



Solano County
Airport Land Use Commission
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Steve Vancil
Chairman

SOLANO COUNTY AIRPORT LAND USE COMMISSION

DRAFT MINUTES OF THE MEETING OF November 8, 2012

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

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

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. Approval of the Agenda

Chairman Vancil asked if there was a motion to approve the agenda. Commissioner Potter made a motion that the agenda not be approved. Chairman Vancil asked for a second. Hearing none the motion died. Chairman Vancil asked if there was a motion to approve the agenda. Commissioner Seiden motioned to approve the agenda. The motion was seconded by Commissioner Baumler. Commissioner Potter stated the bylaws are very specific about using a format. On November 4, 2012 he sent a note to Chairman Vancil with copies to staff and counsel. He stated it was incredulous to him that the agenda was published in the previous format when it was pointed out to staff and counsel in the last meeting that the proper format is in accordance with the bylaws. It was discussed in open session and in private with counsel and staff after the last meeting. The present agenda format cannot be reasonably approved by the Commission since it does not comport with the bylaws. It should be reissued in the proper format prior to the coming meeting otherwise it will become another subject for open forum. He hoped that the Commission would support him in his request that there be full compliance with the bylaws. He reiterated that the bylaws say "shall", it's not an option. Chairman Vancil commented that he and staff have tried to abide by the bylaws. He asked Commissioner Potter if there was a specific issue that he didn't like about the agenda. Commissioner Potter asked if the Chair wanted him to recite what the bylaws state. Chairman Vancil asked Commissioner Potter what specific issues he

didn't like about the agenda. Commissioner Potter responded that it is explicitly laid out in the bylaws and there are no exceptions. It should follow the standard format for bylaws for an agenda. The items are lettered and numbered differently. There is old business. There's new business; by title. There are also reports of committees. He also commented that the agenda had picked up some of the items but didn't adhere to the format. Mr. Axelrad noted that after receiving communication from Commissioner Potter staff issued a revised agenda to conform to the requirements of the bylaws. Chairman Vancil asked if there was any other discussion on the motion to approve the agenda. Commissioner Seiden asked Commissioner Potter to clarify what on the amended agenda was out of compliance with the bylaws. He asked if it was the failure to show old business and new business. Commissioner Potter replied that it was the failure to show old business and new business. Chairman Vancil noted that since he didn't see any old business to discuss he didn't direct staff to add that to the agenda. Mr. Axelrad stated that the Commission is free to include the headings labeled old business and new business. There is guidance in Robert's Rules of Order that indicated if there is no old business that item should not be shown on the agenda. There being no further discussion a roll call vote was taken. The motion passed with 6 "yes" votes, 1 "no" vote and 1 abstention.

Commissioner Baumler noted that the Commission has the option to change the bylaws to accommodate the needs of the Commission. Mr. Axelrad stated that the bylaws can be amended by publishing a Commission approved draft of the complete text of the amendments thru the minutes for public review over a period of time. After the public review period the revised bylaws could be adopted by the Commission at a subsequent meeting.

Item No. 5. Approval of the Minutes of the October 11, 2012 meeting

The minutes of October 11, 2012 were approved with corrections.

Item No. 6. Committee Reports – Update of ad hoc committee for Sokoy 2 Departure

Commissioner DuClair reported that he has visited the Nut Tree Airport a couple of times and talked to several private pilots and two Cal Star helicopter pilots. For the most part the private pilots he spoke with fly VFR and did not seem to be aware of potential interference with helicopter flights at the Kaiser helipad. The Cal Star pilots reported that any of their takeoffs that could interfere with takeoff and landing at the Kaiser heliport are at 500' which they believed was plenty of clearance. Commissioner DuClair also tried to speak to the FAA and the Nut Tree Airport manager but both were very busy. He suggested submitting a NOTAM to the FAA requesting that they put something out so that the VFR pilots are aware that there is a heliport at the Kaiser facility. And that when Nut Tree Airport pilots take off to not take a right turn but to perhaps turn left and finish climbing out in that direction. Upon landing on Two Zero they should be very observant of what is happening at the heliport. Commissioner DuClair stated that he is trying to also speak with representatives at Travis AFB.

Chairman Vancil stated that he had talked with a representative from the FAA and the Nut Tree Airport manager to give them a heads up on the issue the ALUC was looking into. He will continue to try to contact someone at Travis Approach to speak to the subcommittee. Commissioner Seiden stated that if there was a perceived need for some highlighting to be brought to departures from the Nut Tree because of the proximity of the heliport the likely course that would be taken, he believed,

would be a note on perhaps the airport chart itself in which they put a caution regarding flight traffic at the Kaiser heliport.

Item No. 7. Public Comment

There was no public comment.

Item No. 8. Conduct a Public Hearing to consider the consistency of ALUC-12-08, the 2012 Zoning Regulation Amendments (hereafter 'Zoning Revisions') with the Nut Tree Airport, Rio Vista Airport and Travis Air Force Base Land Use Compatibility Plans.

Jim Leland gave the Commission a summary of the Solano County Zoning Ordinance amendments and how they are consistent with the Nut Tree Airport, Rio Vista Airport and Travis AFB Land Use Compatibility Plans. He noted that State law requires that each time an agency amends its zoning ordinance they are required to bring the changes to the ALUC for a consistency review even if the changes have no direct impact on a land use compatibility plan. The Zoning Ordinance amendments cover five broad areas:

- Proposed revisions to the Exclusive Agricultural (A) District include the addition of new land use categories and regulations. They are Agritourism, Reorganization of Special Events Provisions and Temporary Uses Pending Annexation.
- Proposed revisions to the Commercial (C) district include major revisions to the land use categories, regulations and permitting requirements by broadened land use categories and lowered permitting requirements.
- Proposed revisions to the Manufacturing (M) and Industrial (I) districts include major revisions to the land use categories, regulations and permitting requirements by broadened land use categories and lowered permitting requirements.
- Proposed revisions to the sign regulations include revisions to the Master Sign Permit and the allowable sign types in the Exclusive Agricultural (A) district.
- Proposed procedural revisions include minor revisions to the Administrative Permit procedures, the establishment of a "Plan Review" procedure, and minor revisions to the Use Permit procedures.

Mr. Leland noted that the County's Ordinance has a provision in its general provisions that all land use in the county must comply with the Airport Land Use Compatibility Plans and Policies. This provision gives the County an absolute basis for requiring that projects under review comply with the applicable Airport Land Use Compatibility Plans(s). As a result, the County zoning regulations and review procedures are adequate to assure that applicable compatibility criteria will be tied to an individual development and continue to be enforced. He concluded by recommending that the Commission find the amendments to be consistent with the three Airport Land Use Compatibility Plans and Policies.

Chairman Vancil asked if the Commission had any questions or comments. Commissioner Seiden asked if the local authority still has an override capability over

the Airport Land Use Commission. Mr. Leland answered that the direct conflict language above regulates county agencies and staff in their review of land use proposals. Local agencies would still have their override capability. Mr. Axelrad noted that when the County Zoning Ordinance initially came before the Commission to add the direct conflict language the Commission had to evaluate whether the county had put in place mechanisms to ensure that the County would be screening for these criteria at the County's own desk. The Commission at that time sought to have the language of the zoning ordinance include language that would reassure the Commission that the County would carry out its responsibility screen for conformity with the Airport Land Use Compatibility Plans and Policies. There being no further questions Chairman Vancil opened the public hearing. Hearing no questions or comments from staff or the public he closed the public hearing and asked if the Commission had a motion to approve a resolution. Commissioner Potter motioned to approve Resolution-12-08 that finds the Solano County 2012 Zoning Ordinance Revisions to be consistent with the Nut Tree Airport, Rio Vista Airport and Travis Air Force Base Land Use Compatibility Plans. The motion was seconded by Commissioner DuClair. The motion passed unanimously by a roll call vote.

Referring to a letter from the FAA dated August 23, 2012, Commissioner Potter asked staff what the phrase "wind turbine ball" relates to. Mr. Leland answered that the wind turbine company referenced in the letter is anticipating coming before the Commission sometime after they formally file their application with the City of Fairfield to install a wind turbine near Travis AFB. They asked county staff to distribute copies of the letter to the Commission for their information. As to the definition of the phrase "wind turbine ball" Mr. Leland replied that he had not studied their document and was not sure what it meant.

Item No. 9. Receive a presentation from Chairman Vancil on local FAA airspace structure.

Chairman Vancil gave the Commission a review of how the FAA has airspace structured and in particular how the airspace in Solano County is structured. This information might be helpful as the Commission looks at issues such as those around the Nut Tree Airport or the wind turbines around Travis AFB.

He described Visual Flight Rules (VFR) and compared that with Instrument Flight Rules (IFR). Commissioner Stockard asked if there was an altitude limit for VFR. Chairman Vancil answered that above 18,000 feet a pilot has to be IFR. Air traffic control only guarantees separation for IFR aircraft from other IFR aircraft. An IFR pilot is responsible for separation from VFR aircraft. Sometimes air traffic control will try to help identify VFR aircraft if their work load permits.

Next the FAA classification of airspace categories "A" thru "G" were reviewed with Class A airspace with the most restrictions and Class G airspace with almost no restrictions. There is no Class F airspace. Classes A thru E have varying degrees of FAA controlled airspace. Class G has no controls and is free and open airspace. Class A is high altitude airspace (18,000'); Class B is airspace around big cities (San Francisco/Los Angeles); Class C is airspace around medium size cities (Oakland, Sacramento and San Jose); Class D is airspace around airports that have control towers (Travis AFB); Class E is all other controlled airspace and is the least restrictive. Most of the airspace in the U.S is Class E. Class G is uncontrolled and is very low altitude airspace (generally below 1200'). Commissioner Seiden noted that the Class B airspace around high density airports such as San Francisco is designed in a way that the large commercial aircraft that are arriving and departing

are required to remain within the Class B airspace during their arrivals and departures. The purpose of that is to keep them away from other aircraft such as VFR aircraft that may be outside the Class B airspace.

Chairman Vancil described the Operating Requirements for each class of airspace. The operating requirements are (1) Entry Permission, (2) Radio Contact and (3) VFR Visibility. In addition to the basic airspace structure the FAA also has Prohibited Areas (the White House), Warning Areas (military operating areas conducting exercises) and Alert Areas. Travis AFB has an alert area (Alert Area A-682) to alert pilots for extensive heavy jet aircraft. It extends to the north up to the Nut Tree airport and rises 6000' on the north side. On the south side it extends about half way to the Rio Vista airport and rises to 3000'. Chairman Vancil reviewed charts of local area airspace for Solano County. He concluded his presentation by summarizing that most Solano County airspace is Class E which is not very restrictive and VFR aircraft are not required to contact anyone. Travis AFB is Class D and VFR aircraft are not required to contact Travis unless they are within 4 miles of the base. The Travis AFB Alert Area A-682 is advisory only. The wind turbines are in Class E airspace and low altitude over the wind turbines is Class G. The Nut Tree and Rio Vista airports are in Class E airspace. Neither has a control tower and have mostly VFR operations. Travis Approach controls the limited number of IFR approaches and departures at both airports. Low altitude beyond the airports is Class G airspace. Helicopters and crop dusters often fly in Class G airspace. The daytime visibility requirement is only 1 mile and in general there is no requirement to contact anyone.

Chairman Vancil concluded by saying the purpose of the presentation was to give the Commission a summary of what the airspace looks like in Solano County as they will soon be looking at the Nut Tree Master Plan update, the ALUC Land Use Compatibility Plan for the Nut Tree airport and continue to address issues around wind turbines. Commissioner Stockard thanked Chairman Vancil for the presentation and stated that it was very helpful. Commissioner Potter stated that he believed that in the future we are going to see a different definition of how one does IFR work around small airports where you don't need a slope. He asked Chairman Vancil if he had an idea of where the changes are headed. Chairman Vancil stated that at this time he wanted to keep the presentation brief and to the point of current operations. He did state that GPS is greatly changing the way navigation is set up and that the ILS and VOR approaches will eventually be replaced by GPS approaches.

Item No. 10. 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 <u>December 13, at 7:00 p.m.</u> in the Solano County Administration Center, Board Chambers (First Floor), 675 Texas St., Fairfield, CA 94533.</p>

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.