AGENDA
REGULAR MEETING
SAN BENITO COUNTY AIRPORT LAND USE COMMISSION

DATE: Thursday, September 17, 2020
6:00 P.M.

LOCATION: Board of Supervisors Chambers, 481 Fourth Street, Hollister, CA 95023

COMMISSIONERS: Chair Ignacio Velazquez, Vice Chair Peter Hernandez, Jaime De La Cruz, Mary Vazquez Edge, and Rolan Resendiz
Alternates: San Benito County: Mark Medina;
City of San Juan Bautista: César E. Flores

Attendance at the ALUC meeting is closed to the public per Executive Order N-29-30.
The public may join meeting by Zoom: https://zoom.us/join per the instructions provided at the end of the agenda:
Meeting ID: 813-6589-7138

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 C. Public Comment.

6:00 P.M. CALL TO ORDER:

A. ACKNOWLEDGE Certificate of Posting

B. NOTICE OF TEMPORARY PROCEDURES FOR AIRPORT LAND USE COMMISSION MEETINGS
(Please see Zoom instructions at the end of the agenda)

Pursuant to California Governor Gavin Newsom’s Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Additionally, members of the Airport Land Use Commission can attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

C. 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 August 20, 2020 – Gomez

2. FIND Project No. 2020-02, Associated with Assessor Parcel No. 053-420-0370, Located at 1891 Airway Drive in the City of Hollister, CONSISTENT with the 2012 Hollister Municipal Airport Land Use Compatibility Plan – Lezama

Adjourn to ALUC Meeting on Thursday, October 15, 2020. Agenda Deadline is Tuesday, September 29, 2020 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.
Members of the public are encouraged to participate in Board meetings in the following ways:

1. **Remote Viewing**
   Members of the public who wish to watch the meeting can view the meeting online through Zoom. Instructions for participating via Zoom are included below.

2. **Written Comments & Email Public Comment**
   Members of the public may submit comments via email by 5:00 PM. on the Wednesday prior to the Board meeting to the Clerk of the Board at monica@sanbenitocog.org. Regardless of whether the matter is on the agenda. Every effort will be made to provide Board Members with your comments before the agenda item is heard.

3. **Airport Land Use Commission meeting - Zoom Instructions for remote Participants:**
   Each meeting will have a meeting ID, which is a unique number associated with an instant or scheduled meeting. Three ways to attend zoom meetings:
   1. **Over the phone (Audio only):**
      - (669) 900-6833 or (408) 638-0968.
   2. **Open the Web-browser:**
      - https://zoom.us/join
   3. **Smart device Application:**

**Zoom Audio Only (phone)**

If you are calling in as audio-only, please dial (669) 900-6833 or (408) 638-0968.

   1. It will ask you to enter the Meeting ID, 813-6589-7138, followed by the “#” key, which can be found at the top page of the agenda. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2020/09/ALUC_Packet_091720.pdf
   2. It will then ask for a Participant ID, press the “#” key to continue.
   3. Once you enter the zoom meeting, you will automatically be placed on mute.
   4. **Public Comment:** If you are using a phone, please press the “*9” to raise your hand, zoom facilitator will unmute you when your turn arrives.

**Zoom On Web-browser or Zoom app on Tablet or Smartphone**

If joining through web-browser launch: https://zoom.us/join or launch the Zoom app on your Tablet or Smartphone

   1. Select “JOIN A MEETING”
   2. The participant will be prompted to enter Meeting ID, 813-6589-7138 and name to join the meeting. Which can be found at the top page of the agenda. The meeting agenda can be found at: http://www.sanbenitocog.org/wp-content/uploads/2020/09/ALUC_Packet_091720.pdf
   3. You can launch audio through your computer or set it up through the phone. Follow instructions provided by Zoom.
   4. **Public Comment:** Click “Raise hand” icon, the zoom facilitator will unmute you when your turn arrives.

**Public Comment Guidelines**

- If participating on zoom Once you are selected, you will hear that you have been unmuted: State your first name, last name, and county you reside in for the record.
- The Local Transportation Authority welcomes your comments.
- Each individual speaker will be limited to a presentation total of three (3) minutes.
- Please keep your comments, brief, to the point, and do not repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.
CERTIFICATE OF POSTING

Pursuant to Government Code Section #54954.2(a) the Meeting Agenda for the Airport Land Use Commission on September 17, 2020 at 6:00 P.M. was posted at the following locations freely accessible to the public:

The front entrance of the Old San Benito County Courthouse, Monterey Street, Hollister, CA 95023, and the Council of Governments Office, 330 Tres Pinos Rd., Ste. C7, Hollister, CA 95023 at the following date and time:

On the 11th day of September 2020, on or before 6:00 P.M.

The meeting agenda was also posted on the Council of San Benito County Governments website, www.sanbenitocog.org, under Meetings, ALUC, Meeting Schedule

I, Monica Gomez, swear under penalty of perjury that the foregoing is true and correct.

BY: [Signature]
Monica Gomez
Secretary II
Council of San Benito County Governments
MINUTES

MEMBERS PRESENT:
Chair Ignacio Velazquez, Vice-Chair Peter Hernandez, Jaime De La Cruz, and Mary Vazquez Edge

MEMBERS ABSENT:
Rolan Resendiz

STAFF PRESENT:
Deputy County Counsel, Shirley Murphy; Executive Director, Mary Gilbert; Transportation Planner, Regina Valentine, Transportation Planner, Veronica Lezama; Administrative Services Specialist, Kathy Postigo; Secretary, Monica Gomez; Office Assistant, Griselda Arevalo

CALL TO ORDER:
Chair Velazquez called the meeting to order at 6:53 P.M.

A. Acknowledge Certificate of Posting

A motion was made by Director De La Cruz, and seconded by Director Vazquez Edge, to acknowledge the Certificate of Posting. Vote: 4/0 motion passes.

B. NOTICE OF TEMPORARY PROCEDURES FOR AIRPORT LAND USE COMMISSION MEETINGS

Pursuant to California Governor Gavin Newsom’s Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Additionally, members of the COG Board are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

Chair Velazquez reminded members of the public that an overview of temporary procedures (Zoom etiquette) for ALUC meetings was attached to the agenda.

C. PUBLIC COMMENT: None

CONSENT AGENDA:

1. Approve Airport Land Use Commission Draft Meeting Minutes dated February 20, 2020 – Gomez

2. Find Project No. 2020-05, Associated with Assessor Parcel No. 051-163-008, Located at 20 Hamilton Court in the City of Hollister, Consistent with the 2012 Hollister Municipal Airport Land Use Compatibility Plan – Lezama

There was no public comment on the Consent Agenda.
A motion was made by Director Vazquez Edge, and seconded by Director De La Cruz, to approve Consent Agenda Items 1&2. Vote: 4/0 motion passes.

A motion was made by Director Hernandez, and seconded by Director De La Cruz, to adjourn the ALUC Meeting at 6:54 p.m. Vote: 4/0 motion passes.

ADJOURN TO ALUC MEETING THURSDAY SEPTEMBER 17, 2020.
Staff Report

To: Airport Land Use Commission
From: Veronica Lezama, Transportation Planner  Telephone: (831) 637-7665
Date: September 17, 2020
Subject: Land Use Consistency Determination

Recommendation:

FIND Project No. 2020-02, Associated with Assessor Parcel No. 053-420-0370, Located at 1891 Airway Drive in the City of Hollister, CONSISTENT with the 2012 Hollister Municipal Airport Land Use Compatibility Plan.

Summary:

The ALUC application associated with assessor parcel number 053-420-0370 was reviewed in accordance with the adopted 2012 Hollister Municipal Airport Land Use Compatibility Plan.

Financial Considerations:

The Airport Land Use Commission (ALUC) has an adopted application fee structure. The fee consists of a minimum $300 non-refundable payment that is submitted at the time the application is provided to ALUC.

Background:

Land use actions proposed within the Hollister Municipal Airport Influence Area (Attachment 1) are subject to ALUC review to determine consistency with the Hollister Municipal Airport Land Use Compatibility Plan. 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.

Staff Analysis:

ALUC staff received an application for a Consistency Determination with the adopted 2012 Hollister Municipal Airport Land Use Compatibility Plan.

Project Description:

The applicant is proposing an indoor cannabis cultivation on an existing 42,770 square foot building (Attachment 2), which is located at 1891 Airway Drive in the City of Hollister (Attachment 3).
During a project review, the Airport Land Use Commission considers several Compatibility Plan policies including: **Noise, Safety, Airspace Protection, and Overflight**. An analysis of each of the four compatibility factors is discussed below.

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**Noise Policy 3.2.**

The 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 magnitude noise impacts are depicted by four contours, which show the greatest annualized noise impacts anticipated to be generated by the airport over the next 20 years.

The building where the proposed land use is proposed is located within the 55-60 bdb CNEL and 60-65 db CNEL Noise Contours (Attachment 4). However, the applicant does not propose any noise sensitive uses (i.e. residential) that would be exposed to significant levels of aircraft noise. As such, the project is consistent with the Hollister Municipal Airport Land Use Compatibility Plan’s Noise Policy.

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**Safety Policy 3.3.**

The 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 sensitive land uses (i.e. residential) and intensities of non-residential uses (i.e. commercial, industrial, etc.). This policy is defined in terms of the geographic distribution of where accidents are most likely to occur based on the six safety zones.

The parcel is located within the Safety Zone 6 (Attachment 5). According to Table 2: Safety Compatibility Criteria, the Light Industrial, High Intensity use is *Normally Compatible* within Safety Zone 6 (Attachment 6). There will be no chemical or hazardous processing or storage at this site.

As an additional condition of compatibility, the project must comply with the indicated usage intensity limits and other listed conditions (Attachment 6). The project’s usage intensities are proposed at 10 employees and will not exceed those allowed under Safety Zone 6. As such, the project is consistent with the Airport Land Use Compatibility Plan’s Safety Policy.

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**Airspace Protection Policy 3.4.**

The 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. The existing building is located within the FAR Part 77 Transitional Surface...
(Attachment 8). The applicant is not proposing any building modifications and therefore consistent with the Airport Land Use Compatibility Plan’s Airspace Protection Policy.

Overflight Policy 3.5.

The Overflight Compatibility Policy is intended to help notify people, through 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 policies do not apply to non-residential development. The applicant is proposing a non-residential use and is therefore consistent with the Overflight Compatibility Policy.

Executive Director Review: _____MG______
Counsel Review: N/A

Supporting Attachment(s):

1. Compatibility Policy Map: Airport Influence Area
2. Project Site Plan
3. Project Location Map
4. Noise Contour Map
5. Safety Zones Map
6. Table 2: Safety Compatibility Criteria
7. FAR Part 77 Transitional Surface
Notes
1. The Airspace Protection Zones are drawn in accordance with FAR Part 77, Subpart C and reflect the future runway lengths and instrument approaches for all runways except Runway 31. For Runway 31, the existing runway end location and instrument approach type are reflected, as the existing airspace surface are generally more restrictive than the airspace surfaces reflecting the future runway end and approach type.

2. The Critical Airspace Protection Zone encompasses the primary surface and the critical portions of the approach and transitional surfaces to where these surfaces intersect with the horizontal surface.

3. The FAA Height Notification Zone is established in accordance with FAR Part 77, Subpart B.
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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<table>
<thead>
<tr>
<th>Usage Intensity Criteria</th>
<th>Safety Zone</th>
<th>Additional Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max. Sitewide Average Intensity (people/acre)</td>
<td>Max. Single-Acre Intensity (people/acre)</td>
<td>1</td>
</tr>
<tr>
<td>Eating/Drinking Establishments: restaurants, fast-food dining, bars</td>
<td>[approx. 60 s.f./person]</td>
<td>2-5: Intensity limits as indicated</td>
</tr>
<tr>
<td>Limited Retail/Wholesale: furniture, automobiles, heavy equipment, lumber yards, nurseries</td>
<td>[approx. 250 s.f./person]</td>
<td>2, 5: Intensity limits as indicated; design site to place parking inside and bldg's outside of zone if possible</td>
</tr>
<tr>
<td>Offices: professional services, doctors, finance, civic; radio, television &amp; recording studios, office space associated with other listed uses</td>
<td>[approx. 215 s.f./person]</td>
<td>2-5: Intensity limits as indicated</td>
</tr>
<tr>
<td>Personal &amp; Miscellaneous Services: barbers, car washes, print shops</td>
<td>[approx. 200 s.f./person]</td>
<td>2-5: Intensity limits as indicated</td>
</tr>
<tr>
<td>Vehicle Fueling: gas stations and fueling facilities at trucking &amp; transportation terminals</td>
<td></td>
<td>5: Allowed only if airport serving</td>
</tr>
<tr>
<td>Hazardous Materials Production: oil refineries, chemical plants</td>
<td></td>
<td>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</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td></td>
<td>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</td>
</tr>
<tr>
<td>Light Industrial, High Intensity: food products preparation, electronic equipment</td>
<td>[approx. 200 s.f./person]</td>
<td>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</td>
</tr>
<tr>
<td>Light Industrial, Low Intensity: machine shops, wood products, auto repair</td>
<td>[approx. 350 s.f./person]</td>
<td>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</td>
</tr>
<tr>
<td>Indoor Storage: wholesale sales, warehouses, mini/other indoor storage, barns, greenhouses</td>
<td>[approx. 1,000 s.f./person]</td>
<td>2: Single story only; max. 10% in mezzanine</td>
</tr>
</tbody>
</table>

Table 2, continued
<table>
<thead>
<tr>
<th>Land Use Acceptability</th>
<th>Interpretation/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normal Compatibility</td>
<td>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.</td>
</tr>
<tr>
<td>Conditional</td>
<td>Use is compatible if indicated usage intensity limit and/or other listed conditions are met.</td>
</tr>
<tr>
<td>Incompatible</td>
<td>Use should not be permitted under any circumstances.</td>
</tr>
</tbody>
</table>

**Notes**

1. 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)).

2. 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.

3. 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.

4. 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).

5. Capacity of people for Large and Major Assembly Facilities obtained from International Building Code.

6. 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.

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_Hollister Municipal Airport Land Use Compatibility Plan_ 2–49

_Busiest Area of the Week_ 2021

_Fish Species_ 2021

_Weekly Weather Forecast_ 2021

_Sources_ 2021
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