SOLANO COUNTY
AIRPORT LAND USE COMMISSION
RESOLUTION NO. 13-___

RESOLUTION REGARDING CONSISTENCY WITH
AIRPORT LAND USE COMPATIBILITY PLANS
(Medical Marijuana Ordinance)

WHEREAS, pursuant to California Public Utilities Code section 21675 the Solano County Airport Land Use Commission ("Commission") has the responsibility to prepare and adopt airport land use plans for any public and military airports within Solano County and to amend any such adopted plan as necessary; and

WHEREAS, pursuant to such authority, the Commission has adopted airport land use compatibility plans for Travis Air Force Base, Rio Vista Municipal Airport, and the Nut Tree Airport, and the Solano County Airport Land Use Compatibility Review Procedures (the "Compatibility Plans"); and

WHEREAS, in enacting the sections within the State Aeronautics Act (the "Act") that provide for airport land use commissions, the California Legislature has declared that the purposes of the legislation include: (1) to provide for the orderly development of each public use airport in this state; (2) to provide for the orderly development of the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards; (3) to provide for the orderly development of the area surrounding these airports so as to prevent the creation of new noise and safety problems; (4) to protect the public health, safety, and welfare by ensuring the orderly expansion of airports; and (5) to protect the public health, safety, and welfare by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses (Pub. Util. Code, § 21670, subd. (a)); and

WHEREAS, the Act provides that an airport land use commission's powers and duties include: (a) to assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses; (b) to coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare; (c) to prepare and adopt an airport land use compatibility plan pursuant to Public Utilities Code section 21675; and (d) to review the plans, regulations, and other actions of local agencies and airport operators pursuant to Public Utilities Code section 21676 (Pub. Util. Code, § 21675); and

WHEREAS, the Act provides that the purpose of compatibility plans is to provide for the orderly growth of the airports and the area surrounding the airports, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general (Pub. Util. Code, § 21675, subd. (a)); and

WHEREAS, Public Utilities Code section 21675, subdivision (a), authorizes the Commission, in formulating a compatibility plan, to develop height restrictions on buildings, specify the use of land, and determine building standards, including sound-proofing adjacent to airports; and

WHEREAS, pursuant to such authority, the Compatibility Plans set forth criteria to be applied by the Commission when evaluating local land use plans and specific development proposals; and

WHEREAS, Public Utilities Code section 21676, subdivision (b), requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Commission, local agencies within Solano County are required to first refer the proposed action to the Commission for a consistency determination; and

WHEREAS, the County of Solano ("Local Agency") is considering approving the following project (the "Project"), as set forth in greater detail in the Staff Report and its Attachments concerning "Item 9B: ALUC-13-04" of the Commission's June 13, 2013 Regular Meeting ("Staff Report"): "Medical Marijuana Zoning Regulations"; and

WHEREAS, the Commission has duly considered the Project, at a noticed public meeting, in order to ensure consistency of the Project with the Compatibility Plans; and

WHEREAS, the Commission adopts and incorporates as findings the Staff Report's analysis and conclusions.

RESOLVED, that after due consideration, the Commission does find and determine that the Project is consistent with the provisions of the airport land use compatibility plans for Travis Air Force Base, Rio Vista Airport, and Nut Tree Airport.

I certify that the foregoing resolution was adopted at a regular meeting of the Solano County Airport Land Use Commission on June 13, 2013, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

By _____
Stephen P. Vancil, Chairman
Solano County Airport Land Use Commission

Attest:

By: _____
Bill Emlen, Clerk to the Commission