

MINIMUM STANDARDS

FOR THE CONDUCT OF AERONAUTICAL ACTIVITIES AT BROWN FIELD MUNICIPAL AIRPORT

PURPOSE AND POLICY

“The requirements of standards imposed on those proposing to conduct an aeronautical activity on a public airport should relate primarily to the public interest. As building and sanitary codes are enacted for the protection of the local community, Airport standards should be designed to protect airport patrons from irresponsible, unsafe or inadequate service. Because the cost of meeting reasonable standards must be accepted as a normal business expense, no prudent operator will undertake the investment involved unless he foresees a volume of business that has not been fully developed. Thus, the use of reasonable, while safeguarding the public interest, has the additional effect of preserving the stability of an established business. Proper standards discourage the unqualified for the protection of both the established operator and the public. The fairness and reasonableness of the standards normally is judged against the background of general practices which have found acceptance at airports of comparable size and situation.”

FAA AC 150/5190-1A

The City of San Diego has adopted minimum standards for the conduct of aeronautical activities at Brown Field Municipal Airport. They were developed substantially in accordance with the Economic Rent Study of 1993. Additional assistance was provided by the FAA, the San Diego Airports Advisory Committee, and the Brown Field Tenants Association.

These standards do not apply to the following activities:

1. Temporary activities (less than 90 days) authorized by a short-term agreement or other official City of San Diego agreement.
2. Activities that are not of themselves commercial, or only incidental to non-aviation commercial activities.
3. Activities not requiring leased facilities.
4. ~~Activities authorized by pre-existing lease agreements. (It should be understood, however, that as these non-complying, pre-existing agreements are renewed, the minimum standards contained herein will apply.)~~

Specific standards may be reviewed by the Airport Authority for consideration for modification or postponement if the required level of service is not currently available by an approved Lessee or Sub-Lessee and compliance with the standard will require an unreasonable investment relative to the expected return during the lease period.

II DEFINITIONS

AIRPORT: Brown Field Municipal Airport, San Diego, California.

CITY: The City of San Diego

COMMERCIAL AERONAUTICAL ACTIVITY: A commercial business activity that involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations. For example, the following are commercial aeronautical activities:

1. Air Taxi and Air Charter
2. Scheduled or non-scheduled Air Carrier services
3. Pilot Training
4. Aircraft rental and sightseeing
5. Aerial advertising or surveying
6. Aerial photography
7. Aircraft parking or storage
8. Sale of aviation fuel and oil
9. Aircraft and accessories sales and service
10. Repair and maintenance of aircraft and/or avionics
11. Sale of aircraft parts, avionics, pilot supplies
12. Parachuting activities
13. Air ferrying operations
14. Any other activities as may be determined by the City Manager

The following are not aeronautical activities:

Ground transportation (taxis, car rental, limousines)
Restaurants
In-flight food catering
Barber shops
Auto parking lots

COMMERCIAL OPERATING PERMIT (COP): A binding agreement between the City and permittee, allowing permittee the right to conduct a specified aeronautical activity. (A COP is to be used in place of a lease agreement to effect a contractual relationship between the City and the permittee when:

The activity to be permitted does not lend itself to a formal lease agreement
~~An approved Lessee or Sub-Lessee does not already provide the service.~~

Use of a COP will be determined on a case by case basis; but the service provided must be of benefit to the airport and it's users, and compliance with the standards contained herein could reasonably be assumed to be unrealistic when compared with the benefit of the service provided.

FIXED BASED OPERATOR (FBO): A person having a lease with, and conducting a business or commercial activity at the Airport for the purpose of providing the following five (5) items:

1. Aircraft parking (transient and based)
2. Aircraft hangar storage

3. Airframe and power plant maintenance
4. Sale and service of aviation fuel and oil
5. Pilot/passenger terminal or lobby and required services and facilities

And any two of the following services (either directly or via an approved sublease agreement):

1. Pilot training and aircraft rental
2. Sale of aircraft
3. Air taxi, charter or air carrier operations
4. Sale and service of specialty aircraft components such as avionics, instruments or propellers; or sale of other aircraft parts and accessories through a well stocked parts shop
5. Aircraft restoration, upholstery and painting
6. Heavy cargo handling capability
7. Parachuting/Skydiving activities
8. Aerial advertising or surveying
9. Aerial photography

In addition, it may conduct any other commercial aeronautical activity by contract provided the contracting party meets the minimum standards.

MINIMUM STANDARDS: The minimum qualifications and conditions required for eligibility for the right to conduct an aeronautical activity.

PERSON: Any individual, firm, partnership, corporation, association or company and indicates any trustee, receiver, assignee or similar representative thereof.

SPECIALTY SHOP: An airport Lessee or Sub-Lessee that provides one or more commercial aeronautical activities at the airport (see commercial aeronautical activity above)

III APPLICATION

Requests to conduct aeronautical activities may be submitted to:

DEPUTY DIRECTOR OF AIRPORTS
BROWN FIELD MUNICIPAL AIRPORT
1424 Continental Street
San Diego, CA 92173

Applications shall include:

1. Description of the proposed activities or services.
2. Name, address, phone numbers and qualifications of the personnel involved.
3. Documentation of financial capability and responsibility, including certified financial statements (not compilation statements) or income tax returns for the previous three years, and a current credit report, for the applicant and for all guarantors. (Financial information will be kept confidential).
4. Inventory of stock, tools and equipment to be provided; including a list of all assets to be used that are owned or being purchased.
5. Desired starting dates and term of lease.
6. Specifications and estimated cost of facilities and structures to be furnished and means or method of financing their acquisition or construction.
7. Insurance type and limits
8. ~~A pro forma operating statement for:
_____ The first year for specialty shops
_____ The first five years for FBO's~~
9. ~~Copy of written authorization to the FAA and the state aviation authorities in all states in which the applicant has engaged in aviation business, whether under the same name or different names, to supply the City with all information in their files relating to the applicant and it's operation. Applicants shall execute all such forms, releases and discharges as may be requested by any of these agencies.~~

IV MINIMUM REQUIREMENTS: GENERAL

(This entire section could be deleted since these requirements are already incorporated into the City's standard lease boilerplate.)

Applicant must demonstrate to the satisfaction of the City the following minimum requirements:

- 1. Minimum Financial Resources:** Financial resources must be sufficient to successfully and properly conduct the activities.
- 2. Minimum Capital Investment:** Capital investment must be appropriately related to the leased space, improvement requirements and type of activity.
- 3. Minimum Experience:** History of management, experience and personal ability in providing similar activities. Managing employees must have appropriate qualifications and experience.
- 4. Minimum Insurance:** Suitable casualty, property and liability insurance and bonding to protect and hold the City harmless from any liability in connection with the conduct of the proposed activities and services. The liability coverage shall be consistent with the following guidelines:

A. General Tort Liability: Applicant shall protect, defend, and hold the City and its officers and employees completely harmless from and against any and all liabilities, losses, suits, claims, judgments, fines or demands arising by reason of injury or death of any person or damage to any property, including all reasonable costs for investigation and defense thereof (including but not limited to attorney fees, court costs, and expert fees), of any nature whatsoever arising out of or incident to it's General Aviation Aeronautical Activity and/or the use or occupancy of the airport or the acts or omissions of applicant's officers, agents, employees, contractors, subcontractors, licensees, or invitees, regardless of where the injury, death, or damage may occur, unless such injury, death or damage is caused by the sole negligence of the City.

B. Regulatory Liability: Applicant agrees that if a prohibited incursion into the Air Operations Area occurs, or the safety or security of the air operations area and runway area is breached by or due to the negligence or willful act or omission of applicant or it's employees, agents, or contractors and such incursion or breach results in a civil penalty action being brought against the City by the US Government, such applicant will reimburse the City for all expenses, including attorney fees, incurred by the City in defending against civil penalty action and for any civil penalty or settlement amount paid by the City as a result of such incursion or breach of airfield or sterile area security. The City shall notify such applicant of any allegation, investigation, or proposed or actual civil penalty sought by the U.S. Government for such incursion or breach.

The provisions of this section shall survive the expiration or early termination of any agreement or permit with the City for matters arising before such expiration or early termination.

- 5. Legal Minimums:** Must be able to meet the requirements of the FAA and other authorities governing the proposed activities. Required certificates must be obtained and displayed and all applicable federal, state and local laws and regulations must be complied with at all time.
- 6. Responsibility Minimum:** Applicant must agree not to transfer controlling interest in the authorized activities unless approved in writing by the City, said approval not to be unreasonably withheld.

MINIMUM STANDARDS

Applicants for authorization to conduct commercial aeronautical activities at the Airport must obtain, and comply with at all times, a lease agreement with the City, a valid sublease, or a Commercial Operating Permit. In addition to meeting all of the above specified requirements, applicants must meet all requirements specified in this section for each respective type of tenancy and specific activity.

1. FIXED BASE OPERATOR:

The FBO shall perform the Aeronautical Activities as specified in the FBO definition contained in these minimum standards. Due to space requirements as specified herein, investment required and environmental considerations, only FBO's shall be permitted to store, sell or dispense aviation fuel products.

FBO leaseholds shall consist of at least one parcel of ~~ten (10) acres~~ adequate area for the parking of aircraft and vehicles and the storage and handling of aircraft. ~~Hangars One hangar shall an area of at least 10,000 square feet with~~ will have a door clear height of at least 20 feet. Supporting office and shop space shall be adequate to house the equipment, and adequate equipment and tools, jacks, lifts, and testing equipment to perform overhauls as required for FAA certification and repair of parts not needing replacement on common, single engine and light twin, general aviation aircraft. Office space ~~will be a minimum of 4,000 square feet and will~~ include a lounge for passengers and pilots, flight planning area, service counter and restrooms. Adequate space shall be provided for on-site parking.

In addition, FBO's shall provide the following:

- A. Personnel to handle requests for fuel, aircraft service, parking and storage, catering, rental cars, ground transportation, and hotel accommodations.
- B. Adequate, uniformed, trained, courteous line service personnel on duty seven days a week, ten (10) hours per day. After hours, personnel shall be on call by beeper or other rapid access system.
- C. At least one of the line service personnel or aircraft maintenance technician on duty 5 days per week, 8 hours per day, shall be a licensed A&P mechanic.
- D. Demonstrated capability to perform minor repairs, coupled with a requirement for tools, jacks and towing equipment (tugs and tow bars).
- E. Suitable aircraft parking and tie down areas and the demonstrated capability to efficiently and safely move aircraft to such areas and store them in compliance with local regulations.
- F. Provision of energizers, starters, passenger loading steps, oxygen, nitrogen, compressed air and such other equipment and supplies as may be required to serve the types of aircraft using that particular FBO.
- G. A means for the legal and sanitary handling, storage and disposal of all trash, waste and other materials, including but not limited to used oil, solvents and other waste.

2. SALE OF AVIATION FUEL PRODUCTS

- A. As stated in the definition of a Fixed Base Operator "FBO", this aeronautical activity can only be performed by an FBO which shall also provide the following:
- B. Space and facility requirements shall be as stated in item V.1 above.
- C. For reasons of environmental precautions and protection and to minimize the Airports exposure

to contamination, all fuel storage tanks shall be located in an area(s) approved by the Airport. Fuel storage facilities must be constructed and maintained in compliance with all applicable Airport, City, State, County and Federal laws, rules and regulations. ~~Minimum storage volumes are:~~

~~Jet A — 20,000 gallons~~

~~Avgas — 10,000 gallons~~

Fixed, above ground storage tanks shall conform to all applicable codes.

D. Two fuel trucks must be provided and maintained in compliance with the Uniform Fire Code and all applicable City, State and Federal rules and regulations. Trucks are subject to inspection by the airport. Minimum truck capacities are:

Jet A - 5,000 gallons

Avgas - 1,800 gallons

Additional trucks with capacities less than these amounts are permitted.

E. Line service personnel shall be provided with initial and recurrent training; and records of such training shall be maintained and available for inspection by the Airport. Training will include fuel handling requirements and procedures, truck and fuel farm inspections, safety precautions, and the provisions of a fuel spill prevention and clean up at both the fuel farm and the aircraft parking ramp.

F. Bonding or grounding rods shall be used at all fueling locations to eliminate the hazards of static electricity.

3. AIRCRAFT MAINTENANCE AND REPAIR

Except as otherwise provided with any agreement with the Airport, the Minimum Standards for aircraft engine, airframe and accessory sales; and commercial maintenance and repair facilities are:

A. In case of airframe and/or engine repairs, sufficient hangar space to house any aircraft upon which services are being performed. Minimum hangar space requirements for servicing single engine aircraft shall be 5,000 square feet with a fourteen-foot clear door height.

B. Suitable Storage space for aircraft awaiting repair, maintenance, or delivery.

C. Supporting maintenance office and shop space shall be adequate to house the equipment, and adequate equipment and tools, jacks, lifts and testing equipment to perform general aviation maintenance and repair. Additionally the maintenance office will contain the required books, (in some form), of aircraft parts, maintenance, repair, alterations and FAA documents required by the manufacturers and FAA to perform said, maintenance, repairs and alterations.

D. A fully licensed and certificated FAA Airframe and Power plant mechanic with an inspection authorization attached to his certificate or a repair station license available for servicing aircraft at least 8 hours per day, 5 days per week. The mechanics should also be available by pager, telephone or other rapid access system during emergency conditions occurring during other than normal business hours.

E. A means for the legal and sanitary handling, storage and disposal of all trash, waste and other materials, including but not limited to used oil, solvents and other waste.

A. Adequate on site vehicle parking must be available.

4. AIRCRAFT STORAGE

A. Hangar keeping activity is limited to approved locations and must include adequate ramp area for

aircraft access.

B. The mandated minimum hangar requirement for FBO's is one hangar of at least 10,000 square feet with a clear door height of at least 20 feet. Aircraft storage requirements for other than FBO's are hangars of at least 5,000 square feet with a clear door height of at least 14 feet.

C. Adequate on site vehicle parking must be available.

5. AIRCRAFT RENTAL

A. Available facilities must include suitable office and counter space, flight planning, availability of a telephone for filing of flight plans, tie down facilities and at least two single engine aircraft and one complex or special purpose aircraft.

B. Personnel must be available eight hours per day, seven days per week to schedule and dispatch aircraft.

C. Adequate on site vehicle parking must be available.

6. AIRCRAFT SALES

Sales or brokerage of aircraft requires:

A. Suitable office, displays and tie down facilities leased or constructed on the airport of a type and at a location approved by the City.

B. At least one sales and demonstration person on duty during standard operating hours.

C. A franchise for the sale of new aircraft from a manufacturer or licensee, or access to an adequate inventory of used aircraft.

D. A contractual arrangement with either the aircraft manufacturer or licensee, or an airport FBO, aircraft maintenance repair specialty shop, or aircraft parts supply specialty shop operator for the repair and servicing of, and provisions of parts for, aircraft sold for any warranty period.

E. Must possess approved FAA and State licenses and/or permits as required, for the sale of aircraft.

F. Adequate on site vehicle parking must be available.

7. AIR TAXI

A. Suitable office and tie down space must be provided.

B. Personnel must be available eight hours per day, 6 days per week to receive customers and schedule flights.

C. At least one aircraft authorized for IFR Part 135 operations must be available for charter service.

D. Proper and adequate amenities and facilities for passenger waiting, telephones and restrooms, subject to the approval of the Airport, must be provided.

E. Adequate on site vehicle parking must be available.

8. PILOT TRAINING

A. Suitable facilities, training standards and personnel qualifications commensurate with criteria for a FAA Part 61 or Part 141 pilot school. Staff will include at least one full time certified flight instructor (CFI), and at least one CFI will be on duty at least 40 hours per week.

B. At least 3 single engine aircraft will be available during operating hours, so equipped to enable the attainment of licenses for Private, Commercial, instrument and Flight Instructor ratings.

C. At least one multi engine aircraft sufficient to enable the attainment of Airline Transport Pilot and Multi Engine ratings.

D. Adequate on site vehicle parking must be available.

9. PARACHUTING

~~A. Parachuting activities must be available seven days per week, eight hours per day.~~

- B. At least 24 fully operational parachute systems and 6 fully operational Tandem parachute systems, each equipped with a functional and manufacturer approved automatic activation device (AAD), a manufacturer approved ram air Main and Reserve canopy. All components of the parachute systems must conform to manufacturer requirements.
- C. At least one aircraft capable of carrying at least 10 skydivers.
- D. Suitable facilities, training standards and personnel qualifications commensurate with the highest standards as set forth by the United States Parachute Association (USPA). Office and classroom space will be a minimum of 5,000 square feet. Staff will include at least one full time USPA certified Instructor holding current ratings in Accelerated Freefall, Tandem, and Staticline. Staff will also include at least one full time FAA certified and current Master Parachute Rigger.
- E. Must maintain a current group membership with the United States Parachute Association.
- F. ~~Each jumper must be a member of the United States Parachute Association.~~
- G. Adequate on site vehicle parking must be available.

10. ADDITIONAL AERONAUTICAL ACTIVITIES

Minimum standards for additional aeronautical activities will be developed as the need arises.