

**THE AIRPORT LAND USE COMMISSION OF ALAMEDA COUNTY
HAYWARD, CA**

RESOLUTION 2026-01 – AT REGULAR MEETING JANUARY 21, 2026

WHEREAS, Airport Land Use Commissions (ALUCs) were established pursuant to the State ALUC law (Public Utilities Code Article 3.5, State Aeronautics Act, Section 21661.5, Section 21670 et seq., and Government Code Section 65302.3 et seq.) to protect the public health, safety, and welfare by promoting orderly expansion of airports and adoption of land use measures by local public agencies to minimize exposure to excessive noise and safety hazards near airports; and

WHEREAS, state law authorizes ALUCs to coordinate planning at the state, regional and local levels; to prepare and adopt Airport Land Use Compatibility Plans; and to review and make recommendations concerning specified plans, regulations and other actions of local agencies and airport operators including General and Specific Plan amendments, adoption of a Zoning Ordinance or Rezoning, adoption of Building Regulations, revision of Airport Master Plans, and approval of plans to construct a new airport/heliport; and

WHEREAS, the Airport Land Use Compatibility Plan (ALUCP) for the Oakland International Airport was adopted by the ALUC of Alameda County in December 2010; and

WHEREAS, ALCO IRON & METAL (ALCO) is a metal fabricator and recycling business located on Doolittle Drive in San Leandro, California (“the Existing Facility”) within Airport Influence Area of the Oakland International Airport; and

WHEREAS, in 2021 ALCO representatives submitted a project (“Project”) to the City of San Leandro for an expansion of land area (“the Expansion Area”) to respond to the City’s concerns regarding fire safety and to improve truck circulation at the current facility on Doolittle Drive; and

WHEREAS, the ALUC considered the compatibility of the Project with the Oakland International Airport ALUCP at the November 17, 2021; December 15, 2021; and January 19, 2022, meetings; and

WHEREAS, on January 19, 2022, the ALUC voted to continue consideration of the compatibility of the Project to an unspecified date to allow for environmental analysis and further review by the Port of Oakland; and

WHEREAS, the City of San Leandro published a Draft Initial Study – Mitigated Negative Declaration (“Draft IS-MND”) for the Project on November 24, 2025, for a thirty-day comment period; and

WHEREAS, the City of San Leandro revised the Draft IS-MND in response to comments and published the Final IS-MND for the Project in January 2026; and

WHEREAS, the Existing Facility and the Expansion Area are located wholly within Safety Zone 2, also known as the Inner Approach/Departure Zone, as defined in the current ALUCP for the Oakland International Airport, and therefore, are subject to the jurisdiction of the ALUC; and

WHEREAS, the Project includes relocating scrap piles from the four-acre Existing Facility to the two one-acre Expansion Area parcels to the west of their current location; and

WHEREAS, ALCO requires the storage of hazardous materials associated with operating machinery and vehicles; and

WHEREAS, the Final IS-MND states that the Project will not introduce substantial amounts of additional hazardous materials on site or involve the storage of hazardous material in Expansion Area; and

WHEREAS, ALCO has established a Quality Control Plan and a Housekeeping Plan to ensure that accepted materials are free of contaminants and other hazards and to maintain cleanliness and proper handling within the facility; and

WHEREAS, ALCO has developed and submitted a Hazardous Materials Business Plan to the San Leandro Environmental Services, a Certified Unified Program Agency, that outlines procedures for handling, transporting, and disposing of hazardous materials, and is reviewed annually by the City of San Leandro; and

WHEREAS, the Final IS-MND states that the Project will not increase equipment use, employee count, hours of operation, or amount of material processed on-site; and

WHEREAS, Table 3-1 of the ALUCP provides that industrial uses within the 60 dB CNEL contour are a permitted use; and

WHEREAS, ALCO's current and proposed project are industrial uses and therefore permitted under the ALUCP noise compatibility policies; and

WHEREAS, Table 2-3 *Basic Compatibility Criteria and Supporting Information* from the Oakland Airport ALUCP establishes the conditions that make the Project an *Existing Non-Conforming Use*:

- 1) Table 2-3 states that above ground storage of hazardous materials is prohibited in Safety Zone 2 due to the proximity to the runways.
- 2) In addition, Safety Zones 1 and 2 encompass 30%-50% of near-airport aircraft accidents, which is considered to be substantial risk; and

WHEREAS, Section 2.7.5.7 of the ALUCP permits the expansion of existing non-conforming uses that qualify as infill under subsection (a) and that meet the criteria for expansion under subsection (b); and

WHEREAS, the ALCO project qualifies as infill because it is 9.28 acres in size; it is bounded by industrial uses on nearly all sides; the Expansion Area is a former automobile wrecking yard and thus will not extend the perimeter of the area defined by the surrounding, already developed incompatible uses; it will not result in further increases in the density or intensity of the existing uses; the Project's intensity is no greater than the average intensity of all existing uses that lie fully or partially within a distance of 300 feet from the boundary of the proposed development; the Expansion Area was not previously set aside as open land; and the City of San Leandro has identified the ALCO project site as a qualifying location in its general plan that has been found consistent with the ALUCP; and

WHEREAS, a non-conforming nonresidential use may be expanded as infill if it meets the criteria in Sections 2.7.5.7(a)(1), (3) and (4); and

WHEREAS, *Section 2.7.5.7 (b) Non-Conforming Uses* states that nonconforming nonresidential uses may only be expanded as follows:

- 1) the development is not expanded in area or increased in intensity (the number of people per acre) above the levels existing at the time of adoption of this ALUCP.
- 2) Any proposed expansion of the number people on the site is reviewed by the ALUC that includes consideration of whether the development qualifies as infill or warrants approval because of other special conditions; and

WHEREAS, the ALCO Project meets the criteria for expansion of a nonconforming nonresidential use because the Project will expand into a former automobile wrecking yard, and thus would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses; and the Project will not result in any increase in the number of people working on site; and

WHEREAS; *Section 3.3.3.7 Other Flight Hazards* in the ALUCP for the Oakland Airport states that uses are to be avoided anywhere in the Airport Influence Area (AIA), which could create sources of dust, heat, steam, smoke, or thermal plumes that could interfere with pilot vision or create turbulence within the flight path, as well as other interference that could affect aircraft communications or navigation; and

WHEREAS, in 2019, Oakland Airport staff completed an analysis to determine average altitude and number of flights over the project site on a typical weekday; and

WHEREAS, that analysis determined that the average altitude of flights on Approach to Runways 28R/L is approximately 400' and the average number of those flights is 76 per day at this location; and

WHEREAS, to address concerns regarding the hazard to aircraft created by the fires at the ALCO facility and the potential for future fires, ALCO submitted a Fire Prevention Plan it intends to implement to mitigate fire risks that is currently being reviewed by the Port of Oakland; and

WHEREAS, *Section 3.3.3.8 Avigation Easement Dedication* of the ALUCP provides that the ALUC may recommend dedication of an avigation easement as a condition for approval of development to restrict the heights or structures or trees; and

NOW, THEREFORE BE IT RESOLVED that the Airport Land Use Commission of Alameda County finds as follows:

1. The facts in the recitals are true and correct and incorporated as if set forth fully herein.
2. ALCO's current facility is a nonconforming use due to its location in Safety Zone 2 in the ALUCP and its storage of hazardous materials in proximity to runways.

3. The Project meets the criteria for expansion of its nonconforming use because the Project qualifies as infill development under Section 2.7.5.7(a) of the ALUCP, and for expansion of the nonconforming use under Section 2.7.5.7(b).
4. The Project will not create excessive sources of dust, heat, steam, smoke, or thermal plumes conditioned upon:
 - a. ALCO's implementation of the existing 2021 Fire Prevention Plan,
 - b. ALCO's implementation of all relevant Mitigation Measures listed in the Draft and Final IS-MND, including Measure AQ-1.
5. The Project, as proposed, is compatible with the Oakland Airport ALUCP, subject to conditions herein:

THEREFORE BE IT FURTHER RESOLVED that this finding of consistency is conditioned upon the presence onsite of a Compressed Air Foam System (CAFS) unit as specified in the 2021 Fire Prevention Plan, and subject to acceptance by the Port of Oakland and the Alameda County Fire Department.

THEREFORE BE IT FURTHER RESOLVED that this finding of consistency is conditioned upon the City of San Leandro verifying staff training during the previous year as outlined in the Fire Prevention Plan and confirming satisfactory inspections by City of San Leandro Environmental Services and the Alameda County Fire Department during the previous year.

THEREFORE BE IT FURTHER RESOLVED that this finding of consistency is conditioned upon ALCO granting an avigation easement to the Port of Oakland to mitigate the risks associated with ALCO's storage of metal scrap piles.

THEREFORE BE IT FURTHER RESOLVED that this finding of consistency is conditioned upon the project applicant filing Federal Aviation Administration (FAA) Form 7460.

ADOPTED BY THE FOLLOWING ROLL CALL VOTE:

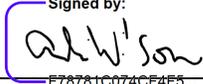
AYES:

NOES:

ABSENT:

ABSTAINED:

SIGNED:

Signed by:

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ANDREW WILSON,
 CHAIR, ALAMEDA COUNTY AIRPORT LAND USE COMMISSION

**ALBERT LOPEZ, ADMINISTRATIVE OFFICER
 ALAMEDA COUNTY AIRPORT LAND USE COMMISSION**