiated General Plan Amendment to adopt the General Plan amendments related to Alameda County's updated Livermore Municipal Airport Land Use Compatibility Plan, as shown in Exhibit A, attached hereto and made part of this resolution by reference, is hereby approved.

**SECTION 2.** The City Council determines that this is one of the four times in 2013 that the Public Safety Element and Noise Element of the General Plan may be amended as provided in Government Code Section 65358.

**SECTION 3.** This resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Pleasanton at a meeting held on February 5, 2013.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a special meeting held on the 5<sup>th</sup> day of February 2013 by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

\_\_\_\_\_  
Karen Diaz, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Jonathan Lowell, City Attorney

## 1. Aviation Hazards Section from the Public Safety Element

### Airports

Although not located within the Pleasanton Planning Area boundary, the Livermore Municipal Airport affects land uses in Pleasanton in the form of noise and safety. These concerns are addressed by the Alameda County Airport Land Use Commission (ALUC) in its *Airport Land Use Compatibility Plan (ALUCP)*. The most recent comprehensive update to the ALUCP occurred in 2012. Development of the Livermore Municipal Airport is regulated by Livermore's General Plan, and an Airport Zoning District within the City of Livermore. Livermore's previous master plan for the Livermore Municipal Airport, which was adopted by the City of Livermore in 1975, was rescinded in 2010.

The Livermore Airport ALUCP delineates several boundaries, parts of which are located within Pleasanton's Planning Area. All the following are illustrated on Figure 5.10. The Airport Influence Area (AIA) is the area which is now or could in the future be affected by airport operations. Certain projects, such as general plan and specific plan amendments within this area must be referred to the ALUC for its review and determination of consistency with the ALUCP. This area extends west to Santa Rita Road in Pleasanton.

As part of the ALUCP the ALUC has adopted seven safety compatibility zones. The AIA is the outermost boundary of these zones. Three of the zones, 4, 6, and 7, extend into the Pleasanton, while the remainder do not. The choice of safety criteria for a particular zone is largely a function of risk acceptability as determined by the ALUC. Where the risks of a particular land use are considered significant but

tolerable in the ALUCP, the implementation of certain restrictions may be considered to reduce the risk to a more acceptable level. Uses that are acceptable generally require no limitations. Proposed construction projects exceeding 200 feet in height (city wide) or which exceed the height compatibility airspace identified within the AIA are of potential concern, and require Federal Aviation Administration and/or ALUC review.

In addition to the above, in 1993, the ALUCP was amended to include an Airport Protection Area (previously adopted by the City of Livermore in 1991) within which new residential development or the intensification of existing development is prohibited, with the exception of potential transit oriented development at the future Isabel/I-580 BART station in Livermore. This area extends generally 5,000 feet east, north, and south of the runways, and 7,100 feet west of the runways. The ALUCP states the intent of the APA is to prevent the encroachment of incompatible land uses near the vicinity of the Livermore Airport. The 2012 update to the ALUCP allows for consideration of intensification of existing development within the Airport Protection Area within the City of Livermore. No City of Pleasanton residential land use designations are located within the Airport Protection Area.

### Heliports

The Valley Care Medical Center operates a heliport at its hospital on Santa Rita Road. This heliport is operated on an as-needed basis for emergency medical transportation.

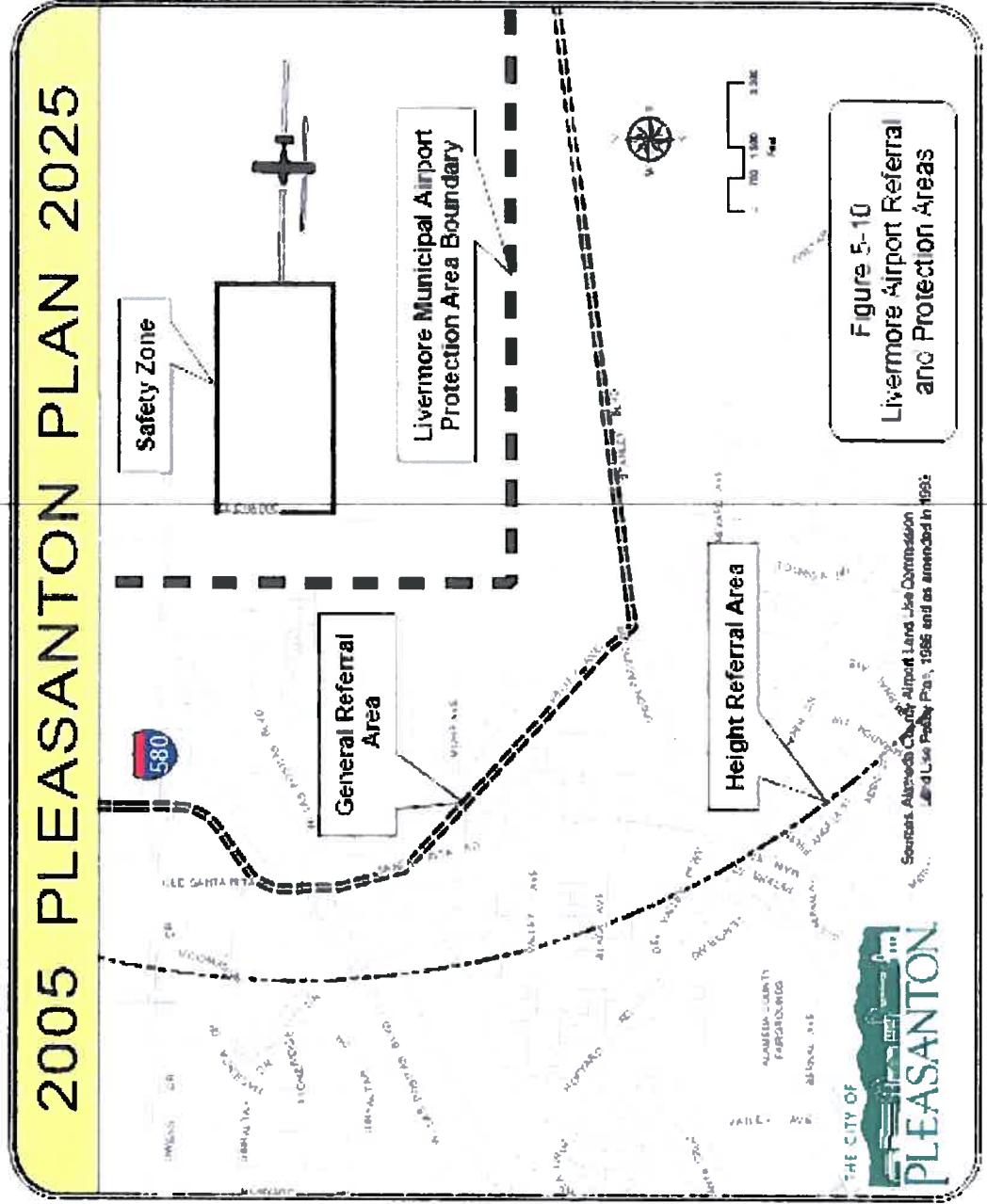


Livermore airport aerial view

## 2. Figure 5-10 of the Public Safety Element

The first Figure 5-10, shown below, is proposed to be deleted. The second Figure 5-10, with seven safety zones, is proposed to be added.

Figure 5-10 proposed to be deleted.



# 2005 PLEASANTON PLAN 2025

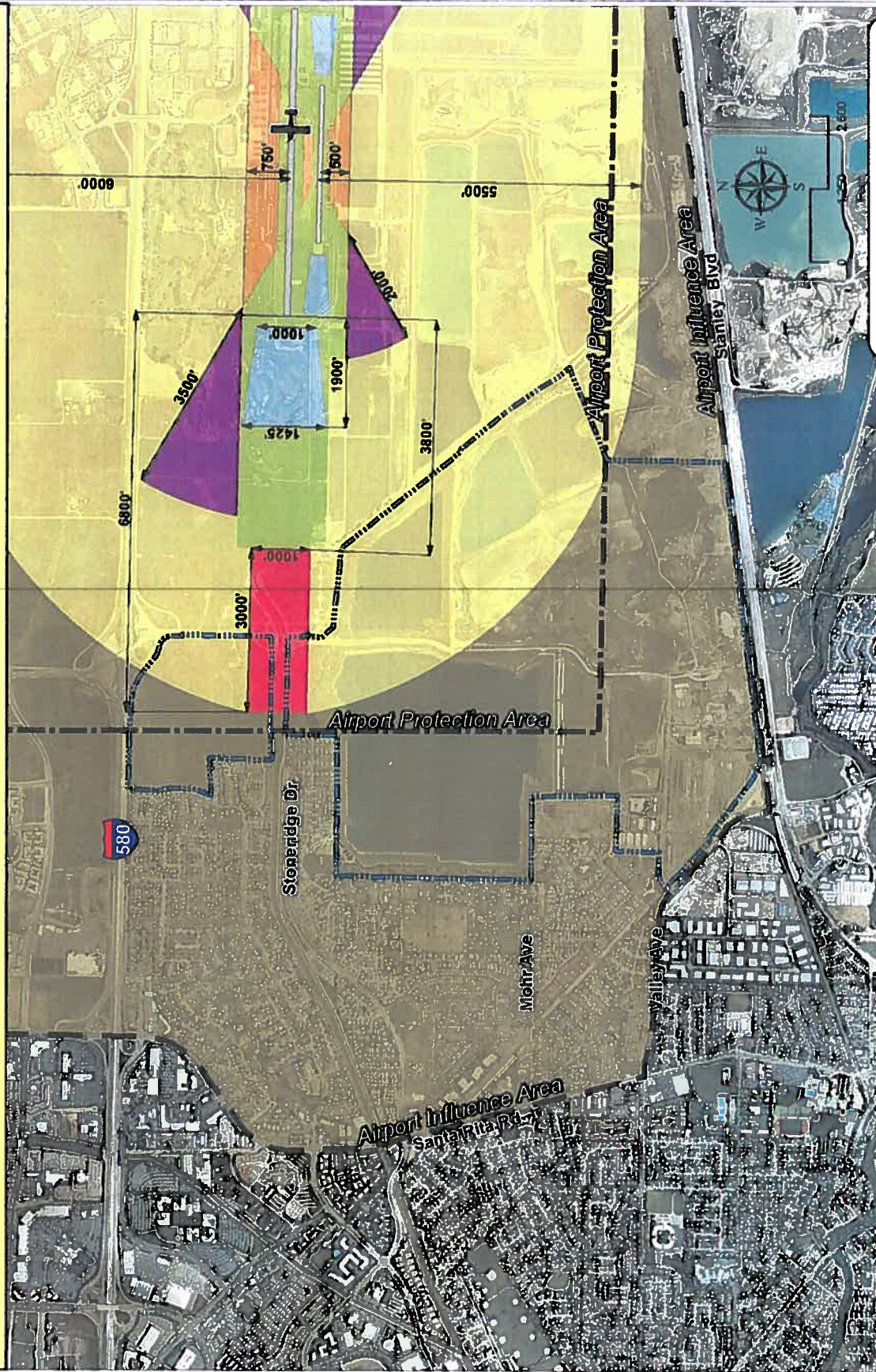


Figure 5-10  
Livermore Airport Referral  
and Protection Areas

**Safety Zones**

- Zone 1: Runway Protection Area
- Zone 2: Inner Approach/Departure Zone
- Zone 3: Inner Turning Zone
- Zone 4: Outer Approach/Departure Zone
- Zone 5: Sideline Safety Zone
- Zone 6: Traffic Pattern Zone
- Zone 7: Area between Zone 6 and AIA Boundary

**Specific Plan Boundary**

**AIA and APA**

- AIA: Airport Influence Area
- APA: Airport Protection Area

Source: Alameda County's Airport Land Use Compatibility Plan adopted in 2012

Figure 5-10 proposed to be added.



### 3. Goals, Policies and Programs of the Public Safety Element

#### *Air Navigation Hazards*

**Goal 6:** Minimize the risks to lives and property due to air navigation hazards generated by the Livermore Municipal Airport.

**Policy 20:** Work with the Alameda County Airport Land Use Commission, its staff, and airport stakeholders to address air navigation hazards.

**Program 20.1:** Process applications requiring Airport Land Use Commission review in a manner consistent with Alameda County's Airport Land Use Compatibility Plan for the Livermore Municipal Airport<sup>4</sup>.

**Policy 21:** Work with the City of Livermore to address air navigation hazards.

**Program 21.1:** Meet with the City of Livermore and the Federal Aviation Administration (FAA), as necessary, to jointly provide solutions to air navigation conflicts.

<sup>4</sup> Clarifications to be used when interpreting the Airport Land Use Compatibility Plan, including a listing of application types requiring review, are described in Appendix C to the General Plan.

## 4. Aircraft Noise Section from the Noise Element

### Aircraft Noise

A mix of small aircraft, including private jets, use the Livermore Municipal Airport, a general aviation airport located east of Pleasanton. Aircraft flying into and out of the Livermore Municipal Airport can generate annoying individual noise events. However, the Airport is located far enough from most development within Pleasanton that daily average noise levels within the Planning Area were measured at 56 dBA  $L_{dn}$ .<sup>5</sup> State Noise Standards generally allow residential development in areas where noise due to aircraft is less than a 65 dBA day/night noise average.<sup>6</sup> These standards are based on annoyance factors and are not health-based standards. No residential development within Pleasanton is currently located within the 60 dBA contour related to Livermore Airport Noise.

Studies have shown that aircraft noise above 60 dBA  $L_{dn}$  may be slightly more annoying than traffic noise at the same level.<sup>7</sup> See the Land Use Compatibility Guidelines, below.

The potential expansion of the Livermore Municipal Airport (described in the March 2004 *Draft Livermore Municipal Airport Master Plan Update*) generated considerable controversy in Pleasanton because of anticipated noise impacts from the proposed runway expansion and

increased number of flights. In 2005, Livermore ceased work on the Master Plan Update. Livermore's master plan for the Livermore Municipal Airport was rescinded in 2010. Development of the airport is regulated by Livermore's General Plan, and an Airport Zoning District approved in 2010 within the City of Livermore.

Airport noise continues to impact Pleasanton residents. In 2006, Pleasanton residents lodged 1,366 noise complaints regarding aircraft at the airport, of which almost half (677) came from two households.

<sup>5</sup> This is a monitoring site measured for the background noise report. Illingworth & Rodkin, "City of Pleasanton Noise Element Update Environmental Noise Background Report," Dec.17, 2007. See Figure 11-11 for a map of these sites.

<sup>6</sup> State Department of Transportation, Division of Aeronautics, accessed 2/27/08: <http://www.dot.ca.gov/hq/planning/aeronaut/documents/noisestandards.doc>

<sup>7</sup> Richard Rodkin, Principal, Illingworth & Rodkin, Inc., letter to Sally Maxwell and Janice Stern, City of Pleasanton Planning Department, April 17, 2008.

Clarifications to be used when interpreting the ALUCP are provided in this Appendix C:

1. The following are exempt from additional ALUCP review per section 2.7.5.7(b) of the ALUCP:
  - A. Staples Ranch: All commercial, residential, park, and stormwater uses, and related site improvements that are consistent with the Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR, certified in August 2010 and approved with the Vesting Tentative Map in 2010. These are “existing land uses” which according to the ALUCP are exempt from further review.
  - B. East Pleasanton Specific Plan: All existing lakes (Lake H, I, and Cope Lake), as well as all existing plants, trees, wetland areas, arroyos, and ponds are “existing land uses” and are exempt from further review.
2. An existing non-conforming project which is relocating is supportable under the special condition that it is relocating within either the same ALUCP safety zone as the existing project, or a less restrictive zone. The ALUC may recommend additional reasonable measures for the project if consistent with the ALUCP.
3. In the ALUCP, the “local agency” is not the City of Pleasanton for properties owned and operated by another public agency for its own public purpose. For example, if the property belongs to the Pleasanton Unified School District, it is the “local agency” with regard to proposals related to its property.
4. When forwarding a project to the ALUC for review, the project sponsor shall submit a complete application and any analyses directly to ALUC staff for ALUC review at the earliest date feasible. The project sponsor shall be the property owner and/or its designee.



5. Only the following types of applications within the AIA are required to be submitted to ALUC staff for review:
- General Plan Amendments
  - Specific Plan Amendments
  - Zoning Map Amendments
  - Zoning Text Amendments which are:
    - Adding a new use category that is not similar to an existing use<sup>1</sup>; or
    - Allowing structures taller than 60' in height
  - PUD Development Plans and PUD Modifications which are:
    - Adding a new use category that is not similar to an existing use<sup>2</sup>; or
    - Allowing structures taller than 60' in height
  - Building regulations, except for updates of the California, International, and related building codes
6. Proposed structures (city wide) more than 200 feet in height shall be referred to the Federal Aviation Administration and ALUC for review.

---

<sup>1</sup> As an example, if a K-12 school is allowed, a pre-school is not considered a new use.

<sup>2</sup> Ibid.

