SOLANO COUNTY AIRPORT LAND USE COMMISSION
RESOLUTION NO. 23-16

RESOLUTION REGARDING CONSISTENCY WITH
AIRPORT LAND USE COMPATIBILITY PLANS
(Solano County General Plan Amendments – County of Solano)

WHEREAS, pursuant to California Public Utilities Code section 21675 the Solano County Airport Land Use Commission ("**Commission**") has the responsibility to prepare and adopt airport land use plans for any public and military airports within Solano County and to amend any such adopted plan as necessary; and

WHEREAS, pursuant to such authority, the Commission has adopted airport land use compatibility plans for Travis Air Force Base, Rio Vista Municipal Airport, and the Nut Tree Airport, and the Solano County Airport Land Use Compatibility Review Procedures (the "**Compatibility Plans**"); and

WHEREAS, in enacting the sections within the State Aeronautics Act (the "**Act**") that provide for airport land use commissions, the California Legislature has declared that the purposes of the legislation include: (1) to provide for the orderly development of each public use airport in this state; (2) to provide for the orderly development of the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards; (3) to provide for the orderly development of the area surrounding these airports so as to prevent the creation of new noise and safety problems; (4) to protect the public health, safety, and welfare by ensuring the orderly expansion of airports; and (5) to protect the public health, safety, and welfare by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses (Pub. Util. Code, § 21670, subd. (a)); and

WHEREAS, the Act provides that an airport land use commission's powers and duties include: (a) to assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses; (b) to coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare; (c) to prepare and adopt an airport land use compatibility plan pursuant to Public Utilities Code section 21675; and (d) to review the plans, regulations, and other actions of local agencies and airport operators pursuant to Public Utilities Code section 21676 (Pub. Util. Code, § 21674); and

WHEREAS, the Act provides that the purpose of compatibility plans is to provide for the orderly growth of the airports and the area surrounding the airports, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general (Pub. Util. Code, § 21675, subd. (a)); and

WHEREAS, Public Utilities Code section 21675, subdivision (a), authorizes the Commission, in formulating a compatibility plan, to develop height restrictions on buildings, specify the use of land, and determine building standards, including sound-proofing adjacent to airports; and

WHEREAS, Public Utilities Code section 21675, subdivision (b), directs the Commission to prepare a compatibility plan for areas surrounding military airports, and the Legislature's intent in enacting subdivision (b) was to protect the continued viability of military installations in California,

to protect the operations of military airports from encroachment by development, and to encourage land use policies that reflect the contributions military bases make to their communities, as well as their vital importance in the state's economy and in the defense of our nation; and

WHEREAS, pursuant to such authorities, the Compatibility Plans set forth criteria to be applied by the Commission when evaluating local land use plans and specific development proposals; and

WHEREAS, Public Utilities Code section 21676, subdivision (b), requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Commission, local agencies within Solano County are required to first refer the proposed action to the Commission for a consistency determination; and

WHEREAS, the County of Solano ("**Local Agency**") is considering approving the following project (the "**Project**"), as set forth in greater detail in the Staff Report and its Attachments concerning "Item AC 23-039" of the Commission's October 12, 2023 Regular Meeting ("**Staff Report**"): "Determine that Application ALUC-23-12 (Solano County) to amend General Plan policies related to the habitat restoration and municipal service area is consistent with the Travis Air Force Base (AFB), Rio Vista, and Nut Tree Airports Land Use Compatibility Plans," and

WHEREAS, the Commission has duly considered the Project, at a noticed public meeting, in order to ensure consistency of the Project with the Compatibility Plans.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does adopt and incorporate by this reference as its findings and determinations the analysis, conclusions, and recommended findings of the Staff Report.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does find and determine that the Project is consistent with the provisions of the Travis Air Force Base Land Use Compatibility Plan.

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RESOLVED, that after adoption of this Resolution Staff is authorized to correct any clerical errors in this Resolution or the Staff Report.

I certify that the foregoing resolution was adopted at a regular meeting of the Solano County Airport Land Use Commission on October 12, 2023 by the following vote:

AYES: Commissioners DuClair, McAnaney, Randall, Ryan, Seiden, Vancil and Chair Sagun

NOES: Commissioners None

ABSTAIN: Commissioners None

ABSENT: Commissioners Sarna

By _____
Ross Sagun, Chair
Solano County Airport Land Use Commission

Attest:

By: _____
Terry Schmidtbauer, Secretary to the Commission

SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 4727

RESOLUTION RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. G-23-04 TO THE SOLANO COUNTY BOARD OF SUPERVISORS

WHEREAS, the Solano County Planning Commission has considered proposed General Plan Amendment No. G-23-04, which would amend the Solano County General Plan to require that new proposals for habitat restoration or enhancement projects near Travis AFB or other airports provide an analysis of potential bird-strike hazards; and

WHEREAS, the Planning Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the project at the duly noticed public hearing held on October 19, 2023; and

WHEREAS, on projects involving a general plan amendment, the Planning Commission is an advisory agency to the Board of Supervisors and the Commission is required to render a written recommendation to the Board, giving its reasons for the recommendation; and

WHEREAS, this resolution, together with the staff reports prepared by the Department of Resource Management and the minutes of the Planning Commission's proceedings, constitute the Commissions' written recommendation and report to the Board of Supervisors on the proposed General Plan Amendment; and

WHEREAS, after due consideration, the Planning Commission has made the following findings in regard to the proposed amendment:

1. The proposed amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15308 and 15061(B)(3) of the CEQA Guidelines;

2. The proposed amendment would not cause the Solano County General Plan to be internally inconsistent;

3. The proposed amendment would be beneficial to the people of Solano County.

RESOLVED, that the Solano County Planning Commission recommends to the Solano County Board of Supervisors that General Plan Amendment No. G-23-04 be approved.

RESOLVED, that the Planning Commission directs the Department of Resource Management to make any necessary grammatical corrections and formatting changes to the to the proposed amendment document, to ensure all documents presented to the

Board of Supervisors are internally consistent and reflect the direction given by the Commission at its public hearing.

* *

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on October 19, 2023 by the following vote:

AYES: Commissioners Batson, Bauer and Vice-Chair Reagan

NOES: Commissioners None

ABSTAIN: Commissioners None

ABSENT: Commissioners Gaddies and Chairperson Cayler

By: _____
Michael Reagan, Vice-Chair
Solano County Planning Commission

Attest:

By: _____
Terry Schmidtbauer, Secretary

Solano County

675 Texas Street
Fairfield, California 94533
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Minutes - Final
Planning Commission

Thursday, October 19, 2023 | **7:00 PM** | **Board of Supervisors Chambers**

CALL TO ORDER

The Solano County Planning Commission met on October 19, 2023 in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 7:00 p.m.

Solano County staff members present were Director of Resource Management Terry Schmidtbauer (Webex), Assistant Director James Bezek, Planning Services Manager Allan Calder, Deputy County Counsel Jim Laughlin and Clerk Marianne Richardson.

SALUTE TO THE FLAG

ROLL CALL

Present were Commissioners Jack Batson, Paula Bauer and Vice-Chair Michael Reagan.

APPROVAL OF AGENDA

On a motion by Commissioner Bauer, and seconded by Commissioner Batson, the agenda was approved by affirmation.

APPROVAL OF THE MINUTES

1 **PC 23-013** Approve the minutes of the Planning Commission meetings of May 18, 2023

Attachments: May 18, 2023 Minutes - Draft

On a motion by Commissioner Batson, and seconded by Commissioner Bauer, the minutes of May 18, 2023 were approved by affirmation.

ITEMS FROM THE PUBLIC:

Vice-Chair Reagan invited members of the public to speak on items not on the agenda.

1. **Esther Pryor of Fairfield stated concern that an agritourism permit request is again being considered singularly as opposed to part of a comprehensive plan for Suisun Valley. She suggested that a planning position(s) be created dedicated to Suisun Valley (expert in tourism development) that would also**

review all scheduled events for potential traffic impacts. She commented the strategic plan is falling short of having regulations and ordinances in place to develop in a well thought out manner.

As there were no further speakers, the public hearing was closed.

REGULAR CALENDAR

2 **PC 23-014**

Conduct a noticed public hearing to consider Use Permit Application No. U-22-05 of Anselmo to establish a 14 room hotel, beverage facility, swimming pool, an outdoor activity area to an existing winery, special event facility, and café, and to utilize an existing single-family residence adjacent to the existing winery as a vacation house rental, located at 4949 Suisun Valley Road, Fairfield, within the "A-SV-20" Suisun Valley Agricultural Zoning District, APN: 0149-060-130; the Planning Commission will consider adoption of a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act

Attachments:
A - Draft Resolution
B - Vicinity Map
C - Elevation Plan
D - Site Plan
E - Floor Plan
F - Administrative Permit (AD-17-05)
G - VMT Assessment
H - SSWA Will Serve Letter
I - U-22-05 (Anselmo) Initial Study
J - Solano County Orderly Growth Committee Letter
K - Public Hearing Notice

Commissioner Batson recused himself from this public hearing due to his prior involvement with the Orderly Growth Committee which submitted a letter against this application.

As there was no longer a quorum present to conduct the public hearing, this item was continued to the next regular meeting date of November 2, 2023.

3 **PC 23-015**

Conduct a noticed public hearing to consider General Plan Amendment Application G-23-03 to (1) amend the development and utility provision policies for properties within a designated Municipal Service Area (MSA) pending annexation, and (2) make various non-substantive updates; the proposed amendments are exempt from the California Environmental Quality Act pursuant to Section 15061 (b)(3) and Section 15308 of the CEQA Guidelines

Attachments:
A - Draft Resolution
B - General Plan Amendments - Redline
C - Revised Tables
D - Public Notice

Planning Manager Allan Calder presented the proposed general plan amendments for utilities and development within Municipal Service Areas (MSA) as well as non substantial updates to the Commission stating the revisions are to encourage economic development.

Deputy County Counsel Jim Laughlin provided legal explanation for the proposed revisions stating 2008 General Plan (GP) Land Use Diagram (LUD) shows land use designations within the MSA as Urban Development (residential/commercial/industrial), however the policies in the GP do not describe a clear pathway of servicing/developing that use. The amendments are to ensure our GP is internally consistent and that our policies help implement the land use designation shown on our GP LUD.

Responding to a question by Commissioner Batson regarding potential development, Mr. Laughlin stated most MSA properties are zoned Agriculture use. Parcel owners can petition for a rezoning consistent with the GP land use designation which is Urban Development.

Responding to a question by Vice-Chair Reagan regarding development south of Travis AFB, Mr. Laughlin stated the amendment is directed only for current MSA designated areas shown on the GP LUD and there is no line movement of MSA designations.

Responding to a question by Commissioner Batson regarding development potential of Rio Vista waterfront property in the MSA, Mr. Laughlin stated the amendment would not change what a parcel owner can develop by the land use designation shown on the GP LUD, however it might describe how they can do what is allowed under the land use designation.

Commissioner Batson asked of CEQA impacts in developing apartments on agricultural land, Mr. Laughlin stated the process would likely include a rezone which is subject to CEQA to determine/mitigate potential environmental impacts and would require discretionary review.

Vice-Chair Reagan opened the public hearing.

1. **Duane Kromm of Fairfield stated concern this amendment is contradictory to County policy of "What is Urban, shall be Municipal." He commented the MSA are to support city development and posed several questions to Staff which he felt needed more study. He stated the Commission should deny the request and would like to see a complete analysis by the seven (7) cities and Local Agency Formation Commission (LAFCo) before it comes back to the Planning Commission.**

2. **Michael Zeiss of Suisun City requested clarification of the zoning of parcels in the MSA, and what percentage is zoned for Agriculture.**

Mr. Laughlin responded he did not have a percentage figure but that most land within unincorporated Solano County MSA is zoned Agricultural although the GP LUD designates the MSA for Urban uses. There is a difference between what zoning is shown on the GP LUD versus how it is currently zoned. At some point we are to bring our zoning up to full consistency with the GP LUD.

There was discussion of how the MSAs were created and their relationship to a

City Sphere of Influence (SOI). A SOI is first proposed by a City and then are established after a formal public process by the Solano County LAFCo. An MSA is established by the County through the General Plan process and denotes the County's expectation of area that will be annexed to the city during the period the County's General Plan is in effect. While not required, the MSAs in the GP followed the SOIs known in 2008. The MSA reflects those areas in the County that were anticipated to be annexed to a city by 2030.

Responding to the purpose of this amendment by Commissioner Batson, Mr. Laughlin stated this is a cleanup amendment to get all parts of our GP internally consistent which is a legal requirement.

Regarding notification to cities of this amendment, Mr. Laughlin stated that notification is required per government code. Mr. Calder added they have had discussions with Vacaville and Dixon on these matters over several years; and that most of the MSA are addressed in city General Plans with land use designations.

Regarding residential development within an MSA, Assistant Director James Bezek stated that the MSA anticipates annexation by the cities. Many of the MSA have sat undeveloped since 2008 and the idea is to understand how to move forward in a way that will serve the County, the public, and potentially into annexation by cities.

Mr. Laughlin clarified the amendment would not increase development beyond what was contemplated in the 2008 GP which anticipated development by somebody by 2030. That vision has not changed, just the details of how that might occur.

Commissioner Bauer asked of the CEQA exemption determination for this amendment which Mr. Laughlin responded applies only to the proposed policy text revisions and not to any future development.

Mr. Laughlin stated the issue is the LUD shows one thing and the GP text implies something else that could scare people away from future development; we want to make the rules clear for future development within the MSA.

There were no further public comments and the public hearing closed.

Commissioner Bauer motioned to adopt the resolution to recommend this item to the Board of Supervisors, which was seconded by Commissioner Batson. The roll call vote was 2-1 with Vice-Chair Reagan voting no, resulting in a split decision of Commissioners in attendance. Pursuant to government regulations for approval of general plan amendments, an affirmative recommendation must be approved by a majority of the full membership (5) of commissioners, regardless of attendance.

4 **PC 23-016** Conduct a noticed public hearing to consider General Plan Amendment Application G-23-04 to adopt policy recommendations made in the 2015 Travis Airport Land Use Plan and the conclusions expressed in the 2018 Travis Sustainability Study to mitigate bird flight hazards to Travis AFB and other county airports; the proposed amendments are exempt from the California Environmental Quality Act pursuant to Section 15061 (b)(3) and Section 15308 of the CEQA Guidelines

Attachments: A - Draft Resolution
B - General Plan Amendments - Redline
C - Public Notice

Mr. Calder presented the proposed general plan amendment to require any new land use discretionary permit within 5 miles of County airports to provide an analysis of potential bird strike hazards as part of the permit environmental review process.

Vice-Chair Reagan opened the public hearing.

1. **Michael Zeiss of Suisun City supports protecting Travis AFB but felt that striking out avian in order to protect everything else was too strong.**

Mr. Calder stated they have evaluated projects near the Rio Vista Airport and the proponents are prosing measures directed by wildlife biologists to mitigate large birds in those habitats which are of greater concern for bird strikes. It was also clarified that the wording was specific to the Travis Overlay Zone directly around Travis Air Force Base. The general concept is to protect lands within the overlay for continued agriculture grazing and non-avian habitat.

Mr. Laughlin added this amendment is for new development projects to prevent creation of new habitat areas that do not currently exist or substantially increase the habitat value of lands that birds might be currently using. Many existing conditions around the flight lines are suitable for birds and those habitats can continue; we do not want to encourage an increase in the amount or size of birds.

Commissioner Bauer asked if the amendment could be revised to address Mr. Zeiss' concern. Mr. Calder stated the land would continue to be habitable for birds; the amendment is asking to not create any additional bird habitat in the areas around airports.

On a motion by Commissioner Bauer, and seconded by Commissioner Batson, the Commission adopted a resolution to recommend General Plan Amendment G-23-04 to the Board of Supervisors. So ordered by 3-0 vote.

ANNOUNCEMENTS AND REPORTS

Mr. Laughlin introduced Deputy County Counsel Holly Tokar to the Commission; she will be assuming his position upon his retirement.

ADJOURN

This meeting of the Solano County Planning Commission adjourned at 8:15 p.m. The next regular meeting is scheduled for November 2, 2023.