

Legislation Text

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ALUC-19-02: Santa Monica Street Project (City of Fairfield)

Public Hearing to consider the consistency of the City of Fairfield's proposed Santa Monica Street project with the Travis Air Force Base Land Use Compatibility Plan: Applicant - City of Fairfield

RECOMMENDATION

Adopt the recommended findings and determine that the Santa Monica Street project is **consistent** with the Travis Air Force Base Land Use Compatibility Plan.

INTRODUCTION

The City of Fairfield is considering the Santa Monica Street project which would permit up to 77 high density residential units on 3.5 acres located at the southerly terminus of Santa Monica Street in the City of Fairfield (See Attachments A-F)

Required Entitlements

The proposed project requires the following entitlements from the City of Fairfield:

- 1) The project requires a general plan change from Residential Low-Medium and Open Space Conservation to Residential High Density.
- 2) The project also requires a rezoning from Low-Medium Density Residential (RLM) to High Density Residential (RH). This change would raise the potential number of dwelling units to 77 from 28 possible under the current general plan designation. This would also permit three story buildings up to 45 feet in height.

State law requires that any proposed general plan amendment or revisions and any rezoning actions be reviewed for consistency with adopted airport land use compatibility plans. This project involves both types of entitlements, which are analyzed below.

Required Tests for Consistency for General Plan Amendments

The review criteria for general plan amendments are embodied in the State's California Airport Land Use Planning Handbook and the Travis AFB Land Use Compatibility Plan (Travis Plan).

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. In order to be considered fully consistent with the applicable compatibility plan(s), the general plan revisions proposed must meet two specific tests, as identified in the California Airport Land Use Planning Handbook. The tests are:

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

Direct conflicts primarily involve general plan/specific 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/specific 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 Santa Monica Street project in light of the tests for general plan/specific plans and zoning actions. Our analysis is presented below.

Relevant Issues for the ALUC

The consistency determination for the Santa Monica Street project requires an analysis of the compatibility criteria contained in Compatibility Zone D from the Travis Plan, which is summarized below.

Compatibility Criteria for the Travis Plan Compatibility Zone D

Within Compatibility Zone D of the Travis Plan, 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, as follows:

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
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.

Discussion of Consistency

Analysis of the General Plan Consistency Factors for the Santa Monica Street Project

In order for a general plan/specific plan amendment to be considered consistent with the Travis Plan, two tests must be applied: 1) Elimination of Direct Conflicts, and 2) Mechanisms to assure compliance with Compatibility Criteria

Elimination of Direct Conflicts

As discussed above, the proposed Santa Monica Street project lies entirely within Zone D, where there are no residential or non-residential land use restrictions within the Travis Land Use Compatibility Plan. There are Other Development Conditions prescribed for Compatibility Zone D. The project would be consistent with the Other Development Conditions for the following reasons:

ALUC review required for objects > 200 feet AGL

The General Plan amendment will permit high density residential development. The designation would permit three story residential structures up to 45 feet in height. There are no provisions within the land use designation which permit structures in excess of 200 feet in height. As such, no structures could be approved that approached 200 feet in height and, as such, the General Plan amendment is consistent with this provision of the Travis Plan.

Height, Wind Turbines in Excess of 100 Feet in Height

The General Plan amendment does not permit wind turbines within the high density residential areas. As such, the General Plan is consistent with this provision of the Travis Plan.

Commercial-Scale Solar Facilities

The Travis Plan requires all new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review. However, General Plan amendment does not permit any commercial scale solar project in the plan area. As such, the Specific Plan is consistent with this provision of the Travis Plan.

Meteorological Towers

All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review. The General Plan does not permit structures of any type to be 200 feet tall. As such, the General Plan is consistent with this provision of the Travis Plan.

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. As such, the General Plan amendment is consistent with this provision of the Travis Plan.

In conclusion, based on the analysis above, the proposed Santa Monica Street project is consistent with this provision of the Travis Plan and meets the first test for general plan consistency by the ALUC - the elimination of direct conflicts with an airport's LUCP compatibility criteria.

Assurance of Compliance with Compatibility Criteria

The second test for general plan consistency is the assurance that there will be compliance with the compatibility criteria contained within any adopted LUCP's. The California Airport Land Use Planning Handbook provides guidance to local ALUC's in making consistency determinations on General Plans.

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.

The Handbook identifies three facets to the process of insuring 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.

Consistency between the City's General Plan and the applicable Land Use Compatibility Plans is established by General Plan which includes, among other things, a Travis Protection Element which contains several policies supporting adherence to the Travis Plan.

This in effect gives the City a basis for requiring that projects under review comply with the applicable Airport Land Use Compatibility Plan.

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 development agreements are two possibilities.

Adoption of this general plan amendment does not authorize the residential development. Subsequent legislative actions by the City Council will be required, including a rezoning of the property. Tentative subdivision maps will also be required. Under California state law, both the rezoning and the tentative subdivision maps must be consistent with the City's General Plan. This requirement addresses conformance with applicable LUCP's and as such, the City's mechanism for compliance is adequately assured.

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 city are compatibility approvals made: staff, planning commission or governing body? The types of actions which are to be submitted to the ALUC for review and the timing of such submittals relative to the internal review and approval process must be indicated.

Per state law, legislative actions (e.g., General Plans and Zoning Ordinances) that have an impact on the Travis Plan must be approved by the Fairfield City Council following a public hearing. They must also be reviewed by the ALUC prior to the City Council's action.

Types of actions submitted to ALUC:

Any revisions to the General Plan or a Zone Change are required to come before the ALUC for statutory review.

Timing:

ALUC review would be completed before the City takes further action on any development proposal.

As a result, the review procedures are adequate to assure that applicable compatibility criteria will be tied to an individual development and continue to be enforced.

As a result, the Santa Monica Street project general plan amendment is consistent with the Travis Plan.

Analysis of the Zoning Action Consistency Factors

The Santa Monica Street project also contains zoning actions required for implementation of the project. These zoning actions permit high density residential land uses in both instances and 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

The City's application includes rezoning amendments for the Santa Monica Street project site. These rezoning actions would permit high density residential development on the properties. Since there are no land use limitations within Compatibility Zone D, this rezoning proposal is consistent with this compatibility factor.

2. Identification of Prohibited Uses

Compatibility Zone D does not prohibit any specific uses. As a result, the Rezoning amendments for the Santa Monica Street project is consistent with the Travis Plan.

3. Open Land Requirements

Compatibility Zone D has no open land requirements for development. As a result, the Pre-Rezoning applications for the Santa Monica Street project is consistent with this compatibility factor.

4. Infill Development

This project area is substantially developed and does qualify as infill development. As a result, the project could receive special consideration as an infill project under the Travis Plan. Since there are no land use barriers to the project, special consideration is not necessary in this case. As a result, the rezoning application for the Santa Monica Street project is consistent with this compatibility factor.

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 Santa Monica Street project does not permit any structures that approach 100 feet in height and therefore the airspace review standards in Zone D are satisfied.

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

The each project lies outside of the Bird Strike Hazard Zone and outside the Outer Perimeter Area. As a result no further review is required for this compatibility factor.

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 Santa Monica Street project does not contain any non-conforming uses, so consideration under this requirement is not necessary under the Travis Plan. Therefore, the Rezoning applications for the Santa Monica Street project for this requirement is consistent with this compatibility factor.

Based on the discussion above, staff recommends that the Commission find that the Santa Monica Street project meet these tests for consistency for a zoning action under the Travis Plan.

RECOMMENDATION

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

Determination: Determine that the general plan amendment and rezoning change for the Santa Monica Street project are **consistent** with the Travis Air Force Base Land Use Compatibility Plan.

Attachments

Attachment A: ALUC Application

Attachment B: Vicinity Map

Attachment C: Aerial Map

Attachment D: Travis Context Map

Attachment E: Initial Study negative Declaration

Attachment F: Resolution (To Be Distributed by Separate Cover)