

Legislation Text

File #: AC 19-020, **Version:** 1

PUBLIC HEARING to consider the consistency of ALUC-2019-08, the Industrial Park General Plan Amendment, with the Nut Tree Airport Land Use Compatibility Plan (Nut Tree Plan) and the Travis AFB Land Use Compatibility Plan (Travis Plan) (Sponsor: City of Vacaville)

RECOMMENDATION:

Determine that application ALUC-2019-08, the Industrial Park General Plan Amendment, is consistent with the Nut Tree Plan and the Travis Plan.

DISCUSSION:

INTRODUCTION

The City of Vacaville has initiated amendments to its General Plan to change the land use designation from Commercial General to Industrial Park for two parcels (APNs 0133-210-290 and -300) consisting of 11.53 acres located on East Monte Vista Road southerly of Vaca Valley Road. (Attachments A, B, C and D). State law requires that any proposed general plan amendments be reviewed for consistency with adopted airport land use compatibility plans. In this case, the City's General Plan amendments are affected by the Nut Tree Plan (Nut Tree Plan) and the Travis AFB Land Use Compatibility Plan (Travis Plan).

PROJECT DESCRIPTION

The general plan amendment would change the land use designation of the property from Commercial General to Industrial Park. Currently the property is zoned Industrial Park (IP) and is part of the Vacaville-Golden Hills Business Park Policy Plan (See Attachment G). The proposed general plan amendment will reestablish consistency between the general plan and zoning as required by state law. There are no specific development proposals on file currently.

The project lies within the Compatibility Zone C (6.5%) and D (93.5%) of the Nut Tree Plan and Compatibility Zone D of the Travis Plan. The compatibility criteria for each of those plans is discussed below.

Nut Tree Plan

The proposed project lies within Compatibility Zone C and D of the Nut Tree Plan.

Compatibility Zone C

Land Use Criteria

Within Compatibility Zone C of the Nut Tree Plan, permissible uses consist of:

1. Residential uses up to 1 unit per acre, and
2. Non-residential uses with intensities up to 50 persons per acre within structures and 75 persons per acre within and outside of structures.

The non-residential permissible uses typically include light industrial uses (one story), heavy industrial uses, auto

dealerships, retail uses (1 story) and office and financial uses (1 story).

Compatibility Zone C requires the recordation of an overflight easement.

Height Criteria

The only height requirement is consistency with the Part 77 surfaces.

Open Space Requirement

There is an open space requirement of 15% within Compatibility Zone D.

Compatibility Zone D

Land Use Criteria

Within Compatibility Zone D of the Nut Tree Plan, permissible uses consist of:

3. Residential uses up to 4 units per acre, and
4. Non-residential uses with intensities up to 100 persons per acre within structures and 150 persons per acre within and outside of structures.

The non-residential permissible uses typically include light industrial uses (one story), heavy industrial uses, auto dealerships, retail uses (2 story), office and financial uses (2 story) and motels (2 story).

Compatibility Zone D requires the recordation of an overflight easement.

Height Criteria

The only height requirement is consistency with the Part 77 surfaces.

Open Space Requirement

There is an open space requirement of 10% within Compatibility Zone D.

Travis Plan

Compatibility Zone D

Land Use Criteria

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.

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.

ANALYSIS

RELEVANT ISSUES FOR THE ALUC

The ALUC is concerned with those aspects of the Vacaville General Plan Amendments that have the potential to be incompatible with the Nut Tree Plan and Travis Plan. The Vacaville General Plan Amendments cover a geographic area which lies entirely within Compatibility Zones D of the Travis Plan and within Compatibility Zone C and D of the Nut Tree Airport Plan.

General Plan/Specific Plan Consistency Factors

1. Elimination of Direct Conflict

The Nut Tree Plan permits non-residential land uses up to certain occupancy per acre parameters. These uses typically include light industrial uses and office uses. The general plan amendment is for industrial land uses. On the surface, there are no direct conflicts between the general plan amendment and the relevant compatibility criteria within Zones C and D of the Nut Tree Plan.

At the time a specific development proposal is presented, it will have to conform with the uses and limitations discussed above as well as the Vacaville-Golden Hills Policy Plan which includes adherence to the Nut Tree Plan detailed criteria.

The Nut Tree Plan includes intensity standards governing the numbers of people which may occupy non-residential buildings. The standards would permit buildings which can house up to 1,116 persons inside buildings and up to 1,674 persons both indoors and outdoors. These figures represent the blended rate between the small portion of the property in Zone C and the predominate portion which lies in Zone D.

2. Assurance of Compliance with Compatibility Criteria

The Commission must determine that there are mechanisms in place at the City of Vacaville 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-

The City of Vacaville has incorporated the requirements of the Airport Land Use Plans within its development code. As discussed above, specific development plans, when submitted, will have to comply with the Nut Tree Plan requirements embodied in the City of Vacaville development code.

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

Generally, in the City of Vacaville, development permits are reviewed by the City Council, Planning Commission, and the Director of Community Development. In the case of legislative actions, ALUC review must occur first. For other permits, the Planning Commission and Director of Community Development must make a consistency finding as required by the Nut Tree Plan

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.

RECOMMENDATION

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

Determination: Determine that application ALUC-2019-08, the Industrial Park General Plan Amendment, is consistent with the Nut Tree Plan and the Travis Plan.

Attachments

Attachment A: Application
Attachment B: Vicinity Map
Attachment C: Aerial Map
Attachment D: General Plan Land Use Change
Attachment E: Travis Context Map
Attachment F: Nut Tree Context Map
Attachment G: Vacaville-Golden Hills Business Park Policy Plan
Attachment H: Resolution (To Be Distributed by Separate Cover)