

## Solano County Airport Land Use Commission



# SOLANO COUNTY

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### **DRAFT** **MINUTES OF THE** **SOLANO COUNTY AIRPORT LAND USE COMMISSION** **MEETING OF FEBRUARY 9, 2017**

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

**MEMBERS PRESENT:** Commissioners Baldwin, Baumler, Vancil, Randall, Meyer, Sagun and Chairman DuClair

**MEMBERS ABSENT:** Commissioner Cavanagh

**OTHERS PRESENT:** Jim Leland, Resource Management; Lee Axelrad, County Counsel; Kristine Sowards, Resource Management

#### **Call to Order & Roll Call**

Chairman DuClair called the meeting to order at 7:00 p.m. Roll call was taken and a quorum was present.

#### **Approval of the Agenda**

The agenda was approved as prepared.

#### **Approval of the Minutes**

The minutes of the meetings of November 10 and December 8, 2016 were approved as prepared.

#### **Reports from Commissioners and/or Staff**

There were no committee reports.

#### **Items from the Public**

There was no one from the public wishing to speak.

#### **Old Business**

There was no old business to discuss.

#### **New Business**

1. Public hearing to consider the consistency of the Suisun City Zoning Ordinance Revisions (ALUC-16-10) with the Travis Air Force Base Land Use Compatibility Plan. Applicant: City of Suisun City.

Jim Leland briefly reviewed staff's written report. The report stated that the City of Suisun City is undertaking a series of revisions to its zoning regulations. Zoning rules are utilized by local government to establish the types of uses which may be conducted on private property and to impose development standards and operational controls on various land uses. Zoning

regulations also contain zoning maps which specify the zoning district applicable to each property in the local government's borders. The Suisun City Zoning Revisions include both zoning district text revisions and zoning map revisions. The amendments to the City's zoning regulations are necessary to implement the City's 2035 General Plan. The area covered by the Suisun Zoning Map lies entirely within Compatibility Zone D (as shown on Attachment B1 in the staff report) from the Travis Plan. Staff recommended the commission find the project consistent with the Travis Plan.

Chairman DuClair opened the public hearing. Since there were no speakers either for or against this matter, the public hearing was closed.

A motion was made by Commissioner Meyer and seconded by Commissioner Sagun to adopt the recommended findings and determine that the Suisun City Zoning Ordinance Revisions (ALUC-16-10) are **consistent** with the Travis Air Force Base Land Use Compatibility Plan. The motion passed unanimously. (Resolution No. 16-10)

2. Receive an update from staff regarding the progress of the Renewable Energy Working Group.

Jim Leland noted that the tasks the working group has been busy looking at is the replacement of existing facilities due to a catastrophic loss, and needing relief from the line-of-sight provision in addressing how to look at new projects that may come into the Montezuma Hills. Mr. Leland said the committee's conclusion with regard to turbine replacement is an individual turbine up to 500 feet would be acceptable. He noted that staff has put on hold the item relating to an alternative to line-of-sight evaluation due to a request by SMUD representatives who would like to introduce additional information. Mr. Leland noted that the SMUD information has not yet been provided. He asked if the information is still not available by the commission's March meeting if the commission would be interested in moving forward on the matter regarding turbine replacement for policy consideration.

Commissioner Vancil inquired if there were any individual wind turbines that were anticipated to be having a problem and would need replacement soon. Mr. Leland said he was not aware of any turbines needing replacement, noting that there has only been one replacement in the last several years.

Commissioner Vancil stated he would be agreeable to putting the issue of replacement turbines to rest. With regard to the matter relating to the larger scale of putting in new wind turbines, Mr. Vancil said he would prefer to see new technology confirmed before changing the line-of-sight policy. He guessed that this issue would probably take the committee some time to resolve.

Commissioner Meyer inquired if the commission were to agree to the 500 foot replacement standard if that policy would apply throughout the county. Mr. Leland responded that this policy as well as the line-of-sight policy would only apply to the Montezuma Hills Wind Farm projects.

Commissioner Meyer wanted to know if the county has been approached by anyone requesting this size of turbine. Mr. Leland said the county has not received any such requests. He noted that the issue which occurred during the last turbine replacement a few years back was the company could not recoup what they lost because the industry had changed their standards. Mr. Leland commented that there has been some interest elsewhere in the county by persons, who were interested in installing individual wind turbines for big industrial users, but they have all been discouraged by the partner cities and by the county, so none of them have moved forward.

Chairman DuClair said that he believed the commission should carry on and not hold things up waiting for the SMUD information and move forward. He questioned if these new towers at 500 feet are going to create more noise or clutter for existing radar. He commented that since the impact will not be known until one is built he thought that more study might be needed. Jim Leland said that he did not know the answer to what actual difference will show up on the radar for a 500 foot turbine but suggested that Travis might be able to shed some light on that issue.

Mr. Leland confirmed with the commission that staff will bring back the policy with regard to wind turbine replacement when dealing with a catastrophic event for consideration at the next commission meeting. As far as the line-of-sight issue, Mr. Leland confirmed that the county is enforcing line-of-sight only but are open to looking at something else if SMUD brings information forward in the future. Mr. Leland commented that the commission could give staff direction at the next meeting to set a finite end date for considering the SMUD information.

The commission agreed with staff's summation.

3. Receive an update from staff regarding the progress of the Wildlife Hazards Working Group.

Jim Leland noted that representatives from the Solano County Water Agency, their environmental firm, and their biologist are sitting members on this subcommittee. He said there was a lot of technical support from Travis AFB including their BASH program. Mr. Leland said the group took a look at the kind of wildlife one would expect to encounter around the Base and the kind of things that attract them, and came up with some land use types to focus on. He noted that the FAA has released information they would like applied nationwide, but a fair amount of that information does not apply in this case. He said the committee identified nine land use categories that should be examined when being proposed within those perimeter locations around the Base. Also identified were 8 types of projects that are so de minimis they are not going to have any impact and should be exempted from wildlife hazard studies. Mr. Leland noted that this work has been readied for presentation to the commission.

Mr. Leland said the committee has also been reviewing the habitat conservation plan of the Solano County Water Agency which covers most of the county. The plan talks about the disruption and replacement of habitat and the agency is driving a lot of the decisions about locating wildlife habitat around the perimeter of the Base. He noted that the committee took a look at their plan and asked them how they might mitigate for any new facilities they are promoting. He said they very generously offered to put in mitigation measures that would coordinate with the BASH program in some manner. Mr. Leland commented that staff is still waiting for the Multi-Species Habitat Conservation Plan to be finalized. He said staff would like to be back before the commission with further information at either the March or April meeting.

4. Receive an update from staff regarding a work plan for the study of potential regulations for recreational drones.

Jim Leland said there are two fundamental points that staff would like to stress; to take a cautious approach to this topic, and the fact that recreational drones are a new phenomenon. He said there is not a lot of regulation yet and not a lot of experience with local agencies addressing any potential issues. Staff would like to walk the commission through how the county plans to be cautious about proceeding down this path. Another topic of discussion is the content and process of a proposed work plan. He said in taking a cautious approach, a really strong technical advisory committee is needed. He said on that committee needs to be players from the district attorney's office, sheriff's office, a law enforcement representative from each city, airfield operators, pilots, Travis AFB representatives, government administrators such as city manager types who understand what a municipal government has to do and how it goes about

doing it. He said the mission is to explore enforcement of various aspects of drone operation by recreational operators. Mr. Leland said that staff is also building in this process a series of reports to the commission from the technical advisory committee where the decision each time is shall the process continue, is there a reason to continue, or is there a reason to suspend the effort.

Commissioner Meyer asked if there has been discussion of including individuals that are actually operating drones. She said that it is her guess that most of the people that are going to be on this committee, the vast majority, do not own a drone.

Mr. Leland said that staff had a discussion about whether to bring in drone operators and drone manufacturers, and the initial thought is this is such new territory the county first wants to understand is there a legitimate regulatory roll to play by local government, and if there is, what is the possible extent of that and who are the agents who would probably operate that regulation. Mr. Leland said, for example, we are all accustomed to land use regulation under the jurisdiction of the commission and the cities, but this may lead us to nuisance abatement which is done by the district attorney's office and the police and sheriff. So before we muddy the waters with expansive stakeholder groups we want to first figure out is there anything at all we are going to pursue. If there is, then the next step is a working group between those players and the drone industry and drone operators.

Chairman DuClair said that he believed the commission should progress slowly and see what the FAA and the state are going to be doing in addition to the cities. He imagined the cities and law enforcement are going to have a drone or two at some point for crime prevention and believed that Vacaville might even have a drone already.

Mr. Leland stressed that what staff is bringing forward deals only with recreational drones and not governmental agency or commercial drones that might be authorized and regulated by the FAA. He said that part of the county's cautious approach is to earnestly avoid straying into obvious areas of jurisdiction by the FAA. He believed that one of the first things that will be brought before the commission is a White Paper about the existing regulatory framework that illustrates where the FAA has absolute jurisdiction and where it is left to the states and local government. Staff would start with that white paper and ask the commission for input after it has been vetted by the committee, and look at where there might be further work on examining regulation. He said the next step would be to identify those compatibility issues. If those are acceptable then staff would proceed to what are policies to address those compatibility issues and so on until a draft report and then a final report is produced.

Mr. Leland said that staff will bring back before the commission a formal work plan to consider.

#### Adjournment

Since there was no further business, the meeting was adjourned.