

# Solano County Airport Land Use Commission

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## Land Use Compatibility Determination Application Instructions

### Introduction

The purpose of this application is to implement provisions of the Airport Land Use Compatibility Plans as adopted by the Solano County Airport Land Use Commission (ALUC). The ALUC is a separate agency enabled by the State of California pursuant to the provisions of the State Aeronautics Act and is not a Department or Division within Solano County. The Solano County Planning Services Division provides staffing support to the Airport Land Use Commission to assist in the preparation of plans and policies and the administration of the ALUC's regulations and duties.

Certain projects are under the jurisdiction of the ALUC and require that a determination be made that the project is compatible with applicable Airport Land Use Compatibility Plans. Application is made upon referral by a local agency reviewing the project, to the ALUC, in order to determine whether a proposed project is consistent with the provisions of the applicable airport land use plan. Airport land use plans have been adopted by the ALUC for:

- Nut Tree Airport
- Rio Vista Airport
- Travis Air Force Base

Application forms and informational materials for development are available from the Planning Services staff and online. The applicant should discuss their proposed project with the Airport Planner in the Department of Resource Management prior to submission of the application.

### Application Review Instructions

Applicants are encouraged to meet early with the planner assigned to the ALUC to determine the issues and nature of review that will be applicable in a specific application. This results in a more thorough application and less delay during the project review phase.

#### **Step 1 File Application:**

Land Use Compatibility Determination applications are filed with the Planning Services Division of the Department of Resource Management. In order to assist applicants in submitting as complete an application as possible, and avoid delays in the permitting process, a checklist is available as a guide to the Planning Division's submittal requirements. Checklists are available online or at the Planning Services Division offices. Please check with the counter planner if you have questions regarding any of these items. Incomplete or unclear applications will not be accepted.

**Step 2 Application:**

The application will be accepted when the following information is filed with the Airport Land Use Commission in care of the Department of Resource Management.

		<b>Items Required for Submittal of an Application</b>
<input type="checkbox"/>	A.	Complete application form for determination of project consistency with Airport Land Use Plans.
<input type="checkbox"/>	B.	Local agency referral letter.
<input type="checkbox"/>	C.	Any staff report prepared for presentation to local agency decision makers.
<input type="checkbox"/>	D.	Local agency environmental documentation for the project (initial study, draft environmental impact report, etc.) that may have been prepared for the project.
<input type="checkbox"/>	E.	Property location, street address, location map.
<input type="checkbox"/>	F.	Assessor's parcel map, with property outlined in red, assessor's parcel number, subdivision lot number.
<input type="checkbox"/>	G.	An accurately scaled map showing the relationship of the project site to the airport boundary, runways, and compatibility zone boundaries.
<input type="checkbox"/>	H.	Completed site plan drawn to scale and fully dimensioned including topographical information. Topographical information should include ground elevations, the location of structures, open spaces and water bodies, and the heights of structures, trees, and other topographic features. In addition, please submit an 8½ x 11 inch reduction of site plan.
<input type="checkbox"/>	I.	Elevations showing height of all structures above both sea level and ground level. In addition, please submit an 8½ x 11 inch reduction of elevations.
<input type="checkbox"/>	J.	Description of existing and proposed land uses. If project is located wholly or partly within safety zones, project description shall include percentage of lot coverage by structures and estimated maximum persons per acre at any one time and supporting documentation showing basis for calculation of persons per acre. The project description shall also identify and discuss any characteristics that could create electrical interference, interference with aircraft communications or navigation, radio signals, confusing or distracting lights, glare, dust, smoke, steam, attraction of an increased number of birds, or other electrical or visual hazards to aircraft or aircraft operations.
<input type="checkbox"/>	K.	Description of the type of land use action being sought from the local jurisdiction (e.g., zoning amendment, general plan amendment, tentative map, building permit, etc.)
<input type="checkbox"/>	L.	For residential uses, an indication of the potential or proposed number of dwelling units per acre (including any secondary units on a parcel); or, for non-residential uses, the maximum number of people potentially occupying individual buildings and/or the total site and/or portions thereof at any one time.
<input type="checkbox"/>	M.	For Commercial Wind Turbine projects, the following materials are required: <ol style="list-style-type: none"> <li>1. Site Plan, drawn by a registered design or engineering professional, depicting:                             <ol style="list-style-type: none"> <li>a. Each proposed wind turbine and meteorological tower with its height and base elevation clearly shown,</li> <li>b. A location map drawn to scale showing the proximity of airport runways to the proposed wind turbines. This requirement includes any runway within 20 miles of the proposed wind turbine.</li> </ol> </li> <li>2. Supporting studies and research demonstrating that the proposed wind turbines and meteorological towers will not have a detrimental effect on the operation of any radar facilities within the county. Such studies shall include an analysis of (1) the individual effects of the proposed project, and (2) as required by law, an analysis of the cumulative effects of the proposed project considered in connection with the effects of past projects, the effects of other current projects and proposed projects, and the effects of probable</li> </ol>

Items Required for Submittal of an Application	
	<p>future projects, including (i) the probable build out for wind energy development of the remaining vacant parcels within the wind resource areas described in the Solano County General Plan and (ii) any probable replacement of existing turbines or meteorological towers with structures having different dimensions.</p>
<input type="checkbox"/>	<p>N. A copy of an application or other document that the applicant has communicated to the appropriate city or county planning official stating whether the proposed project is (1) located within 1,000 feet of a military installation, (2) beneath a low-level flight path, (3) within special use airspace as defined in Section 21098 of the Public Resources Code, or (4) within an urbanized area as defined in Government Code section 65944. If the proposed project involves adoption or amendment of general plan and meets one of the above criteria, include a statement as to whether the local government has provided a copy of the proposed action to branches of the U.S. Armed Forces.</p>
<input type="checkbox"/>	<p>O. If the proposed project is required to be submitted to the Federal Aviation Administration (FAA) for review through the FAA Part 77 process, or has otherwise been submitted to FAA for review or comment, copies of: (1) any notices of proposed or actual construction or alteration; (2) any supporting materials, analyses or other documents submitted to FAA in support of the project; (3) any aeronautical objections or comments FAA received in connection with the proposed project; (4) any documents in FAA’s possession in which any FAA personnel or other persons who commented to or within FAA identified any potential adverse affect from project structures (including but not limited to electromagnetic or physical effect on air navigational and communications facilities or signals or signal paths to or from project structures or aircraft, availability or quality of ground-based primary and secondary radar, direction finders, air traffic control tower line-of-sight visibility, the effect of sunlight or artificial light reflections, or impacts associated with lighting systems) and/or made recommendations to reduce or eliminate such adverse effect; (5) any aeronautical study prepared in connection with the proposed project; (6) any obstruction evaluation determination by FAA and any other FAA document stating the results of FAA’s analysis; (7) any petition for review filed with FAA in connection with an obstruction evaluation determination; (8) any final FAA decisions and orders issued after any hearing concerning the proposed project.</p>
<input type="checkbox"/>	<p>P. Any supplemental information as may be requested by the Department of Resource Management in order to enable a comprehensive review of the project.</p>
<input type="checkbox"/>	<p>Q. Filing Fees:</p> <p>\$200.00 plus \$110.00 per hour professional time and \$29.00 per hour support staff time for processing costs in excess of the initial \$200.00 fee</p> <p><i>This fee helps pay for processing, advertising, and hearing the application, and is therefore, non-refundable.</i></p> <p>If review of the proposed project requires that outside consulting or other needed contract services be obtained, the estimated amount of associated fees and costs must be deposited before the application can be considered complete. After project review is completed, the applicant will either receive a bill for additional payment due or a refund depending on actual fees and costs.</p>
	<p><i>NOTE: It should be noted that the more precise the application and plans, the less the likelihood that there will be delays in processing development permits.</i></p>

**Step 3 Environmental Documents:**

The ALUC is not a responsible agency under the California Environmental Quality Act. However, the ALUC

## Application Review Process

requires the submission of the local agency's CEQA documents along with the application materials identified above. While not requiring a final certified version, the ALUC does require the latest copy that has been circulated for public review before finding the ALUC's Application complete.

### **Step 4 Payment of Fees:**

The fees for processing a Land Use Compatibility Determination are outlined in number 2 above, and must be paid at the time of submittal.

### **Step 5 Application Complete:**

The planner assigned to process the application will transmit your plans and any other pertinent materials to relevant public agencies and airports for review and comment.

The planner will also review the application for completeness. State law requires the staff determine whether or not the application is complete within 30 days from submittal. You will be sent a notice of Project Status informing you whether your application is complete or incomplete and, if incomplete, what items must be submitted before processing can begin.

### **Step 6 Project Review:**

After an application is found complete, it will be scheduled for hearing before the ALUC within thirty days. A written staff report will be prepared providing an analysis of the proposed project and a recommended action for the ALUC's consideration.

### **Step 7 Public Hearing Phase:**

One advertised public hearing is required for each application. At least fifteen days prior to the hearing, Resource Management will provide a public notice to be published in a newspaper of general circulation or posted in the vicinity of the project location. This public notice is to inform the public of their right to appear and be heard on the matter.

Staff presents their recommendations to the ALUC at a noticed public hearing. The applicant or his representative should be present at the public hearing. If he is unable to attend, he may request a continuance in writing. During the hearing, all interested persons will have the opportunity to speak in favor of or in opposition to granting the use permit. Normally, the applicant is invited to speak first.

### **Step 8 Project Determination:**

The applicant and local agency will be notified in writing of the determination made by the ALUC.

### **Step 9 Appeals:**

The action of the ALUC is final. After mandatory ALUC reviews, the local agency may, by a four-fifths vote of its governing body, override the findings and recommendations of the ALUC and proceed with a project.

### **For Further Information:**

## Application Review Process

Staff from the Planning Services Division is available to answer any questions you may have about obtaining a Development Permit for your project. Please feel free to call us at 707-784-6765 or email us at [KLetterman@solanocounty.com](mailto:KLetterman@solanocounty.com).

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