

## Legislation Text

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**File #:** AC 17-008, **Version:** 1

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Public Hearing to consider the consistency of ALUC-2017-02, Heart of Fairfield Specific Plan, with the Travis AFB Land Use Compatibility Plan (Travis Plan)

### RECOMMENDATION:

Determine that application ALUC-2017-02, the Heart of Fairfield Specific Plan is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan)

### DISCUSSION:

#### INTRODUCTION

The City of Fairfield is considering the adoption of its Heart of Fairfield EIR and Specific Plan (Attachment B, C and D). A specific plan is an addition to a general plan which can provide significant additional detail on the types of land uses permitted, the development standards applicable to those land uses, the design standards for the project and any public financing mechanism for improvements required by the specific plan development. The Heart of Fairfield Specific Plan is an implementation of the 2002 General Plan which was determined to be consistent with the Travis Plan on March 14, 2002.

State law requires that any proposed general plan amendments, specific plans and zoning actions be reviewed for consistency with adopted airport land use compatibility plans. In this case, the Heart of Fairfield Specific Plan is affected by the Travis AFB Land Use Compatibility Plan (Travis Plan). The Heart of Fairfield Plan includes both specific plan elements and zoning action elements. Each is reviewed for consistency with the Travis Plan.

#### **REQUIRED TESTS FOR CONSISTENCY FOR GENERAL PLAN AND SPECIFIC PLAN AMENDMENTS**

The State Department of Transportation Division of Aeronautics has published the 2011 California Airport Land Use Planning Handbook as a guide for Airport Land Use Commissions in the preparation and implementation of Land Use Compatibility Plans and Procedure Documents. The Solano Countywide Airport Land Use Review Procedures also require the review of all amendments to a local agency's general plan, consistent with the State law.

The tests are:

**1. Elimination of any direct conflicts between the General Plan and relevant compatibility plan(s).**

Direct conflicts primarily involve general plan land use designations which do not meet the density (for residential uses) or intensity (for non-residential uses) criteria specified in the compatibility plan, although conflicts with regard to other policies also may exist.

**2. Delineation of a mechanism or process for ensuring that individual land use development proposals comply with the ALUC's adopted compatibility criteria.**

Elimination of direct conflicts between a county's or a city's general plan and the ALUC's compatibility plan is not

enough to guarantee that future land use development will adhere to the compatibility criteria set forth in the compatibility plan. An implementation process must also be defined either directly in the general plan or specific plan or by reference to a separately adopted ordinance, regulation, or other policy document.

There are three facets to the process of ensuring compliance with airport land use compatibility criteria:

**a. Delineation of Compatibility Criteria-** Airport land use compatibility criteria must be defined either in a policy document adopted by the county or city or through adoption of or reference to the ALUC's compatibility plan itself.

**b. Identification of Mechanisms for Compliance-** The mechanisms by which applicable compatibility criteria will be tied to an individual development and continue to be enforced must be identified. A conditional use permit or a development agreement are two possibilities.

**c. Indication of Review and Approval Procedures-** Lastly, the procedures for review and approval of individual development proposals must be defined. At what level within a county or a city are compatibility approvals made: staff, planning commission or governing body? The types of actions which are submitted to the ALUC for review and the timing of such submittals relative to internal review and approval process also must be indicated.

## REQUIRED TESTS FOR CONSISTENCY FOR REZONING ACTIONS

State law, under Section 21661.5 of the Public Utilities Code, requires that any proposed zoning regulations or revisions to the local zoning ordinance be reviewed for consistency with adopted airport land use compatibility plans.

### **California Airport Land Use Planning Handbook**

The State Department of Transportation Division of Aeronautics has published the California Airport Land Use Planning Handbook as a guide for Airport Land Use Commissions in the preparation and implementation of Land Use Compatibility Plans and Procedure Documents. Section 6.4.2 sets forth procedures for the review of local zoning ordinances and directs agencies to consider the topics listed in Table 5A, as follows:

**Zoning or Other Policy Documents** (from Table 5A, CalTRANS Airport Land Use Planning Handbook)

*The Handbook lists the following topics for consideration when reviewing zoning or other policy documents.*

- *Intensity Limitations on Nonresidential Uses*
- *Identification of Prohibited Uses*
- *Open Land Requirements*
- *Infill Development*
- *Height Limitations and Other Hazards to Flight*
- *Buyer Awareness Measures*
- *Non-conforming Uses and Reconstruction*

Staff has reviewed the City of Fairfield's Heart of Fairfield Plan in light of the tests for general plan/specific plans and zoning actions. Our analysis is presented below.

## ANALYSIS

## PROJECT DESCRIPTION

The Heart of Fairfield Plan identifies and maps land uses which fulfill and implement the City of Fairfield General Plan. The Heart of Fairfield Plan consists of commercial, mixed-use, residential and recreational land uses in the heart of downtown Fairfield. The 513-acre Plan Area encompasses two neighborhoods: Downtown and West Texas Street. These neighborhoods were designated as Priority Development Areas (PDAs) by the Association of Bay Area Governments (ABAG) because of local and regional interest in encouraging infill development that can take advantage of regional transit facilities. The availability of funds from regional planning agencies for PDAs has facilitated the preparation of the Heart of Fairfield Plan.

The Heart of Fairfield Plan is a “specific plan” - which is one of several policy and regulatory tools used by the City of Fairfield to implement the City’s 2002 General Plan. Specific plans implement the General Plan through the establishment of more detailed policies, regulations, and actions specifically focused on the Heart of Fairfield Plan Area. Because the Heart of Fairfield Plan is a specific plan, State law requires the document to be consistent with the 2002 General Plan, including all goals, policies, objectives, and standards contained in that plan.

The **Strategic Short-Term** phase (approximately 2016-2021) includes specific objectives that are focused on the near term (approximately five years after Plan adoption) revitalization of the Heart of Fairfield, including:

- Creating a vibrant Downtown Core
- Facilitating and incentivizing the right kind of development on highly visible “catalyst” sites
- Increasing the mix of uses in the Plan Area
- Establishing a stronger brand and identity
- Improving key streetscapes and safety
- Enhancing freeway commercial area/gateway
- Creating and enhancing community gathering spaces
- Improving Allan Witt Park

The **Long-Term** phase (approximately 2022-2040+) includes the ultimate major objectives necessary to make the Heart of Fairfield the center of the community and the region, as identified by the community Vision. This phase includes larger or more expensive projects and strategies that would need more time to build partnerships, raise financing, or acquire land.

While all these strategies and projects are desired, the ultimate success of the Heart of Fairfield Plan is not dependent upon every item being completed by 2040. The Long-Term objectives are:

- Transforming West Texas Street into an urban mixed-use residential and commercial corridor
- Creating neighborhood recreational opportunities Downtown
- Creating more Complete Streets improvements
- Improving residential streets south of Texas Street within Downtown
- Relocating the City’s corporation yard
- Creating a transit station neighborhood near the Suisun-Fairfield Train Station
- Creating and enhancing community gathering spaces

The Environmental Impact Report provides a detailed summary of the Heart of Fairfield Plan’s consistency with the City General Plan, along with portions of the General Plan that were amended prior to the adoption of this Plan.

## **RELEVANT ISSUES FOR THE ALUC**

The ALUC is concerned with those aspects of the Heart of Fairfield Plan that have the potential to be incompatible with the Travis Plan. The Heart of Fairfield Plan covers a geographic area which lies entirely within Compatibility Zone D.

### **Compatibility Criteria for Zone D**

Compatibility Zone D of the Travis Plan requires review for structures in excess of 200’ above ground level. Height review is based on the part 77 Surfaces for Travis AFB. The proposed project does not penetrate any of the Part 77 Surfaces for Travis AFB. In addition, Compatibility Zone D provides for review of the following special circumstances:

- All proposed wind turbines must meet line-of-sight criteria in Policy 3.4.4
- All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review
- All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review

- For areas within the Bird Strike Hazard Zone, reviewing agencies shall prepare a WHA for discretionary projects that have the potential to attract wildlife that could cause bird strikes. Based on the findings of the WHA, all reasonably feasible mitigation measures must be incorporated into the planned land use.
- For areas outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use involving discretionary review that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.

## ANALYSIS OF CONSISTENCY FACTORS

### **General Plan/Specific Plan Consistency Factors**

#### **1. Elimination of Direct Conflict**

The Commission is concerned with eliminating any direct conflicts between the Heart of Fairfield Plan and the Travis Plan. Upon review by staff it appears that the City and its planners have been careful to build a plan that is consistent with the Travis Plan.

#### **Compatibility Zone D**

There are no density limitations on residential uses or intensity limitations on non-residential uses within this Compatibility Zone. There are "Other Development Conditions" listed in Compatibility Zone D, which are provided below along with a discussion of how the Heart of Fairfield Plan achieves consistency

#### **1. ALUC review required for objects > 200 feet AGL.**

The maximum height permitted by right under the zoning is 65' in the MU-TOD Zone (south end of Union Avenue). Any buildings above this height would require a Conditional Use Permit and further ALUC review.

#### **2. All proposed wind turbines in excess of 100 feet in height must meet line-of-sight criteria in Policy 3.4.4**

The Heart of Fairfield Plan does not address wind turbines specifically; any wind turbine in the Plan Area, as with the rest of the City, would require ALUC review. "Major Utility Facilities" require a Conditional Use Permit and ALUC review under existing zoning.

#### **3. All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review**

The Heart of Fairfield Plan does not address solar facilities and commercial solar facilities are unlikely in a developed residential and commercial neighborhood.

#### **4. All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review None anticipated in the Plan.**

The maximum height permitted by right under the zoning is 65' in the MU-TOD Zone (south end of Union Avenue). Any buildings above this height would require a Conditional Use Permit and further ALUC review.

#### **5. For areas within the Bird Strike Hazard Zone, reviewing agencies shall prepare a WHA for discretionary projects that have the potential to attract wildlife that could cause bird strikes. Based on the findings of the WHA, all reasonably feasible mitigation measures must be incorporated into the planned land use.**

The Heart of Fairfield Plan does not extend easterly into the Bird Strike hazard Zone.

**6. For areas outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use involving discretionary review that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.**

From the City of Fairfield CEQA Review (EIR)

“Generally, all of the Heart of Fairfield Plan Area east of Allan Witt Park is in the Outer Perimeter. The LUCP includes the following criteria for when a WHA would be required for an individual development project under the Heart of Fairfield Plan:

- Newly created or expanded areas that attract wildlife may pose hazards to aircraft in flight.
- Discretionary review for each project located in the Outer Perimeter shall consider the potential for the project to attract wildlife hazardous to Travis Air Force Base operations, wildlife movement, or bird strike hazards.
- Because biological and hazard impacts must be examined in the context of CEQA compliance, it is anticipated that the CEQA analysis would provide the information needed for a WHA, and no separate WHA would be required.

The Heart of Fairfield Plan Area is an urban environment. The Plan encourages infill development and does not propose uses, structures, or features (e.g., new water bodies) that are intended to, or expected to, attract substantial numbers of wildlife (including birds) or create bird strike hazards (e.g., tall, reflective buildings). Therefore, the Plan’s wildlife hazards impact is considered ***less-than-significant*** (see criteria [e] and [f] in subsection 10.3.1, “Significance Criteria,” above).

**Mitigation.** No significant impact has been identified; no mitigation is required.”

**2. Assurance of Compliance with Compatibility Criteria**

The Commission must determine that there are mechanisms in place at the City of Fairfield to assure compliance with the applicable compatibility plan(s). This is generally done by identifying compatibility criteria within the general plan, having mechanisms for compliance and having review and approval procedures in place for new development.

**Delineation of Compatibility Criteria-**

As discussed above, consistency between the Heart of Fairfield Plan and the Travis Plan is established by both the previously approved general plan and the Heart of Fairfield Plan’s maximum height limits of 65 feet.

**Identification of Mechanisms for Compliance and Indication of Review and Approval Procedures-**

Subsequent development permits will be reviewed by the City Council, Planning Commission, and the Director of Community Development. In the case of legislative actions, ALUC review must occur. For other permits, the Planning Commission and Director of Community Development must make a consistency finding as required by the Travis Plan

Based on the discussion above, staff recommends that the Commission find that the proposal meets these

tests for consistency for a general plan/specific plan.

### **Zoning Change Consistency Factors**

The Heart of Fairfield Plan also contains some zoning regulations which require ALUC review for consistency with the Travis Plan. The CalTRANS Handbook lists the following topics for consideration when reviewing zoning or other policy documents.

Each of these categories is reviewed below:

1. Intensity Limitations on Nonresidential Uses

Within Compatibility Zone D, there are no limitations on density for residential land uses or limitations on intensity for non-residential land uses.

2. Identification of Prohibited Uses

Compatibility Zone D does not prohibit any specific uses.

3. Open Land Requirements

Compatibility Zone D has no open land requirements for development.

4. Infill Development

This project area is substantially developed. The Heart of Fairfield Plan will encourage redevelopment of residential and commercial areas. Some development will be characterized as infill development. Any development consistent with the land uses and zoning outlined in the Heart of Fairfield Plan is consistent with Compatibility Zone D land use criteria.

5. Height Limitations and Other Hazards to Flight

As previously discussed, within Compatibility Zone D, the relevant factors for consideration include height review for objects in excess of 200 feet in height, wind turbines in excess of 100 feet in height, and projects within either the Bird Strike Hazard Zone or the Outer Perimeter Area.

*Height Review for Objects Greater than 200 Feet in Height and Wind Turbines in Excess of 100 Feet in Height*

The Heart of Fairfield Plan land use designation and zoning do not permit structures taller than 65 feet, so airspace review standards in zone D are satisfied.

*Projects within the Bird Strike Hazard Zone or the Outer Perimeter Area*

The project lies outside of the Bird Strike Hazard Zone but within the Outer Perimeter Area. For projects within the Outer Perimeter Area, the Travis Plan requires consideration of whether any new or expanded land use has the potential to attract the movement of wildlife and cause bird strikes. If the potential exists, a Wildlife Hazards Assessment must be prepared.

As previously discussed, the Draft EIR concludes that the project will have a less than significant impact for bird strikes.

6. Buyer Awareness Measures

The proposed project lies within Compatibility Zone D and outside of any noise contours of concern. As a result, Buyer Awareness Measures are not required by the Travis Plan.

7. Non-conforming Uses and Reconstruction

The project may result in new construction or reconstruction activities. Such activities will be controlled by the zoning districts within the Heart of Fairfield Plan area and therefore no expansion of existing non-conforming uses or structures will occur.

Existing non-conforming uses may continue to exist during the Plan period.

Based on the discussion above, staff recommends that the Commission find that the proposal meets these tests for consistency for a zoning action.

RECOMMENDATION

Based on the analysis and discussions above, Staff recommends that the Solano County Airport Land Use Commission find as follows:

**Determination:** That application ALUC-2017-02 (Heart of Fairfield Specific Plan) is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan)

Attachments:

- A: Resolution (To Be Distributed by Separate Cover)
- B: Fairfield Full Web Version EIR (Previously Distributed)
- C: Heart of Fairfield Draft Specific Plan (Online)
- D: Application