

## Legislation Text

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**File #:** AC 17-026, **Version:** 1

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Public Hearing to consider the consistency of ALUC-2017-08, Gibbs Ranch PUD Amendment, with the Rio Vista Airport and the Travis AFB Land Use Compatibility Plans

### **RECOMMENDATION:**

Determine that application ALUC-2017-08, Gibbs Ranch PUD regulations amendment is consistent with the Rio Vista Airport and the Travis AFB Land Use Compatibility Plans

### **DISCUSSION:**

#### **INTRODUCTION**

The City of Rio Vista (City), at its August 15 and September 5, 2017 City Council Meetings adopted a series of actions to make modifications to the Liberty Project (Gibbs Ranch). One of the actions was an amendment to the Planned Unit Development (PUD) regulations for the Gibbs Ranch. The other items were an amendment to the development agreement between the City and the developer, and a revision to the conditions of approval on a Vesting Tentative Map.

The Gibbs Ranch is a mixed-use project originally approved by the City of Rio Vista with a Specific Plan and associated Environmental Impact Report (EIR) in 1990. The Specific Plan was then presented to the Commission for a consistency determination and the Commission found the proposal to be consistent with the Commission's 1988 Rio Vista Airport Land Use Compatibility Plan (Plan) subject to the conditions that the project's land use map and policies be amended to be consistent with and incorporate the requirements of the Plan, and that the City submit to the Commission zoning code amendments for implementing the Plan's standards. The land use map for that original consistency determination is shown in Attachment C.

The City subsequently adopted and submitted to the Commission a number of related ordinances and resolutions, and both the City and the project developer represented to the Commission that the conditions of approval for the Gibbs Ranch project require compliance with the Plan. Based on the information submitted by the City, in 1994 the Commission received a report on the City's compliance concerning the Gibbs Ranch project and expressed satisfaction. The revised land plan that the City submitted for the Gibbs Ranch which included a golf course component is shown in Attachment D. This modification was approved by the Commission and represents the current approved consistency determination for the development.

The item before the Commission at this time is the PUD Amendment Ordinance (Attachment E3). This ordinance makes minor changes to the development standards applicable to the residential land uses approved in the Gibbs Ranch. These changes include:

1. Changes to the garage location requirements,
2. Changes to standards for porches, bay windows and chimney setbacks,
3. Changes to the garage door width requirements,

4. Changes to the requirements for side and rear facing elevations,
5. Changes to lot coverage requirements, and
6. Changes to the attached unit requirements.

The EIR for the Gibbs Ranch project was included in the application submittal along with other detailed development plans.

The PUD Application, as used by the City of Rio Vista, is analogous to a zoning ordinance and is considered to be statutorily required to be submitted for a consistency determination by the Airport Land Use Commission. State law requires that any proposed zoning actions be reviewed for consistency with adopted airport land use compatibility plans. In this case, the Gibbs Ranch PUD Amendment is affected by the Travis AFB Land Use Compatibility Plan (Travis Plan) and the Rio Vista Airport Land Use Compatibility Plan (Rio Vista Plan).

## **REQUIRED TESTS FOR CONSISTENCY FOR REZONING ACTIONS**

State law, under Section 21676, subdivision (b), 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 ALUC-2017-08, Gibbs Ranch PUD Amendment, for consistency with the Rio Vista Airport and the Travis AFB Land Use Compatibility Plans in light of the tests for zoning actions. Our analysis is presented below.

## **ANALYSIS**

### **RELEVANT ISSUES FOR THE ALUC**

The ALUC is concerned with those aspects of the Gibbs Ranch PUD Amendment that have the potential to be incompatible with either the Travis Plan or the Rio Vista Plan. The Gibbs Ranch covers a geographic area which lies entirely within Compatibility Zone D of the Travis Plan and Compatibility Zones A, B, C, D, E and F of the Rio Vista Plan. The requirements from each of these plans are outlined below.

#### **Travis Plan**

#### 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.

#### **Rio Vista Plan**

The residential portion of the Gibbs Ranch lies within Compatibility Zones C, D, E and F. The major requirements of each zone are outlined below.

#### Compatibility Zone C

1. Residential: 1 du/ac
2. Other Uses: 50/75 persons per acre indoor/outdoor- (see additional criteria)
3. Required Open Land; 15%
4. Interior Noise Level reduction of 20dBA

#### Compatibility Zone D

1. Residential: 4 du/ac
2. Other Uses: 100/150 persons per acre indoor/outdoor- (see additional criteria)
3. Required Open Land: 10%
4. Interior Noise Level Reduction of 20 dBA

#### Compatibility Zone E

1. Residential: 6 du/ac
2. Other Uses: No intensity limitations- (see additional criteria)
3. Required Open Land; None

#### Compatibility Zone F

1. Residential: No density limitations
2. Other Uses: No intensity limitations- (see additional criteria)
3. Required Open Land: None

Each of the Compatibility Zones has other criteria which apply to specialized land uses and not to single-family residential uses such as the Gibbs Ranch.

## **ANALYSIS OF CONSISTENCY FACTORS**

### **Zoning Change Consistency Factors for the Travis Plan**

The Gibbs Ranch PUD Amendment modifies the development standards applicable to the residential land use portion of the Gibbs Ranch. The CalTRANS Handbook lists the following topics for consideration when reviewing zoning or other policy documents.

Each of these categories is reviewed below:

1. Density Limitations on Residential Uses and Intensity Limitations on Nonresidential Uses

Within Compatibility Zone D, there are no limitations on density for residential land uses. The Gibbs Ranch PUD Amendment is consistent with this provision.

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 and thus The Gibbs Ranch PUD Amendment is consistent with this provision.

4. Infill Development

This project area is not considered an infill development and no further analysis under this criterion is required.

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 Gibbs Ranch PUD Amendment does 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 outside the Outer Perimeter Area and no further analysis under this criteria is required.

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 consists of new construction only and therefore no expansion of existing non-conforming uses or structures will occur.

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

### **Zoning Change Consistency Factors for the Rio Vista Plan**

As mentioned above, the Gibbs Ranch PUD Amendment modifies the development standards applicable to the residential land use portion of the Gibbs Ranch only. Each of the review categories is reviewed below:

1. Density Limitations on Residential Uses and Intensity Limitations on Nonresidential Uses

The Gibbs Ranch land plan (Attachment F) indicates the density for each of the Rio Vista Plan compatibility zones. In each case, the plan is consistent with the density limitations which were enumerated above. The Gibbs Ranch PUD Amendment is consistent with this provision.

2. Identification of Prohibited Uses

The Gibbs Ranch residential proposal is not a prohibited land use within Compatibility Zones C, D, E or F. The Gibbs Ranch PUD Amendment is consistent with this provision.

3. Open Land Requirements

Compatibility Zone C has a 15% open land requirement and Compatibility Zone D has a 10% open land requirement for development. Staff has determined that the Gibbs Ranch PUD Amendment and revised land plan (Attachment F) complies with this requirement.

4. Infill Development

This project area is not considered an infill development and no further analysis under this criterion is required.

5. Height Limitations and Other Hazards to Flight

The Gibbs Ranch PUD Amendment does not permit structures taller than 35 feet, so airspace review standards in the 1988 Rio Vista Plan are satisfied.

6. Buyer Awareness Measures

The project EIR requires that Buyer Awareness Measures be made available at point of sale. Avigation easements are required and have been recorded on the property.

7. Non-conforming Uses and Reconstruction

The project consists of new construction only and therefore no expansion of existing non-conforming uses or structures will occur.

## **Additional Considerations**

In addition, the City has approved a modified street and lot layout for the residential portion of Gibbs Ranch (See Attachment F). The evaluation above of compliance with density, open land, and similar requirements referenced the PUD regulations in the context of the lots and other features for the residential portion shown on the layout in Attachment F.

If the Commission adopts the Staff recommendation below: this modified layout shown in Attachment F replaces the corresponding portion of Attachment D as the official layout for the residential portion of the Gibbs Ranch Consistency Determination; and the portion of the property in Attachment D that is not shown on Attachment F (generally, all that area of the project south of the residential portion shown on Attachment F) remains subject to the current approved consistency determination for the development shown in Attachment D.

Certain physical improvements for portions of the Gibbs Ranch street system and public utility systems have been substantially completed. In addition, the Gibbs Ranch is subject to a development agreement with the City of Rio Vista.

## **RECOMMENDATION**

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

### **Determination:**

1. That ALUC-2017-08, Gibbs Ranch PUD Amendment as applicable to the area shown on Attachment F, is consistent with the Rio Vista Airport and the Travis AFB Land Use Compatibility Plans
2. That the land plan depicted in Attachment F is consistent with the Rio Vista Airport and the Travis AFB Land Use Compatibility Plans and replaces any prior Commission approved land plan configurations for that area, and

## **OTHER CONSIDERATIONS**

The Gibbs Ranch project also includes lands within Compatibility Zones A and B and C and E located generally south of the residential portion depicted on Attachment F. These areas are not a part of the consideration of this amendment to the Commission's Gibbs Ranch Consistency Determination. In a communication from the City of Rio Vista City Manager, it was indicated that the developer will be bringing forward a proposal for industrial uses within Compatibility Zone B for consideration perhaps as soon as the Commission's October regular Meeting.

## **Attachments**

Attachment A: Resolution (To Be Distributed by Separate Cover)  
Attachment B: Application ALUC Liberty  
Attachment C: Initial Gibbs Ranch Consistency Determination 1990  
Attachment D: Current Gibbs Ranch Consistency Determination 1994  
Attachment E1: Item 6.1 Staff Report  
Attachment E2: Item 6.1 Ordinance Amending Development Agreement  
Attachment E3: Item 6.1 Ordinance Amending Gibbs Ranch PUD  
Attachment F: Revised Map for the Gibbs Ranch

Attachment G: Complete Application Materials (Distributed Under Separate cover)