

Legislation Text

File #: AC 18-035, **Version:** 1

Public Hearing to consider a Consistency Determination (ALUC-18-16) for the proposed Goudie Rezoning Ordinance (Z-17-04) with the Travis Air Force Base Land Use Compatibility Plan. (Sponsor: County of Solano)

RECOMMENDATION:

Determine that application ALUC-2018-16 (Goudie Rezoning Ordinance) is consistent with the Travis Air Force Base Land Use Compatibility Plan (Sponsor: County of Solano).

DISCUSSION:

Project Overview:

The applicant owns 15.69 acres of land currently zoned Rural Residential "RR-2.5". The property could be subdivided into 6 residential lots; however, the lots would require a public street to be constructed to provide access as well as the extension of a public water system. The property owner only wants to create three lots or one additional lot beyond the two which currently exist. By rezoning the residential portion of the property to "R-R-5", the applicant can subdivide the property, creating the third lot without the requirement for either a public street or a public water system.

The intent is to isolate residential development on the northwest side of Sweeny Creek, generally the dividing line between the Rural Residential and the Agricultural zoned areas of the property. The property currently contains two single family dwellings and associated residential accessory structures on the northwest side of Sweeny Creek with agricultural production taking place on the southeast side of the creek (See Attachments B,C and D).

ALUC JURISDICTION

The Goudie Rezoning Project is statutorily required to come before the ALUC for a consistency determination (Section 21661.5 of the Public Utilities Code). The project lies within the area of influence of the Travis AFB LUCP in Compatibility Zone E (See Attachment E Travis Context map).

REQUIRED TESTS FOR CONSISTENCY FOR REZONING ACTIONS

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 Goudie Rezoning Project that have the potential to be incompatible with the Travis Plan. The Goudie Rezoning Project covers a geographic area which lies entirely within Compatibility Zone E.

Compatibility Criteria for Zone E

Compatibility Zone E 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 E provides for review of the following special circumstances:

- **Height Limitations and Other Hazards to Flight (See below)**
 - ALUC review required for objects > 200 feet AGL
 - All proposed wind turbines must meet line-of-sight criteria in Policy 3.3.4
 - 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
 - Outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use 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

Staff has reviewed the proposed Goudie Rezoning 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 E, there are no limitations on density for residential land uses or limitations on intensity for non-residential land uses. Therefore, the Goudie Rezoning Project is consistent with this provision of the LUCP.

2. Identification of Prohibited Uses

Compatibility Zone E does not prohibit any specific uses. As a result, the Goudie Rezoning Project is consistent with this provision of the Travis Plan.

3. Open Land Requirements

Compatibility Zone E has no open land requirements for development. Therefore, the Goudie Rezoning Project is consistent with this provision of the Travis Plan.

4. Infill Development

This project area is currently developed with two homes and associated out buildings. The proposed project does not qualify for consideration as an infill project. The development itself is permitted since there are no limitations on intensity or land uses within Compatibility Zone E. Consequently, the Goudie Rezoning Project is consistent with Travis Plan.

5. Height Limitations and Other Hazards to Flight

As previously discussed, within Compatibility Zone E, 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 Goudie Rezoning Project do not permit structures taller than 35 feet, so airspace review standards in zone E 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. Since the project lies outside the Outer Perimeter of the Wildlife Hazard Area, there are no requirements in the Travis Plan which impact the project.

6. Buyer Awareness Measures

The proposed project lies within Compatibility Zone E 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 does not include any non-conforming uses. As a result, there will be no non-conforming aspects of the project. Therefore, the project is consistent with this compatibility factor of the Travis Plan.

Based on the discussion above, staff recommends that the Commission find that the Goudie Rezoning Project meets these tests for consistency for a zoning action and further find as follows:

DETERMINATION: Determine that application ALUC-2018-16 (Goudie Rezoning Ordinance) is consistent with the Travis Air Force Base Land Use Compatibility Plan (Sponsor: County of Solano).

Attachments:

Attachment A: Resolution (To Be Distributed Under Separate Cover)

Attachment B: Location Map

Attachment C: Aerial Vicinity Map

Attachment D: Rezoning Map

Attachment E: Travis Plan Context Map

