

Legislation Text

File #: AC 18-031, **Version:** 1

Public hearing to consider a Consistency Determination (ALUC-18-07) for the proposed Canon Partners Policy Plan Overlay Ordinance (PP-17-01) with the Travis Air Force Base Land Use Compatibility Plan. (Sponsor: County of Solano)

RECOMMENDATION:

Determine that application ALUC-2018-07 (Canon Partners Policy Plan Overlay Ordinance) is consistent with the Travis Air Force Base Land Use Compatibility Plan (Sponsor: County of Solano).

DISCUSSION:

Project Overview:

The Canon Partners Project consists of designating 83.5 acres of a 302 acre property as a policy plan overlay district to the underlying Exclusive Agriculture zoning. The objective of the project is to provide an additional 50 acres for the relocation of existing businesses from the Fairfield Train Station development area to this site, on a temporary basis, until they transition to a permanent location within the City of Fairfield on the adjacent parcels to the west. The sought after temporary businesses would be land uses consistent with the Transitional Industrial and Transitional Commercial Uses listed in the Solano County Exclusive Agricultural zoning district.

Site Characteristics:

The subject property is relatively flat, exhibiting slopes of less than six percent. The site generally slopes downward to the east with elevations of 130 feet above sea level along the western property line, then dropping to 95 feet ASL along the eastern lot line. The property contains mainly grasslands for an existing cattle grazing operation. There are no trees or creeks located on the parcel. As part of the Mitigated Negative Declaration prepared for the project, a wetlands assessment concluded that the parcels have been historically graded to facilitate flood irrigation and that the project does not encompass any vernal pools, seasonal wetlands, channels, ponds, lakes, drainage/irrigation ditches or any other water features that may be subject to jurisdictional boundaries of the U.S Army Corps of Engineers, the California Department of Fish and Wildlife, or the California Water Quality Control Board.

The subject property is comprised of two Assessor's Parcels; APN's 0116-040-060 and 0166-050-100. The Go Green concrete recycling business is established on 33 acres just north of the proposed 4.2 acre Bubbling Well facility. The balance of the property has primarily been utilized for grazing cattle.

Access to the site is provided via private driveway off North Gate Road at the intersection of Canon Road.

Surrounding properties exhibit characteristics similar to those of the subject site. The parcels are relatively flat and utilized agriculturally for pasture land and grazing. The State Department of Water Resources operates a water tank as part of the North Bay Aqueduct project 500 feet south of the project site. The nearest residential

development is approximately one mile south at the military base. Properties to the west of the subject site are located within Fairfield city limits. The land to the west is currently undeveloped; however the Fairfield Train Station Specific Plan designates this area for various industrial, manufacturing, and commercial service land uses and plans to extend municipal services including water and sewer to that location.

Project Description:

Statement of Purpose

The purpose and intent of Policy Plan Overlay District No. PP-17-01 is to provide for the establishment of general and specific site development standards for the limited term use of the project site for land uses being displaced by the construction of the Fairfield Train Station Specific Plan improvements. Under this policy plan overlay, development of the property shown on the Site Development Plan (Attachment A) is consistent with the General Plan and the underlying Exclusive Agriculture Zoning District.

Limited Term

A use permit shall be required whenever development is proposed within the policy plan overlay area. The use permit shall be for a limited term, not to exceed ten (10) years. One ten (10) year extension may be granted if, at the time of the extension request, the City of Fairfield has approved the extension of sanitary sewer and municipal water services to the designated Fairfield Train Station Specific Plan Industrial Area just west of the project site within the City of Fairfield.

Allowed Uses and Permit Requirements

Table 28.68.17-01 of the Land Use and Development Standards for the policy plan overlay specifies the land uses allowed within the overlay district and the land use permit required to establish each use. In addition to the land use permit required by Table 28.68.17-01, special requirements may also apply to certain uses. (See Attachment A)

ALUC JURISDICTION

The Canon Partners Project includes a rezoning action (policy plan overlay) and is statutorily required to come before the ALUC for a consistency determination. The project lies within the area of influence of the Travis AFB LUCP.

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.

The ALUC is concerned with those aspects of the proposed zoning changes which have the potential to be incompatible with any of the Travis AFB ALUCP in the County.

California Airport Land Use Planning Handbook

The State Department 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

CONSISTENCY ANALYSIS

The ALUC is concerned with those aspects of the Canon Partners Project that have the potential to be incompatible with the Travis Plan. The Canon Partners Project covers a geographic area which lies entirely within Compatibility Zone C and underneath the Assault Landing Zone Training Area Overlay.

Compatibility Criteria for Zone C

Compatibility Zone C of the Travis Plan requires review of land uses and structures for a variety of compatibility concerns. Residential densities are limited to 11 dwelling units per acre. Non-residential land uses are limited to 75 persons per acre indoors and 100 persons per acre outdoors with a maximum intensity of 300 persons per acre for a single acre. In addition, the following land uses are specifically prohibited:

- Children's schools, day care centers, libraries
- Hospitals, nursing homes
- Hazards to flight

In addition, for structures in excess of 100' above ground level, ALUC review is required. 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 C 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 > 100 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.

Assault Landing Zone Training Area Overlay

The Canon Partners Project also lies within the Assault Landing Zone Training Area Overlay Zone. The criteria for this area are the same as Compatibility Zone C, in that review by the ALUC of objects greater than 200 feet in height is required.

ANALYSIS OF CONSISTENCY FACTORS

Staff has reviewed the proposed Canon Partners Project for consistency with the Travis Plan and the State mandated compatibility factors for rezoning actions. Our analysis is presented below.

Zoning Change Consistency Factor Analysis

As previously discussed, 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 C, there are limitations on density for residential land uses and limitations on intensity for non-residential land uses. The Canon Partners Project does not contain any residential land uses. The non-residential land uses are various industrial land uses characterized by large open land requirements for parking and material storage and low employment levels. The GoGreen recycling business and the Bubbling Well pet crematorium average about 1 person per acre in intensity and utilize more than half of the total site. consistent with this provision of the LUCP. The remaining uses to be relocated there consist of transitional industrial uses, an asphalt and concrete plant and a truck parking and fueling facility. These uses are also very low intensity land uses. When they are developed with a subsequent use permit, they will be regulated to assure that the population intensity requirements are met. As a result, the Canon Partners Project is consistent with this provision of the LUCP.

2. Identification of Prohibited Uses

As mentioned in previous sections of this report, Compatibility Zone C has a series of prohibited land uses. None of the prohibited land uses are contained within the Canon Partners Project Policy Plan. As a result, the Canon Partners Project is consistent with this provision of the LUCP.

3. Open Land Requirements

Compatibility Zone C has no open land requirements for development. Therefore, the Canon Partners Project is consistent with this provision of the LUCP.

4. Infill Development

This project area is open, undeveloped agricultural area. The proposed project represents new development in the area and does not qualify for consideration as an infill project. Consequently, the Canon Partners Project is consistent with Compatibility Zone C land use criteria.

5. Height Limitations and Other Hazards to Flight

As previously discussed, within Compatibility Zone C, the relevant factors for consideration include height review for objects in excess of 100 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 Canon Partners Project does not permit structures taller than 50 feet, so airspace review standards in zone C are satisfied.

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

The project lies within the Bird Strike Hazard Zone and the Outer Perimeter Area. The project does not contain any wildlife habitat and has been utilized for grazing activities. The proposed industrial uses do not contain any wildlife attractants. Consequently, the Canon Partners Project is consistent with Compatibility Zone C land use criteria.

6. Buyer Awareness Measures

The proposed project lies within Compatibility Zone C and but outside any noise contours of concern. As a result, Buyer Awareness Measures are required by the Travis Plan. With the recordation of Buyer Awareness Measures, the Canon Partners Project is consistent with the Travis Plan.

7. Non-conforming Uses and Reconstruction

There are no existing non-conforming uses on the property. The project includes a rezoning of the property which will specifically allow the for the development of the uses proposed within the project description. Therefore, the project is consistent with this compatibility factor of the Travis Plan.

The County of Solano Zoning Regulations contain a general provision requiring consistency between development proposals and the Travis Plan, which reads as follows:

Section 28.70.10(D). Airport Land Use Compatibility Plans. Within an airport area of influence or area of concern depicted in an airport land use compatibility plan adopted by the Solano County Airport Land Use Commission, land uses allowed by this Zoning Ordinance shall conform with the applicable compatibility policies and criteria set forth in that airport land use compatibility plan.

Staff recommends that the Commission impose a condition on its compatibility determination that the County repeat that language in the Canon Partners Policy Plan Ordinance to make explicit the requirement to conform with the Travis Plan.

Based on the discussion above and with the proposed condition of approval, staff recommends that the Commission find that the Canon Partners Project meets the tests for consistency for a zoning action and further determines as follows:

DETERMINATION: Determine that application ALUC-2018-07 (Canon Partners Policy Plan Overlay Ordinance) is consistent with the Travis Air Force Base Land Use Compatibility Plan.
(Sponsor: County of Solano)

Attachments:

Attachment A: Policy Plan Overlay Ordinance (PP-17-01)
Attachment B: Location Map
Attachment C: Aerial Photo
Attachment D: Initial Study and Mitigated Negative Declaration
Attachment E: Travis Plan Context Map
Attachment F: Resolution (To Be Distributed Under Separate Cover)