

**Summary Minutes**  
**ALAMEDA COUNTY AIRPORT LAND USE COMMISSION**  
**Thursday, November 17, 2005**

**1. Roll Call**

The meeting was called to order at 3:06 p.m.

Commissioners present:

Steve Grossman  
Joe Chan  
Max Morris  
Brent Shiner  
Leander Hauri  
Woody Pereira

Commissioners Absent:

Beverly Johnson  
Janet Lockhart

Members of the public present:

Howard Beckman  
J.V. McCarthy

Staff Present:

Cindy Horvath  
Alex Amoroso  
Maria Elena Marquez

**2. Approval of Minutes of October 19, 2005**

The minutes were approved as presented. Commissioner Pereira moved, seconded by Commissioner Morris. Motion passed 6/0.

**3. Open Forum** – Open Forum is provided for any member of the public wishing to speak on any item not listed on the agenda. Each speaker is limited to three minutes.

None.

**4. Continuation of Workshop on Portions of the Administrative Draft Airport Land Use Policy Plan Update:** Staff and project consultant will continue the review of the Administrative DRAFT Chapters 1 and 2, and Appendices of the Policy Plan Update, and take comment from Commissioners.

Ms. Horvath stated that since the last meeting format worked so well, she will continue along these lines. She said that in the January 2006 meeting, the focus will be on AB-2776. County Counsel will be here for that meeting to go over some of these issues. He will provide some more background for some of the questions. We will start with the very beginning of Chapter 2, beginning with the plan time frame, moving with definitions, moving on to the geographic scope, moving of the type of actions reviewed, and so forth.

Commissioner Grossman asked Mr. Full how often this will be updated.

Mr. Full said it depends, when a new airport master plan has been prepared for an airport within a particular county, that county should take a look at their land use plan and make sure that it is still relevant to what that master plan says with respect to that airport, there should be an update to the compatibility plan as a result. One of the reasons we are doing this wholesale in Alameda County is to make it consistent with the new handbook which came out in 2002. The previous one came out in 1993. You did not do one then. An update is due as a result.

Commissioner Chan said the idea behind doing it in modular bases is where the three airports can separate from the ALUC portion of the plan, we would not have to update a gigantic plan.

Mr. Full moved on to Section 2.2. He said these are basic definitions that are used throughout the document, we may want to add other terms to this section. If you have specific questions with respect with how we define certain terms, this would be the time to provide that sort of input.

Mr. Grossman said he just noticed on our definition on community noise equivalent level, in that section, second sentence, reads “it represents the average day time noise level during a 24 hour day” and asked if we really mean that and is it not the average noise level. He said people might get confused when you use the word “day time”. Mr. Full said that word could be deleted.

Commissioner Pereira asked Mr. Full for an example of electrical interference.

Mr. Full will be provided in subsequent airports

Mr. Grossman said he assumed both of the definitions in this type of things were coming out from the handbook. Mr. Full said yes.

Mr. Full standard section within these compatibility plans...and how the Commission would review that.

Item 2.3.3. Geographic scope of this plan. Airports within the County scope to review. Last section geographical scope. Gives you the right to...within the county.

Mr. Grossman said that as long as we don't have too many.

Mr. Chan:

Mr. Full in that section is airport.

David: Section 2.4.1 Local land use plans...reviewed by the Commission quite a few separate sections in there the type of actions.

Adoption approval any amendment...within the county new general plan or specific plan ...the right to review those actions.

Commissioner Pereira asked how are they aware copy to the ALUC? Mr. Full said that the state law requires that general plans of a city be consistent they are aware ..with what you come up with respect to your plans.

Within the AIA: Section 1. another local municipality that will occur

Commissioner Grossman asked Ms. Horvath if she...Ms. Horvath said she does.

Mr. Full until you find...consistent wit this compatibility plan...your determination of inconsistency...all of their actions within the AIA...this is kind of an intermediate step...reviewing those projects when the plan has not yet been approved.

Commissioner Shiner said that all actions not to review or from this requirements is the word relax...we are not going to review it...should be more specific...with the word elect.

Mr. Full this body would elect to review or not review. To make decision on behalf of the Commission. When we say ALUC, we are talking about this body here.

Commissioner Shiner: either accept it or not.

Commissioner Grossman said that Ms. Horvath would make a recommendation to us to review or not. If the Commission elects to review it...

Mr. Full can we change it to make it more comfortable.

Commissioner Shiner said that it is not necessary to review or not required to review either that or the Chairman's explanation, you can put that in there.

Mr. Full said that he will figure out some text.

This is when local jurisdiction have reviewed with this airport use policy plan, you will no longer have the authority. This section what it intends to do that local city a mechanism by which you can review some individual projects, advisory capacity.

Commissioner Shiner stated that the City of Hayward has adopted such a resolution by City Council Hayward Airport is exempt from submitting this projects to the ALUC....Commissioner Grossman asked how long ago.

Commissioner Shiner said in 1984. States plan ...City said we want to use City said fine we will adopt this resolution.

Ms. Horvath clarified that does not mean City of Hayward does not review Commissioner Grossman Commissioner Shiner point if City of Hayward General or Specific Plan no conformance in 1984 under this provision which means ...change the general plan or in some aspects shall we not re do that review...we can even approach the City of Hayward and see what is in conflict

Ms. Horvath said that the City did a General Plan...City did not bring it to her attention. It is part of update

Mr. Full said that with this updated plan ...at that time they have to do a different resolution, is based on the previous...we should ask the attorneys that question.

Mr. Full said that this has to do with development of property...they will make those determination for your review and decision. This section is important

Mr. Full said that those master plans before this Commission. If that would require an amended in the State of California.

Commissioner Grossman asked Can you extend. David there is a list in the handbook

Commissioner Grossman asked what about if that expansion was included in the airport Master Plan. Mr. Full said that because it is included in the Master Plan...if there is an expansion of facility that does not include a Master Plan as part of that effort, that is when it comes before you.

Commissioner Grossman: master plan something like that.

Commissioner Pereira: Influence all heliports require ...in the State of California. Mr. Full said no. If it is a private heliport, there are provisions for not having those permissions from California.

Commissioner Grossman:

Ms. Horvath has situation somebody helipad in this County, zoning change, determine that the person went through the whole process, they did have to comply with regulations, verify that as well.

Commissioner Pereira said that he was concerned about heliports inventory. We need one.

Mr. Full last one

Commissioner Grossman: do we really care state requirements

Mr. Full said have to go back and take a look it may say that this specific language you may not have that language

Commissioner Grossman said that that might be a County Counsel question.

Mr. Full said that these sections go through a variety major land use actions. First one is propose expansion influence within the AIA.

Commissioner Grossman what is the rational behind that. Mr. Full said sphere influence changes within the AIA land use control could potentially change as well, within the sphere of influence consistent with your plan.

Next one: along those lines pre zoning of property annexation of land to a city.

Third: consistent of 5 or more dwelling units, Discretionary development proposal...

Commissioner Shiner asked the Chair if those are two different things, dividing the land 5 parcels, just

Mr. Full said that it is a situation

David do we need to change that

e) proposed land acquisition by government entity a congregation of people

- f) any obstruction...you would review all those projects as well.
- g) any project...
- h)

Commissioner Pereira asked...

- i)
- j) anywhere within the county....
- k) gives you opportunity to review...that is on the determination local jurisdiction. Others that we should add?

2.5 .1 Just general paragraph land use actions. Intended to give you review of these actions at the earliest point time

2.5.2 Public input.

2.5.3 is your review process for local plans. When a local community updates their general plan. Within 100 days of your adoption, each local jurisdiction has to amend their general plan. Other option is to override two thirds vote. Grossman action taken by the city, we are not involved, I assume as we adopt the various airport sections ...Ms. Horvath said yes. Commissioner Pereira c) intends to give some local jurisdictions request that you modify in accordance with this action listed here. Whet infill met.

d) after that local....there is subsequently

2.5.3.2 Outline 3 choices that you have for consistency with the compatibility plan, find proposal consistent and we outline what conditions have to be met for that to happen. This is to find inconsistent with the compatibility plan.

2.5.33. Response times. You have ..if you fail to actually make a determination...it is kind of a veto

2.5.4 We reviewed last time.

This outlines that you will require with a project comes to you to the local jurisdiction what you will anticipate first is that acknowledge second Identities of all

Commissioner Grossman did we get to ...Cindy said

2.5.4.2. What choices she has with respect to actions covered for her...meets the compatibility criteria she is authorized second is that it is inconsistent...

We should underline the word completed. Commissioner Grossman ad terminated by the administrative officer.

Second is that those projects that are ...dater of which all applicable projects...action is deemed inconstant.

e) if you don't act referring agency should be notified in writing.

2.5.4.5.

One you have made the initial consistency review scope or geography. If there was insufficient information to

b) if the design of that project changes....We have listed some example why that would occur.

Public Testimony:

Howard Beckman said that he went through this sentence by sentence. The requirement for navigation is very disturbing. National trend to call these and only amend. This requirement is here only as a hammer. Needs to be taken out.

2.5.5.1 for land use actions,

Commissioner Pereira asked determined safety only as opposed to noise. Mr. Full correct, on screen taken out the word noise.

2.55.2 General Plan Consistency.

All the criteria that you will use.

a)

b)

2.5.5.3 Commissioner Chan said there is a typo in section...B2 instead of 8-2.

Section 2.6 Review of Airport Master Plans and Development Plans.

2.6.1.1. Information that you wish to receive from an airport master plan.

Commissioner Grossman: item 4 proposed track locations

David depending on where these flight trucks are located...what information providing us...Grossman:

Mr. Full if you do not receive here...Commissioner Grossman said that we will not review it...that will be a better way to characterize it,

Mr. Full we can delete it.

Commissioner Grossman said that we need to hear from Ms. Horvath. You don't see flight tracks, Ms. Horvath said that in the past what she did a review she requested that information, case by case

Commissioner Grossman told Ms. Horvath you will have to work...

2.6.1.2 Choices ...

2.6.1.3

Commissioner Pereira: 2.6.1.3 if the airport will be a airport use facility...what if

Commissioner Grossman: if we have the discretion to review private this section....

2.6.2. Review criteria....

2.6.2.1 Substance Review.

2.6.2.2. Consistency determination.

2.6.3.

Commissioner Grossman: wants to...2.

2.6.3.1.

a)

b) facility design

c) no authority to...

d) Review of existing land uses propose new heliport airport.

That's the end of chapter 2.

Howard Beckman asked only to the extent of the design what does that mean?  
Page 22...next to last paragraph...Commissioner Grossman asked Mr. Full if he had an example. Mr. Full said he will get back to the Commission in January, 2006.

J.V. McCarthy stated that the City of Hayward so diligent in its view..when in fact..much closer in...had virtually no access to ...way of the airport committee when in fact seemed to him the county statutory provision beyond the city express it has never been his impression...exemption was did not address all points of the law.

Commissioner Grossman said that if commissioners read this over and over the next 60 days, we can fire specific questions in January 2006 versus going line by line...homework assignments get it done before holidays...

Mr. Full said that Appendix B and C are legislation...

Ms. Horvath if you want to fax them to me...

Commissioner Grossman asked commissioners to read this document before Christmas.

5. **Projects reviewed by Staff** – Staff will provide a brief report that describes projects received for Administrative review this year. These projects did not require a hearing by the ALUC. This report is for information purposes only.

Ms. Horvath said that all these projects reviewed need to be referred needs to be reported, spreadsheet, also included response letters to these projects, with the understanding it is primarily

Commissioner Grossman said that the Consent Calendar item we are approving it... we would not take a vote on it.

Public will know we might be discussing it.

Howard Beckman said that he had read question asked about how well local jurisdictions County as well how ell they are referring matters to the Commission. Issue of Hayward selected, told me a little they did not submit the Home Depot proposal to the Commission, target development proposal. Ms. Horvath told me in fact development Hesperian is the Target store project, Ab- disclose residential

development, issue going to be raised for a long time to come why 2776 disclosure was raised. Commissioner Grossman said that staff will answer.

Howard Beckman said that the County has jurisdiction over unincorporated territory, north side of the runways, when somebody wants to add a second story to the house, zoning ordinances are met, all are met...why among referrals was this garage conversion, when why this particular project was referred and yet project around corner was not referred. Point way in which projects other than big things, unless somebody knows somebody about it. I would like to Commission to take up question how consistently actions are being referred to the Commission. Something is being referred.

Ms. Horvath said that every jurisdiction, there is not consistency in reference spread sheet happen to be our project, planner very conscientious, in the end of the runway... Commissioner Grossman said that we can't speak for jurisdictions and what they do...opportunity to communicate with jurisdiction in the County, what need to be referred to us, various Planning Departments, might be an order, if it inconsistent...

6. **ALUC Commissioner Forum** – Opportunity for members of the Commission to share information or items of interest to the Commission and the public.  
Commissioner Pereira asked Ms. Horvath if Mr. Beckman letter was referred to County Counsel? Ms. Horvath said yes.

J.V. McCarthy

## 7. **Adjournment**

Meeting adjourned at 4:28.