



Solano County  
**Airport Land Use Commission**  
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**Steve Vancil**  
**Chairman**

## **SOLANO COUNTY AIRPORT LAND USE COMMISSION**

### **MINUTES OF THE MEETING OF February 9, 2012**

The meeting of the Solano County Airport Land Use Commission was held in the Solano County Administration Center, Board Chambers (1<sup>st</sup> floor), 675 Texas Street, Fairfield, CA 94533.

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

**MEMBERS ABSENT:** Commissioner Cavanagh

**OTHERS PRESENT:** Jim Leland, Resource Management; Lee Axelrad, County Counsel; Diane Gilliland, Resource Management

Items No.

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

Item No. 4. Public Comment

Commissioner Potter commented that the minutes are posted on the county website and asked if the URL for the site could be sent to all the Commissioners.

Item No. 5. Approval of the Minutes of the December 8, 2011.

The minutes of December 8, 2011 were approved.

Item No. 6. Work Study Session Item: Presentation of Nut Tree Airport Master Plan and Land Use Compatibility Plan Update.

Mr. Leland reviewed the process underway to complete the Nut Tree Airport Master Plan. The first step is to forecast future activities; then develop a set of alternatives to be vetted through a public review process; select a preferred alternative (which is scheduled for Board of Supervisors action within the next 4 or 5 weeks). Once the preferred alternative is selected by the Board staff will be able to perform CEQA environmental analysis; flush out the Plan in more detail so that it is ready for ALUC review and final adoption if it is the intent of the Board.

The present Master Plan is based on a current set of operations of 101,500 landings and take-offs per year. It is forecast out to 2030 predicts 127,000

operations. By comparison the current 1988 Plan was based on a forecast of 242,000 operations at the Nut Tree Airport. The protection zones are accordingly based in part on that forecast.

The first of the five alternatives is to leave the Plan as it is. The next alternative is a relocation of the airport runway approximately 180' to avoid an obstacle at runway 2. The third alternative shifted the airport 180' and also provided for a future extension of an additional 800' for a total of 980'. That alternative made no changes in the visibility requirement which is 1 mile. The fourth alternative shifted the runway 180', extended it an additional 800', but also lowered the visibility requirement on runway 20 from 1 mile to  $\frac{3}{4}$  of a mile. The final alternative implements the  $\frac{3}{4}$  mile visibility requirement, all the extensions plus a precision approach which makes the runway protection zones longer and wider. The Nut Tree Airport management has decided to recommend alternative three to the Board.

The following are some of the principle points in comparing the Land Use Compatibility Planning task that lies before the ALUC. The 1988 Plan had maximum operations of nearly a quarter million. It had a runway length of 4,700' and a precision approach with a (*not intelligible*) to one slope on it. The recommended Plan cuts the operations in half. It has an extension of the runway longer than the 1988 Plan but with a 34 to one slope on the end. Using the strict application of the State's scheme could be a smaller protection area. The ALUC is not bound by the protection criteria of the state. It is a minimum standard. When more information is developed on the land use analysis based on the Plan the Board picks, including noise and other factors it is possible we could come back and ask the Commission to consider leaving the current scheme in place or to go ahead and modify it. The existing helicopter landing facilities at the Airport will stay in place but there will not be additional helicopter pads moved to the south apron. Mr. Leland concluded by asking the Commission if there were any questions.

Commissioner Potter asked about the timing of the plans. Mr. Leland stated that the Board is scheduled to select a preferred alternative in March. That will trigger the Airport and Resource Management to jointly develop environmental review documents for the Master Plan as well as the land use ramifications of the Master Plan. It is hoped that early in the process of developing that information staff would come back to the Commission for another study session to show new information that had been developed such as the noise piece and more detail about the pros and cons of various approaches to the land use planning. The final Master Plan will be completed and submitted to the Board for adoption. Prior to Board adoption it will come to the ALUC for a consistency determination with the current 1988 Plan. This will be the time for the ALUC to decide whether it is better to leave the 1988 Plan in place from a protection point of view or to consider a new plan.

Commissioner Seiden stated that if he heard Mr. Leland correctly the current 1988 Plan is more restrictive in the sense that it goes further out and the Commission could opt to just leave it in place and incur no further expense or time delay to redo it. Mr. Leland answered that it looks like that is the case but staff would like to develop a little more information, especially on the noise. It

wasn't known if the noise contours have become larger or smaller. His expectation is that the contours will be smaller than the current plan because operations have been reduced by half and engine noise has been improving over the decades.

Commissioner Potter asked how they get their statistics for operations. Mr. Leland deferred to Mr. David Daly, Nut Tree Airport manager. Mr. Daly replied that the current operations figure is a terminal forecast that is established by the FAA for the airport. He went on to say that the FAA approves two things in the Master Plan. They approve the capital facilities and the forecast of the Master Plan.

Commissioner DuClair asked if the impact on noise levels from a larger aircraft such as a 4 engine craft had been taken into consideration. Mr. Daly responded that there were formulas used to establish the mix of aircraft that are anticipated to use the airport which are based on the operation numbers.

Commissioner Seiden stated that he presumed that the recommendation for alternative three which includes a 5500' runway, had taken into account that larger aircraft might be attracted to use that runway. Mr. Daly agreed that was correct except that the runway was 5300'.

Chairman Vancil asked if there was a breakdown between jet and piston engine traffic. Mr. Daly answered that there is breakdown in the Plan between the two in the Plan and that jet traffic was anticipated to increase. Chairman Vancil also asked if there was still sufficient separation between fixed wing aircraft and helicopters. Mr. Daly answered that he believed that the three existing helipads do meet FAA safety standards for separation but would double check his answer. Chairman Vancil also commented on the PowerPoint diagram that showed the Dept. of Aeronautics overlay with the current overlay. He thought that the State's guidance was smaller and closer than the guidance in place at the Nut Tree Airport except for a portion in the south end of the diagram where State guidance was more restrictive.

Mr. Daly commented that on the south end area the existing compatibility zones from an aerial view look like they are patterned after the urbanized area of the City of Vacaville. He noted that the City of Vacaville's existing General Plan and their General Plan Update are patterned after the existing compatibility zone areas which show an internal consistency.

Item No. 7. Public Hearing to consider whether the Design review application of the Nut Tree residential project is consistent with the approved Nut Tree Development Project Policy Plan.

Chairman Vancil noted that the Nut Tree Ranch proposal came before the ALUC in the fall of 2010. At that time the Commission was not able to come up with either a determination of consistency or a determination of inconsistency. By default the application for the project passed through the Airport Land Use Commission and was in essence approved. The project proceeded forward and was subsequently approved by the Vacaville City Council. Now the City of

Vacaville has brought the project back to the ALUC for an update regarding a slight change in the residential section.

Mr. Leland noted that the City of Vacaville conditioned their policy plan to refer back to the ALUC any subsequent applications for the residential projects at the Nut Tree and that the City is not here in a jurisdictional way for any determination about land use compatibility. The project has been brought back to the Commission for a determination on whether the design review application for the Nut Tree residential project is consistent with the approved Nut Tree Development Project Policy Plan (Policy Plan).

The item was agendaized as an action item in case the Commission wanted to weigh in on whether or not its design was consistent with the City's Policy Plan. Staff provided a recommendation that finds the Design Review application for the Nut Tree residential project to be consistent with the City's approved Nut Tree Development Project Policy Plan. Staff also provided an alternative in which the Commission could choose not to make any formal determination and any individual Commissioner comments would be forwarded to the City of Vacaville.

The proposed project occupies the same 12 acre site as previously heard by the ALUC in 2010. With 216 proposed units, it has a density of 18 dwelling units per acre, as required in the approved Policy Plan. The proposed structures are three stories, or just under 37 feet in height. The approved Policy Plan had a height restriction of 50 feet for the residential land uses.

Chairman Vancil opened the public hearing and asked if there were any comments from the public and the Commission.

Commissioner Potter commented that it seemed that the Commission is really not being asked to do anything and observed that the two documents included in this presentation are City of Vacaville documents over which the ALUC has no jurisdiction. He continued that there is no reference throughout the text that refers to the Nut Tree Airport Compatibility Plan and that is inconsistent for the Commission to make a judgment because they do not have jurisdiction there. He concluded that it would be meaningless to make a judgment about the two documents without referring back to the ALUC compatibility plan.

Commissioner Stockard noted that the staff report shows a two story building height restriction and diagrams showing a three story height restriction. Mr. Leland stated that there was revised staff report sent out correcting the two story reference to 50 feet.

Commissioner Seiden noted there is a change from condominiums to apartments. He also noted that in the documents it is represented that the ALUC approved moving forward with this plan which actually never occurred. It was approved by fiat. Thirdly he stated that he had a letter given to him by the Chairman of the Nut Tree Airport Advisory Committee who asked him to read it into the record at this meeting. Commissioner Seiden read the letter (see Attachment A). Commissioner Seiden stated for the record that if the Commission had to vote on this he would have, as a Commissioner, no choice

but to vote that it is in compliance. He went on to state that it does not change his opinion that it is not good sense to put housing within 700' from that runway.

Commissioner Potter asked Mr. Leland if they were going to try to get a waiver by mitigating the impact of aircraft noise on the units. Mr. Leland answered that there may be noise mitigation that the City is imposing on them. The City may have different standards from the ALUC. Commissioner Potter thought that the ALUC should be aware if they are in violation of noise limits with the new units.

Commissioner DuClair asked if there were density requirements based on the number of people in an area. Mr. Leland and Mr. Axelrad answered by giving a brief summary of the history of the project in relation to number of persons per acre and dwelling units per acre.

Chairman Vancil asked if the City of Vacaville wanted to respond to any comments that have been made. The City of Vacaville had no comments. Mr. Axelrad added to the summary of the project history that there was an earlier case in 2002 that came before the Commission and in 2004 the City of Vacaville sent correspondence to the ALUC. There being no further comments Chairman Vancil closed the public hearing.

With no further comments from the Commissioners Chairman Vancil asked if there was a motion or resolution from the Commission. Hearing none he concluded action item seven.

Item No. 8. Public Hearing to consider the consistency of the Vanden Meadows Development Project and Specific Plan (Vanden Meadows Project) with the Travis Air Force Base Land Use Compatibility Plan.

Mr. Leland described the item as an application referral from the City of Vacaville to consider the consistency of the Vanden Meadows Development Project and Specific Plan with the Travis Air Force Base Land Use Compatibility Plan. Staff recommended adoption of the recommended findings and a determination that the Vanden Meadows Project is consistent with the Travis Air Force Base Land Use Compatibility Plan. The item is a jurisdictional determination for the ALUC because it is an amendment to the City of Vacaville's general plan. The project proposes land uses and development policies for approximately 265 acres of land located 3 miles north of Travis Air Force Base on the west side of Leisure Town Road at Vanden Road. It provides for the development of up to 939 single-family, clustered and multi-family housing units, approximately 28 acres of school uses, and approximately 7 acres of park uses. The site lies entirely within Compatibility Zone D of the Travis Air Force Base Land Use Compatibility Plan.

The specific plan only involves the Travis Air Force Base LUCP, and only encompasses lands which lie within Compatibility Zone D which requires notice to property owners, airspace review for objects over 100' in height and no hazards to flight. The project has residential units that are 35' in height, public buildings are limited to 30' in height. These heights are within the compatibility zone requirements for the area. The job of the ALUC is to make sure that they have eliminated any direct conflicts and that they have provided mechanisms for compliance as development progresses. The residential uses are fully allowed as

are the public uses in this zone so there are no direct conflicts. The City of Vacaville has the ALUC's land use compatibility criteria incorporated into their general plan and development code. The mechanisms for achieving approval are CEQA requirements for discretionary approvals that will come after and the review and approval procedures are that the Planning Commission and/or Director has the authority to impose the Commissions requirements on subsequent development. Mr. Leland concluded by stating that staff recommends, based on the findings above, that the ALUC finds the Vanden Meadows Development Project and Specific Plan is consistent with the Travis Air Force Base Land Use Compatibility Plan, because no direct conflicts exist between the specific plan and the Travis Air Force Base Land Use Compatibility Plan and the mechanisms for assurance of compliance with applicable compatibility criteria are in place.

Chairman Vancil asked if there were any commissioner questions. Hearing none he opened the public hearing. There being no commissioner, applicant or public comments Chairman Vancil closed the public hearing. Chairman Vancil asked for any discussion or hearing none, any resolutions from the Commission. Mr. Axelrad noted that the proposed resolution contains a number of recitals of the Commission's authority and points out that the compatibility plan at issue here is the Travis AFB LUCP and that the Commission adopts and incorporates as findings the staff report's analysis and conclusions and finds further that no direct conflicts exist between the Project and the Compatibility Plans, and that adequate mechanisms for assurance of compliance with applicable compatibility criteria are in place. The resolved clause provides that after due consideration, the Commission does find and determine that the Project is consistent with the provisions of the Compatibility Plans.

Commissioner Potter made a motion to adopt the resolution as described by Mr. Axelrad. The motion was seconded by Commissioner Baumler. Hearing no discussion from the Commission Chairman Vancil asked for a roll call vote. The motion passed by a unanimous vote of the Commission.

Chairman Vancil noted that Commissioner Potter asked to make a comment before adjournment.

Commissioner Potter stated that the Commission has a provision in the bylaws for Commissioners that miss a certain number of scheduled, monthly meetings that there be an action taken with correspondence from the County to the appointing authority for that particular Commissioner regarding his/her absenteeism. He wanted to be sure that this provision of the bylaws was carried out by staff.

Commissioner Seiden noted to staff that his comments about the Commissions 2010 action regarding the Nut Tree Ranch project were derived from a City of Vacaville document which stated that "the ALUC board held a consistency determination and determined that the Nut Tree Ranch Policy Plan, proposed Nut Tree apartments were consistent with the ALUC". He offered his apologies to Mr. Leland that his comments were not directed at him.

Chairman Vancil noted for the record that this was the third regular meeting that Commissioner Cavanagh had been absent and that the City of Vallejo will be contacted regarding the absences.

Item No. 9. There being no further discussion the meeting was adjourned.

<p>The next regular meeting of the Solano County Airport Land Use Commission (ALUC) will be held on <b><u>March 8, 2012, at 7:00 p.m.</u></b> in the Solano County Administration Center, Board Chambers (First Floor), 675 Texas St., Fairfield, CA 94533.</p>
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The County of Solano, in compliance with the Americans With Disabilities Act of 1990, will provide accommodations for persons with disabilities who attend public meetings and/or participate in County sponsored programs, services, and activities. If you have the need for an accommodation, such as, interpreters or materials in alternative format, please contact Diane Gilliland, Department of Resource Management, 675 Texas St., #5500., Fairfield, CA 94533, (707) 784-6765.

Per our discussion regarding the ALUC February 09, 2012 meeting and the agenda item in which the Nut Tree developer will make a presentation of the Nut Tree Master plan and a proposed amendment to the high density housing component and designation thereof from Condominiums to Apartments, please consider the comments provided herein which reflect the concerns of the Nut Tree Airport Advisory Committee, (NTAAC).

As a member of the ALUC, the NTAAC would like to be on public record and ask that you read this statement into the record. "The NTAAC opposes the approval of any residential housing that conflicts with the safety of, and the operations of the Nut Tree Airport. The airport has in the past and will in the future accept grants from the FAA in order to both maintain and enhance the airport facilities. As you may know, when the airport applies for such grants, the airport represents and makes assurances to the FAA that the airport will adhere to the most current plan that insures that the safety standards and all requirements will be met. Further, as you know the airport Master Plan in its current form is out of date, therefore the Grant Assurances is using the Airport Layout Plan, (ALP) which is much more restrictive than our outdated Master Plan. It provides for runway protection zones, ultimate runway protection zones and turn-out and approach corridors. Again, we give assurances that the airport will be protected to those standards. This proposed residential component of the development is inconsistent with the ALP. Understanding the complexities of the safety standards can be challenging. If all members of the ALUC are not acutely familiar with these standards the NTAAC would recommend that the ALUC convene a study session to understand fully the ALP before making any decision that could harm the airports ability to apply for future grants, penalize the airport for grants that are in place and most importantly placing citizens at risk by approving residential housing in an unsafe area."

Please call if you would like to discuss further.

Respectfully,

Rob Wood, Acting Chairman, NTAAC

**ATTACHMENT A**