



Solano County
Airport Land Use Commission
675 Texas St., Suite 5500
Fairfield, California 94533-6341
www.solanocounty.com

Planning Services Division
Phone: (707) 784-6765 / Fax: (707) 784-4805

Ray Schoch
Chairman

SOLANO COUNTY AIRPORT LAND USE COMMISSION

MINUTES OF THE REGULAR MEETING OF August 12, 2010

The regular meeting of the Solano County Airport Land Use Commission was held Thursday, August 12, 2010 in the Solano County Administration Center, Multi-Purpose Room, 675 Texas St., Fairfield, CA 94533.

MEMBERS PRESENT: Chairman Schoch, Commissioners Stockard, Potter, Baldwin, Baumler, Vancil and Seiden

MEMBERS ABSENT: Commissioners Cavanagh

OTHERS PRESENT: Jim Leland, Resource Management, Lee Axelrad, County Council, Diane Buschman, Resource Management, Andy Swanson, Nut Tree Airport Manager

Items 1, 2 & 3: Chairman Schoch called the meeting to order at 7:00 p.m. Roll call was taken and a quorum was present.

Item 4. Public Comment
There were no public comments.

Item 5. Approval of the Minutes
The minutes of January 28, 2010 and May 13, 2010 were approved with corrections.

Item 6 Informational Items
Jim Leland stated that this item was added to the agenda as a place for informational items to come forward, not only from staff, but also from Commissioners who have information related to the airports.

- a. Rio Vista Airport
Mr. Leland reported that the Solano County Board of Supervisors approved funding for the Rio Vista Airport Land Use Compatibility Plan update. (The exact amount has not been determined)

b. Nut Tree Airport

Mr. Leland stated that the County is preparing a Master Plan Update for the Nut Tree Airport. They have hired a consultant for the project and stakeholder meetings have begun.

The City of Vacaville has also filed two compatibility determinations with the Airport Land Use Commission (ALUC) which will be on the September agenda. One is for the Vaca Valley Business Park on the other side of I-505 and the other is for the Redevelopment Area site that is adjacent to the airport.

c. Travis Air Force Base

Mr. Leland announced that Travis AFB has published an Air Installation Compatible Use Zone (AICUZ) which will trigger a land use compatibility plan update at a later date. The AICUZ document is on their website. Staff will provide hardcopies upon request and will schedule a meeting later in the year for Travis AFB to make a presentation to the ALUC.

Chairman Schoch asked if a comparison had been made with the old one. Mr. Leland answered that a comparison had not been done yet. Commissioner Potter asked for clarification. He asked "Is the implication there that would be for combat support training. Is that correct and involves perhaps another airstrip?" Commissioner Vancil stated that he believed there was a plan to build an assault runway or use one of the runways for assault or assault type (landings).

Commissioner Vancil asked if the Nut Tree Airport Master Plan is separate from the Nut Tree Airport Land Use Compatibility Plan. Mr. Leland answered that they are separate. He stated that he was referring to the Master Plan which is done by the airport on its plans to expand its surface offerings as an airport. When the plan is finished it will come to the ALUC for a determination on compatibility with the Nut Tree Airport Land Use Plan.

Chairman Schoch asked Andy Swanson, Nut Tree Airport Manager, to give the Commission an update on the Nut Tree Airport Master Plan process. Mr. Swanson stated that on Monday, August 16th there will be a stakeholder meeting and a general public meeting on the Nut Tree Airport Master Plan that will take place at Harbison Event Center in Vacaville. Mr. Swanson stated that the airport had contracted with a firm to prepare the Master Plan. Upon completion the Master Plan will go to the Board of Supervisors for approval.

Commissioner Seiden stated that he received a communication from one of the members of the Nut Tree Airport Advisory Committee with a question about proposed general zoning changes in the vicinity of the airport, presumably in the redevelopment area. The concern was that if the changes were too general could there be conflicting proposals as far

as airport operations are concerned the in the future. Commissioner Seiden asked Mr. Swanson what his opinion was. Mr. Swanson stated that as far as he knew there were two evaluations being prepared for two of the proposals. There was a comment period on the one that has been concluded and there was another comment period that was due on the 19th (August). Mr. Swanson continued that there are three items currently concerning the Nut Tree Airport. They are the Master Plan, the Vaca Valley Business Park and the Redevelopment Area site that is adjacent to the airport.

Commissioner Seiden stated that his concern was that an approval for a plan with the Nut Tree does not become a problem before it has a chance to come before the ALUC. Lee Axelrad stated that two of the items will come before the Commission for consideration next month. One is for the Vaca Valley Business Park and the other concerns the Redevelopment Area site that is adjacent to the airport. The meeting on August 16th, mentioned earlier, will be about the progress being made on developing visions for the Nut Tree Airport Master Plan.

Mr. Axelrad stated that staff has received requests from time to time for the ALUC Commissioners contact information from different parties in connection with projects that are scheduled to come before the Commission. He requested that each Commissioner get back to staff and advise them how they wish to be contacted by members of the public. If a Commissioner does not wish to give out their personal contact information staff will act as the contact point with the public and will forward any information to the Commissioners. Mr. Axelrad also briefly reminded the Commission about Brown Act regulations regarding members discussing matters within its jurisdiction with one another outside of an open, noticed meeting.

Item 7. Work Plan for 2010/2011

Mr. Leland stated that land use compatibility determinations will be an ongoing component of a work plan; both in terms of additional wind turbine projects as well as the two large developments near Nut Tree airport.

The second major item that the ALUC will undertake is the Rio Vista Land Use Compatibility Plan update. That will be a process of going out and seeking qualified consultants who will each prepare a proposal for the study. The Commission will evaluate the proposals, select a consultant and manage the update process.

Commissioner Potter asked if the county would “be responsible to not only issue the contract but manage the contract” and what role will the city of Rio Vista play in the process since it’s a city airport. Mr. Leland answered that it is the Commission’s responsibility to update a plan. County staff assigned to the ALUC will be assisting the Commission with the work. Staff will recommend a public outreach process which will include the City of Rio Vista. The

Commission can decide which groups they wish to include in the outreach process. Early on ALUC and staff will define the public access process, including public input regarding the Airport Master Plan and how the land uses ought to be reviewed. Mr. Leland thought the process would take more than six months but less than a year. Commissioner Potter asked if the Work Plan was for a fiscal or a calendar year. Mr. Leland answered that it was for the fiscal year.

Mr. Leland added that changes to ALUC fees would also be considered for the work plan. When the Board of Supervisors funded the Land Use Compatibility Plan study for Rio Vista, one of the Board members expressed the desire to find some way to help pay for the study. Mr. Leland stated that the activities of the ALUC are paid for out the county's general fund. Currently there are no fees for land use plan updates which are expensive to create. In light of the Board's request, charging a fee that could be used towards funding land use plan updates is being proposed for the ALUC's consideration. Counties and cities routinely charge fees for updates to their general plans. Over a ten year period, money is accrued from a portion of every permit that comes in to pay for the next general plan update. The thought here is to do some research to see if there is any way to charge fees that could be used towards funding future ALUC land use plan updates. Staff recommended that the ALUC authorize the Chair to send a letter to the Board of Supervisors indicating that the ALUC has authorized staff to conduct fee studies for airport land use planning and application review functions

Mr. Leland continued that the second type of fee is for application review. As an example when a wind turbine project or radio tower is submitted to the ALUC for a determination, a fee of \$200 is charged for review. A brief survey found that fees other ALUCs charged for similar reviews ranged from \$1,500 to over \$3,000. One method that jurisdictions use is to assess actual cost. For example a simple project would have a small cost. A large, complex project would have a higher cost. The cost would be calculated by keeping track of staff hours billed to the project multiplied by the billing rate that is set by the Board of Supervisors. Mr. Leland concluded by saying that all that is being asked now is if the ALUC agrees to look at updating the \$200 fee that is currently charged. If the ALUC does agree then staff will bring ideas back for consideration at future meetings. The discussion of fees would be part of the work plan. The fees will be discussed further in agenda Item 8. Chairman Schoch asked if there were any Commissioner comments.

Commissioner Potter commented that over the last two or three years the ALUC has had work plans that it has never done anything with. And by going back through those plans he had picked out a few items. One of them is a review of the revised statute of the by laws. They were approved by the Commission 2 ½ or so years ago. And after working with them for the last 2 ½ years Commissioner Potter thought that he recognized there were things that have to be updated. He stated that now it would be prudent for the ALUC to go back and take a look at what was written and to see if it really fits with

what the ALUC does. Commissioner Potter went on to state that an example of that was when counsel had made a statement about what consists of a quorum. It turned out that none of the ALUC were familiar with what the by laws stated about a quorum. The by laws clearly state that a quorum is based on appointed members. Even though the Commission has nine positions with one empty; with one empty and no one appointed to that ninth position then a quorum would be based on 8 members. Commissioner Potter stated that is the kind of example that indicates that it is probably time to go back and look at the by laws. Commissioner Potter also stated that he would be willing to submit a markup of the by laws for staff to work from and over time the ALUC could go back and review them and see if changes are needed.

Commissioner Potter continued by stating "I went back and looked at all documents that we use as guidelines. And starting off with Cal Trans in their advisory position for us as an airport land use Commission; that's one item that we've been briefed on in the past and it was suggested here that we get another briefing. That was probably five years ago we got briefed by Cal Trans. Along with that is also the regional plan that Commissioner Baumler sits on that has been around for a long time but now it has started to take shape." Commissioner Potter also mentioned the military plan that the ALUC got copies of about a year ago where the Department of Defense funded a guideline for how counties and states work with military airports. It would also influence regional planning. Cal Trans has its own comprehensive guideline document that offers regional planning guidance. Commissioner Potter thought that at some point the Commission needed a workshop on all the different documents and how they affect what the Commission does. He continued that the question comes up about the old blue ribbon committee which has been abandoned. At the time we had the blue ribbon committee the intent was that we could accelerate approvals of items that were not significant but needed input from the ALUC. We had two or three people assigned to look at items that did not need to be heard by the full commission and pass judgment along with staff. Those items did not become bottlenecked waiting to be heard by the full ALUC. Since then it was determined that the subcommittee may not have been procedurally correct. Commissioner Potter thought that the ALUC should take another look at the blue ribbon committee. He also suggested that the ALUC have an operating manual or a policy manual because he thought that it was very awkward to work with the procedures manual and commissioners have no place to put policies. He also thought that the by laws should be in that same manual or folder. He stated that the ALUC does not have a package that can be given to a new commissioner that tells him/her "This is what you're supposed to be doing". An operating manual with policy documents that lead into the procedures document should also be online and kept up-to-date. Commissioner Potter concluded by stating that he would like Commissioner Baumler give the ALUC a briefing on what he has learned on the Airport Regional Committee. Chairman Schoch and Commissioner Vancil agreed that it would be a good idea to have an operating manual or folder as described by Commissioner Potter. Commissioner Stockard liked the accessibility of an online document.

Chairman Schoch suggested having a workshop for updating the by laws. Staff indicated that they would poll the Commissioners on their availability to attend a daytime workshop. Chairman Schoch asked if there was a motion to approve a resolution for the Work Plan as presented. Commissioner Vancil made a motion to approve a resolution for the Work Plan. The motion was seconded by Commissioner Seiden. Chairman Schoch asked for discussion. Commissioner Stockard asked that the motion include a workshop for the ideas that Commissioner Potter discussed earlier. Commissioner Vancil stated that he was agreeable with the amendment to the motion. Mr. Axelrad stated that Commissioners can individually bring forward ideas for workshops regarding items outside the Work Plan. Commissioner Vancil stated that his original motion would be with the listed work plan with the addition of the workshop. Commissioner Seiden seconded the motion. Commissioner Potter stated that the list does not have to be rank ordered or on a specific timeframe. Chairman Schoch called for the vote. The motion passed unanimously.

Item 8. Discussion of Fees for ALUC Land Use Compatibility Determinations and Fees for Updates to the Airport Land Use Compatibility Plans.

Mr. Leland summarized that there are two sets of fees for consideration. Staff is looking authorization to come back to the ALUC with more formal thoughts on what to do about our \$200 application fees which are required by state law. The other component regarding the fees is finding a way for fees to be used to reimburse the county for the costs of updating land use compatibility plans. Staff suggested that the Commission authorize the ALUC Chair to forward a letter to the Solano County Board of Supervisors asking for the Board's concurrence with the ALUC to authorize staff to conduct fee studies for planning and review functions.

Commissioner Potter asked for clarification. He stated that there appeared to be two things here. One was an applicant's fee and the second was a recovery fee for the compatibility studies. They are two different things, can the two be separated? Mr. Axelrad stated that they were different in a sense because the resolution does not pertain to the applicant fee it is strictly about the planned cost recovery related part of it. He stated that staff was basically asking the ALUC to do two things:

One would be to tell staff to come back with a proposal about the project application fee. The second would be for a motion to adopt a resolution to have Chairman Schoch write to the Board of Supervisors about the planned cost recovery. Mr. Axelrad thought that because we anticipate that something will come in front of the Board of Supervisors on this subject we felt that having something formal in the form of a resolution that could be attached to whatever document that county staff sends to the Board of Supervisors would be appropriate.

Commissioner Potter thought that the use of the phrase "public airports" in the first paragraph of the resolution was "a little bit of a trap". He continued "The

reason I say that is use of the word public airports. We've got a city airport which is true is public; a county airport and we got a military airport which is not public." He asked if the resolution could be clarified. Commissioner Baumler suggested using the terms "public and military" in the resolution.

Chairman Schoch asked if there was a motion to accept the resolution concerning ALUC fees. Commissioner Stockard made a motion to accept the resolution with the addition of "and military" after the word public in the first paragraph of the resolution. Commissioner Vancil seconded the motion. Chairman Schoch asked if there was any further discussion. There being no further discussion Chairman Schoch called for the vote. The motion passed unanimously.

Mr. Axelrad asked if the Commission would consider a "motion to direct staff to bring back a proposal for an update of the application fee". Commissioner Potter stated "so moved". Commissioner Vancil seconded the motion. Chairman Schoch asked if there was any further discussion. The motion passed unanimously.

Item 9. ALUC-10-02 Land Use Compatibility Determination for Solano County Zoning Ordinance Amendments.

Mr. Leland summarized by stating that the county is updating its zoning ordinance as it relates to home-based business regulations, revisions to the agricultural district, revisions to one the commercial districts and the desire for a more streamlined permit process for minor land use permits. There is no impact to any of the land use compatibility plans for two reasons. First there is nothing here materially that is inconsistent with the land use compatibility plans. Secondly the county's implementation procedure is that regardless of these changes to the code, the zoning code states explicitly that everything has to conform with the land use compatibility plan criteria. Mr. Leland concluded by saying that for those two reasons staff recommends that the Airport Land Use Commission adopt a resolution finding the zoning ordinance changes compatible with the three land use compatibility plans.

Commissioner Baumler made a motion that the Zoning Ordinance amendments were consistent with the Travis Air Force Base Land Use Compatibility Plan, the Nut Tree Airport Land Use Compatibility Plan and the Rio Vista Land Use Compatibility Plan. The motion was seconded by Commissioner Seiden. Chairman Schoch asked if there was any discussion.

Commissioner Vancil thanked staff for the extensive information provided to the Commission. Commissioner Potter asked if there was a copy of the handbook entitled California Airport Land Use Planning Handbook (January 2002) published by the State Department of Aeronautics. He asked if it could be put online. Staff responded that it was online under the State of California website. Staff also stated that the document would be put on the Solano County website and digital copies would be sent to the commissioners. Commissioner Potter also asked about the language in item E (pg. 66 of the

meeting packet) regarding the subject of military airports. Mr. Leland stated that the language in the environmental review document is taken word for word from the state guidelines. Commissioner Potter stated that one might make a parenthetical remark that it includes and is intended to include military airports. Commissioner Potter also had the same comment for Item E (pg 27 of the meeting packet).

There being no further discussion Chairman Schoch called for a vote. The motion passed unanimously. Chairman Schoch announced that the public session of the meeting was closed and the Commission would be moving into closed session.

Item 10. Closed Session

Item 11. Adjournment

The next regular meeting of the Solano County Airport Land Use Commission will be held on **Thursday, September 9, 2010**, in the Solano County Administration Center, Multi-Purpose Room, 675 Texas St., Fairfield, CA 94533