

County of Santa Clara
Airport Land Use Commission

Wednesday, October 22, 2008
Minutes

Regular Meeting

1. **Call to order and roll call.**

The regular meeting of the Airport Land Use Commission (ALUC) is called to order by Chairperson Windus at 6:04 p.m. in Room 157, County Government Center, 70 West Hedding Street, San Jose. A quorum is present.

Members Present

Ron Blake (arrives at 6:13 p.m.)

Ralph Britton

Gina Grandolfo (alternate for R. Sturdivant)

Aileen Kao

Arthur Knopf

Jack Morton

Walter Windus

2. **Public Presentations:**

There are no public presentations.

3. **Adopt Comprehensive Land Use Plan (CLUP) and amendments to the Santa Clara County Airport Land Use Commission's Land Use Plan for Areas Surrounding Santa Clara County Airports ("County CLUP") by the Airport Land Use Commission. The project location consists of three public use airports in Santa Clara County (Palo Alto, San Jose International, South County, and areas surrounding these airports).**

Mark Connolly, Planner III, Planning Office, Department of Planning and Development, directs attention to the report relating to adoption of Comprehensive Land Use Plan (CLUP) amendments to the Santa Clara County ALUC Land Use Plan for Areas Surrounding Santa Clara County Airports (the "County CLUP") and summarizes that the project locations consists of three public use airports in Santa Clara County: Palo Alto Airport (PAO), Norman Mineta San Jose International Airport (SJC), South County Airport (E16), and

areas surrounding these airports. Continuing, Mr. Connolly reports that he participated in extensive outreach as part of the California Environmental Quality Act (CEQA) noticing requirements. However, Mr. Connolly indicates notification did not occur within the appropriate timing requirements, and therefore ALUC cannot take action on the CLUP amendments until the CEQA regulations are met. Mr. Connolly recommends that the Commission hear public comments at the meeting this date and also at the November 19, 2008 meeting, when the Commission can consider adoption of the Negative Declaration and CLUP amendments.

Chairperson Windus recommends discussing E16 first so that members of the public from South County can address the Commission at the beginning of the discussion. He recommends that PAO be discussed second, and SJC discussed third.

Chairperson Windus comments that the land restrictions described on page 4 -8 of the proposed E16 CLUP are less onerous than in the current plan. He states that the amended plan will not impact building a new house if a person owns land in the designated area. The amended plan will have an impact on prospective new lots. Furthermore, Chairperson Windus notes that real estate agents must disclose to prospective buyers if a property is in the airport influence area (AIA). Additionally, he comments that property owners will be asked to grant an aviation easement to the City if substantial property development is planned.

a. Open Public Hearing and receive public testimony

On order of the Chairperson, there being no objection, it is ordered that the Public Hearing be opened.

Leonette Stafford, Member of the Public, expresses concern about airplanes flying over the elementary school on Llagas Avenue.

Monica Winders, Member of the Public, expresses concern about not being able to build on her McConnell Drive property and the possible devaluation of her home and her neighbors' homes. Chairperson Windus responds that there will be less restrictions for building on her property with the revisions to the CLUP and that her property is not in a "no build zone." Ms. Winders asks if upper floors can be built on the four houses on McConnell Drive and Chairperson Windus responds affirmatively, except that there are restrictions on commercial use.

Tony Stafford, Member of the Public, commented that San Martin is a small community with commercial areas generally located on San Martin Avenue, and he suggests that additional restrictions to commercial zones could be detrimental to the community. In conclusion, Mr. Stafford suggests that the safety zones be narrower and that McConnell Court be excluded from the safety zone.

Randy Coleman, Member of the Public, asked if noise levels have to be disclosed to prospective buyers. Chairperson Windus replies that this is not a requirement of real estate agents.

Chairperson Windus comments that CLUP amendments affect future property development only.

b. Close Public Hearing

On order of the Chairperson, there being no objection, it is unanimously ordered that the public hearing be closed.

c. Adopt California Environmental Quality Act (CEQA) document (Negative Declaration)

On Commission consensus, it is unanimously ordered that this item be held to November 19, 2008.

d. Adopt Resolution amending the Santa Clara County Land Use Plan for Areas Surrounding Santa Clara County Airports including adopting two airport-specific CLUPs for Palo Alto and South County Airport as well as a County-wide CLUP amendment to amend the Map for runway 11-29 for San Jose International Airport, as well as a County-wide CLUP amendment to reflect adoption of the Airport-specific CLUPs, and remove prior references.

On Commission consensus, it is unanimously ordered that this item be held to November 19, 2009.

Chairperson Windus announces that a minor correction on pages 3 - 4 of the PAO CLUP will be incorporated into the October 22, 2008 version of the document.

Chairperson Windus expresses interest in reviewing clean copies of documentation rather than strike-out copies at the November 19, 2008 meeting.

Commissioner Morton acknowledges Chairperson Windus on behalf of the Commission for all of his efforts and hard work on the CLUPs. Chairperson Windus responds by thanking the Commissioners for all their contributions to the project.

4. Accept verbal report from Ex-Officio Commissioner

a. There is no report from the Director of County Airports.

5. **Accept Chairperson's report.**

Chairperson Windus reports that the SJC CLUP text is 95 percent complete and that the drawings from the Planning Department are 90 percent complete. Furthermore, he comments that the first three chapters of the SJC CLUP have been submitted to Cary Greene, Airport Planner, SJC, for peer review.

On Commission consensus, it is ordered that the report be accepted.

6. **Announcements and Correspondence:**

a. **Chairperson's announcements:**

- ◆ The Chairperson states that the November 19, 2008 meeting will be a regular meeting of the Commission.

b. **Commissioners' announcements:**

- ◆ Commissioner Kao advises that neither she nor her alternate will be able to attend the November 19, 2008 meeting due to scheduling conflicts.

c. Chairperson Windus announces that the Annual Boards and Commissions Appreciation Event is scheduled for December 8, 2008 at 5:30 p.m. in the County Government Center Cafeteria, and that invitations will be mailed to Commission Members.

d. Chairperson Windus announces that CLUPs can be viewed online by browsing to: <http://www.sccgov.org/portal/site/planning>, then click on "Plans and Programs," then "Airport Land Use Commission."

7. **Adjournment:**

On motion of Commissioner Morton, seconded by Commissioner Knopf, it is unanimously ordered that the meeting be adjourned at 7:07 p.m. to the next regular meeting on Wednesday, November 19, 2008 at 6:00 p.m. in Room 157, County Government Center, 70 West Hedding Street, San Jose.