

Legislation Text

File #: AC 20-007, **Version:** 1

Conduct a Public Hearing to consider the consistency of ALUC-20-01, Gold Hill Village 3 Project, with the Travis AFB Land Use Compatibility Plan (Travis Plan). (Project Planner: Jim Leland)

Published Notice Required? Yes ☐ No ☐

Public Hearing Required? Yes ☐ No ☐

RECOMMENDATION:

Determine that application ALUC-2020-02, the Gold Hill Village 3 Project is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan)

DISCUSSION:

INTRODUCTION

The City of Fairfield is considering the Gold Hill Village 3 Project (Attachment B, C, D and E) which includes a general plan amendment and a zoning change application. If approved by the City, a project consisting of 79 dwelling units (17 detached and 62 attached) could be built on 11.44 acres located at the northeast corner of Gold Hill Road and Lopes Road. The site is adjacent to Interstate 680. The review requirements for each entitlement process are discussed below.

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.

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 Gold Hill Village 3 Project in light of the tests for general plan/specific plans and zoning actions. Our analysis is presented below.

ANALYSIS

PROJECT DESCRIPTION

The Gold Hill Village 3 Project consists of a low to medium density residential project consisting of both detached and attached (duets) two-story single-family residences. The following entitlements are required which are subject to review by the Solano County Airport Land Use Commission.

General Plan Amendment

The property is currently designated for mixed-use development under the City of Fairfield General Plan. The proposal requires a general plan amendment to Low-Medium Density residential land uses.

Zoning Change

Presently, the property is zoned Community Commercial (CC). The project requires a zoning change to the Residential Low- Medium (RLM) zoning district.

RELEVANT ISSUES FOR THE ALUC

The ALUC is concerned with those aspects of the Gold Hill Village 3 Project that have the potential to be incompatible with the Travis Plan. Gold Hill Village 3 Project is proposed on property which lies entirely within Compatibility Zone D.

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.

ANALYSIS OF CONSISTENCY FACTORS

General Plan/Specific Plan Consistency Factors

1. Elimination of Direct Conflict

The Commission is concerned with eliminating any direct conflicts between the Gold Hill Village 3 Project and the compatibility criteria for Compatibility Zone D of the Travis Plan.

Compatibility Zone D

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, which are provided below along with a discussion of how the Gold Hill Village 3 Project achieves consistency

1. ALUC review required for objects > 200 feet AGL.

The General Plan designation of Residential Low Medium is for residential structures with a height of 35 feet or less so there is no direct conflict with this Travis Plan provision.

2. All proposed wind turbines in excess of 100 feet in height must meet line-of-sight criteria in Policy 3.4.4

Major Utility Facilities such as wind turbines are not included as land uses within the Residential Low Medium general plan designation and as such there is no direct conflict with this provision of the Travis Plan.

3. All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review

Major Utility Facilities, including commercial scale solar projects, are not included as land uses within the Residential Low Medium general plan designation and as such there is no direct conflict with this provision of the Travis Plan.

4. All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review None anticipated in the Plan.

Meteorological towers are not a land use associated with the residential Low Medium land use designation. Consequently, there is no direct conflict with this provision of the Travis Plan.

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.

The general plan amendment is for property outside of the Bird Strike Hazard Zone depicted within the Travis Plan. Therefore, there is no direct conflict with the Travis Plan.

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.

The general plan amendment is for property outside of the Outer Perimeter depicted within the Travis Plan. Therefore, there is no direct conflict with the Travis Plan.

2. Assurance of Compliance with Compatibility Criteria

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

As discussed above, consistency between the Gold Hill Village 3 Project and the Travis Plan is established by both the approved general plan, including the proposed amendment.

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

Subsequent development permits will be reviewed by the City Council, Planning Commission, and the Director of Community Development. In the case of legislative actions, ALUC review must occur. For other permits, the Planning Commission and Director of Community Development must make a consistency finding as required by the Travis 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.

Zoning Change Consistency Factors

The Gold Hill Village 3 Project also contains some zoning regulations which 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

Within Compatibility Zone D, there are no limitations on density for residential land uses or limitations on intensity for non-residential land uses so the zoning change to Residential Low- Medium (RLM) zoning district is consistent with this provision of the Travis Plan .

2. Identification of Prohibited Uses

Compatibility Zone D does not prohibit any specific uses and as such, the uses permitted in the Residential Low- Medium (RLM) zoning district are consistent with this provision of the Travis Plan .

3. Open Land Requirements

Compatibility Zone D has no open land requirements for development. Therefore the zoning change to Residential Low- Medium (RLM) zoning district is consistent with this provision of the Travis Plan .

4. Infill Development

This project area is substantially developed. The Gold Hill Village 3 Project could be considered an infill project. However, since the project has no direct conflicts with the Travis Plan, it does not require any leniency provided for infill projects. Thus, the zoning change to Residential Low- Medium (RLM) zoning district is consistent with this provision of the Travis Plan .

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 Residential Low- Medium (RLM) zoning district 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 both the Bird Strike Hazard Zone and the Outer Perimeter Area. Within Compatibility Zone D, consequently it is not subject to the requirements for wildlife hazards contained within the Travis Plan.

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 proposed project will consist of new construction. As a result, there are no existing non-conforming uses, or any reconstruction components and the project is consistent with this provision of the Travis Plan.

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

RECOMMENDATION

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

Determination: That application ALUC-2020-01 (Gold Hill Village 3 Project) is consistent with the Travis AFB Land Use Compatibility Plan (Travis Plan)

Attachments

Attachment A: Application
Attachment B: Vicinity Map
Attachment C: Aerial Map
Attachment D: Travis Plan Context Map
Attachment E: Site Plan
Attachment F: Resolution (To Be Distributed by Separate Cover)