AGENDA
REGULAR MEETING
SAN BENITO COUNTY AIRPORT LAND USE COMMISSION

DATE: Thursday, March 18, 2021
6:00 P.M.

LOCATION: Via- Zoom

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: 880-0844-7164

COMMISSIONERS: Chair Ignacio Velazquez, Vice Chair Mary Vazquez Edge
Rolan Resendiz, Mark Medina, and Bob Tiffany
Alternates: San Benito County: Kollin Kosmicki; City of San Juan Bautista: César E. Flores; City of Hollister: Rick Perez

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 Council of Governments, Local Transportation Authority, Measure A Authority, Airport Land Use Commission, Service Authority for Freeways and Expressways Adjourned Draft Meeting Minutes Dated December 17, 2020 – Gomez

2. APPROVE Airport Land Use Commission Adjourned Draft Meeting Minutes Dated December 21, 2020 – Gomez

4. FIND Project No. 2018-14, Associated with Assessor Parcel No. 051-100-031, Located at 773 San Felipe Road in the City of Hollister, CONSISTENT with the 2012 Hollister Municipal Airport Land Use Compatibility Plan with One Condition – Lezama

5. FIND Project No. PLN 210003, Associated with Assessor Parcel No. 013-050-010, Located at 2250 Shore Road in the County of San Benito, CONSISTENT with the 2019 Airport Land Use Compatibility Plan for Frazier Lake Airpark – Lezama

Adjourn to ALUC Meeting on Thursday, April 15, 2021. Agenda Deadline is Tuesday, March 29, 2021 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 hours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.

ZOOM INSTRUCTIONS:

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:**
      · Apple App store: https://apps.apple.com/us/app/id546505307
      · Android App store: https://play.google.com/store/apps/detailsZid=u.s.zoom.videomeetings

   **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, 880-0844-7164**, 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/2021/03/ALUC_Packet_031821.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, 880-0844-7164**, 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/2021/03/ALUC_Packet_031821.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 March 18, 2021 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 12th day of March 2021, on or before 5:00 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: ____________________________
    Monica Gomez, Secretary II
    Council of San Benito County Governments
SAN BENITO COUNTY
COUNCIL OF GOVERNMENTS, LOCAL TRANSPORTATION AUTHORITY,
MEASURE A AUTHORITY, AIRPORT LAND USE COMMISSION, AND
SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS
(Zoom Platform)

MINUTES of Adjourned Meetings December 17, 2020

MEMBERS PRESENT:
Director Jaime De La Cruz; Ex Officio, Scott Eades, Caltrans District 5

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

OTHERS PRESENT:
Joe Arch, JJACPA, Inc.

CALL TO ORDER:
The San Benito County Council of Governments, Local Transportation Authority, Measure A Authority, Airport Land Use Commission, and Service Authority for Freeways and Expressways Meetings of December 17, 2020 at 6:00 p.m. were adjourned to date certain.

Director De La Cruz called an adjournment of the December 17, 2020 at 6:00 p.m. Meetings to a date certain of December 21, 2020 at 4:00 p.m., due to lack of a quorum.
MEMBERS PRESENT:
Chair Ignacio Velazquez, Vice-Chair Peter Hernandez, Jaime De La Cruz, Mary Vazquez Edge, and Rolan Resendiz

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

CALL TO ORDER:
The Meeting of December 17, 2020 at 6:00 p.m. was adjourned to December 21, 2020 at 4:00 p.m.

Chair Velazquez called the meeting to order at 4:54 P.M.

A. Acknowledge Certificate of Posting

A motion was made by Director De La Cruz, and seconded by Director Vazquez Edge, the Directors acknowledged the Certificate of Posting. Vote: 5/0 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. Find Project No. 2018-23, Associated with Assessor Parcel No. 053-350-005 on the corner of Wright Road and San Felipe Road in the City of Hollister, Consistent with the 2012 Hollister Municipal Airport Land Use Compatibility Plan – Lezama

2. Find Project No. 2018-6, Associated with Assessor Parcel No. 019-090-026 and 053-350-0030 located on 1100 San Felipe Road in the City of Hollister, Consistent with the 2012 Hollister Municipal Airport Land Use Compatibility Plan – Lezama

There was no discussion or public comment on the Consent Agenda.
A motion was made by Director Vazquez Edge, and seconded by Director De La Cruz, the Directors approved Consent Agenda Items 1&2 from the agenda. Vote: 5/0 motion passes.

A motion was made by Director De La Cruz, and seconded by Vazquez Edge, the Directors adjourned the ALUC Meeting at 4:56 p.m. Vote: 5/0 motion passes.

ADJOURN TO ALUC MEETING THURSDAY JANUARY 21, 2021.
MEMBERS PRESENT:
Ignacio Velazquez, Rolan Resendiz, Mary Vazquez Edge, Mark Medina, and Bob Tiffany

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

CALL TO ORDER:
Director Velazquez called the meeting to order at 7:05 P.M.

A. Acknowledge Certificate of Posting
A motion was made by Director Vazquez Edge, and seconded by Director Medina, the Directors acknowledged the Certificate of Posting. Vote: 5/0 motion passes.

B. NOTICE OF TEMPORARY PROCEDURES FOR AIRPORT LAND USE COMMISSION MEETINGS
Director Velazquez reminded members of the public that an overview of temporary procedures (Zoom etiquette) for ALUC meetings was attached to the agenda.

C. ELECT ALUC Chairperson for 2021
A motion was made by Director Resendiz, and seconded by Director Vazquez Edge, the Directors elected Ignacio Velazquez as ALUC Chairperson for 2021. Vote: 5/0 motion passes.

D. ELECT ALUC Vice Chairperson for 2021
A motion was made by Director Resendiz, and seconded by Director Medina, the Directors elected Mary Vazquez Edge as ALUC Vice Chairperson for 2021. Vote: 5/0 motion passes.

E. PUBLIC COMMENT: None

CONSENT AGENDA:

1. Approve Airport Land Use Commission Draft Meeting Minutes dated November 19, 2020 – Gomez

2. FIND Project No. 2020-15, Associated with Assessor Parcel Nos. 053-360-037-000, 053-360-038-000, 053-360-039-000, and 053-360-040-000 located at 1500, 1501, 1551, 1601 Citation Way in the City of Hollister, CONSISTENT with the 2012 Hollister Municipal Airport Land Use Compatibility Plan with One Mitigating Factor – Lezama

There was no public comment on the Consent Agenda.
A motion was made by Director Vazquez Edge, and seconded by Director Tiffany, the Directors approved Consent Agenda Items 1&2 from the agenda. Vote: 5/0 motion passes.

A motion was made by Director Vazquez Edge, and seconded by Director Medina, the Directors adjourned the ALUC Meeting at 7:07 p.m. Vote: 5/0 motion passes.

ADJOURL TO ALUC MEETING THURSDAY FEBRUARY 18, 2021.
Staff Report

To: Airport Land Use Commission
From: Veronica Lezama, Transportation Planner  Telephone: (831) 637-7665
Date: March 18, 2021
Subject: Land Use Consistency Determination

Recommendation:

FIND Project No. 2018-14, Associated with Assessor Parcel No. 051-100-031, Located at 773 San Felipe Road in the City of Hollister, CONSISTENT with the 2012 Hollister Municipal Airport Land Use Compatibility Plan with One Condition.

Summary:

The ALUC application associated with assessor parcel number 051-100-031 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 the construction of a building located on a 35,087 SF parcel at 773 San Felipe Rd (Attachment 2). The applicant is proposing the construction of a 2,400 SF building to be used as a cannabis dispensary (Attachment 3). There are future plans for greenhouses on the parcel, which will also be subject to future ALUC review. The maximum height of the proposed building will be 28’ 11” feet. The applicant is proposing 15 employees. All exterior lighting shall
be fully shielded from off-site view; escape of light to the atmosphere shall be minimized; and low intensity and indirect light sources shall be used instead of mercury, metal halide, and similar intense bright lights.

In the course of a project review, the Airport Land Use Commission considers a number of 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 parcel where the project is proposed outside of the Noise Contours (Attachment 4). 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 Safety Zone 6 (Attachment 5). According to Table 2: Safety Compatibility Criteria, the Local Retail and Office Space uses are *Normally Compatible* within Safety Zone 6 (Attachment 6).

As an additional condition of compatibility, the project must comply with the indicated usage intensity limits and other listed conditions (Attachment 6). The applicant is proposing 15 employees. As such, the project is consistent with the Hollister Municipal 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. In evaluating the airspace protection compatibility of any proposed
development, the following three categories of hazards to airspace shall be considered. Applicable safety categories are highlighted in bold below.

1. The height of structures and other objects situated near the airport are a primary determinant of physical hazards to the airport airspace.

2. **Land use features that have the potential to attract birds and certain other wildlife to the airport area are also to be evaluated as a form of physical hazards, per FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports.**
   a. **ALUC Staff Analysis:** Any proposed project ponds off airport storm water management systems shall be designed and operated so as not to create aboveground standing water. Stormwater detention ponds should be designed, engineered, constructed, and maintained for a maximum 48-hour detention period after the design storm and remain completely dry between storms. To facilitate the control of hazardous wildlife, the FAA recommends the use of steep-sided, rip-rap lined, narrow, linearly shaped water detention basins.

3. Visual hazards of concern include certain types of lights, sources of glare, and sources of dust, steam, or smoke.

4. Electronic hazards are ones that may cause interference with aircraft communications or navigation.

The applicant it is consistent with the Airspace Policy, but must ensure that any proposed project ponds off airport storm water management systems shall be designed and operated so as not to create aboveground standing water.

**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 Location Map
3. Project Site Plan
4. Noise Contour Map
5. Safety Zones Map
6. Table 2: Safety Compatibility Criteria
MONTEREY BAY ALTERNATIVE MEDICINE
Dispensary

Paved Driveway & Parking Area

Base Rock/Gravel Surface

Existing W/Ed Olvid

Existing Roadside Office

Future Greenhouse Area

556 Felipe Road

SF: 2,400 SF
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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### Usage Intensity Criteria

<table>
<thead>
<tr>
<th>Max. Sitewide Average Intensity (people/acre)</th>
<th>Safety Zone</th>
<th>Additional Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-20</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>60-120</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>100-200</td>
<td>3</td>
<td></td>
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<tr>
<td>300-450</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>1000-1200</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>3000-1200</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

### Safety Zone

- 1: Intensity limits as indicated; also see individual components of campus facilities (e.g., assembly facilities, offices, gymnasiuims)
- 2: Numbers below indicate zone in which condition applies
- 3: Allowed only if outside 1/2 mile from runway and alternative site outside zone would not serve intended public function
- 4: Numbers below indicate zone in which condition applies
- 5: Allowed only if airport serving
- 6: No new sites or land acquisition; replacement/expansion of existing facilities limited to existing size

### Land Use Acceptability

(see page 2-49 for legend)

### Educational and Institutional Uses

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Land Use Acceptability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family day care homes (≤14 children)</td>
<td>3, 4, 6: Allowed only in existing dwellings or where new single-family residential is allowed See Policy 3.3.5(h)</td>
</tr>
<tr>
<td>Children’s Schools: K-12, day care centers (&gt;14 children); school libraries</td>
<td>3, 4, 6: No new sites or land acquisition 6: No new sites or land acquisition within 1/2 mile of runway 3, 4, 6: Bldg replacement/expansion allowed for existing school sites; expansion limited to ≤50 students (not school staff)</td>
</tr>
<tr>
<td>Adult Education classroom space: adult schools, colleges, universities [approx. 40 s.f./person] 6</td>
<td>3, 4: Intensity limits as indicated; also see individual components of campus facilities (e.g., assembly facilities, offices, gymnasiuims)</td>
</tr>
<tr>
<td>Community Libraries [approx. 100 s.f./person] 6</td>
<td>3, 4: Intensity limits as indicated</td>
</tr>
<tr>
<td>Indoor Major Assembly Facilities (capacity ≥1,000 people): auditoriums, conference centers, concert halls, indoor arenas 4</td>
<td>6: Allowed only if beyond 1/2 mile from runway and alternative site outside zone would not serve intended function; not allowed within 1/2 mile of runway</td>
</tr>
<tr>
<td>Indoor Large Assembly Facilities (capacity 300 to 999 people): movie theaters, places of worship, cemetery chapels, mortuaries 4 [approx. 15 s.f./person] 6</td>
<td>3, 4: Intensity limits as indicated</td>
</tr>
<tr>
<td>Indoor Recreation: gymnasiums, club houses, athletic clubs, dance studios [approx. 60 s.f./person] 6</td>
<td>3, 4: Intensity limits as indicated</td>
</tr>
<tr>
<td>In-Patient Medical: hospitals, mental hospitals</td>
<td>3, 4: No new sites or land acquisition; replacement/expansion of existing facilities limited to existing size</td>
</tr>
<tr>
<td>Out-Patient Medical: health care centers, clinics [approx. 240 s.f./person] 6</td>
<td>3, 4: Intensity limits as indicated</td>
</tr>
<tr>
<td>Penal Institutions: prisons, reformatories</td>
<td>3, 4: Allowed only if alternative site outside zone would not serve intended public function 5: Allowed only if airport serving</td>
</tr>
</tbody>
</table>

### Commercial, Office, and Service Uses

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Land Use Acceptability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Retail: regional shopping centers, ‘big box’ retail [approx. 110 s.f./person] 6</td>
<td>3, 4: Intensity limits as indicated; capacity &lt;1,000 people per bldg; evaluate eating/drinking areas separately if &gt;10% of total floor area</td>
</tr>
<tr>
<td>Local Retail: community/neighborhood shopping centers, grocery stores [approx. 170 s.f./person] 6</td>
<td>3, 4: Intensity limits as indicated; evaluate eating/drinking areas separately if &gt;10% of total floor area</td>
</tr>
<tr>
<td>Usage Intensity Criteria</td>
<td>Safety Zone</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------------</td>
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<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Max. Sitewide Average Intensity (people/acre)</td>
<td>10</td>
</tr>
<tr>
<td>Max. Single-Acre Intensity (people/acre)</td>
<td>20</td>
</tr>
</tbody>
</table>

**Land Use Category**

- **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] 6
  - 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

- **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] 6
  - 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] 6
  - 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] 6
  - 2: Single story only; max. 10% in mezzanine

Table 2, continued
## Table 2, continued

<table>
<thead>
<tr>
<th>Land Use Acceptability</th>
<th>Interpretation/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normally Compatible</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.


5. Residential density limits provided in terms of dwelling units per acre (dual/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).

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.
Staff Report

To: Airport Land Use Commission
From: Veronica Lezama, Transportation Planner
Date: March 18, 2021
Subject: Land Use Consistency Determination

Recommendation:

FIND Project No. PLN 210003, Associated with Assessor Parcel No. 013-050-010, Located at 2250 Shore Road in the County of San Benito, CONSISTENT with the 2019 Airport Land Use Compatibility Plan for Frazier Lake Airpark.

Summary:

The ALUC application associated with assessor parcel number 013-050-010 was reviewed in accordance with the adopted 2019 Airport Land Use Compatibility Plan for Frazier Lake Airpark.

Financial Considerations:

The Airport Land Use Commission (ALUC) has no adopted fee schedule for Frazier Lake Airpark.

Background:

Land use actions proposed within Frazier Lake Airpark’s Airport Influence Area (Attachment 1) are subject to ALUC review to determine consistency with the 2019 Airport Land Use Compatibility Plan for Frazier Lake Airpark. 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 2019 Airport Land Use Compatibility Plan for Frazier Lake Airpark.

Project Description:

The applicant is proposing the construction of a structure located on a 50-acre parcel at 2250 Shore Road (Attachment 2). The applicant is proposing the construction of a 25,000 square foot shed to be used for storage of non-hazardous bins and produce (Attachment 3). The maximum height of the proposed building will be 18 feet. The applicant is proposing no public access, but there will be 1-2 truck drivers and 2-4 forklift drivers during the season, and additional three maintenance personnel. All exterior lighting shall be fully shielded from off-site view; escape of
light to the atmosphere shall be minimized; and low intensity and indirect light sources shall be used instead of mercury, metal halide, and similar intense bright lights.

In the course of a project review, the Airport Land Use Commission considers a number of 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 parcel where the project is proposed outside of the Noise Contours (Attachment 4). As such, the project is consistent with the 2019 Airport Land Use Compatibility Plan for Frazier Lake Airpark’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 Safety Zone 6 – Traffic Pattern Zone (Attachment 5). According to Table 4-2: Safety Zone Compatibility Policy, Industrial uses are *Normally Compatible* within Safety Zone 6 (Attachment 6).

As an additional condition of compatibility, the project must comply with the indicated usage intensity limits and other listed conditions (Attachment 6). The applicant is proposing no public access, but there will be 1-2 truck drivers and 2-4 forklift drivers during the season, and additional three maintenance personnel. As such, the project is consistent with the Frazier Lake Airpark 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. In evaluating the airspace protection compatibility of any proposed development, the following three categories of hazards to airspace shall be considered. Applicable safety categories are highlighted in bold below.

1. **The height of structures and other objects situated near the airport are a primary determinant of physical hazards to the airport airspace.**
   a. **ALUC Staff Analysis:** The parcel is located within the Conical Surface and the Horizontal Surface. However, the shed is proposed within the Horizontal Surface (Attachment 7). This surface consists of a horizontal plane 150 feet above the established airport elevation (the highest point of an airport’s usable landing area measured in feet above mean sea level), the perimeter of which is constructed by swinging arcs 5,000 feet out for Runway 5-23 and Runway 5W-23W, from the center of each end of the Primary Surface of each runway and connecting the adjacent arcs where they intersect. The applicant is proposing a 18-foot shed structure, which is below the height restriction set in the Horizontal Surface.

2. Land use features that have the potential to attract birds and certain other wildlife to the airport area are also to be evaluated as a form of physical hazards, per FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or Near Airports.*

3. **Visual hazards of concern include certain types of lights, sources of glare, and sources of dust, steam, or smoke. Electronic hazards are ones that may cause interference with aircraft communications or navigation.**
   a. **ALUC Staff Analysis:** The applicant does not propose storage of hazardous materials.

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**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 Location Map
3. Project Site Plan
4. Noise Contour Map
5. Safety Zones Map
6. Table 2: Safety Compatibility Criteria
7. FAA Far Part 77 Surfaces
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# SAFETY ZONE COMPATIBILITY POLICIES

**Frazier Lake Airpark**

<table>
<thead>
<tr>
<th>Safety Zone</th>
<th>Maximum Population Density</th>
<th>Open Space Requirements</th>
<th>Land Use</th>
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</thead>
<tbody>
<tr>
<td>Runway Protection Zone – RPZ</td>
<td>-0- (No people allowed)</td>
<td>100 percent (No structures allowed)</td>
<td>Agricultural activities, roads, open low-landscaped areas. No structures, trees, telephone poles or similar obstacles. Occasional short-term transient vehicle parking is permitted. No open man-made water retention ponds.</td>
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<tr>
<td></td>
<td>Also known as Zone 1</td>
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<tr>
<td>Inner Safety Zone – ISZ</td>
<td>Nonresidential, maximum 20 people per acre (includes open area and parking area required for the building’s occupants)</td>
<td>30 percent of gross area open. No structures or concentrations of people within 100 feet of the extended runway centerlines.</td>
<td>Residential – none allowed. Nonresidential – uses should be activities that attract relatively few people. No shopping centers, restaurants, theaters, meeting halls, stadiums, multi-story office buildings, labor-intensive manufacturing plants, educational facilities, day care facilities, hospitals, nursing homes or similar activities. No hazardous material facilities (gasoline stations, etc.). No open man-made water retention ponds.</td>
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<td>Known as Zone 2</td>
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<tr>
<td>Turning Safety Zone – TSZ</td>
<td>Nonresidential, maximum 60 people per acre (includes open area and parking area required for the building’s occupants)</td>
<td>20 percent of gross area Minimum dimensions: 300 ft long by 75 ft wide parallel to the runways.</td>
<td>Residential – Allow residential infill to existing density (1 dwelling unit per 5 acres). Nonresidential – no regional shopping centers, theaters, meeting halls, stadiums, schools, day care centers, hospitals, nursing homes or similar activities. No hazardous material facilities (gasoline stations, etc.).</td>
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<td>Known as Zone 3</td>
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<td>Outer Safety Zone – OSZ</td>
<td>Nonresidential, maximum 85 people per acre (includes open area and parking area required for the building’s occupants)</td>
<td>20 percent of gross area</td>
<td>Residential – Allow residential infill to existing density (1 dwelling unit per 5 acres). Nonresidential – no regional shopping centers, theaters, meeting halls, stadiums, schools, large day care centers, hospitals, nursing homes or similar activities. No above ground bulk fuel storage.</td>
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<td>Known as Zone 4</td>
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<tr>
<td>Sideline Safety Zone – SSZ</td>
<td>Nonresidential, maximum 60 people per acre (includes open area and parking area required for the building’s occupants)</td>
<td>30 percent of gross area</td>
<td>Residential – Allow residential infill to existing density (1 dwelling unit per 5 acres). Nonresidential – no regional shopping centers, theaters, meeting halls, stadiums, schools, large day care centers, hospitals, nursing homes or similar activities. No above ground bulk fuel storage.</td>
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<td>Known as Zone 5</td>
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<tr>
<td>Traffic Pattern Zone – TPZ</td>
<td>No Limit</td>
<td>10 percent of gross area every one-half mile</td>
<td>Residential – Allowed if consistent with County General Plan. Nonresidential – no large sports stadiums or similar uses with very high concentration of people.</td>
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<tr>
<td></td>
<td>Known as Zone 6</td>
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Source: Based on 2011 *Airport Land Use Planning Handbook, Ch 4*, prepared by the California Department of Transportation, Division of Aeronautics.
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