

**Buchanan Field Airport  
And  
Byron Airport**

**Minimum Standards,  
Development, Facility Use  
& Lease Policies**

**Approved Date:  
August 14, 2012**

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## Executive Summary

Buchanan Field and Byron Airports are FAA designated reliever airports that are owned and operated by the County of Contra Costa (County). Buchanan Field encompasses approximately four hundred ninety-five (495) acres dedicated to civilian aviation that was acquired by the U.S. Government. Byron Airport has about one thousand three hundred seven (1,307) acres dedicated to civilian aviation that was purchased from private parties.

The County is responsible for operating the Airports for the use and benefit of the public and making them available to all types, kinds, and classes of aeronautical activities that comply with FAA regulations. The County wishes to make the Airports available for public use by applying reasonable terms, without discrimination, for those desiring to offer services or supplies at the Airports. These minimum standards apply to all entities who desire to conduct, carry on, or engage in aeronautical, aeronautical related, development, vehicular or pedestrian activities at the Airports. The County is authorized to assess fees and charges for conducting, carrying on, or engaging in activities or services as described in these Minimum Standards.

**Purpose and Goals:** The purpose of the Contra Costa County Buchanan Field and Byron Airport Minimum Standards, Development, Facility Use & Lease Rules and Regulations (combined “Minimum Standards”) is to create guidelines for the development and use of the airports’ facilities, buildings and property. The Minimum Standards are offered to create fair, safe, first-class, orderly and visually pleasing airports. The Minimum Standards strive to create a consistent environment for development and use on the airports while providing for uniqueness and variation in facilities.

The goal of these Minimum Standards is to create and maintain an orderly and positive character and strong sense of community throughout the Airports while promoting fair and equitable competition among tenants. The Minimum Standards identify functional and site design opportunities to promote flexibility while enhancing the visual appearance of all development at the airports. The Minimum Standards also detail the policies, procedures and components of private use of the Airports’ facilities, buildings and property to promote objective, fair and reasonable options for tenants.

**Objectives:** The objectives of these Minimum Standards are:

- A. To address general aviation needs through an orderly use and development of vacant, substandard or underutilized properties consistent with all governing policies, standards and regulations.
- B. To develop other vacant, substandard or underutilized properties which have been determined to be surplus to and/or not suitable for long-range aviation needs as office, industrial and/or commercial purposes consistent with all governing policies, standards and regulations.
- C. To promote the infusion of private capital and to encourage timely, orderly development to generate increased revenue, employment opportunities and availability of aviation facilities and services.
- D. To protect and enhance the economic vitality of the airports and their tenants.
- E. To accomplish all the above in an environmentally and community sensitive manner.

# Section 1 Definitions

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## Section 1 – Definitions

**Advisory Circular (AC):** FAA publications consisting of all non-regulatory material of a policy, guidance, and technical nature. The AC is used as basic source for most airport design criteria.

**Aircraft:** A devise that is used or intended to be used for flight in the air (FAA Part 1).

**Aircraft Mix:** The range of aircraft classes accommodated at the airports. Mix is usually defined in percentages of these classes such as single engine, multi-engine, jet, turbo prop, rotary and the like.

**Aircraft Operating Area:** That portion of the Buchanan Field Airport and Byron Airport operated by or under the immediate control of the County of Contra Costa or the Federal Aviation Administration, including runways, helicopter pads, public taxiways, all required clear areas and any perimeter apron roadway for authorized vehicular traffic.

**Aircraft Parking on the Transient Parking Ramp:** The paved or surface-treated area adjacent to the west side of the hotel at Buchanan Field Airport and on the south side of the airfield at Byron Airport generally used for itinerant aircraft and special events.

**Aircraft Rescue and Fire Fighting (ARFF):** The Aircraft Rescue and Fire Fighting units and equipment owned or operated for the purpose of conducting these services at the Airports.

**Aircraft Tie-Down Areas:** Dedicated locations on the Airports that have positions on the ground surface to secure parked aircraft.

**Air Navigation Facility (NAVAID):** Any facility used as, available for use as, or designed for use as an aid to air navigation, including lights, radio or other electronic communication, and any other device for guiding and controlling flight in the air or the landing or takeoff of aircraft.

**Air Operations Area (AOA):** Any area of the airports used or intended to be used for landing, takeoff, taxiing, or the surface movement of aircraft.

**Airports:** The two Contra Costa County general aviation airports; Buchanan Field Airport and Byron Airport.

**Airports Division:** The division of the County designated to manage, provide oversight, establish policy and procedures and provide all other necessary services for the Airports.

**Airport Imaginary Surfaces:** Imaginary surfaces established at an airport for obstruction determination purposes and consisting of primary, approach-departure, horizontal, vertical, conical, and transitional surfaces. Building restriction lines are based upon these surfaces.

**Airport Layout Plan:** An FAA approved set of drawings showing airport boundaries, physical features and proposed additions to all areas owned or controlled by the sponsor for airport purposes, the location and nature of existing and proposed airport facilities and structures, and the location on the airport of the existing and proposed non-aviation areas and improvements thereon. The drawings also show local airspace, approach areas, and obstructions in the approach areas.



**Airports Management:** The Director of Airports and his/her duly authorized representatives.

**Airport Master Plan:** A twenty (20) year planning document that provides the concept of the long-term development of the airport. It presents the research and logic from which the plan was evolved and displays the plan in graphic and written report forms.

**Airport Reference Code (ARC):** A FAA coding system used to relate airport design criteria to the operational and physical characteristics of the aircraft intended to operate at the airport. This code is divided into two categories. The first is a letter depicting the airport approach category (operational characteristic) and relates to the aircraft approach speed. The second is a Roman numeral depicting the aircraft design group and the aircraft wingspan (physical characterization).

**Airport Sponsor:** The County of Contra Costa is the airport sponsor and is authorized to own and operate the airports, to obtain property interests, to obtain funds and to be legally, financially and otherwise able to meet all applicable requirements of current laws and regulations.

**Airspace:** Space in the air above the surface of the earth or a particular portion of such space, usually defined by the boundaries of an area on the surface projected upward.

**Apron:** A defined pavement area intended to accommodate aircraft for purposes of loading or unloading passengers or cargo, refueling, parking or maintenance.

**Auxiliary/Specialty Aviation Operator:** A specific designation for a person or business authorized to operate on the Airports.

**Aviation Advisory Committee:** A Contra Costa County Board of Supervisors appointed committee that reviews and makes recommendations to the County pertaining to airport related matters.

**Based Aircraft:** The total number of general aviation, including business, that are owned, leased or used by an aircraft operator who either maintains a fixed place of business on the airport or uses the airport for the principal, or a substantial portion, of his/her activity.

**Based Commercial Aircraft Operator:** A commercial aircraft operator who works at either of the Airports pursuant to a lease, license or other form of written agreement with the County.

**Box Hangar:** A rectangular or square shaped enclosed structure designed to hold aircraft in protective storage.

**Building Area:** An area on an airport to be used, considered or intended to be used, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

**Building Restriction Line (BRL):** A line drawn on an airport layout plan which defines building encroachment limits towards the runway centerline.

**Business or Commercial Activity:** The exchange, trading, buying, hiring, or selling for profit of commodities, goods, services, or tangible or intangible property of any kind, or any revenue-producing activity on the airport.

**Business or Commercial Operator:** A person who provides goods or services for compensation to the public on or from the airport, such as car rental agency, restaurant, and other aviation or non-aviation activities.

**County:** The County of Contra Costa, California.

**Director of Airports:** That person designated by the County as the day-to-day executive officer for the operation of the Airports.

**Executive/Corporate Hangar:** A large open or clear span building designed for storage of larger general aviation aircraft and often includes an attached office space.

**Federal Aviation Administration:** The agency created by the act that established the Department of Transportation with the authority to regulate and oversee all aspects of civilian aviation.

**Federal Aviation Regulations (FAR):** Title 14 of the FAA code of regulations that governs aviation activity.

**FAR Part 77:** Defines obstructions to air navigation and requires notice to FAA of certain types of construction on and near airports.

**FAR Part 150, Airport Noise and Land Use Compatibility Planning:** A planning process that is designed to assist airport operators in determining the extent and nature of the noise problem at a given airport. A written report is generated at the completion of the planning process.

**Fixed Base Operator (FBO):** A full service commercial aviation business located on either of the Airports that is authorized, by written agreement with the County, to provide aeronautical activities and services at the airport.

**Flying Clubs:** A non-profit association, partnership or corporation (collectively called Organization) of five or more members owning or leasing aircraft based at the Airports that was established to promote aviation, develop skills in aeronautics, and/or raise awareness and appreciation of aviation requirements and techniques. The Organization may not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance and replacement of such aircraft.

**Fuel:** The aviation petroleum product used to operate piston or jet turbine engines.

**Fuel Flowage Fees:** A per gallon fee that must be paid to the County by any person or entity allowed to dispense fuel on the Airports.

**Fuel Storage Area:** Any portion of the airport designated temporarily or permanently by the Director of Airports as areas in which gasoline or any other type of fuel may be stored or loaded.

**Fuel Operations:** The dispensing of aviation fuel directly into an aircraft or dispensing the same from a separate medium such as a fuel truck or self-fueling facility.

**General Aviation:** All phases of aviation other than aircraft manufacturing, military aviation and scheduled air carrier operations.

**Governmental Aircraft:** An aircraft owned or contracted for use by the federal or a state government.

**Holding Areas:** Designated areas located at or very near the ends of runways for pilots to make final preflight check and await final clearance for takeoff.

**Horizontal Surface:** A specified portion of a horizontal plane located 150 feet above the established airport elevation which establishes the height above which an object is determined to be an obstruction to air navigation.

**Itinerant Operations:** The arrivals and departures of visitor aircraft.

**Landing Area:** The areas on the Airports that are used or intended to be used for landing, takeoff and surface maneuvering of aircraft.

**Landside Operations:** Those parts of the airport designed to serve passengers including terminal buildings, vehicular paths/driveways and parking facilities.

**Land Use Plan:** Shows designated uses on the Airports as developed during the master planning process.

**Large Aircraft:** An aircraft weighing more than twelve thousand five hundred (12,500) pounds maximum certified takeoff weight or turboprop and turbojet aircraft.

**Leased Areas:** An area on the Airports in which a person or an entity that has a written agreement with the County that entitles them to exclusive use of that designated area of land and/or improvements to conduct of their activities.

**Line Service:** The general preflight or post-flight dispensing of aviation fuel, checking aircraft engine oil, adding aircraft engine oil, windshield cleaning, and the like conducted at the airport.

**Local Operations/Traffic:** Aircraft operating in the local traffic pattern or within sight of the control tower; aircraft known to be departing for or arriving from flight in local practice areas (located within a 20 mile radius of the control tower), and/or aircraft executing simulated instrument approaches at the Airports.

**Maintenance:** The inspection, overhaul, repair, preservation and replacement of parts of an aircraft, excluding preventative maintenance.

**Minimum Standards:** The standards that are established by the County as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the Airports.

**Non-Profit:** Activities undertaken for philanthropic, religious, charitable, benevolent, humane, public interest, or similar purposes.

**Operator:** A person, firm, or corporation in possession of an aircraft or vehicle that is owned, rented or leased by such person or his agent.

**Person/Entity:** Any individual, firm, partnership, corporation, company or association or duly authorized representative thereof.

**Preventive Maintenance:** Simple or minor aircraft repairs and the replacement of small standard parts not involving complex assembly operations as delineated in Code of Federal Regulations (CFR) Title 14 Part 43.

**Policy:** A general principle or plan by which the airport is guided in its management of public affairs. The County of Contra Costa will approve all airport policies.

**Private Aircraft:** Aircraft used solely for the transportation of the owner, the owner's employees, guests and which is not operated for profit. Such aircraft may be operated by other than the owner without losing its classification as private provided that such use by others does not include commercial operations.

**Private Aviation:** The operation and use of private aircraft.

**Public Airport:** An airport for public use, publicly owned and under control of a public agency.

**Public Use Airport:** An airport, public or private, that is open to the public without prior permission and without restrictions within the physical capacities of available facilities.

**Restricted Area:** Any area on the Airports which is limited to specific authorized persons.

**Runway:** A defined rectangular area of paved or unpaved surface designated on a land based airport specifically prepared for the landing and takeoff run of aircraft along its length.

**Runway Protection Zone:** An area at ground level whose perimeter conforms to the runway's innermost approach surface projected vertically. It begins at the end of the primary surface and it terminates directly below the point or points where the approach surface reaches a height of 50 feet above the elevation of the runway end.

**Runway Safety Area:** Cleared, drained, graded and usually turfed areas abutting the edges of the usable runway and symmetrically located about the runway. It extends beyond each runway end and the length and width vary according to the type of runway.

**Runway Strength:** The structural capability of a runway to support aircraft of a designated gross weight for each of single-wheel, dual-wheel and dual-tandem-wheel landing gear types.

**Scheduled Service:** Airport transport service operated over routes based on published flight schedules, including extra sections and related non-revenue flights.

**Site:** A parcel or lot at one of the Airports which is leased, licensed or otherwise used by a third party.

**Small Aircraft:** An aircraft weighing twelve thousand five hundred (12,500) pounds or less maximum certified takeoff weight.

**Standard Operating Procedure (SOP):** A specific method or course of action or an established way or order of accomplishing a specific matter. All SOPs will be approved by the Director of Airports and will be detailed in writing.

**Taxiway:** A defined path, usually paved, over which aircraft can travel from one part of an airport to another.

**Taxiway Safety Area:** A cleared, drained and graded area symmetrically located about the extended taxiway centerline and adjacent to the end of the taxiway safety area.

**Tenant:** Any person or employee of any person having a lease, permit or other form of written agreement with the County or who is a subtenant of a lessee and is based at the Airports.

**Terminal Area:** An area used or intended to be used for one or more of the following: terminal, hangars, shops and other service buildings, automobile parking, fixed base operations, garages and vehicle service facilities used in connection with the airport; and entrance and service roads used by the public within the boundaries of the airport.

**Terminal Building:** A building or buildings designed to accommodate the enplaning and deplaning activities of flight crews and passengers.

**T-Hangar:** An aircraft hangar in which aircraft are parked alternately tail to tail, each in the T-shaped space left by the other row of aircraft compartments.

**Transient Aircraft Parking Area:** Areas on the Airports that the Director of Airports may, from time to time, designate for transient aircraft parking. An FBO lessee may also have transient areas on its leased premises.

**Vehicle Parking Area:** Any portion of an airport designated and made available, temporarily or permanently, by the Director of Airports for the parking of vehicles.

## **Section 2**

# **General Standards**

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## Section 2 – General Standards (GS)

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Contra Costa County, being responsible for the administration of the Contra Costa County Buchanan Field and Byron Airports (Airports), hereby establishes the Minimum Standards as detailed below. The terms herein shall be applied uniformly to all persons as defined herein operating or designed to operate from the Airports and any person operating on or from the Airports consents to be bound by these standards.

- GS-1 The County will to the best of its ability operate the Airports in the best interest of the County, the residents and communities affected by the Airport operations, aviation community, those served by the Airports, their tenants, and the business community. The County will foster a spirit of cooperation and understanding at all times to minimize conflict between aviation users, the business community, and neighboring communities.
- GS-2 Airports Open on Nondiscriminatory Basis: Subject only to the provisions hereof, facilities on the Airports shall be open to all classes of users on fair and not unjustly discriminatory basis. What constitutes discrimination shall, in the final analysis, be determined by the FAA, the determination of which shall be final.
- GS-3 Compliance with Ordinances, Laws, Rules and Regulations:
- A. All persons operating on the Airports shall comply with applicable state and federal laws, rules and regulations and local ordinances.
  - B. All persons operating on the Airports must comply with County Ordinance Number 87-8; County Airport Regulations (See Appendix A).
  - C. All persons operating on Buchanan Field Airport must comply with County Ordinance Number 88-82 (See Appendix B).
  - D. All persons utilizing the Airports shall comply with the requirements of all County health, fire, building and planning codes applicable to the Airports and their operation.
  - E. No person shall navigate, land aircraft upon, or conduct any aircraft operations on or from the Airports other than in conformity with FAA rules and regulations.
  - F. No person shall drive on any street, parking lot, driveway or frontage road, whether it be inside or outside of the controlled access area, any vehicle that is required under the laws of the state to be inspected and registered unless; such vehicle has been inspected and registered and has attached thereto in proper position a valid and unexpired certificate of inspection as required by the laws of the state.
  - G. All vehicles operated on the Airports within the controlled access area must be maintained in a safe operating condition in accordance with the California Department of Transportation codes and standards.
  - H. All fuel trucks operating on the Airports must meet the California Department of Transportation standards and adhere to the Uniform Fire Code, National Fire Protection Agency and any local regulations.
- GS-4 Regulatory Fines:
- A. If the County is fined or receives another form of financial penalty due to a violation or negligence related to any permit or other federal, state or local regulation (including but not limited to FAA, stormwater, hazardous materials, and other environmental

programs), that cost will in turn be charged to the Tenant from which the violation or negligence originated.

- B. Tenant is responsible for all actions of their subtenants, business associates or other parties while on their premises.

GS-5 Vehicle Operations:

- A. Please refer to Ordinance Number 87-8; County Airport Regulations in Appendix A for more detail.
- B. Non official vehicles are not allowed within the AOA areas but may be driven to hangars or to an aircraft for passenger/baggage loading on leased premises. Upon completion of passenger/baggage loading, vehicles must be moved to a designated parking area.
- C. Delivery trucks may be subject to search in accordance with Transportation Security Regulations requirements. Vehicle operators must observe applicable rules and regulations of the Airports, including all directional signs and pavement markings.
- D. Blocking of any AOA or access area by vehicles or aircraft is prohibited. Violators will be subject to tow at the owner's expense.
- E. Any goods, baggage, or supplies must be secured while in transit within the controlled access area of the Airports.
- F. Crossing of runways is prohibited without clearance from the Air Traffic Control Tower personnel.
- G. All vehicles must yield the right of way to pedestrians, aircraft and emergency vehicles in motion.
- H. Except to the extent needed to service or loan aircraft, no private or commercial vehicle shall be driven or parked on any other than designated roads or auto parking areas.
- I. The County reserves and retains the right to designate the point or points at which vehicle and aircraft traffic may enter and leave any site, and may establish directional control where it deems appropriate or necessary.

GS-6 Security Areas:

- A. The airside of the Airports is secured from vehicle access onto the Airports. Each person that desires to access the Airports must have a valid need to enter, must complete an application or have a valid agreement which permits the access, complete any necessary security training program, and understand the locations of all AOA areas on the Airports.
- B. All tenants that have airfield access must:
  - 1) Provide on-site security at all times to prevent unauthorized pedestrian and vehicular access to the Airports operating area by way of their site.
  - 2) Provide direct and indirect points of entry to the aircraft operating area to accommodate authorized individuals and vehicles in compliance with FAA and County security requirements.
  - 3) Provide security for on-site facilities such as vehicular parking areas, aircraft tie-down aprons, buildings, hangars, fuel storage areas and maintenance shop areas.
- C. Airports Division staff will issue access cards pursuant to the guidelines in Appendix C.
- D. No vehicle, boat or any other large item/equipment is allowed to park within ten (10) feet of any perimeter fence line whether on airside or landside of the Airports. Such item will be subject to removal at the owner's expense.
- E. All firearms and weapons are prohibited on the Airports property. Please refer to Ordinance Number 87-8; County Airport Regulations in Appendix A for more detail.



GS-7 Aircraft Operation:

- A. Please refer to Ordinance Number 87-8; County Airport Regulations in Appendix A for more detail.
- B. All persons operating an aircraft are responsible for the safety of his/her operation and for the safety of others exposed to such operation and, therefore, must exercise good operating procedures at all times.
- C. All aircraft must comply with the FAA Federal Aviation Regulations (FAR) and follow the appropriate taxiway and runway guidance markings and lighting when operating on the Airports.
- D. Rotorcraft in training are not permitted to perform auto-rotations to a running or skidding landing on any taxiway surface.

GS-8 Aircraft Parking:

- A. Please refer to Ordinance Number 87-8; County Airport Regulations in Appendix A for more detail.
- B. All aircraft must be parked in areas designated by the Director of Airports. Each aircraft owner or operator occupying a hangar or tie down is responsible for securing his/her own aircraft.
- C. No derelict, non-flyable or un-airworthy aircraft is permitted to tie down in any area of the Airports over a period of thirty (30) days without permission of the Director of Airports.
- D. The County assumes no responsibility for damages by a third party or theft to aircraft or vehicles operated or parked at the Airports.

GS-9 Vehicle Parking:

- A. Please refer to Ordinance Number 87-8; County Airport Regulations in Appendix A for more detail.
- B. Landside parking in designated public parking areas is available to users or visitors of the Airports. Public parking may have a posted time limit that will be enforced. Requests to park a vehicle on the Airports in excess of the posted time limit must be made in writing to the Director of Airports.
- C. Parking is not authorized within the aircraft movement areas. Tie down tenants may park their vehicle in their own tie down space when using their aircraft.
- D. Any vehicle parked in violation of these standards may be cited, towed to an appropriate area or impounded at the owner's expense.
- E. Parking of motor homes, trailers, boats or other large vehicles are prohibited in any parking area without prior permission from the Director of Airports.
- F. Vehicles not associated with a business, use or function at the Airports, but are parked at the Airports, will be towed at the owner's expense.
- G. Non-aeronautical vehicles such as boats, trailers, mobile homes, cars, and the like may not be stored in aircraft hangars unless the lease, license or other form of agreement provides for such activities or the parking has been approved by the Director of Airports.
- H. Tenants must park their vehicles in either their own hangar, in their own tie-down space, or in a designated parking area when the aircraft is being flown. Delivery trucks may park next to a tenant's hangar long enough for a delivery to be unloaded.

GS-10 Safety Precautions:

- A. All persons using the Airports must exercise the utmost care to protect against fire and injuries to persons and property.
- B. All fueling, maintenance and other related actions must be done in strict accordance with National Fire Protection Act, federal, state and other local codes for fire and hazardous materials.
- C. Performing major repairs to aircraft in a private hangar is prohibited unless the lease, license or other form of agreement provides for such activities.
- D. The following are not authorized at the Airports:
  - 1) Smoking within one hundred feet (100') of any aircraft, fuel truck or fuel storage tank.
  - 2) Refueling or defueling of any aircraft in a hangar.
  - 3) Use of electronic devices while fueling operations are being performed.
  - 4) Hot fueling aircraft while the propellers or blades are in motion.
  - 5) Aircraft fueling from drums, small containers or similar items.
- E. The following are not authorized in aircraft storage hangars unless the lease, license or other form of agreement provides for such activities:
  - 1) Starting or taxiing an aircraft.
  - 2) Aircraft fueling.
  - 3) Major maintenance activities.
  - 4) Painting.
  - 5) Welding.
  - 6) Open flame tools.
  - 7) Storage of hazardous materials above permitted limits.
  - 8) Open storage of flammable materials.
  - 9) Storage of non-aeronautical equipment or materials unless approved by the Director of Airports.

GS-11 Accidents:

- A. Please refer to Ordinance Number 87-8; County Airport Regulations in Appendix A for more detail.
- B. For accidents involving aircraft, the FAA may require a written report. If a FAA written report is required, a copy of that report must be promptly provided to the Director of Airports.
- C. At accident scenes, aircraft, debris, parts and other items may not be moved or removed unless directed by the Director of Airports or FAA.
- D. Damage sustained to the Airports facility, grounds, property or buildings will be assessed as a claim against the responsible party.

GS-12 Nuisances:

- A. No activity will be permitted on the Airports that directly or indirectly produces unsafe or unlawful amounts or levels of air pollution, water pollution, noise, glare, heat emissions, electronic or radio interference with navigational and communication facilities for the operation of the Airports and for its use, trash or refuse accumulation, prop-wash or jet blast, or is hazardous or dangerous by reason or risk of explosion, fire or harmful emission.
- B. Dismantled aircraft or vehicles, aircraft or vehicle parts, dismantled or inoperative aircraft or vehicles, or any other unsafe or unsightly item in disrepair may not be left in public

view for more than seven (7) days without the approval of the Director of Airports. If the Director of Airports determines that a violation has occurred, he/she will advise the owner. If the owner does not correct the action in thirty (30) days, the items may be removed and the owner will be billed for associated costs. Conditions involving safety issues must be corrected with twenty-four (24) hours.

- C. Any person, including aircraft operators, causing an overflow of fuel and/or spilling of oil or grease on any apron must call Airports Division staff immediately. The involved person will be responsible for repairing or paying for any damage.
- D. Engines must not be run up when other aircraft, hangars, buildings, or persons are in the path of the propulsion stream. Any person operating any vehicle or aircraft will be responsible for damage or cleanup caused by such operations.

GS-13 Pedestrians: For their own protection, all pedestrians, visitors, and sightseers at the Airports must remain on the landside area outside of the fenced operational areas, unless arriving or departing in an aircraft.

GS-14 Disposable Waste:

- A. All tenant sites must contain a separate drainage, collection and separation system, at the sole cost and expense of that tenant, to insure that no untreated liquid waste from any operation or activity enters the Airports' storm drainage system.
- B. Tenants must provide enclosures or screening for trash receptacles and items allowed to be stored outdoors. The enclosures or screened areas must be designed to prevent odors, fumes, attraction of pests, and dispersal of waste due to wind or water runoff.
- C. Tenant must have refuse areas frequently serviced by a qualified waste removal or disposal service.

GS-15 Signs:

- A. The sign standards are intended to provide for necessary tenant identification in an orderly and aesthetically pleasing manner.
- B. The County will not unreasonably withhold approval of signs if they conform to the policy and standards.
- C. All signs and sign structures are required to conform to applicable codes and County standards.
- D. These standards apply to all new signs and to substantial alterations of or additions to existing facilities.
- E. Existing signs will be exempt from these standards providing that the tenant has more than five (5) years remaining on the term of their lease, license or other form of agreement term. In the event that existing signs are substantially altered or additions are requested, then all existing signs on the facility must be removed and all new signs must comply with these standards.
- F. Sign Standards:
  - 1. Surface Mounted Building Sign. This type of sign is installed on front, side or rear building surface as primary site identification.
    - a. Front Signs may have a maximum size of 5% of the front building surface area or 10 square feet, whichever is larger. In no event will the sign area exceed 20% of the single architectural feature to which the sign is mounted.
    - b. Side Signs are only permitted on buildings that have a primary and secondary orientation to a street or have a side which is publicly visible. Side signs may have

- a maximum size of 5% of the front building surface area or 10 square feet, whichever is larger. In no event will the sign area exceed 20% of the single architectural feature to which the sign is mounted.
- c. Rear Signs may have a maximum size of 10% of the rear building surface area or 20 square feet, whichever is larger. In no event will the sign area exceed 20% of the single architectural feature to which the sign is mounted.
  - d. Tenants may illuminate each sign.
2. Free Standing Signs. This type of sign provides eye-level tenant identification plus supplemental information such as services, tenants, and the like.
    - a. Tenants may have a maximum of two front and two rear signs.
    - b. Whether single or double faced free standing signs, may have a width of 1 to 5 times the height of the sign (including sign and frame), with the maximum width not exceeding more than 10 feet or less than 4 feet.
    - c. In no event will any single sign face area exceed 24 square feet.
    - d. The maximum overall height of the sign above site grade including supporting structures may not exceed 5 feet.
    - e. In locations where such signs may be obstructed from public view, the County will consider requests for higher signs.
    - f. Tenant may illuminate each sign providing the illumination source will not result in a tripping or other safety hazard.
  3. Wall Sign. This type of sign may be installed on a free standing wall, fence or barrier.
    - a. Tenant may have a maximum of two signs on any permissible surface. Such sign(s) may not exceed 5% of the surface area or 10 square feet, whichever is larger.
    - b. May have a width of 1 to 5 times the height of the sign (including sign and frame), with the maximum width not exceeding more than 10 feet or less than 4 feet.
    - c. In no event will any single sign face area exceed 24 square feet.
    - d. The maximum overall height may not exceed 5 feet.
  4. Directional Sign. This type of sign provides on-site pedestrian and vehicular traffic direction.
    - a. May be single or double faced free-standing signs.
    - b. Tenant may determine the number and placement of such signs as necessary to provide directional clarity provided each sign is a maximum of 2 square feet and not higher than 5 feet, including supporting structure.
  5. Street Address Signs. This type of sign provides a uniform street address system throughout the Airports.
    - a. Tenant may place on building front if building is visible from the street or may be on the curb or freestanding, as deemed necessary, if the building front is not visible from the street.
    - b. The maximum sign size is 12" by 18".
  6. Real Estate Lease/Rental Sign. A tenant may advertise the availability of building space by providing a non-illuminated, free standing, or front or rear surface mounted sign.
    - a. Front signs may have a maximum size of 5% of the front building surface area or 10 square feet, whichever is larger.
    - b. Rear signs may have a maximum of 10% of the rear building surface area or 20 square feet, whichever is greater.

- c. In locations where signs will be obstructed from public view, the County will consider requests for higher signs.
- 7. Miscellaneous Signs. Included in this category are signs involving safety, security, danger and similar.
  - a. Must be single faced and attached to an appropriate surface at eye level.
  - b. Each sign may not exceed 2 square feet unless otherwise required by OSHA, FAA or other federal, state or local entities.
  - c. Because of the alert or warning nature of these signs, the content must be simple, succinct and bold or as otherwise required by OSHA, FAA or other federal, state or local entities.
  - d. Sign location will be dictated by the required proximity of such signs to the activity for which the alert/warning signs are intended.
- 8. Window Sign. Tenant may place signs in the windows or on doors providing they that do not exceed 5% of the window or door surface area.
- 9. Combination of Signs. A tenant may provide a combination of sign types provided:
  - a. The signs comply with the above standards.
  - b. Surface mounted signs do not exceed the maximum allowable sizes in aggregate.
  - c. Tenant may not combine free standing signs with wall signs on the property.
- 10. These standards will apply uniformly to each site whether the site is occupied by a single tenant or multiple tenants.
- F. Proposed sign content, layout and colors must be provided to the Director of Airports in writing for approval. Approval will not be unreasonably withheld, a determination will be provided within ten (10) business days of receipt of the request.
- G. Illuminated signs must have all lighting elements and electrical components integrally installed and concealed from public view.
- H. All signs must be maintained in good working and aesthetically pleasing order and conditions at all times, at the tenant's sole cost.
- I. Prohibited signs include:
  - 1. Illuminated signs of any type that may cause electronic or other radio interference, or which could impair electronic navigation or communication.
  - 2. Those painted directly on the building surface.
  - 3. Those applied to or mounted upon hangar doors.
  - 4. Those that flash, revolve, or move in any way.
  - 5. Those that do not identify or relate to the authorized business or other activity being conducted on the site.
  - 6. Signs imitating or resembling official traffic or government signs or signals.
  - 7. Roof signs.
  - 8. Signs displayed on vehicles or trailers that are parked or located for the primary purpose of displaying said sign.
  - 9. Signs that create traffic or pedestrian hazards.
  - 10. Bench signs.
  - 11. Signs erected on public property including public right-of-way by a private entity unless authorized by the County.
- J. Upon lease, license or other agreement termination, the tenant and/or subtenants are required to remove all signs and to patch, repair and/or repaint all surfaces to which the signs were attached.
- K. No sign of any type will be permitted that directly or indirectly obstructs or compromises safety of aircraft, vehicle or pedestrian traffic.

- GS-16 Hangar Space: Except as otherwise provided in this section, no person may offer for hire on the Airports any hangar or shelter for aircraft, related service equipment or surface vehicle unless he/she has entered into a lease, license or some other form of agreement with the County that allows him/her such commercial use opportunities.
- GS-17 Inspections: To the extent necessary to assure compliance with the minimum standards set forth herein or those contained in a lease or other agreement, the Director of Airports or his/her authorized representative, and representatives of the FAA and state agencies having jurisdiction over the Airports have the right to enter and inspect, upon notice during reasonable hours, structures, premises, facilities and improvements on the Airports.
- GS-18 Landscaping:
- A. Tenants, at their sole cost and expense, must landscape and maintain the landscaping on their site.
  - B. Landscaping must conform to County approved landscaping plans.
  - C. All landscaping must be in compliance with Federal Aviation Administration Regulations Part 77 height restrictions and, where used for noise control, must conform to FAA AC 150/5320-14 *Airport Landscaping for Noise Control Purposes*.
  - D. Tenants are encouraged to save existing trees whenever possible.
  - E. All surfaces on the property must be covered either by a building, pavement, landscaping or grass/ground level planting. Hangars and buildings contained entirely within the airfield/AOA fence are exempt.
  - F. No plantings are required or permitted inside the AOA side of the fence unless specifically approved by the Director of Airports. No planters or plant containers will be allowed inside the AOA due to prop and/or jet blast hazard. No manmade or natural objects will be allowed that create height hazards or obstructions.
  - G. Select plants that are native and drought tolerant (consistent with Chapter 82-26 of the County Zoning Code) to minimize natural resources required for maintenance and to maximize longevity of the landscape.
  - H. Fruit-bearing plants that attract flocks of birds are prohibited.
  - I. Planting areas should be designed to self-percolate so as to drain within themselves and not onto paved pedestrian or vehicular areas.
  - J. Tenants are discouraged from planting invasive species even if they are drought tolerant.
  - K. At least ten (10) percent of the site, not including apron or aircraft ramp for aviation related uses, must be landscaped. A minimum of two-thirds of the landscaping requirement must be provided in front of the building(s) and parking area(s).
  - L. In general, landscaping should be evenly distributed on the site; with primary emphasis on areas that are publicly visible.
  - M. Plants should be used to enhance architecture (such as break up large blank walls and soften building edges), to emphasize entrances, and unify the building with surrounding areas.
  - N. Automobile parking areas must contain landscaped planter spaces which are separated from the paved areas by raised curbs; one landscaped area should be provided for every 15 parking spaces.
  - O. All driveways, walkways and display pads must be separated from landscaped areas by curbs or dividers.

- P. Landscaping should be straight-forward and uniform in design and installation to create a unified landscape appearance for the Airports.
  - Q. Tenants must provide the following minimums for landscaping:
    - 1) One (1) fifteen (15) gallon container size specimen tree for each thirty-five (35) linear feet of street frontage of the site.
    - 2) Automatic irrigation systems.
    - 3) Low growing ground cover in planter areas to minimize the need for rock, wood chips or similar materials.
    - 4) Irrigation systems must be provided and maintained (consistent with Chapter 82-26 County Water Conservation Ordinance).
    - 5) A four (4) foot landscaping buffer between the parking lot and public right of way.
    - 6) Integrate drainage with landscaping to facilitate onsite absorption of runoff.
  - R. All landscaped areas must be maintained at all times.
- GS-19 Civil Rights: Persons using the Airports shall comply with all provisions of the Civil Rights Act of 1964 and implementing Part 21 of the Regulations of the U.S. Department of Transportation, and are hereby specifically prohibited from discriminating against any group or individual on the basis of race, creed, color, national origin or sex.
- GS-20 Complaints: Complaints against any operator or his/her employee for violations of these standards must be in writing alleging the infraction, date, persons, and identifying any witnesses. The complaint must be signed by the complainant and filed with the Director of Airports.
- GS-21 Use of Land within the Airports: Property within the Airports may be used for purposes that are consistent with the adopted and approved Airport Layout Plan (ALP) and for aeronautical purposes, provided that nothing herein shall prohibit a secondary non-aeronautical use of such land if (1) the use is consistent with the adopted ALP; (2) there is no interference with the primary aeronautical need; (3) the use is not in violation of FAA regulations; (4) the use is specifically authorized by the County; and (5) if such secondary use will benefit the Airports.
- GS-22 Applicability:
- A. In the event of conflict between these Minimum Standards and the FAA's Federal Aviation Regulations (FARs), the latter shall prevail. In the event of conflict between these Minimum Standards and the Airport's Rules and Regulations, the more stringent limitation or requirement shall prevail.
  - B. Any activities for which there are no specific Minimum Standards established will be addressed by the Director of Airports on a case-by-case basis and will be set forth in a written agreement in the form of a lease, license or other agreement with the County.
- GS-23 Any activities for which there are no specific Minimum Standards established will be addressed by the Director of Airports on a case-by-case basis and set forth in a written agreement in the form of a lease, license or other agreement with the County.
- GS-24 The County may waive or modify any portion of the Minimum Standards for the benefit of any governmental agency performing non-profit public services, fire protection or emergency response operations.

GS-25 Enforcement and Appeal:

- A. Any activity, operation or use of a site that violates any of the standards within this document is considered unlawful and a public nuisance and may be abated as such.
- B. The County may take enforcement action or may initiate legal actions as it may deem appropriate.
- C. Appeal:
  - 1. Any person who feels mistreated by enforcement of the Minimum Standards, Development, Facility Use & Lease Policies may appeal to the Director of Airports in writing, setting forth the specific grievance in detail. After evaluation of all the facts, the Director of Airports will rule on the matter.
  - 2. Appeal of the Director of Airports' decision may be made in writing to the County Public Works Department Director who, after due consideration, will rule on the matter.
  - 3. Appeal of the County Public Works Department may be made in writing to the County Administrator who, after due consideration, will rule on the matter.
  - 4. Final appeal may be made to the County Board of Supervisors.
  - 5. The sole exception to the appeal process herein provided will apply to criminal citations under the state or county traffic law and emergency or safety issues.

GS-26 Variance Procedure: Deviations to the Minimum Standards, Development, Facility Use & Lease Rules and Regulations will be considered in accordance with the following process:

- A. Variance Request must be made by the tenant or its authorized agent, in writing, to the Director of Airports. The request must be accompanied by all relevant information including, but not limited to, site and building plans, drawings and elevations, operational data, and other data as deemed necessary and appropriate to provide sufficient context for reviewing and making a determination on the matter.
- B. A variance request will be considered by the Director of Airports. The Director of Airports will determine whether the conditions required under the Variance Procedure herein are present and may grant or deny a variance request or require such changes in the proposed use and impose such reasonable conditions of approval that are, in the Director of Airport's judgment, necessary to promote the purposes of the applicable policy(ies). A determination by the Director of Airports will become final ten (10) days after the date of decision unless appealed to the County in accordance with the provisions of Subsection GS-26. Written notice of the Director of Airport's determination will be given to the tenant or its authorized agent.
- C. A variance may be granted only upon determination that all of the following conditions are present:
  - 1) Strict compliance with the specified policy or standards would result in impractical difficulty or unnecessary hardship inconsistent with the purposes of the relevant policy or standards due to unique circumstances, or would preclude an effective business or design solution that would improve operational efficiency or property appearance.
  - 2) Strict compliance with the policy or standards would preclude an effective operational or design solution fulfilling the basic intent of the applicable provision.
  - 3) The variance, if granted, will not adversely affect the character or appropriate development of or appropriate business use of abutting sites or the surrounding area and will not be contrary to adopted plans or development policy of the County.



- 4) The variance will not constitute a grant of special privilege inconsistent with the purposes of Airport policy or standards.
- D. The tenant or its authorized agent may appeal the Director of Airports decision to the County Public Works Director within ten (10) days from the date the Director of Airports renders his/her determination as follows:
- 1) Completing a form prescribed by the County and filing it with the Director of Airports.
  - 2) The appeal must identify the error or abuse of discretion by the Director of Airports, or how the decision is not supported by the evidence in the record.
  - 3) The County Public Works Director will determine whether the conditions required under the Variance Procedure herein are present and may grant or deny a variance request or require such changes in the proposed use and impose such reasonable conditions of approval that are, in the County Public Works Director's judgment, necessary to promote the purposes of the applicable policy(ies).
  - 4) A determination by the County Public Works Director will become final ten (10) days after the date of decision unless appealed to the County in accordance with the provisions of Subsection GS-26. Written notice of the County Public Works Director's determination will be given to the tenant or its authorized agent.
- E. The tenant or its authorized agent may appeal the County Public Works Director decision to the County Board of Supervisors or its Committee within ten (10) days from the date the County Public Works Director renders his/her determination as follows:
- 1) Completing a form prescribed by the County and filing it with the Director of Airports.
  - 2) The appeal must identify the error or abuse of discretion by the County Public Works Director or how the decision is not supported by the evidence in record.
  - 3) Upon receipt of appeal, the Director of Airports shall determine the time for the County Board of Supervisors, or its Committee, to consider the appeal and will provide written notice to the tenant or its authorized agent of the date, time and location of the meeting where the matter will be discussed.
  - 4) The Board of Supervisors or its Committee will determine whether the conditions required by this Subsection GS-27 are present in the appeal and may grant or deny a variance request or require such changes in the proposed use or impose such reasonable conditions of approval as are, in its judgment, necessary to carry out the purposes of the policy or standards.
  - 5) The decision of the County Board of Supervisors or its Committee will be final and conclusive.
- F. A variance is subject to the plans or other specified conditions upon which it was granted. Unless otherwise approved or extended in writing by the Director of Airports, the variance will terminate one (1) year from the effective date of when it was granted.
- G. In the event of a violation of any policy, standard or other specified conditions granted by the variance, the Director of Airports or County Board of Supervisors or its Committee may, after written notice of such violation, revoke the variance. In the case of revocation of a variance, the determination of the Director of Airports or the County Board of Supervisors or its Committee, as the case may be, will become effective ten (10) days after the date of the decision unless appealed in accordance with GS-27 E above.
- K. In case any section or part of any section of this policy is found to be invalid for any reason, the remainder of the policy shall not be invalidated thereby, but in accordance with the intention of the County, will remain in full force and effect. All parts of this policy are declared to be separable and independent of the others.

**Section 3**  
**Commercial Operations**

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## Section 3– Commercial Operations (CO)

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- CO-1 Commercial Operations: No person may not provide for compensation to the public or Airports tenants/users or engage in the sale or rental of any commodities, supplies, services or any business or conduct any commercial activity at the Airports unless that person is authorized to do so by the Director of Airports pursuant to a written agreement with the County.
- CO-2 General:
- A. If an existing lease, license or other written agreement fails to meet with these Minimum Standards it will be brought into conformance with the Minimum Standards when changes are made to it including an assignment, extension, refinancing, or a change in the majority ownership of the tenant.
  - B. All Commercial Operators will pay ground rent, percentage rent and/or other fees comparable to other like users at the airports at the time the agreement is approved.
  - C. Any condition or standard set forth by the FAA or other governmental agency may supersede the conditions set forth in an existing lease, license or other form of written agreement and, as such, must be achieved by commercial operator.
  - D. All Commercial Operators must maintain insurance policies. The County will approve the type of policies and amount of coverage for each Commercial Operator. The insurance must minimally cover the Commercial Operator against claims arising from their products, supplies, services, or activities and provide the Director of Airports a certificate of insurance, with the following provisions:
    - 1) Insurance coverage must remain in full force and effect during the term of the agreements and in the limits specified by the County
    - 2) All Commercial Operators should make their own evaluation to ensure adequate coverage.
    - 3) All insurance policies must contain the following provisions:
      - a) The County of Contra Costa, its officers, agents, employees and contractors must be named as additional insureds as respects the liability coverage;
      - b) A waiver of the insurance company's right to subrogate against the County of Contra Costa, its officers, agents, employees and contractors for any loss or damage; and
      - c) A thirty (30) day notice of cancellation of the insurance must be sent to the Director of Airports
  - E. All Commercial Operators shall defend, indemnify, save and hold harmless the County and its officers, agents, employees, and contractors from any and all claims, suits, costs, and liability, including reasonable attorney's fees, for any damages, sickness, death, or injury to any person(s) or property, including without limitation all consequential damages, from any cause whatsoever arising out of or relating, directly or indirectly, to their activities.
  - F. All Commercial Operators must employ and have on duty during the appropriate business hours, trained personnel in such numbers as are required to provide the aeronautical service that they are authorized to provide.
  - G. All Commercial Operators must comply with all federal, state and local environmental laws, rules and regulations.
  - H. The activity or service provider and/or its agents shall hold current and valid forms of all certificates, permits, and licenses.

- I. All Commercial Operators must have the required FAA authorizations for the aeronautical activity or service offered and shall follow all FAA rules and regulations pertaining to such activity or service.
- J. All sublessees/subtenants of Commercial Operators must comply with all of the provisions within the governing lease, license or other written agreement.
- K. All Commercial Operators must, in addition to meeting all other requirements and qualifications either directly or through written sublease (lease or permit), meet the necessary requirements for each type of aeronautical activity or service they intend to provide.
- L. All Commercial Operators who engage must lease from County, an area of airport land sufficient in size to provide the office space, a hangar and an area of ramp to tie down or house all aircraft in as necessary to accommodate all their aeronautical activity.
- M. All hangars, buildings and other facilities must meet all safety standards, including but not limited to, current fire code.
- N. If a Commercial Operator provides aircraft refinishing and painting services it must:
  - 1) Comply with and abide by all standards, rules, regulations and requirements of any local, regional, state or federal governmental agencies having jurisdiction over aircraft painting and stripping operations.
  - 2) Comply with the current standards of the Air Pollution Control District (APCD) and National Fire Protection Association (NFPA) on paint spraying and spray booths with regard to the arrangement, construction and protection of spray booths and the storing and handling of materials used in connection with aircraft refinishing and painting, or other contaminants from flowing into storm drains, rivers, lakes, streams or being placed in any sewer system.
  - 3) Perform all aircraft painting and stripping operations inside a hangar or building.
  - 4) Properly treat and dispose of all hazardous material in compliance with the governing agencies and in accordance with the Airports Storm Water Pollution and Prevention Plan (SWPPP) and/or any other rules, regulations or ordinances restricting the discharge of pollutants into the air, water or ground at the Airports.
- O. There can be no use of Airports property for the purpose of crew or job-related quarters without prior approval from the Airports Director. No such quarters will be allowed if the FAA determines they might compromise the safety, security, effective or efficient operation of the Airports.
- P. There shall be no residential living quarters or caretaker quarters on the Airports.
- Q. All Commercial Operators are responsible for all on-site security of their premises and must conform to the applicable requirements and procedures of any security plan for the Airports. The County reserves the right to impose additional security measures based on threat vulnerability estimates at any time.
- R. All prospective Commercial Operators seeking to conduct business at the Airports must demonstrate to the County that they have adequate financial resources to accomplish the business objectives agreed to by the Director of Airports and the applicant.
- S. All Commercial Operators seeking to conduct aeronautical services at the airport must provide the County a written demonstration of financial capacity to undertake the commercial activity and financial obligations in the agreement with the County, to the County's satisfaction, from a bank or trust company doing business in the area, or other such source that may be readily verified through normal banking channels, plus the minimum following items:

- 1) Experience and track record in maintenance and/or other aeronautical services that they would like to provide at the Airports
  - 2) Aviation licenses or certificates held
  - 3) Business plan
  - 4) Three personal or professional references
- T. All Commercial Operators must meet the requirements detailed in CO-3 for Fixed Base Operators below to engage in any of the stated FBO sales and service activities unless otherwise permitted by the County.

CO-3 Fixed Base Operator (FBO): As used herein, a Fixed Base Operator shall mean a primary commercial operator that is in the business of providing multiple aeronautical services, products, and facilities to include, as detailed below, aircraft storage, repair, servicing, renting, operating or fueling to aircraft owners and aircraft users. A FBO must also meet or exceed the requirements set out hereinafter and has a lease or other form of written agreement with the County.

To become a FBO, the person/organization:

- A. Must lease either an existing FBO facility or develop on a minimum of three (3) acres of land with airfield access;
- B. Must construct or occupy a hangar of no less than 20,000 square feet;
- C. Must construct or occupy an office of no less than 4,000 square feet;
- D. Must construct an apron of no less than 25,000 square feet or the size of the hangar; whichever is greater;
- E. Must construct on-site taxiways for ingress/egress to the aircraft operating area and to hangar facilities;
- F. Must invest a minimum amount of capital determined to be not less than the replacement value of like facilities at a comparable airport;
- G. Must provide the following minimum services:
  - 1) Commercial aircraft fueling (AVGAS and Jet A), oil dispensing and sales – fueling operates 24/7;
  - 2) Aircraft storage and parking (hangar facilities, transient parking and potential tie-down space);
  - 3) Aircraft ramp services (towing, parking, guidance, etc.);
  - 4) Maintenance, repair and servicing of aircraft;
  - 5) Operation of the fuel farm for the storage, commercial sales, handling and delivery of aviation fuel products;
  - 6) Public facilities for pilots and passengers (such as flight planning amenities, pilot lounge, passenger waiting area, restrooms, etc.);
  - 7) Emergency service to disabled general aviation aircraft (such as towing/transporting disabled aircraft);
  - 8) Flight instruction;
  - 9) Employment of the appropriate number of properly trained and/or certified personnel to provide acceptable FBO service for a minimum of eight (8) hours per day and either (a) five (5) days per week for the first several years if a new operator with an expectation of going to 7 days per week around year three (3) and beyond or (b) seven (7) days a week for existing or experienced providers; and
  - 10) Ability to provide services outside of normal business hours, if requested in advance or in response to unscheduled services.

- H. May provide the following Optional Aeronautical Services:
  - 1) Aircraft sales
  - 2) Air taxi/charter or aircraft rental
  - 3) Flight training
  - 4) Aerial photography/surveying
  - 5) Specialized maintenance (avionics, upholstery, etc.);
  - 6) Ground services, such as
    - a) Aircraft towing
    - b) Baggage handling
    - c) Power starts
    - d) Air starts
    - e) Lavatory services
    - f) Potable water
    - g) Aircraft cleaning
    - h) Cabin Supplies
  - 7) Weather briefing and flight planning services ; and
  - 8) Any other type of aeronautical service not listed.
- I. May provide the following Optional Customer Services:
  - 1) Courtesy customer transportation to nearby destinations
  - 2) Rental cars
  - 3) Business center and/or pilot lounge
  - 4) Any other type of related service not listed
- J. Must provide the personnel, equipment, and facilities required to service aircraft normally frequently the Airports.
- K. Must maintain operate all FBO equipment in accordance with OSHA, Local, State and Federal regulations, and FAA regulations.
- L. Must conduct its business and activities on, and from, the leased/assigned premises on the Airports in a safe and professional manner consistent with the degree of care and skill exercised by experienced FBOs providing comparable products, supplies, services, and activities from similar airports in like markets.
- M. Must have at least one (1) FAA-licensed aircraft mechanic available promptly upon request.
- N. Must lease sufficient space to accommodate the aircraft fueling and line servicing equipment, supply adequate parking for the aircraft being serviced, and provide for the flow of traffic in and out of the aircraft servicing.
- O. Must maintain fuel storage and all necessary pumps, tanks, mobile gas trucks, fueling areas, ramps and other fueling facilities that may be necessary.
- P. Must comply with state and local fire codes and the current edition of NFPA 407 including all NFPA Standards referenced in NFPA 407 for all fueling operations.
- Q. Must maintain sufficient full-time attendants on duty to provide fuel and service aircraft without unreasonable delay during their hours of operation. This is not applicable to self-service fuel islands.
- R. Must maintain an adequate supply of fuels, oils and other appropriate fluids and supplies to provide a continuous, uninterrupted and undiminished level of service.
- S. Must have fuel service personnel successfully completed a National Aviation Transportation Association (NATA) approved line technician safety course or similar fuel safety course, provided by a major fuel company supplier approved by the FAA for

compliance with FAR Part 139 and must be recertified every three (3) years to operate at Buchanan Field Airport.

- T. Must keep a current, complete and accurate record of all fuel, oil and other products sold and shall, at the request of the Airports Director, make available all records of such sales for at least two (2) years after the sale of such products. Failure of an aeronautical activity or service provider to keep an accurate record of all sales shall be reason to revoke the aeronautical activity or service.
- U. Must provide, at a minimum, an annual report that details the type of activity conducted during that timeframe (such as gallons of fuel sold, number of aircraft serviced and the like).
- V. May subcontract to third party operators to provide any of the additional aeronautical activities listed in this section provided that such subcontractor meets the requirements of these Minimum Standards, is approved in writing by the Director of Airports, and operates from the FBO's premises.
- W. Must provide the following service equipment necessary including, but not limited to:
  - 1) Adequate number of approved and regularly inspected fire extinguishers in appropriate locations for use
  - 2) Aircraft windshield cleaning equipment
  - 3) Proper apron transportation for pilots and passengers to/from other FBOs, other Airports businesses, or terminal building
  - 4) Oxygen, nitrogen, and compressed air services
  - 5) Aircraft ground power units
  - 6) Adequate aircraft towing equipment to safely and efficiently move aircraft as necessary
  - 7) Baggage handling
  - 8) Spill kits including the necessary equipment and materials to contain a fuel spill

CO-4 Auxiliary/Specialty Aviation Provider: As used herein, an Auxiliary Aviation Provider (Auxiliary Aviation) shall mean a commercial aeronautical service business that provides goods or services that have a demonstrated need at the Airports and has entered into a written agreement with the County to provide those goods or services on the airport. Auxiliary Aviation providers cannot commercially sell fuel or operate commercial fueling facilities.

- A. Examples of Auxiliary Aviation's goods, services or facilities include:
  - 1) Corporate/executive hangar space rental
  - 2) Corporate/executive aircraft services including, but not limited to, management, maintenance, chartering, and the like
  - 3) Unique aviation sales and services (such as upholstery, avionics, etc.)
  - 4) Office space to support the aviation services and flight planning
  - 5) Other specialty activities not identified
- B. Auxiliary Aviation providers must demonstrate their ability to serve the aviation community need at the Airports and provide evidence that they will not compete with FBO operations.
- C. Auxiliary Aviation must maintain sufficient hours of operation to meet public demand.
- D. Auxiliary Aviation must provide, at a minimum, an annual report that details the type of activity conducted during the timeframe (such as number of aircraft serviced, types of services provided and the like).

- E. To be considered as an Auxiliary/Specialty Aviation Provider they must have a valid lease, license or other written agreement with the County and have approval to operate such activities by the Director of Airports.
- F. Auxiliary Aviation must lease or license enough land to provide space for hangars and other buildings including, but not limited to, paved parking, paved aircraft apron, storage, utilities, support facilities and other required on-site improvements.
- G. Auxiliary Aviation must lease or license existing or construct new buildings and other facilities of at least 5,000 square feet for maintenance and storage of aircraft including, but not limited to, adequate office space.

CO-5 Flying Clubs

See Requirements for Flying Clubs in Section 4: Non-Commercial Operations.

CO-6 Air Taxi and Charter Operators

- A. An air taxi and charter operations business provides air transportation (persons or property) to the general public for hire, either as an air taxi operator or on a charter basis, as defined by FAA. The air transportation can be on an unscheduled or scheduled basis, under CFR Part 135. Air charter operations include air ambulance operations.
- B. An air charter operator includes an Aircraft Fractional Ownership Management Company that manages Fractional Ownership Aircraft as defined:
  - 1) An aircraft owned or leased by an Aircraft Fractional Ownership Company or by an affiliated asset holding company;
  - 2) An aircraft owned or leased in part by an Aircraft Fractional Ownership Management Company or by an affiliated asset holding company and for which an undivided interest of at least the minimum percentage allowed by applicable federal aviation regulations is owned or leased for a multi-year contract with the owner or lessee; and/or
  - 3) An aircraft previously owned or leased by an Aircraft Fractional Ownership Management Company or by an affiliated asset holding company that is now wholly owned or leased to an entity or entities separate from the Aircraft Fractional Ownership Management Company and which aircraft is subject to contract with the Aircraft Fractional Ownership Management Company.
- C. An operator must be certificated under 14 CFR Title 14 Part 135 and must have available for air taxi or charter an appropriate number of aircraft which meet the requirements of the certificate established by the FAA.
- D. An operator must enter into a lease, license or other form of written agreement with the County to utilize facilities sufficient to accommodate the business, related aircraft and public parking requirements.
- E. An operator must:
  - 1) Provide sufficient hours of operation to meet public demand
  - 2) Provide, at a minimum, one pilot who is currently certificated by the FAA, with appropriate ratings, and meeting all current requirements, for the aircraft to be operated
  - 3) Provide, at a minimum, one single-engine aircraft available for charter or air taxi purposes and must be equipped for flight under instrument flight conditions and must meet the requirements of FAR Part 135
  - 4) Pay all fees specified in the lease and/or other form of written agreement



CO-7 Flight Training

- A. A flight training business instructs pilots in dual and solo flight training, in fixed and/or rotary wing aircraft, and provides such related ground school instruction as is necessary for taking a written exam and flight check ride for the category, categories, pilot certificates and/or ratings involved.
- B. An operator must enter into a lease, license or other form of written agreement with the County to utilize facilities for their business.
- C. An operator **cannot** operate their business from a tie-down, t-hangar, shade hangar or other area that is designated only for aircraft storage; this includes leasehold premises in which the form of written agreement does not provide for commercial operations at that location.
- D. An operator must:
  - 1) Meet all the appropriate requirements under CFR Title 14 Part 61, 141, or 142 and meet all the requirements set forth by the FAA
  - 2) Provide, at a minimum, one fixed wing or one rotary wing aircraft, either owned or underwritten lease, to the operator
  - 3) Provide, at a minimum, one current FAA certificated pilot with appropriate instructor rating(s) and current FAA medical certificate, if applicable, on duty during normal business hours
  - 4) Adhere to all Transportation Security Administration (TSA) requirements related to flight instruction under 49 CFR Part 1552
  - 5) Pay all fees specified in the lease or other form of written agreement

CO-8 Aircraft Maintenance Repair

- A. An aircraft maintenance repair business located on the Airports provides one or more airframe, engine, avionics, propeller, or other aircraft component maintenance and repair services. This category also includes the sale of aircraft parts and accessories. Usually, this type of repair is performed on the aircraft, although it may also include the bench repair of items removed from an aircraft that are intended to be replaced on that aircraft.
- B. An operator who maintains only those aircraft that are owned, leased and/or operated under the full and exclusive control of the operator and who otherwise qualify as doing self-maintenance per Code of Federal Regulations (CFR) Title 14 Part 43 are not be considered an aircraft maintenance repair business.
- C. An aircraft maintenance repair operator must enter into a lease, license or other form of written agreement with the County to construct or utilize existing facilities sufficient to accommodate the business, related aircraft and public parking requirements.
- D. The operator must not provide services that compete with those provided by FBOs unless they are located and doing business from a FBO site.
- E. An operator must:
  - 1) Provide sufficient hours of operation to meet public demand.
  - 2) Provide, at a minimum, one person who is appropriately rated and currently certificated by the FAA shall be on call or on duty to provide aircraft maintenance repair services.
  - 3) Employ, at a minimum, one person with a FAA certificated authorized inspector rating if providing annual inspections.
  - 4) Pay all fees specified in the lease and/or other form of written agreement.
  - 5) Fully comply with all applicable regulations specific to the location where the activity is performed.
- F. Except as otherwise provided in any existing lease, license or other form of written agreement, an aircraft maintenance repair is limited to minor maintenance means

activities that do NOT emit fuel, hazardous fumes and/or vapors into, or involve welding and/or other potential open flame sources in, the hangar. Minor maintenance that may be performed in hangars may include, but is not limited to, the following:

- 1) Removal, installation and repair of landing gear tires
- 2) Replacing elastic shock absorber cords on landing gear
- 3) Servicing landing gear shock struts by adding oil, air, or both
- 4) Servicing landing gear wheel bearings, such as cleaning and greasing
- 5) Replacing defective safety wiring or cotter keys
- 6) Lubrication not requiring disassembly other than removal of non-structural items such as cover plates, cowlings, and fairings
- 7) Making simple fabric patches not requiring rib stitching or the removal of structural parts or control surfaces
- 8) Replenishing hydraulic fluid in the hydraulic reservoir
- 9) Repairing upholstery and decorative furnishings of the cabin or cockpit when the repairing does not require disassembly of any primary structure or operating system or interfere with an operating system or affect primary structure of the aircraft
- 10) Making small simple repairs to fairings, non-structural cover plates, cowlings, and small patches and reinforcements not changing the contour so as to interfere with proper airflow
- 11) Replacing side windows where that work does not interfere with the structure of any operating system such as controls, electrical equipment, etc
- 12) Replacing safety belts
- 13) Replacing seats or seat parts with replacement parts approved for the aircraft, not involving disassembly of any primary structure or operating system
- 14) Troubleshooting and repairing broken circuits in landing light wiring circuits
- 15) Replacing bulbs, reflectors, and lenses of position and landing lights
- 16) Replacing wheels and skis where no weight and balance computation is involved
- 17) Replacing any cowling not requiring removal of the propeller or disconnection of flight controls
- 18) Replacing or cleaning spark plugs and setting of spark plug gap clearance
- 19) Replacing any hose connection except hydraulic connections
- 20) Replacing and servicing batteries
- 21) Replacement or adjustment of non-structural fasteners incidental to operations.
- 22) The installation of anti-misfueling devices to reduce the diameter of fuel tank filler openings provided the specific device has been made a part of the aircraft type certificate data by the aircraft manufacturer, the manufacturer has provided appropriately approved instructions acceptable to the Authority for the installation of the specific device, and installation does not involve the disassembly of the existing filler opening
- 23) Wheels
- 24) Parts of the control system such as control columns, pedals, shafts, brackets or horns
- 25) Remove or open all necessary inspection plates, access doors, fairing, and cowling
- 26) Cleaning the aircraft or aircraft engine
- 27) Inspection, repair and replacement of the fuselage and hull group: fabric and skin, systems and components, and envelope, gas bags, ballast tanks, and related parts
- 28) Inspection, repair and replacement of the cabin and cockpit group: seats and safety belts, windows and windshields, instruments, flight and engine controls, batteries, and all systems

- 29) Inspection, repair and replacement of the engine and nacelle group: engine section, studs and nuts, internal engine, engine mount, flexible vibration dampeners, engine controls, lines, hoses, clamps, exhaust stacks, accessories, cowling and all systems
- 30) Inspection, repair and replacement of the landing gear group: all units, shock absorbing devices, linkages, trusses and members, retracting and locking mechanism, hydraulic lines, electrical system, wheels, tires, brakes, and floats and skis
- 31) Inspection, repair and replacements of the wing and center sections assembly
- 32) Inspection, repair and replacement of the complete empennage assembly
- 33) Inspection, repair and replacement of the propeller group: propeller assembly, bolts, anti-icing devices, and control mechanisms
- 34) Inspection, repair and replacements of the radio group: radio and electronic equipment, wiring and conduits, bonding and shielding, and antenna

CO-9 Aircraft Rental

- A. An aircraft rental business rents or leases aircraft to the public.
- B. An operator must enter into a lease, license or other form of written agreement with the County to utilize facilities at the Airports for their business.
- C. An operator **cannot** operate their business from a tie-down, t-hangar, shade hangar or other area that is designated only for aircraft storage; this includes leasehold premises in which the form of written agreement does not provide for commercial operations at that location.
- D. An operator must:
  - 1) Provide, at a minimum, one fixed wing or one rotary wing aircraft, either owned or under written lease, to the operator
  - 2) Ensure that renter pilots undergo a required “check out” in the aircraft prior to solo flight in accordance with the operator’s insurance and company’s requirements
  - 3) Ensure that renter pilots hold appropriate FAA pilot certificates, ratings, and medical certificate at the time of “check-out”.
  - 4) Pay all fees specified in the lease or other agreement

CO-10 Aircraft Sales

- A. An aircraft sales business purchases and sells new and/or used aircraft through various methods including matching potential customers with an aircraft (brokering), assisting a customer in the purchase or sale of an aircraft, or purchasing used aircraft and marketing them to potential purchasers.
- B. An operator must enter into a lease, license or other form of written agreement with the County to utilize facilities at the Airports for their business.
- C. An operator **cannot** operate their business from a tie-down, t-hangar, shade hangar or other area that is designated only for aircraft storage; this includes leasehold premises in which the form of written agreement does not provide for commercial operations at that location.
- D. An operator must provide the following:
  - 1) Maintain all federal, state and local licenses, permits or other regulatory obligation required for the sale of aircraft
  - 2) At a minimum, one currently FAA certificated pilot, with appropriate ratings, and meeting all current requirements, for the aircraft to be demonstrated
  - 3) Pay all fees specified in the lease or other form of written agreement.

CO-11 Air Cargo

- A. An air cargo business provides air transportation of cargo, freight, and/or mail to the public.
- B. An operator must enter into a lease, license or other form of written agreement with the County to utilize facilities at the Airports for their business.
- C. An operator **cannot** operate their business from a tie-down, t-hangar, shade hangar or other area that is designated only for aircraft storage; this includes leasehold premises in which the form of written agreement does not provide for the commercial operations at that location.
- D. An operator must provide the following:
  - 1) A valid, current, and appropriate FAA certificate for the type of service being provided
  - 2) Make satisfactory arrangements to comply with airport security standards
  - 3) Pay all fees specified in the lease and/or other form of written agreement

CO-12 Specialized Commercial Aviation Services

- A. A specialized commercial aviation service business provides air transportation for hire including, but not limited to:
  - 1) Non-stop sightseeing flights that begin and end at the Airports
  - 2) Aerial photography and surveying
  - 3) Fire fighting and fire patrol
  - 4) Power line and pipeline patrol
  - 5) Aerial advertising
  - 6) Unmanned Aerial Systems (UAS) fleet monitoring activities
  - 7) Other commercial aviation aeronautical activities
- B. An operator must enter into a lease, license or other form of written agreement with the County to utilize facilities at the Airports for their business.
- C. An operator must enter into a sublease from an approved FBO or Specialty Aviation provider to conduct those activities at their location.
- D. An operator **cannot** operate their business from a tie-down, t-hangar, shade hangar or other area that is designated only for aircraft storage; this includes leasehold premises in which the form of written agreement does not provide for the commercial operations at that location.
- E. An operator must lease sufficient and appropriate space to conduct the functions it will perform; including enough ramp so that the largest anticipated aircraft can be parked wholly on the licensed premises.
- F. An operator must provide the following:
  - 1) At a minimum, one currently FAA certificated pilot, with appropriate ratings, meeting all current requirements for the aircraft to be flown, or one person fully qualified to perform the commercial service offered
  - 2) A minimum of one aircraft that is airworthy, meets all FAA requirements and applicable federal, state, and local regulations with respect to the type of activity to be performed
  - 3) Pay all fees specified in the lease and/or other form of written agreement

CO-13 County Owner Maintenance Hangar Use

- A. The County Owner Maintenance Hangar (Maintenance Hangar) is exclusively for aircraft owner maintenance as defined in the Federal Aviation Regulation Part 54.
- B. Only hangar and permanent tie-down tenants of the Airports are eligible users.
- C. Use of the Maintenance Hangar for work on transient aircraft is prohibited.
- D. An aviation mechanic or inspector may conduct any repair, maintenance or inspection if he/she has:
  - 1) Accompanied the aircraft owner/operator to the Airports Division office.
  - 2) Completed a Mechanic and Inspector Registration form for each aircraft; forms are valid for up to twelve months.
  - 3) Presented an appropriate FAA Certificate, the N number of the aircraft, and a written description of the work to be performed.
  - 4) Paid an annual fee of \$25, which fee may be amended from time to time.
  - 5) Provided the Airports Division with a certificate of insurance for an amount acceptable to the County and names the County as additional insured.

CO-14 County Pilots Lounge Use

- A. The County Pilots Lounge (Pilots Lounge) is exclusively for aircraft owners and County tenants.
- B. A flight instructor may conduct flight instruction in the Pilots Lounge if he/she has:
  - 1) Completed a Flight Instructor Registration form; forms are valid for up to twelve months
  - 2) Presented an appropriate FAA Certificate, the N number of the aircraft, and a written description of the service to be performed.
  - 3) Pay an annual fee of \$25, which fee may be amended from time to time.
  - 4) Provided the Airports Division with a certificate of insurance for an amount acceptable to the County and names the County as additional insured.

## **Section 4**

# **Non-Commercial Operations**

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## **Section 4– Noncommercial Operations (N-CO)**

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N-CO-1 Noncommercial Operations: A person, business, club or other organization that conducts aviation activities or services at the Airports without financial compensation (including exchanging, buying or selling these services or products).

N-CO-2 Noncommercial operators are limited to the following activities:

- A. Parking aircraft and conducting functions necessary on areas that are leased, licensed or controlled by some other form of written agreement by the Noncommercial Operator.
- B. Maintenance and servicing of aircraft owned or leased by Noncommercial Operator as allowable by federal, state and local regulations.
- C. Using public airport facilities and navigational aids and facilities for the purposes of noncommercial landings, takeoffs and taxiing.

N-CO-3 Each Non-Commercial Operator must maintain an insurance policy in full force and effect during the term of leases, licenses or other written agreements and extensions thereof for the applicable types of insurance for their operations in the limits specified by the County. All operators should make their own evaluation to ensure adequate coverage.

N-CO-4 Flying Clubs

- A. A flying club is an association, cooperative, or partnership ownership (Flying Club) operation of aircraft based on the Airports for the express purpose of providing its members with an aircraft(s) for their personal use and enjoyment only.
- B. The Flying Club must be organized on a not-for-profit or solely cost-sharing basis.
- C. The Flying Club must lease, rent or have some other form of agreement to use hangar or tie-down space at the Airports.
- D. The Flying Club must file a copy of its bylaws, articles of incorporation, partnership or other documentation supporting its existence with the Director of Airports.
- E. The Flying Club and all its members must operate in accordance with applicable federal, state and local laws and regulations and these Minimum Standards.
- F. A Flying Club and, where applicable, its members must:
  - 1) Provide the Director of Airports on the first business day each year a listing of all aircraft with “N” numbers that are based and used at the Airports and a list of all members authorized to operate such aircraft.
  - 2) Provide proof of non-profit corporation or partnership status.
  - 3) Be a bona fide owner of the aircraft or be a member of the corporation or a partner in the partnership operating the Flying Club.
  - 4) Carry reasonable investment, a minimum membership term in the club for new members, and not be a short term “convenience” membership for the purpose of circumventing commercial operator requirements at the Airports.
  - 5) Not derive a profit; cannot receive a greater revenue from the use of its aircraft than the amount necessary for the actual operation, maintenance and replacement of its aircraft.
  - 6) Cannot lease or sell any goods or services at the Airports except that each Flying Club may sell or exchange its capital equipment.
  - 7) Limit use of Flying Club aircraft to bona fide members and prohibit any use of Flying Club aircraft for commercial operations

- 8) Cannot offer or conduct charter, air taxi, or rental of aircraft operations.
- 9) Cannot give flight instruction in flying club aircraft except when such instruction is given by a Commercial Operator based on the Airports authorized to provide flight instruction or by an instructor who does not receive compensation in any manner for such service.
- 10) Only conduct flight instruction for Flying Club members and permit only members of the Flying Club to operate the aircraft.
- 11) Maintain, and provide to the Director of Airports on an annual basis, a complete and current list of the Flying Club's membership including the names of officers and directors.
- 12) Provide evidence of ownership of Flying Club aircraft is vested to flying club to the Director of Airports.
- 13) Provide a copy of its operating rules to the Director of Airports.
- 14) Ensure aircraft maintenance performed by the Flying Club is limited to only that maintenance that does not require a certified mechanic; all other maintenance must be provided a Commercial Operator based at the Airports who provides such service or by a properly certified mechanic who will not receive any compensation in any manner for such service.
- 15) Make books and other records must be available for review at any reasonable time by the Director of Airports or his/her representative.
- 16) Maintain and provide to the Director of Airports current aircraft registration.
- 17) Provide the Director of Airports with a current form of certificate insurance annually.

#### N-CO-5 Civil Air Patrol

- A. The Civil Air Patrol (CAP) is a federally supported, non-profit corporation that offers aerospace education, moral leadership and flight training to its members.
- B. The CAP may also provide emergency service activities such as search and rescue, emergency locator transponder (ELT) searches, and Homeland Security missions in support of the Air Force.
- C. The CAP must file with the Director of Airports a copy of its bylaws, articles of incorporation, partnership or other documentation supporting its existence.
- D. The CAP and all its members must operate in accordance with applicable federal, state and local laws and regulations and these Minimum Standards.
- E. The CAP must meet the following conditions:
  - 1) Lease or rent sufficient facilities to accommodate its demand.
  - 2) Must not derive a profit from the operation or maintenance of its aircraft.
  - 3) Aircraft must only be used by bona fide members of CAP.
  - 4) CAP aircraft must not be used for commercial operations.
  - 5) Flight instruction may only be provided for its members.
  - 6) Only CAP members, CAP certified check pilots and maintenance personnel may operate the aircraft.



**Section 5**

**Lease, License and Other Use Agreements  
for Hangars and Other Buildings**

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## **Section 5– Lease, License and Other Use Agreements (LL)**

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- LL-1 The purpose of the lease, license and other use agreement (collectively “Agreements”) standards is to ensure highest and best use of Airports land, proposed use is consistent with Airports Layout Plan and County General Plan, financial viability and sustainability, and environmental sensitivity.
- LL-2 These standards establish equitable guidelines for leasing, licensing or otherwise using Airports property consistent with all applicable federal, state and local policies.
- LL-3 No person may be granted in fact or by written instrument any exclusive right prohibited by Section 308(a) of the Federal Aviation Act of 1958. Determination of the existence of a prohibited exclusive right shall in the final analysis be made by the FAA, and such determination shall be final. If FAA determines any provision of a written instrument or a practice in fact constitutes a grant of a prohibited exclusive right, such provision or grant shall be deemed null and void for all purposes.
- LL-4 These standards apply to new as well as existing facilities.
- LL-5 The intent of these standards is to ensure that the terms and conditions of Airports Agreements are generally uniform among tenants, particularly those having comparable use. This intent will be applied to the greatest extent possible and practical insofar as existing Agreements will allow. Should any portion of these standards conflict with the conditions of any lease agreement executed by the County, the conditions in the executed lease agreement will take precedent over these standards for the remainder of the lease term.
- LL-6 All Agreements are subordinate to provisions of any agreement between the County and the United States of America relative to the development and operation of the Airports as public facilities.
- LL-7 All Agreements will include the following provisions as required by federal, state or local authorities:
- A. Fair and Nondiscriminatory Provisions
  - B. Affirmative Action Assurances
  - C. Civil Rights Assurances
  - D. Nonexclusive Rights Provision
  - E. Other Mandated Provisions
- LL-8 Unless otherwise provided in the Agreements, all improvements will revert to the ownership of the County at the end of the term.
- LL-9 Airport property designated for aviation use may only be used for aeronautical purposes, provided, however, that nothing herein shall prohibit a secondary non-aeronautical use of such land if the primary aeronautical need is not interfered with, the use is compatible with the primary aeronautical purpose, it is not in violation of FAA regulations, it is specifically authorized by the County, and if it will benefit the Airports or improve its maintenance or development.

- LL-10 All Agreements require that tenants provide insurance policies; the type of policies and coverage amounts will be determined by the County and in all cases the County must be named as additional insured and the policy must provide thirty (30) days written notice of cancellation to the County.
- LL-11 To protect the County from having to accept obsolete facilities and/or removing them, Agreements will require maintenance obligations and, at the County's election, removal of improvements by the tenant at tenant's sole cost at the end of the term.
- LL-12 Agreements are non-transferable unless an assignment is approved, in advance, by the County. Such approval will be subject to a complete and thorough investigation of the proposed assignee to insure continuity, demonstrated comparable experience, financial capability, and understanding and capability of assuming the obligations within the Agreement.
- LL-13 Rental Rates and Charges. The County must receive fair market value based on highest and best use as follows:
- A. Every tenant is required to pay appropriate rent and, as deemed necessary, other fees for the privilege of using Airports property and facilities. The rates and charges that each tenant pays are intended to recover all capital costs and operating/maintenance expenses for all Airport facilities.
  - B. Ground rental rates are established by intended use and will be comparable to other like uses on the Airports and, if deemed necessary, an appraisal.
  - C. The County will maintain a current list of rates and charges for tie-down, hangar, off-site use of Airports, and County staff and administrative functions.
  - D. Ground rental rates will be structured to provide County with optimum revenue generation without the imposition of undue or excessive financial burden upon the tenant.
  - E. In general, FBOs will have the lowest per square foot ground rent in consideration for the required minimum land and building standards and provided aeronautical services.
  - F. New development ground rental rates are negotiable in the first nine years and will be based on level of investment, facilities and services to be provided, and benefits to tenants.
  - G. All tenants are required to pay a ground rental rate for all the gross area under the Agreements including, but not limited to, the vehicle parking lot, airport parking apron/ramp area, landscaping and the buildings.
  - H. All Agreements must have annual adjustments based on the Consumer Price Index (CPI), or similar index acceptable to the County, except in years where ground rent revaluations are to be conducted.
  - I. All commercial operations, typically involving concessions or sales of goods or services, must pay percentage rent or a comparable fee acceptable to the County; the amount applied will be established by intended use and will be comparable to other like uses on the Airport. Agreements that include percentage rent will require that the accounts and records be audited at specified intervals at the sole cost of the tenant.

LL-14 Terms of Agreements. To allow the County the greatest flexibility in making land use decisions over time, Agreement terms are generally limited to:

- A. The shortest term possible, especially for interim uses.
- B. Fixed-term Agreements are granted for the minimum number of years to allow a tenant to amortize and receive a reasonable return on their investment in the improvements.
- C. Fixed-term Agreements lengths are established by intended use, comparable to other like uses on the Airports, level of investment, and facilities and/or services to be provided.
- D. The County will not bind itself to unnecessarily long term Agreements that may restrict or impede future Airports development.
- E. Agreements that do not involve substantial capital investment will be limited to a term not exceeding five years.
- F. Agreements with a term exceeding ten years in length must provide for ground rent revaluation at a minimum of ten-year intervals.

LL-15 Leasing Process. The process for leasing property includes initial interest, developer selection, business/project planning and submittals, negotiation of lease terms and then forwarding of terms to other County entities to develop the lease. Some key elements are:

- A. Person(s) interested in either developing a new facility or leasing an existing facility must provide the Director of Airports with a Letter of Intent that includes the general purpose of the facility use, location of desired use, and a brief description of the proposing entity's background.
- B. Upon initial contact or letter of interest, Airports staff will schedule a meeting with the entity to discuss their proposal and confirm consistency with applicable plans. An entity must provide a written letter of interest to proceed through the process. Considerations for new lease development include:
  - 1) Leasing promotes efficient use of existing facilities, expands availability of aviation and aviation related services, generates employment opportunities, and promotes revenue generation and private investment.
  - 2) Airports property leasing addresses general aviation needs through providing expanded and various businesses and services available to the public.
  - 3) Person(s) interested in leasing an existing facility must provide the Director of Airports with a Letter of Intent that includes the general purpose of the use, location and size of desired premises and buildings, and a brief description of the proposing entity's background.
  - 4) Airports staff must determine if proposed lease is consistent with the adopted Master Plan and, if so, initiate the solicitation process.
- C. Airports staff will solicit for competitive interest. For projects without competitive interest, Airports staff will seek Board approval to negotiate lease terms. For projects with competitive interest, Airports staff will initiate a developer selection process (see LL-15 I (1) below). The entity shall provide Airports staff with a Business Plan (using Airports questionnaire and guidelines) and a development deposit. A development deposit of \$25,000 is required, of which \$5,000 is nonrefundable and the balance of \$20,000 will be used to cover the cost of the project's lease development. If a proposal is withdrawn from consideration and/or the lease process costs are less than the deposit amount, the Director of Airports will refund the balance of unspent funds from the \$20,000. Conversely, if the lease process cost exceeds the deposit amount, then the

entity must pay those added costs. **Note:** a separate deposit will be required for the environmental process as detailed below. Airports staff will review the entity's Business Plan and request additional information as needed. Airports staff will develop a solicitation request letter. Notices are to include location, size and proposed use plus response deadline date. Key elements of the solicitation process include:

- 1) At a minimum, the solicitation letter will be distributed to the Buchanan Field and Byron Airport businesses and tenants.
  - 2) County staff prepares draft document using business terms sheet provided by Airports staff for the project. Copy of draft document is sent to Airports staff for review/comments and document is modified to reflect desired changes.
  - 3) Draft lease is sent to County Counsel for their review. Further changes may occur in collaboration with Airports and other County staff. County approved draft lease is then sent to entity for their review.
  - 4) County staff and entity meet and/or talk, as necessary, to refine the language and business terms for collaborative satisfaction.
  - 5) The lease is scheduled for the County Board of Supervisors consideration when the environmental analysis is complete and ready for consideration (see Environmental Process below).
  - 6) Each proposal must provide a Business Plan that, at a minimum, includes the following:
    - a. A list of all services that will be provided
    - b. The amount and type of land/space desired to be leased
    - c. The amount of building space proposed to be constructed
    - d. Airports improvements to be made
    - e. Number and type of aircraft that will be used/provided/serviced.
    - f. Equipment and special tooling to be provided.
    - g. Number of persons to be employed.
    - h. Short resume for each of the owners and financial backers
    - i. Short resume of the manager of the business (if different from above) including this person's experience and background in managing a business of this nature
    - j. Periods (days and hours) of proposed operation
    - k. Evidence of revenue projections for the first and succeeding 4 years
    - l. Methods to be used to attract new business (advertising and incentives)
    - m. Amenities to be provided to attract new business
    - n. Engineering plans for physical expansion, if business should warrant such expansion
    - o. Evidence of background and experience as it relates to proposed business and, if applicable, new development
    - p. Evidence of financial capability to undertake proposed business and, if applicable, new development
- D. Airports staff and the entity will negotiate all project and business terms. Airports staff will formalize those terms/details and disseminate to other relevant County staff and, as necessary, Federal Aviation Administration staff to start the lease and environmental processes.
- E. Complete Supplemental Questionnaire and provide Performance Guarantee
- 1) Provide the Airports with Supplemental Questionnaire information
  - 2) Provide the Airports with a \$25,000.00 "Performance Guarantee" of which \$5,000.00 is non-refundable

3) Request CEQA review

- LL-16 Temporary Use Process. The process for entering into a Temporary Use Permit includes:
- A. A Temporary Use Permit is issued when a company having an easement on Airports' property requires permission to work on their easement. The County Permit Center only issues permits to work in County Right-of-Way. Even though the Airports are 'public properties', they are not considered public right-of-way and, as such, must enter into a permit with the Airports.
  - B. The company/agency interested in working on Airports property must submit a letter that defines the type of work needed to be done, location of work (including a map), duration of work, and any special considerations (such as equipment).
  - C. Upon receipt of letter, the Airports staff will schedule a meeting with the entity to discuss scope of work and to complete all outstanding details.
  - D. As the permit serves as protection for the County, the company/agency must; provide a one million dollar insurance policy that names the County as additional insured and has a 30 day cancellation notice, perform work without nuisance impact to surrounding property(ies), hold harmless and indemnify the County for all claims and/or damages that may arise from the work, and restore the property to the condition it was in prior to their use.
  - E. Airport staff will complete the Temporary Use Permit, have all parties execute and then send copies of the fully executed document to all parties upon completion.
- LL-17 Tie-Down Permit Process. The process for entering into a tie-down permit agreement includes:
- A. A tie-down permit is issued to person(s), business(es) or flying club(s) who seek to store their aircraft at the Airports' tie-down facilities.
  - B. Prospective tenant is shown available spaces to determined preferred location.
  - C. If no tie-down spaces are available, the prospective tenant's name and contact information is added to the waiting list
  - D. County enters into a tie-down permit with prospective tenant
- LL-18 Special Events Process. The process for entering into a Special Event Permit includes:
- A. A Special Event Permit is issued when a company, individual, club or the like requests permission to hold a temporary, short term event on the Airports' property (such as car sales, aircraft open house or show, car rally or show, and the like). The County Permit Center only issues permits to hold such events on private property. The Airports are public property and, as such, much enter into a permit with the Airports.
  - B. The company/entity interested in holding the event on Airports property must submit a letter that defines the type of event, location (including a map), duration of event, event details (structures, food, alcohol, parking, and the like) and any special considerations (such as public address or sound system).
  - C. Upon receipt of letter, the Airports staff will schedule a meeting with the company/entity to discuss the proposed event and to complete all outstanding details.
  - D. As the permit serves as protection for the County, the company/entity must; provide an insurance policy (with amount of coverage to be determined based on event details) that names the County as additional insured and has a 30 day cancellation notice, minimize impact to surrounding property(ies), holds harmless and indemnifies the County for all

claims and/or damages that may arise, and restores the property to the condition it was in prior to their use.

- E. Airport staff will complete the Special Event Permit, have all parties execute and then send copies of the fully executed document to all parties upon completion.

LL-19 License Process. The process for entering into a license to use Airports property includes:

- A. A license agreement is used for an Airports tenant's subtenant(s) providing a commercial service, prospective users of existing County facilities on a non-exclusive, month-to-month basis, or other special use considerations (such as grazing at Byron Airport).
- B. A license agreement will also be used for persons who are located outside (or off) of Airports property but would like to access and use the Airports' airfield facilities (often referred to as "Through the Fence" by the FAA).
- C. Person(s) interested in using an existing facility must provide the Airports with a Letter of Intent that includes the general purpose of the facility use, location of desired use, and a brief description of the proposing entity's background. If the location is on an Airports tenant's premises, then a support statement from the Airports tenant must accompany the Letter of Intent. An entity must provide a written letter of interest to proceed through the process.
- D. Upon initial contact or letter of interest, Airports staff will schedule a meeting with the entity to discuss their proposal and confirm consistency with applicable plans. A license agreement is a standard form that is completed once the business terms and details are complete and insurance requirements are verified.
- E. License agreements are signed by the licensee, Airports and County Counsel. Airport staff will send a copy of the fully executed license to all parties upon completion of process.

LL-20 New Development Process.

- A. Factors considered when new development leases are proposed include:
  - 1) The economic viability of Airports property through use of vacant/underutilized property, encouraging private investment and generating revenue to the Airports Enterprise Fund.
  - 2) Satisfaction of general aviation needs through the orderly development of vacant or underutilized land for long-range general aviation, office or commercial purposes.
  - 3) Whether the project promotes private investment, encourages aviation and aviation-related uses, broadens revenue sources, creates new employment opportunities, and expands availability of aviation and aviation-related facilities and services.
  - 4) Whether the proposed project is consistent with the adopted Master Plan.
- B. Procedure for new development leases include:
  - 1) Person(s) interested in leasing land must provide the Airports with a Letter of Intent that includes the general purpose of the use, location and size of parcel for desired use, and a brief description of the proposing entity's background.
  - 2) The solicitation process will vary depending upon airport and size/use of development.
  - 3) Airports staff will develop a solicitation request letter. Notices to include location, size and use of proposed use plus response deadline date. For large projects; notice will be advertised.
  - 4) At a minimum, the solicitation letter will be distributed to the Buchanan Field and Byron Airport businesses and tenants.

- 5) Once the solicitation process is complete, Airports staff will analyze responses and determine the number of potential development opportunities. Airports staff will then proceed as follows:
  - a. If multiple proposals are submitted, initiate a developer selection process:
    - (1) Send interested parties a Request for Information (RFI) package and cover letter specifying deadline for submittal.
    - (2) Convene selection committee to review RFI responses and identify outstanding issues.
    - (3) Interview respondents.
    - (4) Determine developer selection ranking order.
    - (5) Prepare a Board Order for the Contra Costa County Board of Supervisors that details the solicitation process, development information, and requests the Director or Airports be authorized to negotiate lease and development terms with the respondent(s) in ranking order.
    - (6) Upon Board of Supervisors approval, begin negotiations with top ranked party:
      - a) If top ranked party declines or is unable to proceed, start negotiations with next party in priority ranking order.
      - b) If a top ranked party withdraws and then re-expresses interest prior to formalizing an agreement with another party, then the proposer whose project best meets the Airports' aviation needs, is most aesthetically pleasing, offers the best financial benefit and provides evidence of ability to construct when process is complete should be given priority consideration over lower ranked candidates.
      - c) If necessary, meet with party to discuss areas of concern and determine mutually acceptable terms.
      - d) Send draft lease, when available, to party for their review.
      - e) When lease is in final form and environmental process (see Environmental Process section below) has been completed, prepare and schedule Board Order for approval of environmental documents (if necessary) and any lease.
  - b. If no competitive bids are received:
    - (1) Prepare a Board Order for the Contra Costa County Board of Supervisors seeking authorization to negotiate lease terms with the interested party.
    - (2) Upon Board of Supervisors approval, interested party is informed to prepare business and development details in accordance with the Contra Costa County – Airports New Business/Development Checklist. Notify party of submission deadline and fee requirements for proposal.
    - (3) Upon receipt of fully responsive business and development proposal, including fee, initiate the lease development and environmental process.
    - (4) Send draft lease, when available, to party for their review.
    - (5) If necessary, meet with party to discuss areas of concern and determine mutually acceptable terms.
    - (6) When lease is in final form and environmental process (see Environmental Process section below) has been completed, prepare and schedule Board Order for approval of environmental documents (if necessary) and development lease.



- c. The person selected for a development opportunity, with or without competitive solicitation, will be granted a maximum of twenty-four months from the date of selection to complete the negotiation and lease development process.

LL-21 Lease Extension Process. The process for lease extensions includes the following considerations:

- A. A lease extension is when an existing lease term is extended beyond its original expiration date.
- B. To insure a fair return, lease extensions will be subject to a lease extension payment based on net present value of fair market valuation based on an appraisal, comparable rates of like uses in the region and/or comparable rates of other lease extensions approved at the County Airports.
- C. A minimum of 10% of the lease extension payment must be paid when the lease extension is approved. The balance owed may be paid in various ways, which may include: paying all in a lump sum upon execution, financing with a reasonable interest rate over a limited term (either monthly or annually), increasing monthly ground rent for a period of time, and making substantial mutually-agreed improvements offset a portion of the lease extension payment.
- D. After a written request to extend a lease has been received, Airports staff will determine if proposed request is:
  - 1) Consistent with adopted Master Plan (to ensure continuation of land use is appropriate)
  - 2) Tenant is in good standing with the County (rent payment and property maintenance)
  - 3) Requested lease terms are comparable to other lease extensions on the Airports
  - 4) Includes a lease extension payment amount that is fair and reasonable; based on either the net present value of the fair market valuation, as determined by an appraisal, comparable rates in the region and/or comparable rates/terms of other comparable lease extensions at the Airports
  - 5) In the best interest of the County (determination to consider if County ownership of use would be of greater benefit)
  - 6) The proposed extension provides a fair return to the Airports as mandated by the Federal Aviation Administration (FAA) grant assurances and to ensure the financial health of the Airports Enterprise Fund
- E. After the lease extension request has been reviewed, Airports staff will:
  - 1) Provide tenant with written County determination of lease extension request acceptability. If lease extension concept is acceptable, response should include any proposed terms that require further negotiation or need to be addressed.
  - 2) Meet with tenant to discuss outstanding issues and business terms necessary to initiate the lease amendment process. Upon agreement of business terms, initiate the lease amendment process with Real Property and County Counsel.
- F. When the lease amendment and environmental review process, if necessary, is complete, Airports staff will prepare a Board Order to request approval of the lease amendment.

LL-22 Environmental Review Process. This environmental review process includes but is not limited to the following:

- A. All new lease agreements and development projects require environmental review prior to County approval.

- B. Airports staff will initiate the environmental process with the County Department of Conservation and Development (DCD); DCD is the lead agency.
- C. DCD will solicit, if necessary, for an environmental consultant to perform the analysis. Solicitation process includes a request for qualifications/proposals, review and selection, contract preparation and, if contract amount requires, scheduling before the County Board of Supervisors for consideration. Please note: the contract cost plus administrative oversight fee is the responsibility of the project sponsor (a deposit check for the total amount will be required).
- D. DCD staff or the environmental consultant, as determined by DCD, performs the initial study, prepares the necessary documentation, including draft materials for review, final materials for either public circulation, and/or to submit for the County Board of Supervisors' consideration.
- E. County staff, if necessary, will prepare a Board Order to request approval of the environmental document

**Section 6**  
**Design and Construction Standards**  
**for Hangars and Other Buildings**

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## Section 6– Design and Construction Design Standards for Hangars and Other Buildings (DS)

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- DS-1 The purpose of these design standards is to ensure consistent, high quality development and to protect and enhance the investment for all those located on the Airports. The goal is to create and maintain a positive ambiance and strong sense of community throughout the Airports while promoting fair and equitable competition among tenants.
- DS-2 These standards provide a basis for directing and evaluating the site planning, architectural design and other aesthetic elements for the improvements.
- DS-3 The objectives of the design standards are to:
- A. Create high-quality facilities
  - B. Assure that all development is aesthetically pleasing
  - C. Promote efficient land use
  - D. Assure compatibility of all Airports development
  - E. Provide adequate parking, landscaping and screening of trash and equipment storage areas
  - F. Maintain controlled airfield access corridors to ensure access to the flight line for vehicles from non-airfield properties
  - G. Maintain public landside access
  - H. Maximize use of aircraft ramp areas
  - I. Conform to current FAA and, if applicable, Transportation Security Administration (TSA) safety and security regulations
- DS-4 These standards apply to all new facilities and to any modification of existing including modification of elements (such as materials), additions to or rehabilitating of structures, or changes to pavement, drainage, colors, landscaping, signage or other visual components.
- DS-5 Buildings or other improvements cannot be constructed on the Airports unless approved by the County for conformance in each of the following areas:
- A. Consistency with current Airports Layout Plan
  - B. Consistency with the County General Plan
  - C. Compliance with all applicable building restriction lines and height restrictions
  - D. FAA has approved the project's Form 7460 submittal
  - E. Project sponsor has an approved lease or other form of written agreement with the County
  - F. Site plans, parking, landscaping, project aesthetics and other applicable project components have been approved by Airports staff and applicable representatives
  - G. Plans provide adequate aircraft parking apron space directly outside the hangar so that the largest anticipated aircraft to be housed within hangar can be parked and/or maneuvered outside the hangar on the apron without impacting adjacent movement areas
- DS-6 These standards shall apply to all property on the Airports and are in addition to any other jurisdictional requirements, including but not limited to, County Zoning Ordinances, building

codes and fire codes. It is the responsibility of the tenant to meet all codes and standards required for both proposed hangar development and all existing hangar modifications.

- DS-7 In some instances it may not possible for a Tenant to comply with all standards (for example, providing vehicle access gates to a leasehold site). The Director of Airports will consider and make a determination on deviations from the standards.
- DS-8 Buildings, facilities and parking areas shall comply with Americans with Disabilities Act (ADA) standards and any other federal, state and local regulations as set forth by those entities.
- DS-9 Land uses should complement, enhance and diversify the opportunities at the Airports. There should be a mix of aviation and aviation-related uses plus commercial, recreational, office and light industrial consistent with uses allowable in the Master Plan and General Plan. Prohibited land uses include:
- A. Residential housing
  - B. Congregate living facilities
  - C. Churches
  - D. Day care centers
  - E. Schools
  - F. Any use that discharges residuals into the environment that exceed Environmental Protection Agency (EPA) thresholds including, but not limited to, the Clean Water Act and the Clean Air Act
  - G. Cellular transmission or relay equipment if determined to cause interference with aircraft communication, navigation aids or air traffic control and/or pose as an airspace hazard or obstruction
  - H. Noxious, offensive, illegal or use contrary to any regulation including, but not limited to, the EPA, FAA, County, State and Federal agency
- DS-10 General Design Requirements:
- A. The minimum lot size is one acre with an exception for infill lots that are lesser in size and are approved for development by the Director of Airports.
  - B. Allowable density and floor area ratio will be determined by deducting the amount of space necessary to accommodate parking requirements, ramp size necessary for largest anticipated aircraft, FAA Form 7460 review for vertical height, landscaping and any other on site element that is required from the total amount of land available.
  - C. The maximum impervious surface area will be determined by the amount of parking, ramp and building space needed for project and compliance with the California Clean Water Act regulations.
  - D. Building must not be placed beyond the building restriction line as identified on the Airports Layout Plan.
  - E. Building setbacks should be consistent with adjacent buildings and should face the street.
  - F. The height of all buildings, structures and accessories, whether permanent or temporary, is governed by Federal Aviation Regulations (FAR) Part 77 regulations, as amended over time. Building height is subject to review, approval and conditions as deemed necessary through the FAA Form 7460 process, as amended from time to time, for transitional surfaces.

- G. Buildings that are contiguous with the Airports Operations Area must provide a distinct entrance for airside and landside users.
- H. All mechanical equipment, including roof-mounted equipment, must be enclosed or screened so as to be an integral part of the architectural design, with colors and finishing reflecting those used in primary building, and not in public view.
- I. Exterior colors, materials and textures must harmonize with other buildings and structures and must be reviewed and approved by the County in advance.
- J. Tenant must minimize vehicular crossing of aircraft operating areas to access aircraft hangars and other buildings normally open to the public.
- K. The location of taxiway access, if any, is subject to County approval.
- L. Truck loading or unloading must take place wholly on the site without projecting into any street or sidewalk. Truck docks may be provided only at the side or rear of buildings and must be screened from primary streets.
- M. Site Design. Development must be designed, constructed and separated in a manner that assists the County in controlling access from the landside to the airside, while being aesthetically pleasing to neighboring communities and Airports users. Site design elements should include, but are not limited to, the following:
  - 1) Security access points must be designated on the site plan and must fully comply with all standards and regulations by local, state and federal authorities.
  - 2) Tenant must control the premises to prevent unauthorized access to the Air Operations Area (AOA).
  - 3) Tenant must comply with all the applicable provisions of the Airports' security plan.
  - 4) Tenant's security system must comply with the Airports' security specifications.
  - 5) Tenant must maintain a 10-foot clearance on both sides of the fence that is free of climbable objects.
  - 6) Tenant must implement new security provisions as required over time by local, state or federal regulations or policies.
  - 7) Building footprints must be depicted on the site plan.
  - 8) All parking areas and buildings must be set back from the airfield ramps, taxiways and other areas used by aircraft in compliance with standards established by the FAA and the County.
  - 9) Location of all outside storage and accessory buildings must be approved on the site plan by the Director of Airports, cannot be located in the landside frontage, and must be screened from public view utilizing the same materials as the primary building.
  - 10) Buildings must be oriented to minimize public view of service docks, trash collection area(s), dumpsters, service and utility areas.
  - 11) Maximum lot coverage is 50% for buildings and other structures unless otherwise granted an exception by the County.
- N. Construction Materials. Construction materials should be of high quality and maintain their appearance with minimal maintenance required such as the following:
  - 1) Hangars should be constructed with steel or aluminum with exterior masonry or other acceptable enhanced treatments on the public view walls of attached office buildings or on large (exceeding 200 feet) executive hangars without planned attached office space.
  - 2) All building site plans, drawings and exterior materials must be approved by the Director of Airports prior to submitting to the County for building permits.
  - 3) All exterior glass and windows must be scratch and chip resistant plus energy efficient.

- O. Fencing, Gates and Lighting Standards. Tenants must comply with the Security Fencing, Gates and Lighting Standards applicable for the Airports:
- 1) Fencing must be provided between the landside and airside areas to prevent uncontrolled access to the airfield, to limit pedestrian and vehicular interference with aircraft movements and to provide security for parked aircraft. At a minimum, the fence must have the following characteristics:
    - a. 7 feet tall; measured at the lowest grade
    - b. Black zinc or vinyl coated 9 gauge material
    - c. Capable of adding a 12-inch top guard at a later date
    - d. A distance between fence posts that does not exceed 10 feet
  - 2) Vehicle and pedestrian access gates to secure the airside from landside areas must minimally:
    - a. Material must match the contiguous fence.
    - b. Primary access gates (gates frequently used during normal operating hours) must either have access control devices (card reader, electronic pin pad, etc) and gate motors or mechanical locking devices.
    - c. Tenants may use proprietary access devices on leased premises, however, the County and emergency responders must be able to gain access through these gates.
    - d. Secondary access gates must have a keyed security lock.
    - e. Tenants must have at least one secured vehicle and/or pedestrian access gate between the landside and airside areas.
  - 3) Lighting helps improve security of aircraft, buildings, fuel storage areas, airport access points and other appropriate locations. The following must minimally be provided:
    - a. High pressure sodium lamps around the perimeter that separates the landside and airside areas.
    - b. Lighting that emphasizes building entries and landscape features.
    - c. Low mounting heights for fixtures whenever possible.
    - d. Perimeter lamp poles that do not exceed 20 feet in height installed on the secure side of the fence.
    - e. Lighting to illuminate pedestrian access gate areas.
    - f. Site lighting to complement the overall appearance of the development.
    - g. Building exterior lighting consistent with perimeter lighting.
    - h. Light sources that are shielded to minimize glare and confine lighting to the site.
    - i. Security lighting that is appropriate for surveillance but avoids over-lighting.
- P. Building Setbacks. The following minimum building setbacks have been established for the Airports:
- 1) Front setbacks: at least twenty-five (25) feet as measured from the existing curb or parcel boundary; the front area must be large enough to accommodate the parking requirements.
  - 2) Side setbacks: at least ten (10) feet from the property boundary.
  - 3) Rear setbacks for aircraft hangars: must be large enough to accommodate parking and/or maneuvering of the largest anticipated aircraft to be housed within hangar can be parked on the apron without impacting adjacent movement areas.
  - 4) Rear setbacks for commercial or industrial buildings: at least fifteen (15) feet from property boundary.

- Q. Parking. Tenant must provide sufficient off-street parking for their facilities in accordance with the following:
- 1) Parking areas and spaces must be integrated and designed so as to enhance the visual appearance of the property and to provide efficient and safe means of traffic and pedestrian circulation.
  - 2) One parking space per aircraft stored in a hangar plus one additional parking space for every 500 square feet of office space provided.
  - 3) The number of parking spaces for non-aviation or aviation-related uses will be determined based on use requirements and consistent with applicable County codes.
  - 4) Handicap-accessible parking spaces, per ADA standards, and consistent with County codes will be determined by the number of regular parking spaces that are required.
  - 5) Vehicular parking must be provided for aircraft hangars in areas that do not interfere with airport operations and are not on a ramp area.
  - 6) To the extent possible, parking for buildings should be located at the sides of buildings or in lots perpendicular to the main drives; parking in front of buildings that would cause substantial building setbacks as compared to adjacent buildings is discouraged.
  - 7) All parking areas must be paved.
  - 8) No tenant parking obligations may be satisfied by on-street parking opportunities.
  - 9) Parking in between buildings and roads is acceptable if parking areas are screened from street by landscaping.
- R. Signage. Signs, lettering, designs or other graphics may not be placed, painted or otherwise located on roofs. See Section 2 of this document for guidelines.
- S. Landscaping. Tenants must provide the install and maintain landscaping. See Section 2 of this document for guidelines.

DS-11 Facility Maintenance. All buildings, structures, signs, driveways, curbs, walkways, aprons, utility lines and equipment, fueling equipment, landscaping and other facilities must be maintained in good order, repair and condition.

DS-12 Fire Requirements for Aircraft Hangar Construction. These guidelines are intended to summarize the occupancy classifications applicable to hangar construction at the Airports. Aircraft hangars must be constructed to comply with the requirements of the County Building Code and the County Fire Code. Aircraft hangars must also comply with all other applicable County codes.

- A. These guidelines are not intended to be all-inclusive or a substitute for the applicable County codes, and do not address all technical questions that may arise when designing an aircraft hangar project. If any inconsistency exists between these guidelines and applicable County codes, the provisions of the applicable County code will prevail.
- B. Plan drawings, structural calculations, job specification shall be submitted to the proper authority (Building Inspection, Fire District), for review and approval prior to construction and installation. Prior to commencing construction, a building permit shall be obtained. Approval from local Sanitary, Public Works, and other agencies may be required. Plan drawings, calculations and documentation shall be prepared, signed and stamped by a licensed California Professional Engineer/Architect. Any changes, deviations and/or alternative methods from the approved plans, shall be submitted in writing to the proper authority for review and approval.



- C. Group S; Division 5 (CBC):
- 1) Include hangars used for the storage of aircraft only and where work is limited to exchange of parts and minor repairs (as defined in Exhibit 1) requiring no open flame or welding.
  - 2) Group S, Division 5 (S-5) Aircraft Hangars buildings shall be constructed in accordance with the 2001 California Building Code (CBC) and Contra Costa County Code.
  - 3) National Fire Protection Association (NFPA) 13 shall be used for the design and installation of sprinkler systems equal to “extra hazard group 1 occupancy.”
- D. Storage (S-5) Hangars:
- 1) In areas where aircraft are stored, floor surfaces shall be of noncombustible, nonabsorbent waterproof materials.
  - 2) Curbs of walls or an approved water proof barrier separating hangar bays shall be a minimum 6” in height as measured above floor grade to avoid the spread of flammable liquid from one bay to another.
  - 3) Floor shall be graded 1/16” ft slope minimum and drain to prevent water or fuel from remaining on the floor. The drainage must be discharged to an approved discharge area or public sewer.
- E. Group H; Division 5 (CBC):
- 1) Aircraft repair hangars not classified as group S5.
  - 2) Group H, Division 5 (H-5) Aircraft Hangars buildings shall be constructed in accordance with the 2001 California Building Code (CBC) and Contra Costa County Code.
  - 3) NFPA 13 shall be used for determining the design and installation of sprinkler systems equal to “extra hazard group 1 occupancy” and/or an approved foam fire protection system as specified in NFPA 409.
- F. Repair (H-5) Hangars:
- 1) Electrical and heating equipment suitable for hazardous locations.
  - 2) Pits, tunnels and low-lying ducts shall utilize flammable vapor detection.
  - 3) Draft curtains shall be installed perpendicular to hangar doors creating design areas not larger than 7,500 sq. ft. per area.
  - 4) Floors shall be liquid tight.
  - 5) Footing of walls or an approved water proof barrier separating hangar bays shall be a minimum 6” in height as measured above floor grade to avoid the spread of flammable liquid from one bay to another.
  - 6) Trench drain systems shall be designed and constructed to prevent build up of flammable liquids over the drain inlet in the event of a fuel spill or activation of the fire protection systems.
  - 7) Holding tanks and/or safe dispersal areas are required for the retention and containment of flammable fuels, foam and/or fire sprinkler run off. Containment systems shall be designed to hold the total aggregate amount of the largest single aircraft fuel capacity and total fire suppression flow equivalent to 30 minutes of flow.

DS-13 Review Procedure and Criteria

- A. The interested party or authorized agent must meet with Airports staff to review the proposed project to determine conformity with allowable use, development standards criteria and lease/license standards criteria.

- B. Any variances or exceptions to the policies, standards or other criteria will be addressed in a general manner at the initial meeting and will be thoroughly addressed at the time of site plan submission.
- C. Any entity desiring to construct, install, erect or modify any building, sign, structure, facility or equipment on the Airports are required, as appropriate, to submit a copy of the plans and specifications containing, at a minimum:
  - 1) For new construction: general layout, drawn to scale, showing the parcel of land actually required for the facilities and depicting the location of the facilities to be included.
  - 2) For existing facilities: detailed drawings of the modification to any existing structure or equipment.
  - 3) For new or existing facilities: specifications as to the construction required and a site plan.
  - 4) The applicant must submit, as deemed necessary by the County, a Form 7460, as amended, to the FAA for the proposed construction or modification of facilities.
- D. Upon completion of the lease process identified in Section 5, Subsections LL-15 and LL-20, within this document, the applicant will be responsible for obtaining all permits or other approvals in accordance with the requirements of local, state and federal agencies and the most stringent requirement will govern. The applicant must submit a survey of the property certified by a licensed land surveyor and mapper plus a legal description of the property to complete the lease process.
- E. The applicant must submit three signed and sealed plan sets (full size) and, if available, 1 11x17 size set for Airports staff review. The plan set should include grading, drainage and landscaping plans. The lease will detail the plan submittal timeline required.
- F. The applicant must also provide Airports staff with a detailed construction schedule in accordance with the timing identified in the lease.

**APPENDIX A:**  
**COUNTY ORDINANCE 87-8**

**AIRPORT ORDINANCE 87-8**  
**Contra Costa County AIRPORTS**  
 (Revising County Airport Regulations)

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**Contra Costa County AIRPORTS**  
(Revising County Airport Regulations)

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The Contra Costa County Board of Supervisors ordains as follows:

**SECTION 1. SUMMARY.** This ordinance repeals Chapter 1106-2 of the County Ordinance Code and enacts a revised uncodified airport ordinance.

**SECTION 2. REPEAL.** Chapter 1106-2 of the Contra Costa County Ordinance Code is repealed. (Ords. 87-8, §2, 73-49.)

**SECTION 3. DEFINITIONS**

For the purpose of this ordinance, unless context requires otherwise, the words and phrases used herein shall have the meaning set out in this section. Federal Aviation Administration definitions shall apply to technical words and phrases if not included herein. Chapter heads and section heads or titles do not constitute a part of this ordinance but are for information purposes only.

**A. Air Operations Area**

The portions of the Airport provided and made available for aircraft and related operations, and shall include aircraft runways, taxiways, ramps, aprons, parking spaces and areas directly associated therewith.

**B. Aircraft**

Any apparatus now known or hereafter designed, invented or used for navigation or flight in the air, except a parachute or apparatus used primarily as safety equipment.

**C. Aircraft Operator**

Any person or entity who owns, leases, rents, controls, manages or operates an aircraft.

**D. Airport**

Any and all Airports under the ownership and control of Contra Costa County and including all property and improvements within the boundary lines of said Airport.

**E. Airport Management**

The Manager of Airports and his duly authorized representatives are collectively referred to as Airport Management.

**F. Based Aircraft**

Aircraft (1) which are tied down or hangared at the Airport at a monthly or longer charge; or (2) owned, leased or used by an aircraft operator who maintains a fixed place of business on the Airport; or (3) owned, leased or used by an aircraft operator who uses the Airport for the principal, or a substantial, portion of his or its activity. More than eight (8) landings in any thirty (30) day period shall be deemed a substantial use, unless otherwise determined by the Manager of Airports.

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**G. Based Commercial Aircraft Operator**

A commercial aircraft operator who operates at the Airport pursuant to a lease with, or license from, Contra Costa County.

**H. Business or Commercial Activity**

Business or commercial activity is defined to include the use of the Airport for one or more of the following purposes: carrying passengers, freight, express or mail for hire; instructing in aviation or in any aviation related field for compensation; selling fuels, aviation supplies or materials; renting, selling, maintaining or servicing aircraft; or conducting any other aviation or non-aviation commercial or business activity including the sale of refreshments or any commodity of service and the offering or soliciting of any act in this section.

**I. Crash-Fire-Rescue (CFR)**

The Crash, Fire and Rescue (CFR) units at the Airport and equipment owned or operated for the purpose of conducting Crash-Fire-Rescue operations.

**J. Commercial Aviation Operator**

Any person or entity who owns, controls, operates, manages, or leases 'any aircraft for any one or more of the following purposes: (1) the transportation of persons or property for hire, including, but not limited to, common and contract carriers by aircraft; (2) the operator of-an aircraft utilized for student training to obtain compensation; (3) the operator of an aircraft leased for profit; (4) any person engaged in the business of selling aircraft parts or aircraft accessories; (5) the holder of a certificate for commercial aircraft operation under Federal Aviation Regulations (FAR's); or (6) the operator of any aircraft determined by the Manager of Airports not to be a flying club aircraft, private aircraft or public aircraft as defined in these regulations.

An aircraft operator not otherwise a commercial aircraft operator shall not become one solely as a result of the leasing of his aircraft to a based aircraft operator who operates under a lease with or license from Contra Costa County.

**K. Fire District**

A County fire protection district in which the Airport is located.

**L. Fixed Base Operator (FBO)**

Any person or entity who on or at the Airport engages for hire in the storage, repair, servicing, renting, operating or fueling of aircraft, and who has a real property lease with Contra Costa County.

**M. Flying Club**

A non-profit association, partnership or corporation of five or more members owning or leasing aircraft based at the Airport, in which organization each club member is a bona fide part-owner of the aircraft (in case of owned aircraft) , or the holder of a share, but not more than one share, in the organization. The club may not derive greater revenue from the use



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of its aircraft than the amount necessary for the operation, maintenance and replacement of such aircraft.

**N. Manager of Airports**

That person designated by the Public Works Director of Contra Costa County as the day-to-day executive officer for the operation of the Airport.

**O. Government Aircraft and Public Aircraft**

Aircraft owned or operated by federal, state or municipal government, or agencies thereof.

**P. Maximum Landing Weight**

The certified maximum gross landing weight for aircraft as prescribed by the Federal Aviation Administration (FAA).

**Q. Person/Entity**

Any individual, Partnership, corporation, association, joint venture, organization, group or duly authorized representative thereof.

**R. Private Aircraft**

Aircraft used solely for the transportation of the owner, the owner's employees, guests, or property, not operated for profit, and not otherwise coming within any other definition set forth in these regulations. Such aircraft may be operated by other than the owner without losing its classification as private, provided that such use by others does not include commercial operations.

**S. Private Aviation**

The operation and use of private aircraft.

**T. Tenant**

Any person or employee of any person having a lease, permit, or agreement with Contra Costa County or any person who is a sublessee of a lessee and is based at the Airport.

**U. Transient Aircraft**

Aircraft that are not based aircraft and which use the Airport on a periodic basis.

**V. Transient Aircraft Parking Area**

Areas on the Airport which the Manager of Airports may, from time to time, designate for parking of transient aircraft. The FBO lessees may also have transient areas on their leased premises.

**W. Uniform Fire Code**

The latest version of the Uniform Fire Code adopted by the County Fire Protection District in which the Airport is located.

**SECTION 4. SCOPE OF ORDINANCE**

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- A. All users of and persons on the Airport for any purpose whatsoever shall be governed by this ordinance which shall be available as a part of all leases, permits, licenses and other documents between Contra Costa County and airport users, suppliers or customers.
- B. This ordinance is not intended to and shall not be interpreted to amend, modify, supersede, or authorize the violation of any provision of federal, state or local law. This ordinance shall insofar as possible, be interpreted so that no conflict shall exist between the ordinance and contractual agreements executed by Contra Costa County.
- C. The FAA Air Traffic Rules and Regulations governing the operation of aircraft in effect as of this date as well as all additions and deletions thereto are made a part of this Airport Ordinance as fully as if set forth herein.

**SECTION 5. COMPLIANCE WITH OFFICIAL AND/OR POSTED DIRECTIVES**

- A. All persons shall comply with posted or indicated official directives which shall not be in conflict with federal, state or local law.
- B. Any person desiring to conduct any activity on or at the Airport shall comply fully with this ordinance and amendments thereto, which shall not be in conflict with federal, state or local law.

**SECTION 6. PENALTIES AND APPEALS**

**A. Expulsion**

Any person operating or handling any aircraft, operating any vehicle, equipment, or apparatus, or using the Airport, or any of its facilities, in violation of any of the rules and regulations contained herein, or refusing to comply therewith, may be removed from the Airport by or under the authority of the Manager of Airports. Any person may be deprived of and refused the further use of the Airport and its facilities for such length of time as the Manager of Airports deems necessary in order to safeguard the public, the Airport and its facilities.

**B. Appeal**

Any person aggrieved by an administrative action taken pursuant to this ordinance may appeal from the action to the Board of Supervisors as provided in Chapter 14-4 of the Contra Costa County Ordinance Code.

**C. Infraction**

**1. Violation**

Except as otherwise provided (and regardless of the availability of other civil or administrative remedies and procedures for enforcing this ordinance), every act or condition prohibited or declared unlawful by this ordinance, and every failure or omission

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to act as required herein, is a violation of this ordinance and is an infraction. (See Govt. C. 25132(a)).

**2. Punishment**

Except as otherwise provided by statute or this ordinance, every infraction violation of this ordinance is punishable, upon conviction thereof, by:

- a. A fine not exceeding one hundred dollars for a first violation;
- b. A fine not exceeding two hundred dollars for a second violation of the same ordinance within one year;
- c. A fine not exceeding five hundred dollars for each additional violation of the same ordinance within one year. (See Govt. C. §25132(b)).

**D. Misdemeanor**

**1. Violation**

A violation of any one of the following sections of this ordinance is a misdemeanor:

- Section 4.C Careless or reckless operation of an aircraft prohibited as it refers to FAR 91.9'- Aircraft in flight.
- Section 18.B. Careless, negligent or reckless operation of aircraft or violation of FAR 91.10 prohibited - Aircraft on the ground.
- Section 18.W. Tampering with aircraft

**2. Violation - Four or More Infractions Within a Twelve-Month Period**

In the event a person or entity is convicted of more than three infractions within a twelve-month period, each infraction after the third infraction within the twelve-month period shall be a misdemeanor.

**3. Punishment**

Except as otherwise provided by state law or this ordinance, every misdemeanor violation of this ordinance is punishable, upon conviction thereof by imprisonment in the county jail not for over six months and/or by a fine of not over one thousand dollars. (See Penal Code §19).

**E. Continuing Violations**

Act, omissions or conditions in violation of this ordinance which continue, exist, or occur on more than one day shall constitute separate violations and offenses on each such day.

**SECTION 7. GENERAL LIMITS ON CONDUCT AND ACTIVITIES**

- A. No person shall use the Airport, or any portion thereof, or any structure thereon, either directly or indirectly for the conduct or promotion of, or solicitation for any business, trade, commercial activity or for any revenue producing or fund raising purpose, except under the terms and conditions of a lease, license, contract or permit issued by the County or the Manager of Airports, and the timely payment of the fees imposed by such lease, license, contract or permit, or as otherwise authorized by this ordinance.

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- B. No person shall utilize the Air Operations Area, leased areas, non-public areas or restricted areas of the Airport for any civic, charitable, educational, religious or similar purpose, except as authorized by the Manager of Airports.

**SECTION 8. RESTRICTED AREAS**

- A. No person shall enter into or upon the Air Operations Area, the areas leased or assigned to airport tenants or licensees for their exclusive use, or any area not provided for the general public, except people engaged in legitimate embarkation when under appropriate supervision, or persons otherwise authorized in this ordinance, or specifically authorized by the Airport Management.
- B. Airport tenants and licensees having exclusive occupancy or control of premises through which access may be had to the Air Operations Area shall use all lawful and reasonable means to prevent, and shall be responsible for, entry into such areas by unauthorized persons or vehicles.

**SECTION 9. PERMISSION TO POST, DISTRIBUTE OR DISPLAY PRINTED MATTER REQUIRED**

No person shall post, distribute or display signs, advertisements, circulars, printed or written material in or upon the Airport without prior written permission of the Airport Management.

**SECTION 10. PERMISSION FOR SOLICITATION OF FUNDS**

No person shall solicit funds for any purpose in or upon the Airport without the prior written permission of the Manager of Airports.

**SECTION 11. LOITERING AND TRESPASSING**

No person shall loiter on any part of the Airport or in any building on the Airport. Any person unable to give satisfactory explanation of his presence to the Airport Management shall be deemed a loiterer under the provisions of this section and may be requested to leave the Airport. In the event of failure to comply with a proper request to leave the Airport, such failure shall be regarded as a trespass to the property of Contra Costa County.

**SECTION 12. CARRYING OF FIREARMS**

No person except peace officers and other authorized government representatives, authorized security employees and members of the Armed Forces of the United States acting under proper authority, shall carry firearms, BB or pellet guns, explosives, bows and arrows, or similar devices upon the Airport without permission of the Manager of Airports, except that legitimate hunting, sporting and survival equipment may be carried and stored in an unloaded or disabled manner where not otherwise unlawful.

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Damage in excess of \$500 or any damage to airport property or the property of others, occurring on the Airport, shall make a full report to the Manager of Airports as soon after the accident or incident as possible, but not later than 24 hours.

**SECTION 13. ANIMALS OR BIRDS UPON AIRPORT**

No person shall enter upon any part of the Airport with any animal except a “seeing eye” dog, one properly confined for shipment, or on a leash, or in such a manner as to be under the direct and immediate control of such person. No person shall hunt, pursue, trap, catch, intentionally injure, or kill any animal or bird on the Airport without authorization of the Airport Management.

**SECTION 14. ACCIDENT AND INCIDENT REPORTS**

Every person involved in any accident or incident, including but not limited to pedestrian, aircraft or automotive, involving personal injuries or property damage in excess of \$500 or any damage to airport property or the property of others, occurring on the Airport, shall make a full report to the Manager of Airports as soon after the accident or incident as possible, but not later than 24 hours.

**SECTION 15. SMOKING**

- A. Smoking is prohibited in areas posted in the public terminal.
- B. Smoking is prohibited within 100 feet of any fueling or defueling operations.
- C. Smoking is prohibited on any part of the Air Operations Area except that smoking may be permitted within closed vehicles and within the area(s) under permit or lease except where otherwise posted or unlawful.

**SECTION 16. INSPECTIONS OF AND ACCESS TO FACILITIES AND AREAS**

The Airport Management shall have access to all buildings, operating areas, and facilities for periodic inspections with the tenant or lessee or their authorized representative present upon reasonable notice with a minimum of 24 hours prior notice and without notice in emergency situations.

If tenant or lessee refuses access after notification, the Airport Management shall have access without unreasonable restrictions.

**SECTION 17. IDENTIFICATION CARDS**

Employees of all Commercial Aviation Operations or any employee of tenants requiring access to the Air Operations Area must have an Airport Identification Card or must be properly escorted as authorized by Airport Management. These identification cards are the property of Contra

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Costa County. Failure to return, or satisfactorily account for identification cards, upon termination of employment, or misuse of card shall subject the card holder to criminal prosecution.

**SECTION 18. AIRCRAFT AND AIRCRAFT OPERATIONS**

**A. Compliance with Federal, State and Local Regulations**

No person shall land aircraft upon, fly aircraft from, or conduct any other aircraft operations on or from the Airport otherwise than in compliance with the current regulations and directives of federal (including the current Federal Aviation Regulations), state and local authorities.

**B. Careless, Negligent or Reckless Surface Operation of Aircraft Prohibited**

No aircraft shall be operated on the surface of any part of the Airport in a careless or negligent manner, or in disregard of the rights and safety of others, or without due caution and circumspection, or at a speed or in a manner which endangers, or is likely to endanger, persons or property, or while the pilot, or any other crew-member is under the influence of alcohol or any controlled substance, or if such aircraft is so constructed, equipped or loaded as to endanger or to be likely to endanger persons or property.

**C. Compliance with Official Orders, Signals and/or Directives**

The pilot or other person engaged in the operation of any aircraft being operated on the surface of any part of the Airport must at all times comply with any order, signal or directive of the Airport Management. When operation of aircraft is controlled by lights, signs, mechanical or electrical signals or pavement markings, such lights, signs, signals and markings shall be complied with unless a representative of the Airport directs otherwise.

**D. Ground Taxi Operations - General**

1. No aircraft shall be started, taxied or run up unless a pilot qualified or certified in that type aircraft, or a certified airframe and engine mechanic qualified in accordance with Federal Aviation regulations in the type of operations, or a repair station mechanic suitably trained in that aircraft, is attending the aircraft controls. Adequate aircraft restraining methods shall be employed while starting the engine or engines.
2. The following taxi rules shall apply unless other rules are established by the Federal Aviation Administration which are inconsistent with the following:
  - a. A person shall not taxi an aircraft until he has ascertained that there is no danger of collision with any person or object in the immediate area by visual inspection of the area.
  - b. An aircraft shall be operated only in a careful manner or taxied at a safe and reasonable speed, for the conditions then existing.
  - c. All radio-equipped aircraft shall establish radio contact with Air Traffic Control, during hours the Air Traffic Control Tower is operating. All aircraft

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without radios shall advise Air Traffic Control by telephone before taxiing, and comply with Air Traffic Control directions.

- d. Pilots shall not taxi onto or across runway in use until specifically cleared to do so by radio or visual signal when the Control Tower is operating. When the Control Tower is closed, pilots must announce intentions on the radio frequency published in the Airport/Facilities Directory prior to moving onto or across a runway.
- e. Aircraft shall be taxied in accordance with the prescribed taxiing patterns established by the Airport, or as directed Air Traffic Control.
- f. Each person operating an aircraft on the Airport or part of the Airport that is not under the direction of Air Traffic Control shall comply with the orders, signals, and direction of the Airport Management.
- g. A person may neither start nor taxi any aircraft (including helicopters) on the Airport in a place where the exhaust, rotor, or propeller blast is likely to cause injury to persons or property. A person shall not run the engine or engines of any aircraft at any location on the Airport in such manner as to cause damage to other aircraft or property or in such manner as to blow paper, dirt or other materials across taxiways or runways in such manner as to endanger the safety of operations of the Airport. This provision specifically includes tiedowns and shade hangars. If the aircraft cannot be taxied without violating this paragraph, the operator must have it towed to the desired destination.
- h. Except in FBO leased areas a person may not move a rotorcraft at a place on the Airport (other than a heliport) while its rotors are turning unless there is a clear area of at least one rotor diameter from the outer tip of each rotor. A person may not move a rotorcraft at a heliport while its rotors are turning unless there is a clear area of at least twenty (20) feet from the outer tip of each rotor. In FBO leased areas, the lessee is totally responsible for operational safety of helicopters within their area. Airport Management may stop any operation deemed unsafe.
- i. A person shall not taxi aircraft or rotorcraft into or out of hangars under its own power, under any circumstances, nor shall aircraft be taxied into any area from which the general public is not restricted.

**E. Permission Required to Land or Take Off Aircraft Which Are Not Registered and Certificated**

Aircraft which are not registered and Certificated by the FAA or any recognized foreign country may not land or take off at the Airport without the prior permission of the Airport Management.

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**F. Aircraft Equipment Rules**

An aircraft shall not be operated on the Airport unless it is equipped with tail or nose wheel and appropriate wheel brakes, except with the permission of Airport Management. When any pilot of an aircraft that is not equipped with adequate brakes receives permission from Air Traffic Control to taxi such aircraft, the pilot shall not taxi such aircraft near buildings or parked aircraft unless an attendant is at the wing of the aircraft to assist the pilot.

**G. Radio Contact**

1. Pilots of aircraft shall neither land, nor taxi, nor take-off until a clearance is obtained from Air Traffic Control by radio, telephone or light signal, during the hours that the Control Tower is in operation.
2. All aircraft based on or operating regularly into or out of the Airport must be equipped with an operational two-way radio.
3. Any aircraft at the Airport, which has had radio failure, will obtain, in person or by telephone, general instructions from Air Traffic Control prior to taxiing out for takeoff.
4. When the Air Traffic Control Tower is closed all aircraft must announce their intentions regarding landing or take-off by two-way radio on the frequency published in the Airport/Facilities Directory and must monitor this frequency while within a five mile radius of the Airport.

**H. Unauthorized Parking or Storage of Aircraft Prohibited**

Unless otherwise provided in a lease, permit, or other agreement authorized by Contra Costa County, no person shall use any area of the Airport for parking or storage of aircraft, other than transient parking, without permission of the Manager of Airports. If, notwithstanding the above prohibition, a person uses such areas for parking or storage as aforesaid, without first obtaining such permission, then the Manager of Airports shall have the authority to order the aircraft removed or to cause the same to be removed and stored at the expense of the owner thereof.

**I. Permission Required to Land, Takeoff or Taxi Overweight Aircraft**

No aircraft having an actual gross weight over that indicated for the Airport in the Airport/Facility Directory, including in such weight passengers, cargo, fuel, equipment, etc., shall land, take off or taxi on the Airport without the permission of the Manager of Airports.

**J. Qualified Persons Only to Operate Aircraft**

No person shall land, take off or taxi an aircraft at the Airport unless he is qualified or certified to operate that particular type of aircraft or is a certificated A & P mechanic properly qualified to taxi that particular type of aircraft.



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**K. Disabled Aircraft**

If an aircraft is disabled so as to restrict use of any runway or taxiway on the Airport, the Manager of Airports may take whatever action is necessary to make the runway or taxiway safe for other aircraft. The aircraft owner shall bear the expense of removal of the aircraft.

If the owner or pilot refuses or is unable to move an aircraft, as directed by the Manager of Airports, the aircraft may be towed away and stored at the owner's expense. The same procedure shall apply to removal of a wrecked or damaged aircraft and its parts. The County shall have a lien, upon the aircraft for the cost of such towing and storage as described above, pursuant to Code of Civil Procedure Section 1208.61.

**L. Parking, Loading, and Unloading of Aircraft**

Aircraft shall be parked in only those areas or positions on the Airport assigned by the Manager of Airports. On FBO leased premises, the lessees shall be responsible for the aircraft parked within their areas.

1. When parking or storing aircraft at the Airport, the aircraft operator shall park or store such aircraft in a manner so as to not create a hazard to or interfere with other aircraft, persons or property, including access to hangar areas.
2. No person shall leave an aircraft unattended on the Airport unless it has been parked and adequately secured in an area designated for the class of aircraft. Owners are liable for any damages resulting from improperly securing their aircraft.
3. Aircraft having long term tiedown space and having a Permit for Non Commercial Aircraft Storage with the Airport must be tied down in its assigned tiedown space except when the pilot is in attendance with the aircraft.
4. The engine(s) on the boarding side of a multi-engine aircraft must be shut down when passengers are being enplaned or deplaned. All single engine aircraft must be shut down or helicopter rotors stopped when enplaning or deplaning passengers or freight, unless otherwise authorized by the Airport Management. In all cases, the pilot must be at the controls if any engine(s) are left running.
5. If an aircraft parking area is posted for "loading and unloading only", the pilot must remain with the aircraft.

**M. Parked or Stored Aircraft to be Moved Upon Request**

Upon direction or request from the Manager of Airports, the operator of any aircraft parked or stored at the Airport shall move said aircraft from the place where it is parked or stored to any other designated place. If the operator refuses to comply with any such reasonable directive, the Manager of Airports may move said aircraft to such designated place at the operator's expense.

**N. Lighting Facility Damage**

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Any person damaging any light or fixture by means of contact with aircraft or in any manner whatsoever shall report such damage to the Airport Office immediately and shall be fully responsible for any costs required to repair or replace the damaged facility.

**0. Interference With or Unauthorized Starting of Aircraft Prohibited**

No unauthorized person shall interfere with the operation of any aircraft at the Airport, or start the engine of such aircraft without the owner or operator's consent.

**P. Repair and Maintenance of Aircraft**

1. Aircraft, or parts thereof, shall be repaired and maintained only in those areas of the Airport specifically designated or otherwise authorized for such purpose by the Manager of Airports and the Fire District; provided that minor adjustments may be made while the aircraft is on a loading ramp or apron preparatory to take-off when such adjustment is necessary to prevent a delayed departure which would result from the aircraft having to reposition to a designated repair area.
2. The owner or operator of an aircraft, including any necessary assistants, may perform maintenance repairs upon owned aircraft providing such individuals are properly permitted to do such work under current Federal Air Regulations and other provisions of this ordinance. Such work shall be conducted so as not to create hazard or nuisance to other aircraft, persons or operators upon the Airport.
3. The airport management may authorize individuals or companies to perform repairs and maintenance on aircraft under unusual circumstances, i.e. repair to flyaway status, by owner of aircraft not based upon the Airport; on aircraft of unusual design size or age; aircraft and the components for which there is not any qualified certificated Fixed Base Operator upon the Airport.
4. Owners or operators of aircraft based at the Airport, and their assistants and employees, may perform repairs and preventive maintenance that do not require the draining of gas, oil or hydraulic fluid in their tie-down space in accordance with current FAR's. Aircraft substantially disassembled for a period of thirty (30) days may be required to be relocated to a long term storage area, as may be available at a discounted rate, at the discretion of Airport Management.
5. Owner or operators of aircraft based at the Airport and their employees and assistants may perform repairs or preventive maintenance in their hangars so long as such repairs are accomplished in accordance with applicable FAR'S, and the Uniform Fire Code.
6. Parts, tools or supplies, beyond those required for the repair or maintenance being conducted, are not permitted to accumulate in designated aircraft parking, maintenance or storage areas other than in fully enclosed hangars. Persons conducting repair or maintenance shall be responsible for the prompt securing of removed parts, daily clean-up of such areas and removal of any accumulated materials.

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7. Where required, a permit to operate an aircraft repair hangar shall be obtained from the Fire District.

**Q. Special Aircraft and Special Aircraft Operations**

1. The following types of aircraft shall not operate from the Airport without express written authorization of Airport Management, which authorization shall not be unreasonably withheld:
  - a. Gliders
  - b. Balloons
  - c. "Restricted" aircraft
  - d. Foot launchable aircraft
  - e. Ultralight aircraft
2. The following types of activities shall not be conducted on or from the Airport without prior authorization from the Manager of Airports:
  - a. Aerobatic flight
  - b. Towing of banners
  - c. Formation operations
  - d. Parachute jumps
  - e. Airshows
  - f. Rockets and/or kites
  - g. Model or radio controlled airplanes
3. The practice of simulated ground and/or in flight emergencies for the purpose of obtaining or maintaining pilot proficiency may be executed only under the following conditions:
  - a. Simulated emergencies in the Airport Traffic Area may be practiced only during the hours of Control Tower operation and with the prior knowledge of the Control Tower.
  - b. No emergencies will be simulated in the Airport Traffic Area unless the airplane is in a position where it can return safely to the field if full recovery from the simulated emergency is not possible.
  - c. No departure emergencies may be simulated when using Runways 19L/R, 14L/R, 32L, or 1R.
  - d. No powerplant or systems emergencies will be simulated in any manner which might jeopardize the full and prompt recovery of the powerplant or system. Powerplants may be reduced to zero or negative thrust in simulated emergencies, but they will not be shut down or propellers feathered.
4. The authorization(s) referred to in subsections Q.1 and Q.2 of this Section shall not be granted unless the subject activity has been approved by other governmental agencies whose approval is required by law, and evidence thereof presented to the Airport Management by the person or persons seeking such authorization, and is consistent with the public interest and safety.

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5. Initial flight tests of experimental aircraft shall be restricted to conditions stipulated by the FAA in their approval of the test program. Departures will be allowed only from Runways 32R or Runway 1L. In addition, Airport Management must be advised of initial flight, and may at his discretion, impose additional safety restrictions. The Air Traffic Control Tower must be advised that the aircraft is on its first flight before takeoff.

**R. Engine Starting and Runup**

1. Aircraft runup at the Airport shall not be performed in any area that would result in a hazard to other aircraft, persons or property, and in no case closer to buildings than 200 feet unless otherwise posted.
2. No person shall start or run any engine in an aircraft unless a qualified person is in the aircraft attending the controls. Chocks shall be placed in front of the wheels before starting the engine or engines, unless the aircraft is provided with adequately manned brakes. Manually started aircraft shall be properly restrained.
3. No person shall run the engine or engines of any aircraft at any location on the Airport in such a manner as to cause damage to other aircraft or property or in such a manner as to endanger the safety of operations on the Airport.
4. Engine runup for maintenance or test purposes shall be conducted at locations specified by the Manager of Airports. No maintenance or test runups shall be conducted between the hours of 10:00 p.m. and 7:00a.m. local time. (A test runup shall be defined as engine power settings exceeding 1500 propeller RPM for 20 seconds. Turbo prop test runups may be in accordance with manufacturer's recommendations but not to exceed a period of 20 seconds.)
5. No aircraft or helicopters may be left unattended with the engine running.

**S. Emergency Refusal of Clearance to Use Airport and Closing of Airport**

1. Airport Management may, when necessary for safe or efficient operations at the Airport, delay or restrict any flight or other operation at the Airport by any aircraft, and may prohibit the use of all or any part of the Airport by any aircraft operator for reasonable cause.
2. In the event the Manager of Airports, or his representative, determines that conditions in the Air Operations Area are unsafe, or for other operational reasons the Air Operations Area or a portion thereof should be closed, he may issue a Notice to Airmen (NOTAM) closing the Air Operations Area or any portion thereof.

**T. Rates, Charges and Fees**

Based aircraft monthly fees, transient aircraft parking fees, landing fees, key card fees, and various miscellaneous fees shall be set by the Contra Costa Board of Supervisors by

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Resolution. These fees may be revised from time to time by the Board of Supervisors after adequate notice and public comment.

**U. Landings & Take-Offs**

1. All aircraft shall land and take-off on runways only as instructed by Air Traffic Control when the Control Tower is open and operating. Aircraft shall have two-way radio capable of communicating with Air Traffic Control , except by prior permission, or in accordance with Federal Air Regulations. When the Control Tower is closed, pilots must announce intentions on the radio frequency published in the Airport/Facilities Directory prior to moving onto or across a runway.
2. Aircraft landing on runway 32L shall not touchdown until passing the threshold of the runway. No aircraft shall touchdown in the underrun.
3. Landings and take-offs shall not be permitted on the taxiways or other Airport surfaces unless permission is granted by the Airport Management and the Air Traffic Control Tower.
4. All fixed wing aircraft are required to depart form runway ends.
5. For all fixed wing aircraft departures, no turns are permitted until an altitude of 500 feet is attained (except in an emergency) unless specifically approved by the Airport Management. All large aircraft and jet aircraft are required to climb as rapidly as practicable until an altitude of 1,500 feet is reached.
6. Landing aircraft shall maintain not less than traffic pattern altitude until necessary to commence descent for a normal landing.
7. Rotorcraft shall conform to the traffic patterns established by the Manager of Airports and maintain an altitude of 500 feet when outside of the Airport premises. Rotorcraft shall not be operated within 200 feet of any area where light aircraft are parked or operating, except for designated helipads or in areas leased by FBO's and then only with their prior permission.
8. Landings and takeoffs by all light twin engine aircraft and large aircraft (12,500 pounds and over) and jet powered aircraft are prohibited on Runways 1R/19L and 14R/32L.
9. No touch-and-go training operations are permitted for any large aircraft (12,500 lbs. over) or pure jet aircraft except with permission of the Manager of Airports.
10. Practice landings and takeoffs, training and/or proficiency operations, including but not limited to touch-and-go operations, shall not be conducted between the hours of 10:00 p.m. and 7:00 a.m. local time without the express written approval of the Manager of

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Airports. On weekends and holidays, touch and go operations are prohibited from 10:00 p.m. until 8:00 a.m. local time.

11. No pilot shall operate any aircraft which exceeds a sound level of 78dBA on take off as per FAA Advisory Circular 36-3, as amended. For night time operations, this level shall not exceed 75dBA.

**V. Agricultural Aircraft Operations**

No dusting, spraying of insecticide or other flights of an agricultural nature shall be allowed on the Airport without the prior written approval of the Manager of Airports.

**W. Tampering With Aircraft**

No person shall interfere or tamper with any aircraft; or put in motion the engine of such aircraft; or use any aircraft, aircraft parts, instruments or tools without permission of the owner or by specific direction of the Manager of Airports.

**X. Display of Aircraft Registration Numbers**

All aircraft operating from the Airport and all aircraft based at the Airport shall display visible aircraft registration numbers consistent with Federal Aviation Administration records pertaining to that aircraft, and in accordance with current FAA requirements.

**Y. Prohibition of Landing and Taking Off Under Specific Circumstances**

1. The Airport Management may prohibit aircraft from landing or taking off at any time such landing or takeoff is likely to endanger persons or property, except for bona fide emergency landings.
2. Landing and takeoff operations by specific aircraft or aircraft operators may be prohibited by the Manager of Airports when necessary to enforce this ordinance or governmental regulations.

**SECTION 19. FIRE PREVENTION, EXPLOSIVES & DANGEROUS SUBSTANCES**

**A. Storage, Holding, Use or Transport of Restricted Materials or Explosives and Other Dangerous Articles**

1. No person shall store, keep handle, use, dispense or transport at, in or upon the Airport any Class A or Class B explosives (as defined in the Interstate Commerce Commission Regulations for transportation of explosives and other dangerous articles), dynamite, nitroglycerine, black powder, fireworks, blasting caps or other explosives without prior written permission of the Manager of Airports.
2. No person shall use flammable liquids on Airport property for the cleaning of aircraft, aircraft engines and parts or for any other purpose except as allowed by the Uniform Fire Code.

**B. Storage of Flammables and Hazardous or Dangerous Materials**

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1. No person shall keep or store flammable or combustible liquids, gases signal flares, hazardous material or similar materials in hangars or in any airport building. Such materials may be kept and stored in an aircraft in proper receptacles installed therein designed for such purposes. When it is necessary to store or use such materials within airport buildings, it shall be in structures, rooms, cabinets or container approved for that purpose, in conformance with the requirements of the Uniform Building and Fire Codes and with the approval of the Airport Manager.
2. No person shall keep or store lubricating or waste oil in or about the hangars or any building on the Airport except in approved containers and in conformance with the Uniform Fire Code.
3. Any persons who accumulate waste, rags, or other rubbish, shall provide approved metal receptacles with self-closing lids for storage of these materials. All used waste and rags or other rubbish shall be removed daily or in regularly scheduled pickups. Dumpsters and similar trash receptacles shall be kept away from buildings.
4. Gasoline, oil and solvent drums or containers shall not be stored in the Air Operations Area in excess of amounts actually needed as current stock. Any such material located anywhere on the Airport, as approved by the Manager of Airports, shall be kept enclosed and covered in a container of a design and type that meets the approval of the Manager of Airports. Storage shall be in accordance with the Uniform Fire Code.

**C. Removal of Portable Fire Extinguishers**

Portable fire extinguishers shall not be removed from their designated locations for any reason other than to fight a fire or potential fire or to be recharged.

**D. Access to Fire Extinguishing Equipment**

Access to all fire extinguishing equipment shall be kept free and unobstructed at all times. It shall be the responsibility of tenants and lessees to have fire extinguishers under their control serviced annually and after use by persons licensed by the State Fire Marshal.

**SECTION 20: FUELING AND INFLAMMABLES**

**A. Fueling Operations**

2. During the fueling or defueling of any aircraft:
  - a. No person shall smoke within the Air Operations Area (except as provided in Section 15.C.) or within 100 feet of such aircraft whichever is the more restrictive.
  - b. No person shall operate any radio transmitter or receiver or switch electrical appliance on or off in such aircraft.
  - c. No person shall use any material or equipment which is likely to cause a spark or ignition.
  - d. A minimum of two (2) fire extinguishers having a rating of 20B or greater shall be within reach of persons engaged in the process.

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- e. No engine of any such aircraft shall be started, kept running or be warmed by applications of exterior heat.
  - f. No passengers shall be on board such aircraft unless a passenger loading ramp is in place at the cabin door of the aircraft, the aircraft door is in open position and cabin attendant (if any) is present at or near the cabin door.
  - g. Care shall be exercised to prevent spillage of fuel. Airport Management shall be called any time spillage in excess of one gallon occurs.
3. Any flammable liquids spilled during transfer shall be removed immediately. No engine of any aircraft shall be started when there is a flammable liquid on the ground under such aircraft, except sump drain checks.
  4. No aircraft shall be fueled or defueled when any portion of the aircraft is in a hangar or enclosed space.
  5. Fueling hoses, funnels and apparatus shall be equipped with a grounding device to prevent ignition of flammable liquids. During any fueling process, the aircraft and the fueling apparatus shall be grounded to a point or points of zero electrical potential.
  6. No fuel shall be transported into the Air Operations Area, other than in aircraft fuel tanks, aircraft refueling vehicles, fuel transport trucks, or containers acceptable to the Manager of Airports, nor shall an aircraft be defueled on any portion of the Airport, except by a lessee having an approved Fueling Operations Manual (Section 20 C), prior to securing from the Manager of Airports of a permit for the intended purpose.
  7. Fueling hoses and equipment shall be maintained in a safe, sound and non-leaking condition and shall be of a design and make approved by a nationally recognized testing agency.

**B. Use of Approved Fuel Storage and Delivery Facilities**

1. All operators of aircraft who receive, and all persons who supply, aviation fuel and lubricating oil at the Airport shall use only those aviation fuel storage and delivery facilities and equipment approved for such use by the Manager of Airports and the Fire District.
2. The transfer of bulk aircraft or commercial fuel from one vehicular tender into another is prohibited within the boundaries of the Airport without the prior permission of the Airport Management.
3. All airport refuelers shall obtain a permit to operate refueling vehicles from the Fire District.

**C. Fueling Operations Manual Required**

All persons or operators who dispense fuel for compensation into aircraft at the Airport are required to have a current Fueling Operations Manual which must be approved by the



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Manager of Airports and the Consolidated Fire District. This Fueling Operations Manual is to be kept current and is to be submitted for inspection to the Manager of Airports Office upon demand. The Manager of Airports Office will approve or may require modifications to the fueling manual. Fueling operators are required to comply with their approved Fueling Operations Manuals. These fueling operations manuals shall contain as a minimum the following information:

1. Employee training program
2. Daily/weekly/monthly equipment inspection program<sup>3</sup>.
3. Fueling and defueling procedures
4. Transport/delivery procedures
5. Quality control procedures
6. Emergency procedures
7. Fuel spill procedures

**D. Automotive Fuel in Aircraft**

1. Provided appropriate Supplemental Type Certificates (STC's) have been obtained and are part of the aircrafts' required operating documentation, owners may fuel their aircraft with automotive fuel in accordance with the following conditions and procedures:
  - a. The fuel dispensed must meet the standards of ASTM D439 and all requirements of the Supplemental Type Certificates (STC's). Pilots shall use gasoline from known and reliable suppliers and especially observe precautions against fueling of aircraft with contaminated fuels. Use of fuels containing alcohol is prohibited. Results of periodic testing of fuel for contaminants including alcohol, shall be made available upon request.
  - b. Aircraft must be fueled in an area designated by Airport Management. Such area will be equipped with proper grounding equipment and have appropriate fire extinguishers.
  - c. The containers, fueling equipment, and fueling procedures must be acceptable to the Manager of Airports and be approved by the Consolidated Fire District.
2. There will be no self fueling of aircraft with automotive fuel in tiedowns or other unauthorized locations.
3. Authorized areas for self fueling of aircraft with auto fuel shall be posted by Airport Management.

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**SECTION 21: VEHICLES AND GROUND EQUIPMENT**

**A. Compliance With Official Orders, Signals and Directions**

1. All vehicular traffic in or upon the Airport shall at all times comply with the order, signal or direction of Airport Management. When such traffic is controlled by official traffic lights, signs, mechanical or electrical signals, or pavement markings, such lights, signs, signals and markings shall be obeyed.
2. All vehicles having access to the Air Operations Area, tiedown area, or hangar areas must meet the State requirement for insurance. The Manager of Airports may require proof of such insurance.

**B. Vehicle Rules of Operation**

1. No person shall operate a motor vehicle on the Airport without a valid operators license.
2. Persons authorized to operate vehicles in areas other than tiedown or hangar areas must have a current airport license issued by Airport Management or as otherwise approved.
3. No person shall operate a vehicle in a reckless or negligent manner, or in excess of the posted or designated speed limits, other than emergency vehicles. Speed limits on ramps, aprons, or in aircraft parking and hangar areas shall not exceed fifteen (15) miles per hour.
4. Pedestrians and aircraft shall at all times have the right of way over vehicular traffic. All vehicles shall give proper signals and observe the directions of posted traffic signs.
5. All vehicles shall pass to the rear of taxiing aircraft.
6. No person shall operate a vehicle or aircraft within or on the Airport while under the influence of intoxicating liquor or controlled substances.
7. No person shall operate a vehicle which is overloaded or carrying more passengers than for which the vehicle is designed. No person shall ride on the running board or ride on the outside of the body, or have their arms or legs protruding from the vehicle; emergency equipment excepted.
8. No person shall operate a vehicle which is so constructed, equipped or loaded so as to endanger persons or property on the Airport.
9. No person shall operate a vehicle in any hangar or enclosed area on the Airport without exhausts protected by appropriate mufflers, screens or baffles to prevent the escape of sparks or propagation of flame.

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10. Tiedown or hangar tenants are allowed to operate vehicles only in those general areas where tenant aircraft are located unless specific approval is given by the Airport Management to operate on other areas of the Airport.
11. All vehicles which are authorized to travel in areas other than the tiedown or hangar areas are required to have a functioning amber rotating beacon which shall be visible from all directions and of sufficient brilliance to be seen under clear weather conditions at a distance of at least one mile. All vehicles which will be operated in hours of darkness must also have all normal operating lights and reflectors for said type of vehicle.
12. All construction equipment operating on any portion of the Air Operations Areas must have an operating amber rotating beacon which shall be visible from all directions and of sufficient brilliance to be seen under clear weather conditions for a distance of one mile, or display an approved nine square foot flag of a checkered aviation orange and White or both as determined by the Airport Management. Construction vehicles shall be confined to areas specified by the Manager of Airports and shall not deviate from this area without specific permission.
13. A vehicle shall not be driven between an aircraft and a gate when an aircraft is loading or unloading passengers.
14. All vehicles operating on the Airport between the hours of sunset and sunrise shall have fully operating headlights and tail lights visible from at least 500 feet.
15. Any person who damages any light, fixture, fence, or other Airport facility by means of contact with vehicles shall report such damage to Airport Management immediately and shall be fully responsible for any costs required to repair or replace the damaged light, fixture or facility.
16. Except where otherwise posted, the rate of speed on any roadway or street within the territorial boundaries of the Airport shall not exceed 25 miles per hour. Notwithstanding the above, no person shall drive a motor vehicle within the Airport's boundaries at a speed greater than is reasonable or proper, having regard for prevailing traffic, weather and other conditions.

**C. Radio Equipment**

All vehicles which are authorized to travel in areas other than the tiedown areas or hangar areas shall be equipped with two-way radio and be in continuous communication with Air Traffic Control when the Tower is in operation. Vehicles are to monitor the appropriate frequency when the Tower is closed. The following types of equipment are exempt:

1. Vehicles which are authorized to operate in the tiedown or hangar areas only. These vehicles are not permitted on any taxiway or runway.

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2. Vehicles which are operating on FBO leased areas exclusively. If a vehicle must proceed onto a taxiway when proceeding from one section of a leased area to another, the vehicle then must have two-way radio and airport operating licenses.
3. Crash, fire and other emergency equipment while attending an accident when another radio control vehicle is acting as a leader. If the emergency equipment is equipped with Contra Costa County Consolidated Fire District radios and is in contact with the Air Traffic Control Tower through those radios, the vehicle then may proceed as directed by the Control Tower personnel.
4. Agricultural and maintenance equipment owned by Contra Costa County not working on the runways.
5. Aircraft support equipment such as power units, tow tractors and the like when operating on a leased area only.
6. Any other vehicles escorted by authorized vehicles or exempted in writing by the Manager of Airports.

**D. Stopping or Parking in Certain Areas Prohibited**

No person shall stop or park a vehicle in or upon the Airport:

1. In front of a driveway, hangar entrance (except with hangar tenants express permission and only while vehicle operator is present), taxi lane or fire lane.
2. Within a bus stop zone or taxicab zone, except vehicles authorized to use such areas.
3. In other than leased or authorized areas for the purpose of washing, greasing or repairing a vehicle, except repairs necessitated by an emergency.
4. On the roadway side of any stopped or parked vehicle (double parking).
5. Within 15 feet of a fire hydrant.
6. Other than in accordance with restrictions posted on authorized signs.
7. In a tiedown area in such a manner so as prohibit or cause difficulty for adjoining tiedown tenants to move an aircraft in or out of their leased space.
8. In the movement areas between rows, or on the ends of hangars.

**E. Disabled, Abandoned or Illegally Parked Vehicles Subject to Removal**

The Manager of Airports may tow away or otherwise remove and impound motor vehicles which are disabled, abandoned, or parked in violation of these rules and regulations, or which interfere with airport operations, at the owner's or operator's expense and without liability for damage which may result in the course of or after such removal.

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**F. Repair of Motor Vehicles**

No person shall clean or make repairs to motor vehicles anywhere on the Airport other than in designated areas, except those minor repairs necessary to remove such motor vehicle from the Airport; nor shall any person move, interfere or tamper with, any motor vehicle, or put in motion the engine, or take or use any motor vehicle part, instrument, or tool thereof, without the permission of the owner.

**G. Use of Roads and Walkways**

1. No person shall travel on the Airport other than on the roads, walks or places provided for that particular class of traffic.
2. No person shall occupy the roads or walks in such a manner as to hinder or obstruct their proper use.

**SECTION 22. COMMERCIAL AIRLINES**

**A. Requirements for Business or Commercial Activities**

1. No person shall engage in the sale or rental of any commodities, supplies or services or any business or commercial activity whatsoever within the limits of the Airport without a current lease, contract, license agreement, or other written agreement with Contra Costa County.
2. No person shall in the use of the Airport or any of the facilities located thereon discriminate or permit discrimination against any other person or group on the grounds of age, sex, race, color, creed or national origin in any manner prohibited by part 21 of the regulations of the Office of Secretary of Transportation and Title VI of the Civil Rights Act of 1964. In the event of noncompliance with the above provision, the Manager of Airports may take such action as the Federal Government may direct to enforce such compliance.
3. No person shall engage in any aeronautical activity for furnishing services to the public at the Airport unless:
  - a. Said service is conducted on a fair, equal and not unjustly discriminatory basis to all users thereof, and
  - b. Fair, reasonable and not unjust discriminatory prices are charged for each unit or service; provided that reasonable and non-discriminatory discounts, rebates or other similar types of price reductions may be made to volume purchasers.
4. Any person engaged in any business or commercial activity on the Airport shall carry public liability insurance covering all risks; also protecting Contra Costa County and the Airport. The amount of this coverage shall be established in the lease, contract, license agreement, or other written agreement with Contra Costa County.

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5. Any person engaging in any business or commercial activity on the Airport shall accept all moral and financial responsibilities of its operation and hold Contra Costa County, its agents and employees harmless of any liability incurred because of such operations.
6. Any person conducting a commercial activity on the Airport must provide to the Manager of Airports, upon request, information regarding the nature of the business, principals, and owners of the business, financing agreements for the business, financial statements, or other appropriate information needed to enter into or determine current status of a lease, contract, or license agreement, with the operator.
7. Any lessee or operator who shall be subject to this ordinance who shall violate any of the provisions thereof after the date of this ordinance, shall have his lease, contract, or license agreement cancelled and terminated at the discretion of and upon notice by the County. Lessees must have been given notice and time to cure in accordance with their respective leases.
8. Notwithstanding any of the definitions, provisions, and prohibitions of paragraphs 23.A.1 through 23.A.7 and paragraphs 23.B.1 through 23.B.6, the following shall apply:
  - a. The owner(s) or operator of any aircraft based at the Airport may personally use the professional services of appropriately and currently licensed flight instructors and aviation mechanics and inspectors for his/her owned airplanes.
  - b. The service so performed must be personal in nature to the owner or the owner's airplane.
  - c. The service so performed does not represent the de-facto establishment of an on-going commercial business.
  - d. The Manager of Airports shall develop and implement such reasonable administrative provisions and fees in the interests of safety and airport security as are required to carry out the intent of section 23.A.B.a.

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**B. Requirements for Commercial Aviation Activities**

1. No person shall use the Airport as a base or terminal for the carrying on of commercial aviation including but not limited to fixed based operations; aircraft maintenance; aircraft rentals; scheduled or non-scheduled carrier carrying passengers, freight, express, or mail; or student instruction; communications; or any other commercial flying, without a current lease or license agreement authorizing such activity with the Airport.
2. No person shall engage or employ any person to provide commercial aviation services as defined above except from those persons officially authorized by the Airport to conduct such commercial activities on the Airport, unless specific permission is given for special circumstances by the Manager of Airports.
3. Any person desiring to conduct a pilot school or engage in student training in aviation shall comply with standards as set forth in Federal Aviation Regulations.
4. Any person desiring to conduct maintenance service for the repair of aircraft engines, airframe, propellers, instruments, accessories or radios shall comply with the standards established in Federal Aviation Regulations, Part 145.
5. Any person desiring to fly aircraft for hire for the transportation of people or property shall comply with the regulation established in either Federal Aviation Regulation, Part 135 as applied to "Air Taxi and Commercial Operators of Small Aircraft" and shall hold a valid "Air Taxi/Commercial Operating Certificate"; or shall comply with the regulations established in Federal Aviation Regulation, Part 121 as applied to certification and operations; air carriers and commercial operators of large aircraft. Any person upon the request of the Manager of Airports or his representative shall produce evidence showing the appropriate operating certificate.
6. Any person making application for commercial aeronautical concessions will be required to show that he will be able to meet the standard qualification requirements as set forth in the Airport Policy and Standards for Development.

**SECTION 23. PUBLIC, LESSEE & TENANT USE**

**A. Preservation of Property**

No person shall move, alter, make additions to or erect any building or sign on the Airport, or make any excavation on the Airport without the express prior written permission of the Manager of Airports or Contra Costa County.

**B. Obligations of Airport Users**

1. No person shall keep an uncovered trash container in any area of the Airport. The area to be used for trash/garbage containers shall be designated by the Manager of Airports and no other area(s) shall be so used. Such area(s) shall be kept clean and sanitary at all times by users.

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2. No tenant, lessee or person on the Airport shall store or stack material or equipment in such a manner so as to constitute a hazard to personnel or property.
3. All persons leasing space (except tiedowns) at the Airport shall supply and maintain on their leasehold space accessible fire extinguishers; type and number to be determined by the Contra Costa County Consolidated Fire District or the Manager of Airports. Extinguishers to be inspected annually and recharged immediately after use.
4. All Airport billings and claims are payable upon presentation unless otherwise noted thereon, or as specified by written agreement, lease, permit or letter.
5. No tenant lessees, and permittees or other person is permitted to make structural or external decorative changes or additions of any type without the prior written approval of the Manager of Airports.
6. Tenants, lessees, and permittees, shall be fully responsible to the Airport for damage to any property and appurtenances in the ownership or custody of the Airport when such damage is caused by the negligence, abuse or carelessness on the part of the tenant, lessee permittee or their employees, agents, customers, visitors, suppliers or persons with whom they do business.
7. Tenants, lessees and permittees shall maintain their leased areas in a manner satisfactory to the Manager of Airports, and in accordance with their individual lease, license, or permit agreements. Failure to adhere to these provisions may be considered sufficient reason to, warrant cancellation of the lease agreement in part or in whole by the Airport.
8. Unauthorized signs, fixtures or other improvements to leased areas shall become the property of the Airport if tenant has been properly notified to abate such unauthorized installation and has failed to cure within 30 days.

**C. Disorderly Conduct**

No person shall be or become intoxicated, use controlled substances commit any disorderly, obscene or indecent act, or commit any act of nuisance, or conduct or engage in illegal gambling on the Airport.

**D. Gate Security**

It shall be the responsibility and duty of aircraft operators and other persons using the Airport to close and keep secure gates which lead to the Air Operations Area. Key cards, gate access cards, gate access combinations or keys are not to be given to unauthorized persons.

**E. Floor, Apron and Ramp Care**



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All lessees and tenants on the Airport shall keep the floors of the hangars, hangar areas and apron and ramp areas leased or subleased by them, respectively, or used in their operation, clean and clear of accumulation of oil, grease and other materials. All operators and users shall be responsible for cleaning up any spills of oil, gas, grease and other materials in the Airport Operations Area.

**F. Flying Club Rules**

1. Flying clubs must submit a complete list of their membership including names and addresses annually to the Manager of Airports.
2. The Manager of Airports has the right to arrange for an audit of club records to determine whether the club complies with all of the requirements set forth herein as a non-profit flying club. This may include an audit of books to determine whether or not the club is in non-profit status.
3. The club will submit annually current rules, articles of incorporation, by-laws, and regulations governing the flying clubs activities.
4. All flying club flight instructors must be members of the flying club.
5. Flying clubs are required to provide the County with a Certificate of liability insurance naming the County as an additional named insured in the amount of \$1,000,000 or as adjusted from time to time by the County.
6. The flying club shall keep current with the Manager of Airports, the name, address, and current phone number of the person responsible for the aircraft, in case of emergency.

**SECTION 24. GROSS WEIGHT LIMITATIONS**

No aircraft having a Gross Takeoff Weight in excess of 60,000 pounds for single wheel aircraft and 90,000 pounds for dual wheel aircraft may operate at the airport, except by prior written permission of the Manager of Airports.

**SECTION 25. SEVERABLE**

If any provision or clause of this ordinance or the application thereof to any person or circumstances held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other ordinance provisions or clauses or applications thereof which can be implemented without the invalid provision or clause or application, and to this end the provisions and clauses of this ordinance are declared to be severable.

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**SECTION 26. EFFECTIVE DATE**

This ordinance becomes effective thirty days after the passage, and within fifteen days of passage, shall be published once with the names of the supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED ON February 3, 1987 by the following vote:

AYES: Supervisors Powers, Fahden, Schroder, Torlakson and McPeak

NOES: None

ABSENT: None

ATTEST: PHIL BATCHELOR, Clerk of the Board and County Administrator

By: (SEE ORIGINAL)                                  (SEE ORIGINAL)

Deputy Clerk

Board Chair

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**"ADMINISTRATIVE PROCEDURE FOR SECTION 23.A.8.a"**

1. An aviation mechanic or inspector is allowed to participate in or conduct any repair, maintenance or inspection if he/she has registered with the Airport Management as provided for in #4 below within the previous twelve (12) months and in no case may conduct repair, maintenance or inspection other than owner assisted repair or maintenance.
2. A flight instructor may conduct any flight instruction he/she has registered with the Airport Management as provided for in #4 below within the previous twelve (12) months and in no case may conduct instruction other than that personal to the aircraft owner or his/her family or employee.
3. The registration certificate shall be available for inspection on reasonable demand and in the case of repair, maintenance or instruction the owner or his/her employee shall be present in the vicinity during the time the substantial part of the work is performed. Employee shall be deemed to be present if he/she is away from the vicinity for not more than two (2) hours.
4. Prior to any instructions, repair, or work, the owner/operator shall accompany the instructor or mechanic/inspector to the Airport office where they shall present to the Airport Management an appropriate FAA Certificate, the N number of the aircraft, and the service to be performed. An annual \$25 fee shall be paid. A copy of the FAA certificate shall be retained by the Airport. The instructor, mechanic, or inspector must register for each different aircraft, but the fee shall apply only once per twelve month period.

**APPENDIX B:**  
**COUNTY ORDINANCE 88-82**

Ordinance No. 88- 8 2  
Amendments to Airport Ordinance 87-8

**SECTION 1. SUMMARY.** This Ordinance adds various provisions to uncodified County Ordinance 87-8 ("the Airport Regulations"), amends and rennumbers various provisions of the Airport Regulations, and adds a new Section 27 to the Airport Regulations.

**SECTION 2. DEFINITIONS.** Section 3 of the Airport Regulations is amended to add the following provisions:

For the purpose of this Ordinance, unless context requires otherwise, the words and phrases used herein shall have the meaning set out in this Section. Federal Aviation Administration definitions shall apply to technical words and phrases if not included herein. Chapter heads and Section heads or titles do not constitute a part of this Ordinance but are for information purposes only.

**A. A-Weighted Sound Level**

The sound pressure level, expressed in decibels, that has been filtered, or weighted, to reduce the influence of extremely high or low frequencies to more adequately respond to the human perception of sound.

**B. Air Operations Area**

The portions of the Airport provided and made available for aircraft and related operations, and shall include aircraft runways, taxiways, ramps, aprons, parking spaces and areas directly associated therewith.

**C. Aircraft**

Any apparatus now known or hereafter designed, invented or used for navigation or flight in the air, except a parachute or apparatus used primarily as safety equipment.

**D. Aircraft Operator**

Any person or entity who owns, leases, rents, controls, manages or operates an aircraft.

**E. Airport**

Any and all airports under the ownership and control of Contra Costa County and including all property and improvements within the boundary lines of said airports.

**F. Airport Management**

The Manager of Airports and his duly authorized representatives are collectively referred to as Airport Management.

**G. Based Aircraft**

Aircraft (1) which are tied down or hangared at the Airport at a monthly or longer charge; or (2) owned, leased or used by an aircraft operator who maintains a fixed place of business on the Airport; or (3) owned, leased or used by an aircraft operator who uses the Airport for the principal, or a substantial, portion of his or its activity. More than eight (8) landings in any thirty (30) day period shall be deemed a substantial use, unless otherwise determined by the Manager of Airports.

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#### **H. Based Commercial Aircraft Operator**

A commercial aircraft operator who operates at the Airport pursuant to a lease with, or license from, Contra Costa County.

#### **I. Business or Commercial Activity**

Business or commercial activity is defined to include the use of the Airport for one or more of the following purposes: Carrying passengers, freight, express or mail for hire; instructing in aviation or in any aviation related field for compensation; selling fuels, aviation supplies or materials; renting, selling, maintaining or servicing aircraft; or conducting any other aviation or non-aviation commercial or business activity including the sale of refreshments or any commodity of service; and the offering or soliciting of any act in this Section.

#### **J. Crash-Fire-Rescue (CFR) or Aircraft Rescue and Fire Fighting (ARFF)**

The Crash-Fire-Rescue (CFR) units at the Airport and equipment owned or operated for the purpose of conducting Crash-Fire-Rescue operations.

#### **K. Commercial Aviation Operator**

Any person or entity who owns, controls, operates, manages, or leases any aircraft for any one or more of the following purposes: (1) the transportation by aircraft of persons or property for hire, including, but not limited to, common and contract carriers; (2) the operator of an aircraft utilized for student training to obtain compensation; (3) the operator of an aircraft leased for profit; (4) any person engaged in the business of selling aircraft parts or aircraft accessories; (5) the holder of a certificate for commercial aircraft operation under Federal Aviation Regulations (FAR's); or (6) the operator of any aircraft determined by the Manager of Airports not to be a flying club aircraft, private aircraft, government, or public aircraft as defined in these regulations.

An aircraft operator not otherwise a commercial aircraft operator shall not become one solely as a result of the leasing of his aircraft to a based aircraft operator who operates under a lease with or license from Contra Costa County.

#### **L. Decibel**

The unit for expressing the relative intensity of sounds.

#### **M. Fire District**

A County fire protection district in which the Airport is located.

#### **N. Fixed Base Operator (FBO)**

Any person or entity who on or at the Airport engages for hire in the selling, storage, repair, servicing, renting, operating or fueling of aircraft, and who has a real property lease with Contra Costa County.

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- O. Flying Club**  
A non-profit association, partnership or corporation of five or more members owning or leasing aircraft based at the Airport, in which organization each club member is a bona fide part-owner of the aircraft (in case of owned aircraft), or the holder of a share, but not more than one share, in the organization. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance and replacement of such aircraft.
- P. General Aviation**  
All other aircraft operated at Buchanan Field Airport other than Scheduled Commercial Airlines, Military Operations, and Public or Government aircraft.
- Q. Manager of Airports**  
That person designated by the Public Works Director of Contra Costa County as the day-to-day executive officer for the operation of the Airport.
- R. Owner**  
The registered owner of an aircraft, the person in possession of an aircraft, including, but not limited to, licensees, lessees and other such persons, and any fixed base operator (FBO), flying club or other organization which allows a third party to use an aircraft under an agreement with the registered owner of the aircraft.
- S. Government Aircraft and Public Aircraft**  
Aircraft owned or operated by federal, state or municipal government, or agencies thereof.
- T. Maximum Landing Weight**  
The certified maximum gross landing weight for aircraft as prescribed by the Federal Aviation Administration (FAA).
- U. Person/Entity**  
Any individual, partnership, corporation, association, joint venture, organization, group or duly authorized representative thereof.
- V. Private Aircraft**  
Aircraft used solely for the transportation of the owner; the owner's employees, guests, or property; not operated for profit and not otherwise coming within any other definition set forth in these regulations. Such aircraft may be operated by other than the owner without losing its classification as private provided that such use by others does not include commercial operations.
- W. Private Aviation**  
The operation and use of private aircraft.

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**X. Scheduled Commercial Airline**

Any air carrier or commuter airline authorized by federal, state and local law and regulations to operate regularly scheduled commercial air service into and out of Buchanan Field Airport for the purpose of carrying passengers, freight, or for any other commercial purpose.

**Y. Tenant**

Any person or employee of any person having a lease, permit, or agreement with Contra Costa County, or any person who is a sublessee of a lessee and is based at the Airport.

**Z. Transient Aircraft**

Aircraft that are not based aircraft as defined under Paragraph G. of this Section.

**AA. Transient Aircraft Parking Area**

Areas on the Airport which the Manager of Airports may, from time to time, designate for parking of transient aircraft. The FBO lessees may also have transient areas of their leased premises.

**AB. Uniform Fire Code**

The latest version of the Uniform Fire Code adopted by the County Fire Protection District in which the Airport is located.

**SECTION 3.** Section 18.U.10 is hereby revised as follows:

Practice landings and takeoffs, training and/or proficiency operations, including but not limited to touch-and-go operations, shall not be conducted between the hours of 10:00 p.m. and 7:00 a.m. local time. This time shall be 10:00 p.m. to 8:00 a.m. on weekends and all holidays observed by Contra Costa County.

**SECTION 4.** Section 27 is added to the Airport Regulations to read as follows:

**SECTION 27. AIRPORT NOISE RESTRICTIONS**

**A. Maximum Permitted Noise Level**

Unless expressly exempted under Subsection E. of this Section, no person shall pilot, operate, or permit to be operated, any aircraft at Buchanan Field Airport which exceeds a sound level of 78.0 decibels on the A-weighted scale (dBA) on takeoff, under measuring procedures referenced, and at noise levels set forth in U.S. Department of Transportation, Federal Aviation Administration ("FAA") Advisory Circular 36-3 ("AC 36-3"), as amended (March 27, 1986 - or, if later amended, the most recent amendment of AC 36-3), entitled 'Estimated Airplane Noise Levels in A-weighted Decibels.'



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**B. Maximum Permitted Nighttime Takeoff Noise Levels**

Unless expressly exempted under Subsections E. or F. of this Section, no person shall pilot or operate any aircraft at Buchanan Field Airport which exceeds a sound level of 75.0 decibels on the A-weighted scale (dBA) on takeoff, under measuring procedures referenced, and at noise levels set forth in FAA AC 36-3, as amended, during the hours of 10:00 p.m. to 7:00 a.m. (2200 hours to 0700 hours), local time.

**C. Determination of Compliance**

Compliance with Subsections A. and B. of this Section shall be determined by reference to FAA AC 36-3, including Appendix 1, "Estimated Maximum A-weighted Sound Levels for Airplanes at FAR Part 36 Appendix C Locations (Takeoff)" for all aircraft listed in AC 36-3. An aircraft type and model not listed in FAA AC 36-3 as amended may operate at Buchanan Field Airport if it is in all other ways in compliance with the Airport Regulations as amended.

**D. Prohibited Aircraft List**

The Manager of Airports shall maintain, and provide to all Airport tenants and any other person upon request, a list of aircraft types prohibited to use Buchanan Field Airport in compliance with the noise standards set forth in Subsection A. and Subsection B. of this Section, as determined by the procedures specified in Subsections A., B. or C. of this Section ("Prohibited Aircraft List"). Unless exempt from the provisions of Subsection A. of this Section, no aircraft may tie-down, be based at, or otherwise use the landing, takeoff, or other facilities of Buchanan Field Airport if that aircraft is listed in the Prohibited Aircraft List.

**E. Provisions for Testing for Compliance**

The owner of an aircraft on the Prohibited List as set forth in Section 27.D. shall have the opportunity to demonstrate compliance with the noise standards set forth in Subsections A. and B. by either of the following means:

1. By providing the County with proof that the subject aircraft has been modified in a manner approved by the FAA or would be operated in a manner consistent with safety that would allow it to comply with the requirements of Subsections A. and B., if it were to be tested in accordance with the FAA noise type certification procedures set forth in AC 36-3; or
2. By providing the County with proof that the subject aircraft has been tested in accordance with the FAA noise type certification procedures set forth in AC 36-3 and has been determined to be in conformance with the requirements of Subsections A. and B. of this Section.

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#### **F. General Section 27 Exemptions**

The following categories of aircraft shall be exempt from the provisions of Subsection A. of this Section:

1. Aircraft operated by the United States of America or the State of California;
2. Law enforcement, emergency, fire, or search and rescue aircraft operated by any county or city of the State of California;
3. Aircraft used in support of emergency or emergency relief purposes. In the event of aircraft operations conducted pursuant to this exemption, then, within ten(10) days after conclusion of the emergency, the Manager of Airports shall submit to the Public Works Director a detailed written report regarding the nature and duration of the emergency, and a description of the operations conducted pursuant to this exemption during the emergency period;
4. Aircraft having to use the Airport in a bona fide emergency for the preservation of life or property;
5. Civil Air Patrol aircraft when engaged in actual search and rescue missions;
6. Aircraft engaged in landing(s) or takeoff(s) while conducting tests required by the Manager of Airports or other competent authority pursuant to the development of revised noise standards, and noise or monitoring or management systems;
7. Itinerant aircraft engaged in emergency medical evacuation or transport, or engaged in transportation reasonably related to a medical emergency;
8. Aircraft engaged by or with the consent of the Count Board of Supervisors for aerial exhibition (air show) or static display purposes at the Airport.

#### **G. Exemptions from Subsection B.**

Scheduled air carrier or scheduled commuter airline aircraft shall be governed by their lease agreements and the current Airport Access Plan in lieu of Subsection B. of this Ordinance as it relates to aircraft operations that have been delayed in their scheduled arrival or departure time as a result of equipment failure, bad weather, air traffic control delays, or other similar circumstances beyond the control of the operator, provided that preferential noise abatement arrival Runway 19R or preferential departure Runway 32R can, in the sole Judgement of the pilot-in-command, be safely used by the aircraft for its delayed operation. Any person operating any aircraft pursuant to the exemption authorized by this Subsection shall submit a written report to the Manager of Airports within ten(10) days after the operation setting forth in detail the circumstances justifying the application of this exemption for any such operation.

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**H. Notification**

The Manager of Airports requests publication of a Notice to Airmen (NOTAM) setting forth the restrictions of Subsections A. and B. of this Section. The Manager of Airports may also take other steps to provide information to aviation users of the nature and existence of these restrictions. Nothing in this Section shall provide or constitute a defense to any charge for violation of Subsections A. or B. of this Section.

**SECTION 5.** Section 6.D.4. is added to the Airport Regulations to read:

**4. Responsibility for Compliance**

It shall be the responsibility of all Airport users including, but not limited to, pilots and the owners of aircraft, to comply with Section 27. of this Ordinance. Action enforcing Section 27. of this Ordinance may be taken against either the pilot or owner of any aircraft violating Section 27., as circumstances may require, and in accordance with the following provisions:

- a. If an aircraft is operated in violation of this Ordinance by a person other than the owner of the aircraft, the pilot, and not the owner, shall be subject to the penalties prescribed by this Ordinance, except:
- b. If the pilot of an aircraft cannot be identified, the owner shall be presumed to have been the pilot of the aircraft with authority to control the aircraft's operation, or presumed to have authorized or assisted in the aircraft's operation. Such presumption may be rebutted by identification of the person, if any, who was in fact the pilot at the time of the alleged violation.
- c. In the case of any training flight, including, but not limited to touch-and-go operations, stop-and-go operations, and low or missed approaches, in which both an instructor pilot and a student pilot are in the aircraft which is alleged to have been operated in violation of Section 27. of this Ordinance, the instructor pilot shall be presumed to have caused such violation.

**SECTION 6.** Section 6.B.1. is added to the Airport Regulations to read:

**B.1. Appeal to Noise Violations**

Any person aggrieved by an administrative action taken pursuant to Section 27 of this Ordinance may appeal from the action to the Director of Public Works. Said appeal shall be made by filing a written Notice of Appeal with the Director of Public Works, specifying the grounds for appeal, within ten (10) calendar days of the date the action complained of occurred.

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**SECTION 7.** Sections 6.F., G. and H. are added to the Airport Regulations to read:

**F. Enforcement Officials and Employees**

In addition to all other persons authorized by law to enforce the Ordinances of the County of Contra Costa, and pursuant to the provisions of Section 836.5 of the California Penal Code and Contra Costa County Ordinance Code Section 14-8.000, those provisions of this Ordinance which are punishable as infractions may also be enforced by the Public Works Director.

**G. Scheduled Commercial Airline Approved Equipment**

Scheduled commercial airlines shall operate only that equipment authorized by the Board of Supervisors by lease agreement.

**H. Compliance with Noise Restrictions**

No one, including the operator of a commercial airline, shall operate equipment that does not comply with the Airport Noise Restrictions for Buchanan Field Airport. The Board of Supervisors may require demonstration flights to prove compliance with this Section.

**SECTION 7. EFFECTIVE DATE**

This Ordinance shall be published once with the names of the members of the Board of Supervisors voting for and against it in the Contra Costa Times, a newspaper of general circulation published in Contra Costa County, promptly after passage by the Board of Supervisors. This Ordinance shall be effective on January 1, 1989.

PASSED ON October 4, 1988 BY THE FOLLOWING VOTE:

AYES: Supervisors Powers, Fahden, McPeak and Torlakson

NOES: None

ABSENT: Supervisor Schroder

ABSTAIN: None

ATTEST: PHIL BATCHELOR, Clerk of the Board and County Administrator

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_ Board Chair

((seal))

HEW:dg  
NoiseOrd.amn

**APPENDIX C:**  
**ACCESS CONTROL PROCEDURES**



## **CONTRA COSTA COUNTY AIRPORTS**

550 Sally Ride Drive → Concord, CA 94520-5550 (925) 681-4200 → (925) 646-5731 FAX

### **Access Control Procedures**

The Contra Costa County (“County”) Airports Division Security Access Control Card Guidelines establishes provisions for Airport users who require vehicle and/or pedestrian access to the Airport Operations Area (i.e., behind the security fence) of Buchanan Field and Byron Airports.

A. Access Control Card general provisions are:

- 1) Persons or entities must complete the applicable Tenant, Affiliate or Government Access Control application form and receive approval from the Director of Airports
- 2) Access Control Card application forms must be typed or legibly printed and include an original signature; applicant will be contacted if information is unreadable to resubmit or schedule an appointment with Airport staff to complete
- 3) Limit of one (1) access card per individual
- 4) Access control cards will be programmed for specific gate or areas of use based on use/tenancy location; applicants must show eligibility to receive access to other access gates
- 5) Limit of two affiliate users per sponsor (exception with flying clubs or for special circumstances as approved by the Director of Airports)
- 6) Affiliate users must have a sponsor who meets the eligibility criteria in C below and, when affiliate will be accessing a lease hold property
- 7) Tenant must approve the affiliate application and are responsible for an affiliate’s actions when on the Airport
- 8) Affiliate users cannot be a sponsor to another affiliate user
- 9) Lost or stolen access control cards must be reported to the Director of Airports office immediately
- 10) Leaseholders and flying clubs (excluding aviation or flying associations) must provide, in writing, a current list of subtenants or members annually by January 15<sup>th</sup>
- 11) Leaseholders/flying clubs must report change of tenancy/rosters to the Director of Airports office within 5 days of such change
- 12) Tenant, affiliate and government card holders must report any changes to the Director of Airports office within 5 days of such change
- 13) Access card holders (tenant or affiliate) are responsible for any improper use of their access control card; it must not be loaned to anyone
- 14) Unattended vehicle(s) must be parked within permitted areas. Any vehicle interfering with adjoining spaces, taxiways or emergency access will be towed at owners expense
- 15) Access card holders must maintain current driver license and vehicle insurance at all times

B. Access Control Cards will only be issued after the Director of Airport's office has received and verified the following:

- 1) Completed Access Control Tenant, Affiliate or Government Application Form
- 2) Provide proof of valid Driver License
- 3) Payment of access control card deposit (may transfer existing deposit with evidence of an existing valid access key)

C. Access Control Card eligibility:

- 1) Tenants who have an existing Tie-Down Permit or Hangar Agreement with Contra Costa County
- 2) Those who have lease agreements with Contra Costa County
- 3) Those who are hangar subtenants and listed on the authorization hangar tenant roster as provided by each lease holder
- 4) Those who are an employee, associate or relative of an authorized Airport business, lease holder or tenant (Affiliate user)
- 5) Those who are an active member of a flying club or an active student pilot (Affiliate user)
- 6) Authorized government employees
- 7) Law enforcement and emergency personnel
- 8) Persons who can demonstrate the need for access and are authorized by the Director of Airports

D. Access Control Card Fees:

- 1) \$30 deposit (An existing deposit may be transferred if applicant so desires)
  - a. Fully refundable if card is returned within 30 days of termination of tenancy or affiliation with the Airport
  - b. Failure to return card to the Director of Airports office within 30 days will result in forfeiture of deposit
- 2) \$30 for replacement of lost or damaged cards
- 3) No charge for replacement of a defective card if card is returned to the Director of Airports office
- 4) \$15 per occurrence reactivation or access modification fee for tenants who have their gate cards deactivated or access is modified for any reason stated in E below
- 5) Charge for authorized government entities may be waived if approved by Director of Airports

E. Access Control Card may be deactivated or have access modified when:

- 1) False information has been provided on application
- 2) A change in tenancy is reported to the Director of Airports office
- 3) Access card is reported lost, stolen or destroyed
- 4) Access card is used by an unauthorized person or entity
- 5) Tenant that terminates tenancy or when they no longer authorize an affiliate user
- 6) Person or entity who violates Airport rules or regulations

- 7) Person or entity whose rent is over 60 days delinquent
- 8) Person or entity who is in violation of the terms of a lease, license, hangar agreement, or other permit
- 9) Person or entity is operating a commercial activity without a written agreement with the County to permit such services
- 10) Sponsor of an affiliate user if the affiliate user has violated the Airport rules or regulations or is conducting a commercial activity without written permission with the County
- 11) Sponsor of an affiliate user when they fail to report revoking approval of an affiliate within 5 days of such change
- 12) Person or entity who violates any County, City, State or Federal policy, rule or regulation
- 13) For subtenants or flying club members when the leaseholder or flying club no longer has them listed on their current tenant/member roster

F. Variance Procedure:

- 1) Variance requests must be made in writing to the Director of Airports and must include all relevant information as deemed necessary and appropriate to provide sufficient context for reviewing and making a determination on the matter
- 2) The variance request will be considered by the Director of Airports
- 3) The Director of Airports will issue a determination decision to the applicant within thirty (30) days of receipt of variance request
- 4) The Director of Airports determination decision will become final ten (10) days after the date of decision unless appealed to the County in accordance with the provisions in Buchanan Field Airport Policy for Standards of Development and Contra Costa County Airports Minimum Standards
- 5) A variance may be granted only upon determination that any or all of the following conditions are present:
  - A. That strict compliance with the specified policy or standards would result in impractical difficulty or unnecessary hardship inconsistent with the purposes of said policy or standards due to unique physical or topographical circumstances or conditions of design or unique operational circumstances. Or, as an alternative, that strict compliance would preclude an effective business or design solution which would improve operational efficiency or property appearance.
  - B. That strict compliance with the policy or standards would preclude an effective operational or design solution fulfilling the basic intent of the applicable provision.
  - C. That the variance, if granted, will not adversely affect the character or appropriate development of or appropriate business use of abutting sites or the surrounding area and will not be contrary to adopted plans or development policy of the County.
  - D. That the variance will not constitute a grant of special privilege inconsistent with the purposes of said policy or standards.