AGENDA
REGULAR MEETING
SAN BENITO COUNTY AIRPORT LAND USE COMMISSION

DATE: Thursday, January 21, 2016
3:00 P.M.

LOCATION: Board of Supervisors Chambers, 481 Fourth Street,
Hollister, CA 95023

COMMISSIONERS: Chair Jerry Muenzer, Vice Chair Tony Boch
Anthony Botelho, Victor Gomez, and Ignacio Velazquez
Alternates: San Benito County: Jaime De La Cruz;
City of Hollister: Mickie Luna; San Juan Bautista: Jim West

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 D. Public Comment.

3:00 P.M. CALL TO ORDER:

A. ACKNOWLEDGE Certificate of Posting

B. ELECT ALUC Chairperson for 2016

C. ELECT ALUC Vice Chairperson for 2016

D. 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 Airport Land Use Commission Draft Meeting Minutes Dated June 18, 2015 –
Gomez

2. FIND Site and Architectural Review Application No. UP 1110-15 (APN No. 014-120-04),
located in San Benito County, CONSISTENT with the Hollister Municipal Airport Land
Use Compatibility Plan – Lezama

Adjourn to ALUC Meeting on Thursday, February 18, 2016. Agenda Deadline is Tuesday, February 9, 2016 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.
MEMBERS PRESENT:
Chair Muenzer, Vice-Chair Boch, Director Gomez, Director Velazquez, and Alternate Director De La Cruz

STAFF PRESENT:
Deputy County Counsel, Shirley Murphy; Interim Executive Director, Mary Gilbert; Transportation Planner, Veronica Lezama; Transportation Planner, Sean Vienna; Secretary, Monica Gomez

CALL TO ORDER:
Chair Muenzer called the meeting to order at 4:15 P.M.

A. Acknowledge Certificate of Posting
Upon a motion duly made by Director De La Cruz, and seconded by Chair Muenzer, the Directors unanimously approved the Certificate of Posting.

B. Public Comment: None

CONSENT AGENDA:

   Upon a motion duly made by Director De La Cruz, and seconded by Director Boch, the Directors unanimously approved the Consent Agenda. Vote: 5/0 motion passes.

   Upon a motion duly made by Director Boch, and seconded by Director De La Cruz, the Directors adjourned the ALUC Meeting at 4:16 p.m. Vote: 5/0 motion passes.

   ADJOURN TO ALUC MEETING THURSDAY, JULY 16, 2015.
Staff Report

To: San Benito County Airport Land Use Commission
From: Veronica Lezama, Transportation Planner
Date: January 21, 2016
Subject: Land Use Consistency Determination

Recommendation:

FIND Site and Architectural Review Application No. UP 1110-15 (APN No. 014-120-04), located in San Benito County, CONSISTENT with the Hollister Municipal Airport Land Use Compatibility Plan.

Summary:

Application No. UP 1110-15 was reviewed in accordance with the 2012 Hollister Municipal Airport Land Use Compatibility Plan and determined consistent with the Plan.

Financial Considerations:

The Airport Land Use Commission (ALUC) adopted a fee structure in 2013 for the purpose of recovering costs for conducting ALUC project reviews. The ALUC application fee consists of a minimum $300 non-refundable fee that is submitted at the time the application is filed with the Airport Land Use Commission. The applicant has been invoiced for the application fee.

Background:

In 2012, the San Benito County Airport Land Use Commission adopted the Hollister Municipal Airport Land Use Compatibility Plan (ALUCP). 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. The proposed development project was reviewed in accordance with the Compatibility Plan.

Staff Analysis:

The San Benito County Airport Land Use Commission received an application for the proposed construction of a cell tower structure to be located on APN 051-162-004 in San Benito County (Attachment 1). The applicant is proposing a new Verizon Wireless Facility including a new 56’ tall faux water tower with 12 panel antennas and associated equipment (Attachment 2).

The project was reviewed in accordance with the 2012 Hollister Municipal Airport Land Use Compatibility Plan. In the course of a project review, the Airport Land Use Commission considers a number of factors including Noise, Safety, Airspace Protection, and Overflight. An analysis of each of the compatibility factors is further discussed below.
Noise

The Hollister Municipal Airport Land Use Compatibility Plan’s 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 proposed use is not a noise sensitive use; as such, there are no noise concerns.

Safety

The Hollister Municipal Airport Land Use Compatibility Plan’s 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 the type of uses (i.e. schools, residential densities, 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 (1-6).

The cellular tower is proposed within Safety Zones 6 (Attachment 3). According to Table 2: Safety Compatibility Criteria (Attachment 4), the proposed use (Transportation, Communication, and Utilities) is “Conditional” within Safety Zone 6 as long as the cell tower is not located within half mile of a runway\(^1\). The proposed cell tower is located more than \(=3,131\) feet (0.59 miles) from Runway 24 (Attachment 4).

Overflight

The Hollister Municipal Airport Land Use Compatibility Plan’s Overflight Compatibility Policy is intended to help notify people, via 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 compatibility is particularly important with regard to residential land uses. The Overflight Policy is only applicable to residential/sensitive uses; as such, there are no overflight concerns associated with the proposed project.

Airspace Protection

The Hollister Municipal Airport Land Use Compatibility Plan’s 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. Such hazards may be the height of physical structures, hazardous wildlife attractants, or electronic interference. As noted under the Safety category above, Safety Zone 6 allows the construction of cell towers as long as it is not located within half mile of runway\(^2\). The proposed cell tower is located more than \(=3,131\) feet (0.59 miles) from Runway 24 according to the coordinates provided.

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1 Table 2: Safety Compatibility Criteria, Attachment 4
2 Table 2: Safety Compatibility Criteria, Attachment 4
**Height:**

The project is proposed within the FAR Part 77 Transitional Surface which lies within the Airspace Protection Zone (Attachment 5). The Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace establish standards for determining obstructions to navigable airspace and the effects of such obstructions on the safe and efficient use of that airspace.

The applicant is proposing a new cellular wireless facility including a new 56 foot tall faux water tower with 12 panel antennas and associated equipment. Due to the high of the proposed structure, the applicant was required to obtain a Determination of No Hazards to Air Navigation from the Federal Aviation Administration (FAA). This Determination allows the FAA to identify potential aeronautical hazards in advance thus preventing or minimizing the adverse impacts to the safe and efficient use of navigable airspace.

The applicant received the enclosed Determination of No Hazards to Air Navigation for the project (Attachment 6). This Determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. As a note, any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. Based on the project information, the proposed cellular wireless facility is consistent with the height limits acceptable by the Hollister Municipal Airport Land Use Compatibility Plan and Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace.

**Executive Director Review:**

**Counsel Review:** N/A

**Supporting Attachment(s):**

1. Project Location
2. Site Map
3. Safety Zone 6
4. Table 2: Safety Zone Compatibility Guidelines
5. Airspace Protection Zone
6. FAA Determination of No Hazards to Air Navigation
1. Safety zone source composite of general Airport Land Use Plan. See Exhibit 3-6.

2. See Section 3.3 criteria.

3. Avigation easements zones 1 through 5.


Notes

1. Safety zone source composite of gener Airport Land Use Plan. See Exhibit 3-6.

2. See Section 3.3 criteria.

3. Avigation easements zones 1 through 5.

### Table 2, continued

<table>
<thead>
<tr>
<th>Usage Intensity Criteria 1</th>
<th>Safety Zone</th>
<th>Additional Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max. Sitewide Average Intensity (people/acre)</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Max. Single-Acre Intensity (people/acre)</td>
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<td>10</td>
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<td>120</td>
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<thead>
<tr>
<th>Land Use Category 2</th>
<th>Land Use Acceptability</th>
<th>(see page 2-49 for legend)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research &amp; Development [approx. 300 s.f./person] 6</td>
<td></td>
<td>3, 5: Intensity limits as indicated; avoid bulk 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</td>
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<tr>
<td>Outdoor Storage: public works yards, automobile dismantling</td>
<td>2: Avoid bulk storage of hazardous materials (flammable, explosive, corrosive, or toxic) or materials that would create airspace hazards (reflective materials, wildlife attractants) 7</td>
<td></td>
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<tr>
<td>Mining &amp; Extraction 3</td>
<td>2: Allowed only if intensity criteria met; exercise caution with activities that would create airspace hazards 3</td>
<td></td>
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<tr>
<td>Transportation, Communication, and Utilities</td>
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<td>Airport Terminals: airline, general aviation</td>
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<tr>
<td>Rail &amp; Bus Stations</td>
<td>2: Allowed only if alternative site outside zone would not serve intended public function</td>
<td>5: Allowed only if airport serving</td>
</tr>
<tr>
<td>Transportation Routes: road &amp; rail rights-of-way, bus stops</td>
<td>1: Not allowed in Object Free Area (OFA) 3</td>
<td></td>
</tr>
<tr>
<td>Auto Parking: surface lots, structures</td>
<td>1: Not allowed in Object Free Area (OFA) 3</td>
<td></td>
</tr>
<tr>
<td>Communications Facilities: emergency communications, broadcast &amp; cell towers 3</td>
<td>3-5: Allowed only if alternative site outside zone would not serve intended public function; not allowed within ½ of runway 6: Not allowed within ½ mile of runway</td>
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<tr>
<td>Power Plants 3</td>
<td>3, 4: Primary plants not allowed; peaker plants only</td>
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<tr>
<td>Electrical Substations 3</td>
<td>2, 5: Allowed only if alternative site outside zone would not serve intended public function</td>
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<tr>
<td>Wastewater Facilities: treatment, disposal</td>
<td>2, 5: Allowed only if alternative site outside zone would not serve intended public function</td>
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<tr>
<td>Solid Waste Disposal Facilities: landfill, incineration 3</td>
<td>2: Allowed only if alternative site outside zone would not serve intended public function</td>
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<tr>
<td>Solid Waste Transfer Facilities, Recycle Centers 3</td>
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### Table 2, continued

<table>
<thead>
<tr>
<th>Land Use Acceptability</th>
<th>Interpretation/Comments</th>
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<tbody>
<tr>
<td><strong>Normally Compatible</strong></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><strong>Conditional</strong></td>
<td>Use is compatible if indicated usage intensity limit and/or other listed conditions are met.</td>
</tr>
<tr>
<td><strong>Incompatible</strong></td>
<td>Use should not be permitted under any circumstances.</td>
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</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 (du/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.
Notes
1. The Airspace Policy is in accordance with FAA for all runways except the existing runway approach type and approach type are general airspace surfaces and approach types.

2. The Critical Airspace encompasses the portions of approach surfaces where these surfaces intersect approach surfaces.

3. The FAA Height Policy Bound is in accordance with FAA.

Policy Boundaries
- Airport Influence Zone
- Airspace Protected Zone
- Critical Airspace
- FAA Height
- Policy Boundary

Hollister
Land Use

- Existing Runway
- Future Runway
- Road
- Railroad
- Parcels
- Rivers
** DETERMINATION OF NO HAZARD TO AIR NAVIGATION **

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Water Tank Hollister Airport  
Location: Hollister, CA  
Latitude: 36-53-27.41N NAD 83  
Longitude: 121-23-28.18W  
Heights: 226 feet site elevation (SE)  
58 feet above ground level (AGL)  
284 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)  
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 09/05/2016 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.  
(b) extended, revised, or terminated by the issuing office.  
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.
NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (425) 227-2625. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-AWP-350-OE.

Signature Control No: 239621740-244845621  (DNE)  
Paul Holmquist  
Technician  

Attachment(s)  
Frequency Data  
Map(s)  

cc: FCC
<table>
<thead>
<tr>
<th>LOW FREQUENCY</th>
<th>HIGH FREQUENCY</th>
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