

Legislation Text

File #: AC 17-017, **Version:** 1

Conduct a public hearing to consider the consistency of ALUC-2017-05 (Rockville Trails Preserve) with the Travis AFB Land Use Compatibility Plan (Travis Plan)

RECOMMENDATION:

Determine that application ALUC-2017-05 (Rockville Trails Preserve) is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan)

DISCUSSION:

INTRODUCTION

The County of Solano is considering the adoption a general plan amendment and rezoning to permit the establishment of 1226 acres of open space. The property is located on the northerly side of Rockville Road between Suisun Valley Road and Green Valley Road (Attachment B). The project lies within Compatibility Zone D of the Travis Air Force Base Land Use Compatibility Plan (Attachment C).

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 Rockville Trails Preserve is affected by the Travis AFB Land Use Compatibility Plan (Travis Plan). The Rockville Trails Preserve includes both a general plan action and a zoning action. 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 County of Solano's Rockville Trails Preserve in light of the tests for general plan/specific plans and zoning actions. Our analysis is presented below.

ANALYSIS

PROJECT DESCRIPTION

Existing Property Use

The current use of the property is livestock grazing. The property has no dwellings. The only structures on the property are high voltage Pacific Gas and Electric Company (PG&E) transmission towers within a north-south easement. A partially paved road provides access for Solano Irrigation District (SID) to their reservoir, which is

adjacent to but not on the property. Approximately 14.45 miles of natural surface ranch road exist on the property. Two water wells also exist on the property. The existing livestock operation has 10.3 miles of boundary fencing, a corral, three vehicle access gates, three water troughs, one water storage tank, and three stock ponds. There are also 26 neighbor gates along the project fence line in various stages of repair. There is a PG&E transmission easement running through the property.

Proposed Project:

The applicant, the Solano Land Trust (SLT) is proposing to create a public open space area consistent with protection of resources and maintenance of agriculture. SLT is proposing amendments to the site's General Plan and Zoning designations, as well as site improvements to provide for public access on the property which includes a staging area for 75 parking spaces, restrooms, and other facilities to accommodate public access.

General Plan Amendment

The current General Plan designation is Rural Residential and Agricultural. The applicant is requesting a General Plan Amendment to change the designation from Rural Residential to Agricultural so that the entire project area has an Agricultural General Plan designation (Attachment E).

Rezoning and Policy Plan Overlay

The applicant is requesting a rezoning of the property from Rural Residential (RR-2.5), Agricultural (A-20), with a Policy Plan Overlay (PP) to Agricultural (A-20) with a Policy Plan Overlay. The rezoning would remove the Rural Residential (RR- 2.5) zoning so that the entire property is proposed to be zoned Exclusive Agriculture (A-20) with a Policy Plan Overlay. The Policy Plan Overlay outlines the development standards and general open space standards within the Preserve. These uses include grazing, agricultural education, stable and equestrian activities and public trails. (Attachment F)

Proposed uses of the Project site include public open space and agriculture (grazing). Public open space use includes public recreation for low intensity uses, education, and open space resource preservation and conservation. These uses are consistent (allowed by right) with the proposed Agriculture land use designation (A-20) per the Solano County Zoning Regulations, (Chapter 28 of the Solano County Code). The property would still be used for grazing by livestock which is also an "allowed use" in the A-20 district. The Policy Plan Overlay describes the uses specifically allowed on the property which excludes other "by-right" uses within the A-20 zone. The maximum height for any structure is 35 feet.

Proposed low-impact public recreation uses on the Project site would include multi-use trails, parking lots, and picnic and bathroom facilities including ADA facilities and a low mobility trail. The applicant anticipates that the number of visitors would be limited by available parking, which per A-20 zoning is capped at 75 spaces. Using an average of 2.5 people per vehicle, approximately 187 people could access the property using the parking lot at any one time. The applicant also anticipates that hikers, mountain bicyclists and equestrians may access the property as walk-in users. The number of walk-in users at any one time is estimated to be about 20 people.

RELEVANT ISSUES FOR THE ALUC

The ALUC is concerned with those aspects of the Rockville Trails Preserve that have the potential to be incompatible with the Travis Plan. The Rockville Trails Preserve Plan covers a geographic area which lies

entirely within Compatibility Zone D.

ANALYSIS OF CONSISTENCY FACTORS

Compatibility Zone D Requirements

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 Rockville Trails Preserve achieves consistency

1. ALUC review required for objects > 200 feet AGL.
2. All proposed wind turbines in excess of 100 feet in height must meet line-of-sight criteria in Policy 3.4.4
3. All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review
4. All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review None anticipated in the Plan.
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.
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.

General Plan/Specific Plan Consistency Factors

1. Elimination of Direct Conflict

The Commission is concerned with eliminating any direct conflicts between the Rockville Trails Preserve Plan and the Travis Plan. The County is proposing to designate this property as “Agricultural” in the General Plan. The designation is consistent with the requirements of Compatibility Zone D because there are no land use limitations with that compatibility zone.

2. Assurance of Compliance with Compatibility Criteria

The Commission must determine that there are mechanisms in place at the County of Solano 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 Rockville Trails Preserve and the Travis Plan is established by both the general plan and zoning regulations which require that all development in the unincorporated county be consistent with the Travis Plan.

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

Subsequent development permits will be reviewed by the Board of Supervisors, Planning Commission, and the Director of Resource Management. In the case of legislative actions, ALUC review must occur. For other permits, the Planning Commission and Director of Resource management must make a consistency finding as required by the

County's General Plan and Zoning Ordinance.

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 Rockville Trails Preserve 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. Consequently, open space and agricultural uses are consistent with the Travis Plan.

2. Identification of Prohibited Uses

Compatibility Zone D does not prohibit any specific uses so the Rockville Trails Preserve is consistent with this requirement.

3. Open Land Requirements

Compatibility Zone D has no open land requirements for development so the Rockville Trails Preserve is consistent with the Travis Plan.

4. Infill Development

The Rockville Trails Preserve is not an infill project and as a result there are no requirements for analysis of this provision.

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 Rockville Trails Preserve land use designation and zoning do not permit structures taller than 35 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 and the Outer Perimeter Area. No further analysis required.

6. Buyer Awareness Measures

The proposed project does not contain any residential uses. As a result, Buyer Awareness Measures are not required by the Travis Plan.

7. Non-conforming Uses and Reconstruction

There are no non-conforming uses on the property. No discussion is required for this criteria.

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-2017-05 (Rockville Trails Preserve) is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan)

Attachments

- A: Resolution (To Be Distributed at the Hearing)
- B: Location Map
- C: Travis Context Map
- D: Project Mitigated Negative Declaration
- E: Proposed General Plan Designation
- F: Proposed Zoning Change