

# AGENDA REGULAR MEETING

# SAN BENITO COUNTY AIRPORT LAND USE COMMISSION

**DATE:** Thursday, January 15, 2015

3:00 P.M.

**LOCATION:** Board of Supervisors Chambers, 481 Fourth Street,

Hollister, CA 95023

**COMMISSIONERS:** Victor Gomez, Anthony Botelho, Jerry Muenzer,

Tony Boch, and Ignacio Velazquez

Alternates: San Benito County: Jaime De La Cruz;

City of Hollister: Pauline Valdivia; San Juan Bautista: Andy Moore

Persons who wish to address the Board of Directors must complete a Speaker Card and give it to the Clerk prior to addressing the Board. Those who wish to address the Board on an agenda item will be heard when the Chairperson calls for comments from the audience. Following recognition, persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the Public Comment portion of the agenda item will be closed. The opportunity to address the Board of Director's on items of interest not appearing on the agenda will be provided during Section D. Public Comment.

#### 3:00 P.M. CALL TO ORDER:

- A. ACKNOWLEDGE Certificate of Posting
- B. ELECT ALUC Chairperson for 2015
- C. ELECT ALUC Vice Chairperson for 2015
- **D. PUBLIC COMMENT:** (Opportunity to address the Board on items of interest not appearing on the agenda. No action may be taken unless provided by Govt. Code Sec. 54954.2. **Speakers are limited to 3 minutes.**)

#### **CONSENT AGENDA**

(These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent Agenda. Members of the public who wish to speak on a Consent Agenda item must submit a Speaker Card to the Clerk and wait for recognition from the Chairperson. Approval of a consent item means approval as recommended on the Staff Report.)

- **1. APPROVE** Airport Land Use Commission Draft Meeting Minutes Dated September 18, 2014 Gomez
- 2. FIND Site and Architectural Review Application No. 2014-15, Lana Way (APN No. 051–162-004) in the City of Hollister, CONSISTENT with the Hollister Municipal Airport Land Use Compatibility Plan Lezama

Adjourn to ALUC Meeting on Thursday, February 19, 2015. Agenda Deadline is Tuesday, February 10, 2015 at 12:00 P.M

In compliance with the Americans with Disabilities Act (ADA), if requested, the Agenda can be made available in appropriate alternative formats to persons with a disability. If an individual wishes to request an alternative agenda format, please contact the Clerk of the Council four (4) days prior to the meeting at (831) 637-7665. The Council of Governments Board of Directors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Council's office at (831) 637-7665 at least 48 ours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.

Agenda 1	Item:
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# San Benito County AIRPORT LAND USE COMMISSION REGULAR MEETING

September 18, 2014 3:00 P.M.

# **DRAFT MINUTES**

# **MEMBERS PRESENT:**

Chair Gomez, Director Boch, Director Botelho, Director Muenzer, and Director Velazquez

#### **STAFF PRESENT:**

Deputy County Counsel, Shirley Murphy; Interim Executive Director, Mary Gilbert; Administrative Services Specialist, Kathy Postigo; Transportation Planner, Veronica Lezama; Transportation Planner, Betty LiOwen; Secretary, Monica Gomez

# **CALL TO ORDER:**

Chair Gomez called the meeting to order at 4:34 P.M.

## A. Acknowledge Certificate of Posting

Upon a motion duly made by Director Muenzer, and seconded by Director Boch, the Directors unanimously approved the Certificate of Posting.

B. Public Comment: None

# **CONSENT AGENDA:**

- 1. Approve Airport Land Use Commission Draft Meeting Minutes dated May 15, 2014 Gomez
- 2. Find Site and Architectural Review Application No. 2014-9, Located at 1901 San Felipe Road, APN No. 051-120-068 -069, in the City of Hollister, Consistent with the 2012 Hollister Municipal Airport Land Use Compatibility Plan Lezama

Upon a motion duly made by Director Botelho, and seconded by Director Muenzer, the Directors approved Items 1 and 2 from the Consent Agenda, with an abstention from Director Velazquez on Item 1. Vote: 4/0/1 motion passes.

Upon a motion duly made by Director Muenzer, and seconded by Director Boch, the Directors adjourned the ALUC Meeting at 4:34 p.m.

ADJOURN TO ALUC MEETING THURSDAY, OCTOBER 16, 2014.



# **Staff Report**

To: San Benito County Airport Land Use Commission

From: Veronica Lezama, Transportation Planner Telephone: (831) 637-7665

Date: January 15, 2015

Subject: Land Use Consistency Determination

#### **Recommendation:**

**FIND** Site and Architectural Review Application No. 2014-15, Lana Way (APN No. 051–162-004) in the City of Hollister, **CONSISTENT** with the Hollister Municipal Airport Land Use Compatibility Plan.

#### **Summary:**

Application No. 2014-15 was reviewed in accordance with the 2012 Hollister Municipal Airport Land Use Compatibility Plan. The application has been determined consistent with the Plan

#### **Financial Considerations:**

The Airport Land Use Commission (ALUC) adopted a fee structure in 2013 for the purpose of recovering costs for conducting ALUC project reviews. The ALUC application fee consists of a minimum \$300 non-refundable fee that is submitted at the time the application is filed with the Airport Land Use Commission. The applicant has been invoiced for the application fee.

# **Background:**

In 2012, the San Benito County Airport Land Use Commission adopted the Hollister Municipal Airport Land Use Compatibility Plan (ALUCP). The purpose of the Compatibility Plan is 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. The proposed development project was reviewed in accordance with the Compatibility Plan.

# **Staff Analysis:**

The San Benito County Airport Land Use Commission received an application for the proposed construction of two structures to be located on Lana Way (APN 051-162-004) in the City of Hollister (Attachment 1). Specifically, the applicant is proposing a 4,000 square

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foot warehouse building and a 560 square foot steel framed shelter on a 1.47 acre site (Attachment 2).

The project was reviewed in accordance with the 2012 Hollister Municipal Airport Land Use Compatibility Plan. In the course of a project review, the Airport Land Use Commission considers a number of factors including Noise, Safety, Airspace Protection, and Overflight. An analysis of each of the compatibility factors is further discussed below.

#### Noise

The Hollister Municipal Airport Land Use Compatibility Plan's Noise Policy objective is to avoid establishment of noise-sensitive land uses in the portions of airport environs that are exposed to significant levels of aircraft noise. The proposed use is Indoor Storage and not a noise sensitive use; as such, there are no noise concerns.

# Safety

The Hollister Municipal Airport Land Use Compatibility Plan's Safety Policy objective is to minimize the risks associated with an off-airport aircraft accident or emergency landing. The policy focuses on reducing the potential consequences of such events by limiting the type of uses (i.e schools, residential densities, ect). This policy is defined in terms of the geographic distribution of where accidents are most likely to occur based on the six safety zones (1-6).

The storage buildings are proposed within Safety Zones 3 (Attachment 3). According to Table 2: Safety Compatibility Criteria (Attachment 4), the proposed use (Indoor Storage) is "Normally Compatible" within Safety Zone 3. The proposed use is therefore permitted within Safety Zone 3.

In addition, Table 2: Safety Compatibility Criteria sets limits on the number of people allowed in a single acre (Maximum Sitewide Average Intensity) and within the most intense part of the project/building which is referred to as the Maximum Single-Acre Intensity (Attachment 5). The applicant is proposing no employees and therefore consistent with the Safety Compatibility Criteria.

#### Overflight

The Hollister Municipal Airport Land Use Compatibility Plan's Overflight Compatibility Policy is intended to help notify people, via Real Estate Disclosures, about the presence of aircraft overflight near airports so that they can make informed decisions regarding acquisition or lease of property in the affected areas. Overflight compatibility is particularly important with regard to residential land uses. The Overflight Policy is only applicable to residential/sensitive uses; as such, there are no overflight concerns associated with the proposed project.

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# **Airspace Protection**

The Hollister Municipal Airport Land Use Compatibility Plan's Airspace Protection Policy seeks to prevent creation of land use features that can be hazards to the airspace required by aircraft in flight and have the potential for causing an aircraft accident to occur. Such hazards may be the height of physical structures, hazardous wildlife attractants, or electronic interference.

# Height:

The project is proposed within the FAR Part 77 Transitional Surface which lies within the Airspace Protection Zone (Attachment 5). The Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace establish standards for determining obstructions to navigable airspace and the effects of such obstructions on the safe and efficient use of that airspace.

The maximum height of the storage buildings would be a maximum of 19'-5," as such; the proposed height is consistent with the limits acceptable by the Hollister Municipal Airport Land Use Compatibility Plan and Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace.

## Hazardous Wildlife Attractants:

The project will include a bio retention swale with the maximum depth of 18." The FAA developed Advisory Circular 150/5200 – 33B, which provides guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. The Advisory Circular recommends that airport operators avoid standing water and encourage swale in the bottom of water facilities to prevent vegetation that may provide nesting habitat. The maximum depth of the swale is shallow, as such; there are no compatibility concerns.

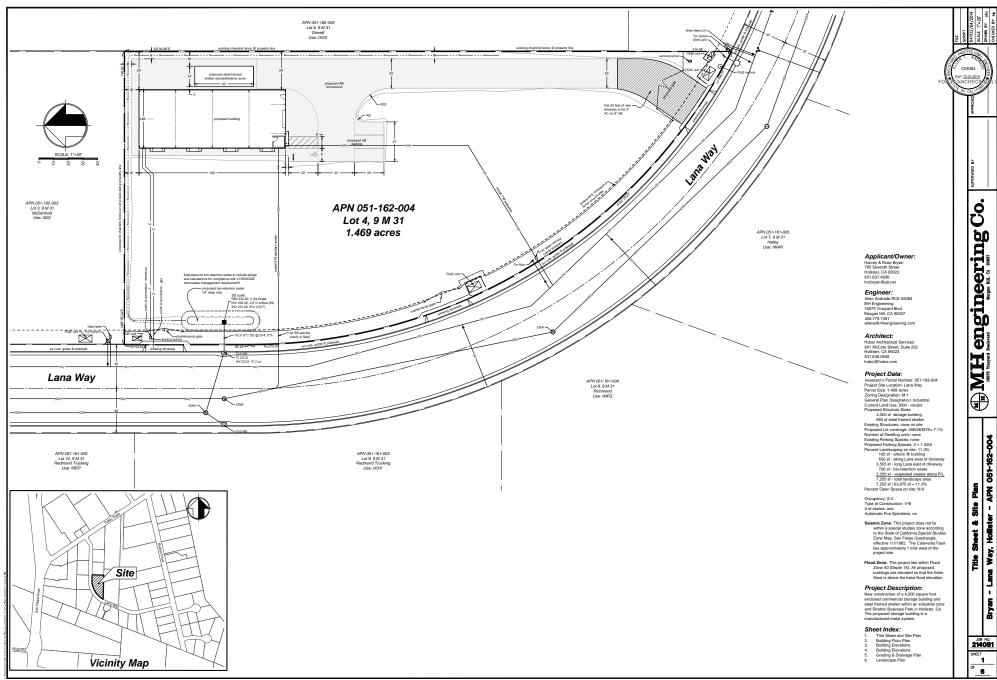
The proposed project is also proposing landscaping which include: Crape Myrtle, California Sycamore, Dwarf Blue Lily of the Nile and Escallonia. The proposed landscape does not pose any capability concerns.

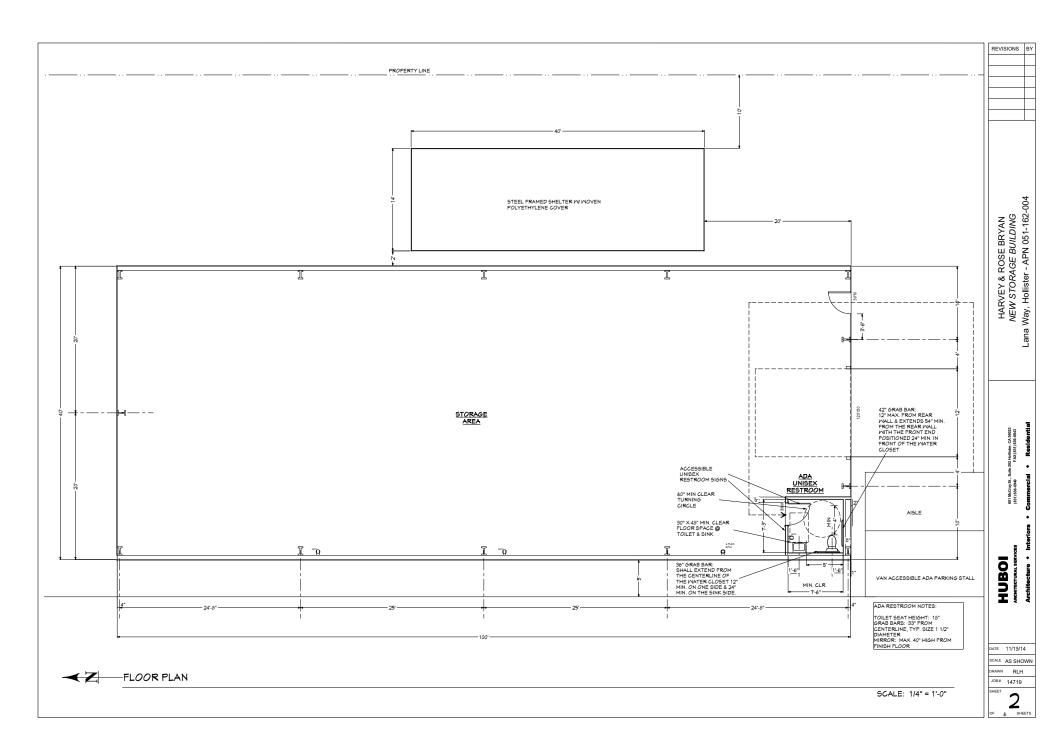
Executive Director Review:	Counsel Review: <u>N/A</u>
Supporting Attachment(s):	

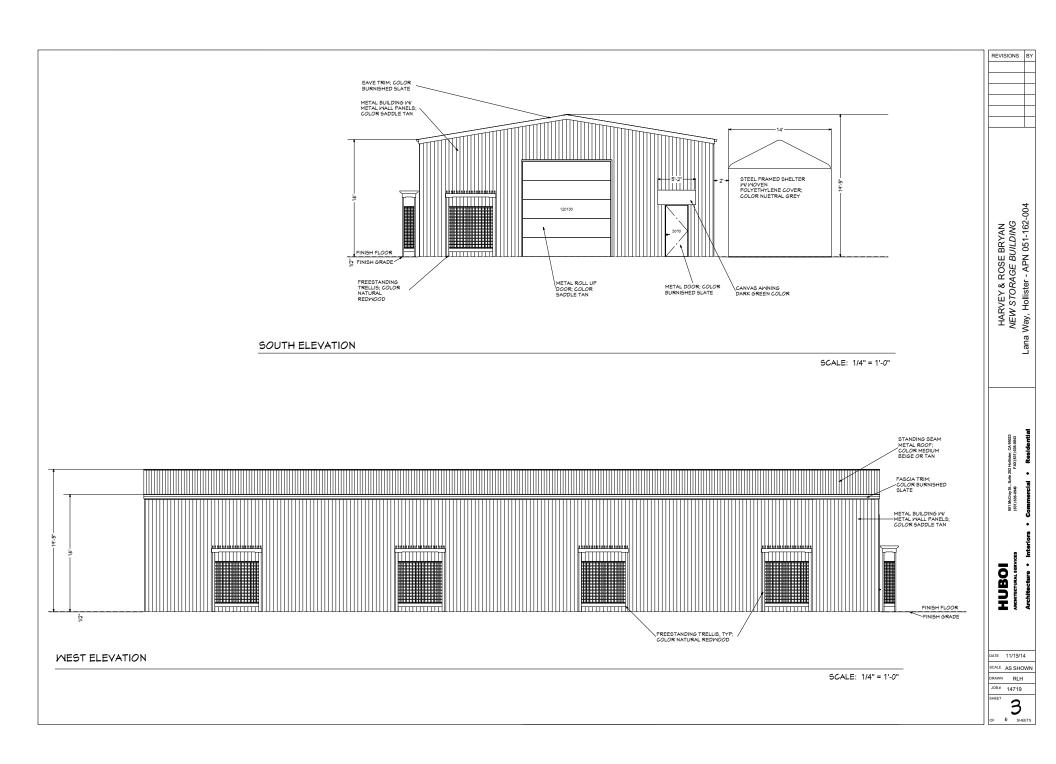
- 1. Project Location
- 2. Site Map
- 3. Safety Zone 3
- 4. Table 2: Safety Zone Compatibility Guidelines
- 5. Airspace Protection Zone, Transitional Surface

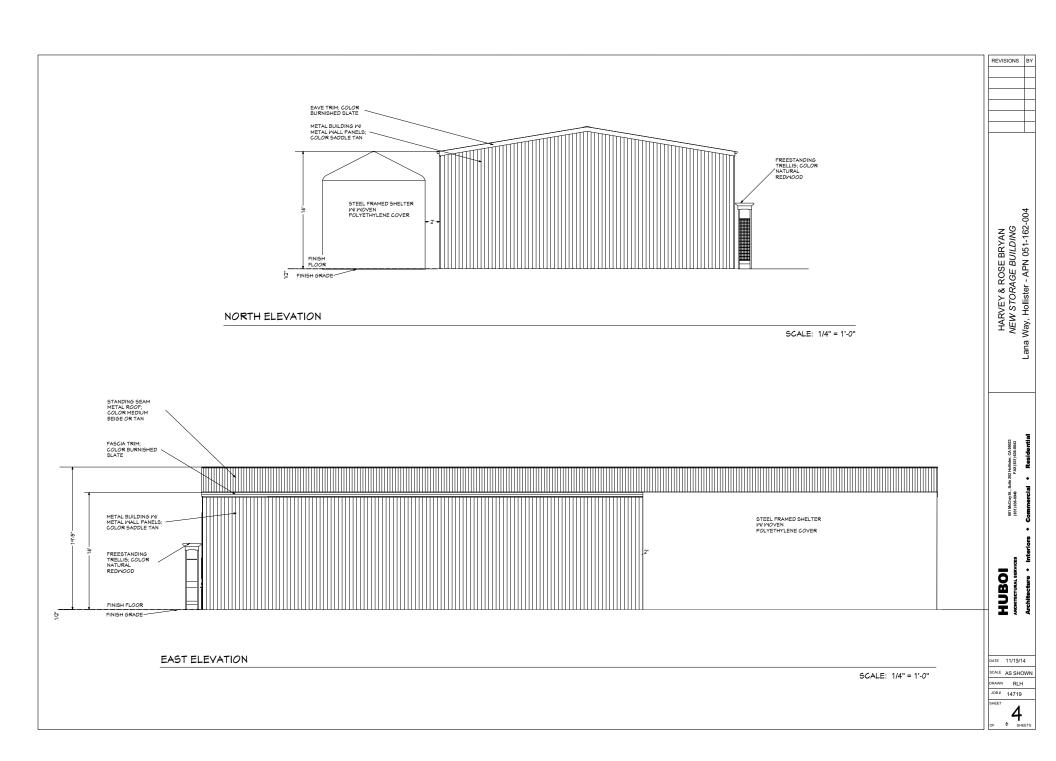
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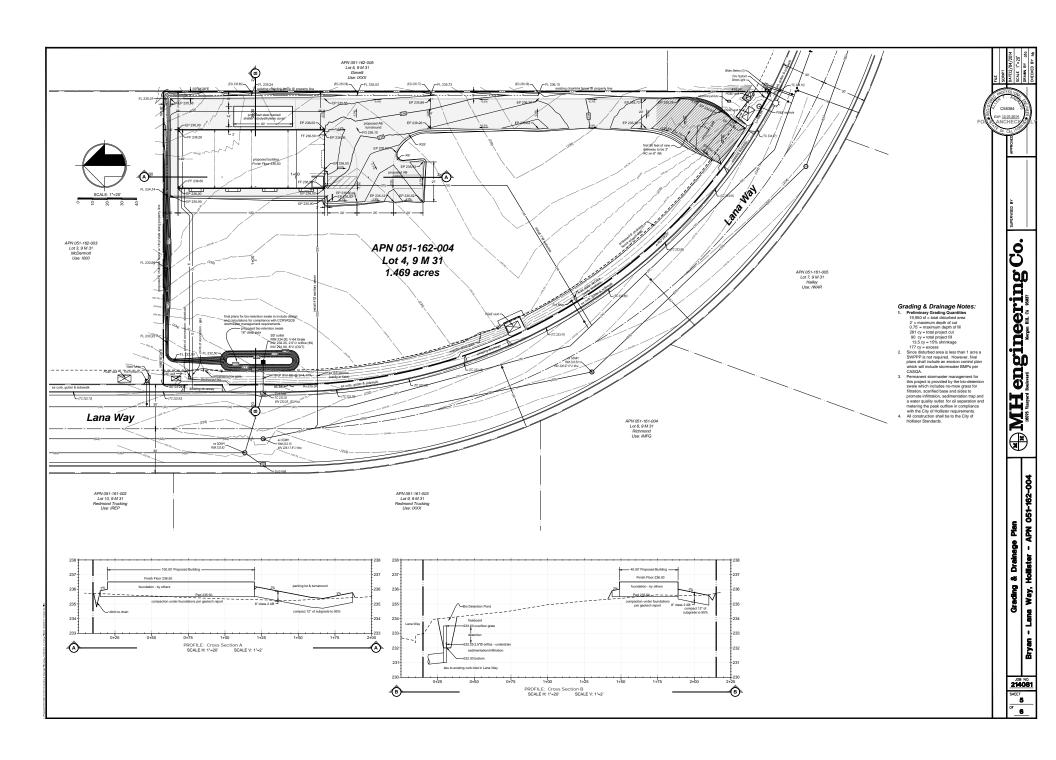


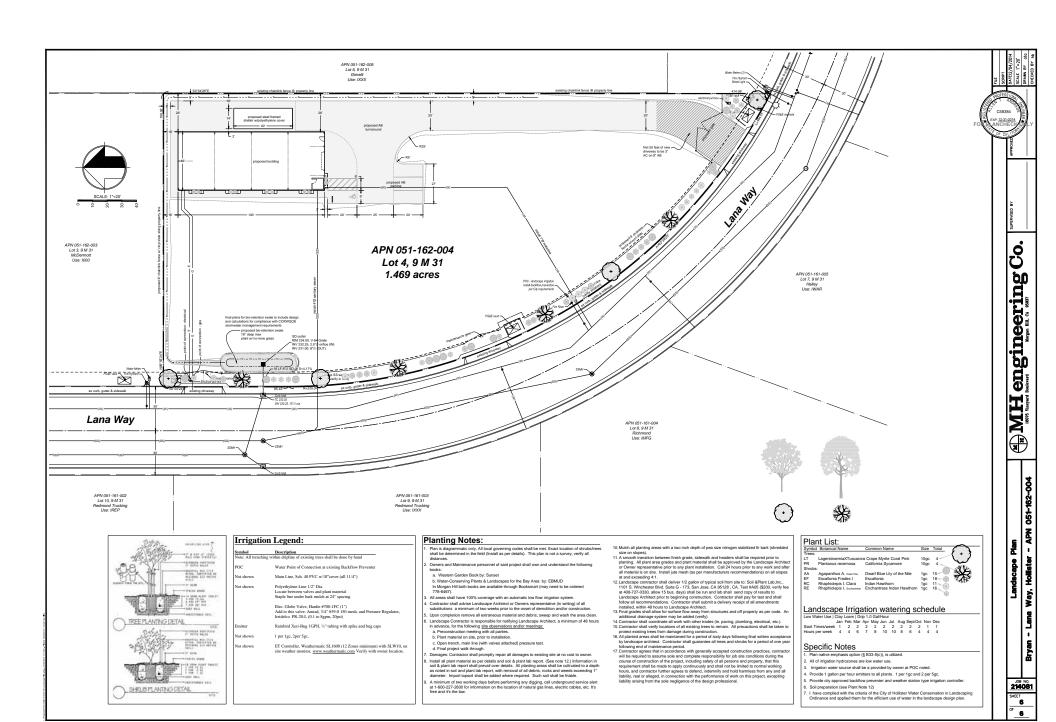














Usage Intensity Criteria <sup>1</sup>	Safety Zone					Additional Criteria	
		2	3	4	5	6	
Max. Sitewide Average Intensity (people/acre) Max. Single-Acre Intensity (people/acre)	10 20	60 120	100 300	150 450	100 300	300 1,200	Numbers below indicate zone in which condition applies
Land Use Category <sup>2</sup>		Land Use Acceptability (see page 2-49 for legend)			bility		
Eating/Drinking Establishments: restaurants, fast-food dining, bars  [approx. 60 s.f./person] 6							2-5: Intensity limits as indicated
Limited Retail/Wholesale: furniture, automobiles, heavy equipment, lumber yards, nurseries  [approx. 250 s.f./person] 6				—			2, 5: Intensity limits as indicated; design site to place parking inside and bldgs outside of zone if possible
Offices: professional services, doctors, finance, civic; radio, television & recording studios, office space associated with other listed uses [approx. 215 s.f./person] 6						_	2-5: Intensity limits as indicated
Personal & Miscellaneous Services: barbers, car washes, print shops [approx. 200 s.f./person] <sup>6</sup>							2-5: Intensity limits as indicated
Vehicle Fueling: gas stations and fueling facilities at trucking & transportation terminals							5: Allowed only if airport serving
Industrial, Manufacturing, and Storage Uses							
Hazardous Materials Production: oil refineries, chemical plants							3-6: Allowed only if alternative site outside zone would not serve intended function; Fire Marshal to determine if special design features should be incorporated into structure to withstand damage from aircraft collision; exercise caution with uses creating plumes and other airspace hazards 3
Heavy Industrial							2-5: Avoid bulk production/storage of hazardous (flammable, explosive, corrosive, or toxic) materials; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Light Industrial, High Intensity: food products preparation, electronic equipment [approx. 200 s.f./person] <sup>6</sup>							2-5: Intensity limits as indicated; avoid bulk production/storage of hazardous (flammable, explosive, corrosive, or toxic) materials; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Light Industrial, Low Intensity: machine shops, wood products, auto repair [approx. 350 s.f./person] <sup>6</sup>							2 - 4: Intensity limits as indicated 5: Single story only; max. 10% in mezzanine 2-5: Avoid bulk production/storage of hazardous (flammable, explosive, corrosive, or toxic) materials; permitting agencies to evaluate possible need for special measures to minimize hazards if struck by aircraft
Indoor Storage: wholesale sales, warehouses, mini/other indoor storage, barns, greenhouses [approx. 1,000 s.f./person] <sup>6</sup>			X				2: Single story only; max. 10% in mezzanine

Table 2, continued

Land Use Acceptability		Interpretation/Comments
	Normally Compatible	Normal examples of the use are compatible under the presumption that usage criteria will be met. Atypical examples may require review to ensure compliance with usage intensity criteria. Noise, airspace protection, and/or overflight limitations may apply.
	Conditional	Use is compatible if indicated usage intensity limit and/or other listed conditions are met.
	Incompatible	Use should not be permitted under any circumstances.

#### **Notes**

- <sup>1</sup> Usage intensity criteria applicable to all nonresidential development (i.e., Normally Compatible as well as Conditional land uses). Nonresidential development must satisfy both forms of intensity limits (see Policy 3.3.6). See Note 6 below and Policy 3.3.7 for information on how to calculate nonresidential intensity. Up to 10% of total floor area may be devoted to ancillary use (see Policy 3.3.6(c)).
- Multiple land use categories and compatibility criteria may apply to a project. Land uses not specifically listed shall be evaluated using the criteria for similar uses.
- These uses may pose hazards to flight as they may attract birds or other wildlife; generate dust or other visual hazards; or create physical hazards (e.g., power lines or other tall objects). See *Section 3.4* for applicable airspace protection policies.
- <sup>4</sup> Capacity of people for Large and Major Assembly Facilities obtained from International Building Code.
- Residential density limits provided in terms of dwelling units per acre (du/ac). Construction of a single-family home, including a second dwelling unit as defined by state law, allowed on a legal lot of record if such use is permitted by local land use regulations. A family day care home (serving ≤ 14 children) may be established in any dwelling. See *Policies 1.4.5* and 3.3.5(h).
- Common occupancy load factors (approximate number of square feet per person) source: Mead & Hunt, Inc. based upon information from various sources including building and fire codes, facility management industry sources, and ALUC surveys. The common occupancy load factors represent the maximum occupancy during a normal peak period occupancy, not on the highest attainable occupancy used in building and fire codes. Common occupancy load factors provided in the table for specific land uses may be used as a means of calculating the usage intensity of a proposed development. See Policy 3.3.7 for other methods of calculating usage intensities.

Table 2, continued

