



# TRUCKEE TAHOE AIRPORT LAND USE COMMISSION

DR. MARK BROWN – Nevada County City Selection Committee  
BRENT P. COLLINSON – Placer County Airport Managers  
KEN FOSTER – Representing the General Public  
PAUL JOINER – Placer County City Selection Committee  
JENNIFER MONTGOMERY – Placer County Board of Supervisors (2011 Vice Chairman)  
TED S. OWENS – Nevada County Board of Supervisors (2011 Chairman)  
KEVIN SMITH – Nevada County Airport Managers

DANIEL B. LANDON, Executive Director  
Truckee Tahoe Airport Land Use Commission  
Nevada County Transportation Commission

## MINUTES OF MEETING January 28, 2011

A meeting of the Truckee Tahoe Airport Land Use Commission (TTALUC) was held on Friday, January 28, 2011 in the Truckee Tahoe Airport District Board Room, 10356 Truckee Airport Road, Truckee, California. The meeting was scheduled for 2:00 p.m.

Members Present: Brent Collinson, Ken Foster, Paul Joiner, Jennifer Montgomery and Kevin Smith

Members Absent: Dr. Mark Brown and Ted Owens

Staff Present: Daniel Landon, Executive Director; Toni Perry, Administrative Assistant; Nevada County Transportation Commission

Standing Orders: Vice Chairman Montgomery convened the Truckee Tahoe Airport Land Use Commission meeting at 2:11 p.m.

Pledge of Allegiance

### PUBLIC COMMENT

There were no members of the public in attendance to give public comment.

### OATH OF OFFICE

Vice Chairman Montgomery administered the Oath of Office for TTALUC Commissioners Brent P. Collinson, Ken Foster, Kevin Smith, and Alternate Doug Taggart.

### CONSENT ITEMS

#### 1. TTALUC Minutes

October 19, 2010 Meeting. *Approved.*

Commissioner Joiner made a motion to approve the TTALUC Minutes of October 19, 2010. Commissioner Collinson seconded the motion. The motion passed unanimously.

## INFORMATIONAL ITEMS

### 2. Correspondence:

- A. Letter to Jack Edstrom – Regarding the review of Minor Use Permit/Variance Parking Project, Truckee Airport Industrial Park. 10/28/10, File 40.2.4.

Vice Chairman Montgomery reviewed for the Commission the TTALUC staff recommendation and asked for any discussion. There were no questions or concerns.

- B. Letter to Jaime LaChance – Regarding the review of the Truckee Sanitary District (TSD) Vehicle Storage Building Application. 11/15/10, File 40.2.4.

Vice Chairman Montgomery noted that the letter to Ms. LaChance advised her to pay attention to Policy 4.3.7 (a,b,c) of the Truckee Tahoe Airport Land Use Compatibility Plan. Executive Director Landon stated that Ms. LaChance, in approving this for the Town of Truckee, placed a condition on TSD that they would have to file a new avigation easement, unless the TTALUC determined it was not necessary. Mr. Landon reviewed it with the NCTC legal counsel, Nancy Miller of Miller, Owen & Trost, and she advised that while she felt the old avigation easement filed in 2001 met the spirit of the situation, she thought it would be good to go ahead and have TSD file a new avigation easement so it meets the standard form that is in the Airport Land Use Compatibility Plan.

Commissioner Foster said the two requests appear to be minor land use approval, but questioned if a large request comes through for a major development, like the old railroad yard in Truckee, he questioned if that request would be brought before the TTALUC for review. He asked at what stage a project would warrant being brought to the Commission versus being reviewed by TTALUC staff. Executive Director Landon replied that in the Truckee Tahoe Airport Land Use Compatibility Plan [Chapter 2, Section 2.3.2] there is a provision for the items that the Executive Director can approve and noted that any project of significant size would be brought to the Commission in the initial draft stage. The staff would review the project, identify important components, and then bring it before the TTALUC for their comments. Then staff would send out all the comments to the requesting agency. Mr. Landon added that in some cases there would then be a final approval by the TTALUC of a project like a Specific Plan or a General Plan. Commissioner Smith referred to Chapter 2, Item 2.4, “Review Process for Airport Master Plans and Development Plans,” and encouraged the Commissioners with questions to read that whole portion of Chapter 2 that deals with land use reviews.

### 3. Executive Director’s Report

#### 3.1 Review of the Town of Truckee General Plan

Executive Director Landon reported that staff has gathered materials to undertake a review of the Town of Truckee General Plan to insure it is consistent with the Truckee Tahoe Airport Land Use Compatibility Plan.

#### 3.2 TTALUC Bylaws

Executive Director Landon noted that the TTALUC Bylaws that were approved at the October 19, 2010 TTALUC meeting had a wording modification on page 2, therefore staff provided the Commissioners with a corrected page to insert into their personal copies of Bylaws.

### 3.3 Conflict of Interest Code

Executive Director Landon said the California Fair Political Practices Commission (FPPC) received the Conflict of Interest Code and their staff communicated by telephone to Mr. Landon that morning that they would be reviewing it. Mr. Landon does not expect any problems since he took extra care to insure it would meet all of their requirements. Once approved by the FPPC, the Conflict of Interest Code goes into effect immediately, and will then be accepted by TTALUC resolution at their next meeting. Executive Director Landon indicated that it is not necessary to hold a special meeting just to adopt the resolution.

#### ACTION ITEMS

#### 4. Election of Officers 2011

Vice Chairman Montgomery reviewed that in accordance with the TTALUC Bylaws, Section 3.2 (a), it states that election of Chairman and Vice Chairman for the 2011 calendar year shall take place at the first meeting of each calendar year. She called for nominations of Chairman or Vice Chairman.

Commissioner Joiner asked if there was any reason to not continue with the current officers for 2011 since there has only been one meeting with them as officers. Vice Chairman Montgomery said she was fine with that action. Chairman Owens was absent from the meeting. Commissioner Joiner made a motion to continue in calendar year 2011 with Chairman Owens and Vice Chairman Montgomery remaining in their appointed positions. Commissioner Smith seconded the motion. The motion passed unanimously.

#### 5. PUBLIC HEARING: Restructuring of Fee Schedule by the Truckee Tahoe Airport Land Use Commission

Vice Chairman Montgomery opened the Public Hearing at 2:24 p.m. She stated that the TTALUC staff requested a public hearing to allow for comments by the public regarding the restructuring of the fees charged by the TTALUC for review of land use projects. She opened up the discussion.

Commissioner Collinson suggested the Commission add one more "Whereas" statement in Resolution 11-01. He said it was the Commission's desire that the proposed fees do not exceed the estimated reasonable cost of providing the service, but the resolution only states what is found in the California Public Utilities Code Section 21671.5 (f) on this matter. Commissioner Collinson thought it would be helpful if the Commission also made a statement that they desire the fees do not exceed what is reasonable. He also asked why the Specific Plans and General Plan Updates have a \$250 deposit versus the \$150 deposits for the other items, but the estimated additional charge for all categories is \$2,500. Executive Director Landon replied that in the case of the Specific Plans and General Plans they are both fairly large documents. He explained that a Specific Plan came through the Nevada County ALUC recently and it took about five hours of staff time to review. Mr. Landon then discerned that he would need additional technical assistance to finish the review of the project so he contracted with Mead & Hunt. He based the proposed fees on the amount of time it took him to review the document and the additional time needed by a consultant.

Vice Chairman Montgomery verified that the deposit amount is based on an estimate of the minimum amount of time it could take to review a project. Executive Director Landon said that was correct and that the estimated additional charge amounts were added to fund technical support if

needed. He noted that he has authority through the Nevada County Transportation Commission to do professional services contracts up to \$5,000. He said once the consultant is hired they are able to estimate what the cost will be, and when 80% of what has been deposited is reached, the applicant is notified that additional payment may be required at completion of the review. Vice Chairman Montgomery asked if it is not anticipated that the larger documents would exceed the estimated \$2,500 additional charge. Mr. Landon said it depends on each plan, but he based the amount on what other counties in California charge. He added that he has been involved in state-wide conference calls with other ALUCs.

Commissioner Collinson stated that he did not see on the proposed fee schedule where it was stated that review time would cost \$50 per hour. Executive Director Landon said the \$50 per hour fee estimate is for the deposit on staff charges; the time for a consulting firm like Mead & Hunt is about \$145-150 per hour.

Executive Director Landon stated that he thought the additional "Whereas" for Resolution 11-01 was a good idea.

Commissioner Collinson made a motion to adopt Resolution 11-01 restructuring the Fee Schedule for work completed on behalf of the Truckee Tahoe Airport Land Use Commission, waive for the reading, and amend the proposed resolution by adding the statement, "Whereas, the Truckee Tahoe Airport Land Use Commission finds that the proposed fees do not exceed the estimated reasonable cost of providing the service." Commissioner Foster seconded the motion. There was no additional discussion. The motion passed unanimously.

#### COMMISSION ANNOUNCEMENTS

Commissioner Smith informed the Commission that the Truckee Tahoe Airport District did receive money for 2012 to prepare a new Comprehensive Master Plan. The current plan was completed in 1998 and is outdated. He said he will be involved in portions of that process, but the work will not start for about one more year since the money is not available until 2012.

Commissioner Collinson thanked the TTALUC staff for getting the meeting packet to the Commissioners in time to review the material, and he thought it was a comprehensive, complete packet. The Commissioners appreciated the detailed Minutes, the thoroughness of the Agenda, and the look of the newly created TTALUC letterhead.

Executive Director Landon reported that he received a news clipping about McKinleyville, where a homeowner had put an additional porch on his house, covered it, and in the process of selling the house it was found out that the porch work had not been permitted. The owner went to the county to get a permit for the porch, to make sure that everything was up to code. The county then indicated that the house was located in the overflight zone of the airport and said he would need to sign an avigation easement. The Pacific Legal Foundation is going to take up the cause and they are going to sue with the county. Mr. Landon reviewed the situation with Miranda Thompson of Mead & Hunt, who is doing the project management for the Nevada County Airport Land Use Compatibility Plan, and she pointed out that the county probably was remiss in not recognizing the fact that ALUCs and avigation easements do not impact existing uses, therefore the avigation easement would not be required. Commissioner Collinson said there was a similar case in Placerville about one year ago and it was challenged and was settled out of court. There was a case in Florida that was similar that went through a board of appeals and it was decided that it was not necessary.

Administrative Assistant Toni Perry asked the Commissioners to inform staff if any of the agencies they represent take action to appoint an alternate for them, so that person can be added to the membership list and staff will send them a California Form 700 to be signed and filed with the State of California. She also reminded the Commissioners that an email was sent out requesting 700 Forms for all of them. She commented that Commissioner Brown's term of office will expire on May 2, 2011 and staff will take action to notify his appointing body, the Nevada County City Selection Committee, of the need to reappoint him or appoint another candidate.

Administrative Assistant Perry stated that the Commissioners will be notified if a project is submitted for review that requires their input and a meeting will be scheduled.

SCHEDULE FOR NEXT MEETING

The next meeting of the Truckee Tahoe Airport Land Use Commission in calendar year 2011 will be dependant upon receipt of a project that necessitates review by the TTALUC Commissioners. The TTALUC Bylaws state that a meeting will be held annually, at a minimum, to provide a review of procedures and compatibility criteria for the Airport Land Use Compatibility Plan and TTALUC Bylaws in order "to keep them current with airport conditions and state laws and guidelines" (Section 1.4 b of the Bylaws). TTALUC staff will contact Commissioners to determine an exact date, time, and location for the next meeting.

ADJOURNMENT OF MEETING

Commissioner Foster moved to adjourn the meeting. Commissioner Joiner seconded the motion. Vice Chairman Montgomery adjourned the meeting at 2:36 p.m.

Respectfully submitted: Antoinette Perry  
Antoinette Perry, Administrative Assistant

Approved on: July 20, 2011

By: Theodor S. Owens  
Theodor S. Owens, Chairman  
Truckee Tahoe Airport Land Use Commission

