Solano County
**Airport Land Use Commission**
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DATE: April 10, 2014

**MEMORANDUM:**

**To:** Solano County Airport Land Use Commission

**From:** Jim Leland, Principal Planner

**Subject:** **ITEM 9A: ALUC-14-03**: Conduct a Public Hearing to consider a Consistency Determination on a proposed General Plan Amendment (G-14-01) by the County of Solano in response to the ALUC's December 2013 Amendment to the Travis Air Force Base Land Use Compatibility Plan (County of Solano)

## RECOMMENDATION

Adopt the recommended findings and determine that the Solano County General Plan amendment (G-14-01) is **consistent** with the Travis Air Force Base Land Use Compatibility Plan.

## INTRODUCTION

On December 12, 2013, the Solano County Airport Land Use Commission (ALUC) approved an amendment to the 2002 Travis Air Force Base Land Use Compatibility Plan (Travis Plan) which established an Assault Landing Zone Training Area (ALZTA) Overlay Zone to address compatibility requirements for an assault landing zone training area. The entire area of the ALTZA Overlay Zone is within the unincorporated area of Solano County.

When an Airport Land Use Compatibility Plan (ALUCP) is adopted or amended by the ALUC, State law requires affected jurisdictions to bring their general plans into conformance within 180 days. Accordingly, the County of Solano is proposing amendments to its 2008 Solano County General Plan which will bring the document into conformance with the ALUC's action last December. The proposed General Plan amendments have been submitted to the ALUC for a mandated consistency determination.

### REQUIRED TESTS FOR CONSISTENCY FOR GENERAL PLAN AMENDMENTS

The State Department of Aeronautics has published the California Airport Land Use Planning Handbook, January 2011 Edition (State 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. 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 (January 2011). 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 development agreements 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

### PROJECT DESCRIPTION

The Solano County General Plan amendments are designed to implement the December 2013 action of the ALUC amending the 2002 Travis Plan. The amendments consist of four parts as described below:

1. <u>Amendment to selected text in Chapter 2 (page LU-27)</u>

   This amendment updates the narrative discussion to identify the recently dedicated Assault Landing Zone and to describe the ALUC's December 12, 2013 action amending the Travis Plan.

2. <u>Amendment to Chapter 2, Land Use Policy LU.P 31</u>

   This amendment modifies Land Use Policy LU.P-31 to make explicit that it pertains to the airport influence areas for military as well as public airports.

3. <u>Amendment to Chapter 2, Implementation Measure LU.I-2</u>

   This amendment makes clear that the County's zoning ordinance should be amended, on an on-going basis, to include development standards consistent with Airport Land Use Compatibility Plans and any subsequent amendments to those plans.

4. Amendment to Chapter 2, Figure LU-6

   This amendment modifies Figure 6 to reflect the expanded Airport Influence Area for the Travis Air Force Base, adopted by the ALUC on December 12, 2013.

These changes are analyzed below for consistency with the 2002 Travis Plan, as amended.

## Discussion of Compatibility Criteria

As previously outlined, the State Handbook requires general plans to meet two tests for consistency: 1) Elimination of direct conflicts, and 2) Assurance of Compliance with Compatibility Criteria. Consistency with these two measures is discussed below.

### General Plan Consistency Factors

Elimination of Direct Conflicts

The County of Solano utilizes a direct approach for eliminating direct conflicts, that is, the general plan amendments modify the text of the plan to acknowledge the establishment of the Assault Landing Zone and the specific action taken by the ALUC to establish an Assault Landing Zone Training Area Overlay Zone. The general plan then establishes a policy (LU.P-31) that all development must comply with the compatibility policies and criteria adopted by the ALUC as a part of the Travis Plan. An implementation action (LU.I-2) is identified which requires the county's zoning regulations to be brought into conformance with the ALUC's Travis Plan. Finally, the most recent Airport Influence Area for Travis, adopted in December 2013, is inserted into the general plan (Figure LU-6).

The County's general plan amendments set the stage for the next step which is to amend the county's zoning regulations to provide the detailed legislation that will establish the 200 foot height limits within the Travis Plan's Assault landing Zone Training Area Overlay Zone. The County has indicated that the zoning amendments are underway and should be before the Commission this summer.

In conclusion, based on the analysis above, the proposed general plan amendments meet the first test for 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 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 County's General Plan and the applicable Land Use Compatibility Plans is established by General Plan Land Use Chapter Implementing Policy LU.P-31, being amended to require that "*all development within the airport influence areas of public and military airports complies with the Airport Land Use Commission compatibility polices and criteria as set forth in the airports' land use compatibility plans."*

This in effect gives the County a basis for requiring that projects under application 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 the general plan amendments establishes the policy level requirement that all development must be consistent with the Travis Plan. The amendments require modifying the zoning regulations to assure compliance also. Subsequent actions by the Board of Supervisors will be required in order to complete the changes to the zoning regulations. Those are underway at this time and should be completed by the fall of 2014. These actions addresses conformance with applicable LUCP's and as such, the County'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 Plan Amendments and Zoning Ordinance Amendments) that have an impact on the Travis LUCP must be approved by the Solano County Board of Supervisors following a public hearing. They must also be reviewed by the ALUC prior to the Board's action.

<u>Procedures for planning review:</u>

All private development is subject to some form of planning review. The current zoning regulations for the County provide the general compliance assurance below:

> "*Within an airport area of influence or area of concern depicted in an airport land use compatibility plan adopted by the Solano County Airport Land Use Commission, land uses allowed by this Zoning Ordinance shall conform to the applicable compatibility policies and criteria set forth in that airport land use compatibility plan."*

The County intends to make additional revisions to the zoning regulations to explicitly impose the 200 foot height limit in the ALZTA Overlay Zone.

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.

## RECOMMENDATION

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

**Determination:** Adopt the recommended findings and determine that the Solano County General Plan amendment (G-14-01) is **consistent** with the Travis Air Force Base Land Use Compatibility Plan.

## ATTACHMENTS

Exhibit A: Chapter 2 Page LU-27
Exhibit B: Chapter 2 Land Use Policy LU.P 31
Exhibit C: Chapter 2 Implementation Measure LU.I-2
Exhibit D: Chapter 2 Figure LU-6
Exhibit E: ALUC Land Use Compatibility Map (December 2013)

Exhibit A: Chapter 2 Page LU-27

Red Type represents new language

# Airport Compatible Land Uses

Solano County contains several locally and regionally important airports. Airports are valuable assets for the movement of people, goods, and for economic development. Along with their benefits, airports have unique land use planning needs. Areas around airports must be developed in a manner that supports continued operation. Airports typically generate noise and light and need airspace for takeoffs and landings. Safety issues around the airport also must be taken into consideration. Airport land use compatibility plans (ALUCPs) help to reduce the potential for land use conflicts between the airports and surrounding uses. State law requires the preparation of ALUCPs that address potential airport and land use conflicts for each public-use and military airport in California. ALUCPs address land use compatibility around airports relative to noise, overflights, safety, and airspace protection. They are not plans for airport development and do not require any changes to current land uses. Rather, state law requires future land use development near airports to be consistent with compatibility criteria included in an ALUCP.

The Solano County Airport Land Use Commission (ALUC) is the agency in Solano County empowered by state law to prepare the ALUCP for airports and heliports in the county. The Solano County ALUC oversees orderly development of airports and adoption of land use measures that minimize public exposure to excessive noise and safety hazards in areas around public and military airports, to the extent that these areas are not already devoted to incompatible uses.

The Solano County ALUC has adopted plans applicable to all current airports in the county as well as to any new airport or heliport (except private-use facilities) that may be proposed in the future. Plans address current airport facilities located throughout the county, including Nut Tree Airport, Rio Vista Municipal Airport, and Travis Air Force Base (AFB).

State law requires local agencies to modify their general plans and any affected specific plans to be consistent with ALUCPs. A general plan must address compatibility planning issues and avoid direct conflicts with compatibility planning criteria. Solano County zoning regulations restrict heights within defined airport flight obstruction areas, which are defined more broadly for military airports than commercial airports in recognition of the mission of Travis AFB.

## Travis Air Force Base

Travis AFB occupies approximately 7,100 acres of land, with two 11,000-foot runways oriented along the northeast-southwest diagonal away from existing housing developments. Travis AFB is home to the world's largest military airlift unit, the 60th Air Mobility Wing, and the wing's reserve counterpart, the 349th Air Mobility Wing. In 1995, the function of the base was expanded by the addition of air refueling assets from March AFB. In 2013, the function of the base was further expanded by the construction of an Assault Landing Zone, a short runway used to train military pilots in low altitude tactical approaches, landings, and departures. The U.S. Department of Defense has been using the site for military operations since the early 1940s.

The public is interested in protecting the viability of Travis AFB, and as a part of that effort, in preventing the introduction of incompatible land uses in the vicinity. This change has arisen largely from two factors. One is a heightened awareness of the economic importance of Travis AFB. Secondly, the large number of military base closures in California in recent years, together with the ongoing program of the federal government to eliminate unneeded military bases throughout the country, has raised community concerns about the future of Travis AFB. In light of these factors, the need to ensure long-term land use compatibility between the base and its environs has become a high community priority.

In June 2002, the Solano County ALUC adopted an updated ALUCP, now called the Travis AFB Land Use Compatibility Plan (Travis LUCP). The Travis LUCP addresses restrictions on residential development using compatibility zones. ~~Figure LU-6 indicates the area in which development must be compatible with the Travis LUCP.~~ Nonresidential development is also addressed by the Travis LUCP according to the number of people per acre and established noise sensitivity of different land uses and activities. In December 2013, the Solano County ALUC amended the Travis LUCP to include an Assault Landing Zone Training Area Overlay, where structures greater than 200 feet in height would be incompatible with operation of the Assault Landing Zone. Figure LU-6 indicates the area in which new development must be compatible with the Travis LUCP.

Please see the Travis LUCP for additional information governing actions in the compatibility zones.

Exhibit B: Chapter 2 Land Use Policy LU.P 31

Red Type represents new language

## General Land Use Policies

LU.P-31: Require that all development within the airport ~~land use compatibility~~ influence areas~~/safety zones~~ of ~~the~~ public and military airports complies with the Airport Land Use Commission compatibility polices and criteria as set forth in the airports' land use compatibility plans.

Exhibit C: Chapter 2 Implementation Measure LU.I-2

Red Type represents new language

## General Plan Implementation Measures

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|---|---|
| LU.I-2: | Amend the County zoning ordinance to include development standards consistent with the adopted Airport Land Use Compatibility Plans and any subsequent amendments to those plans. |
| Related Policies: | LU.P-31 |
| Agency/Department: | Department of Resource Management |
| Funding Source: | General Fund |
| Time Frame: | ~~2008~~ Ongoing |

Exhibit D: Chapter 2 Figure LU-6

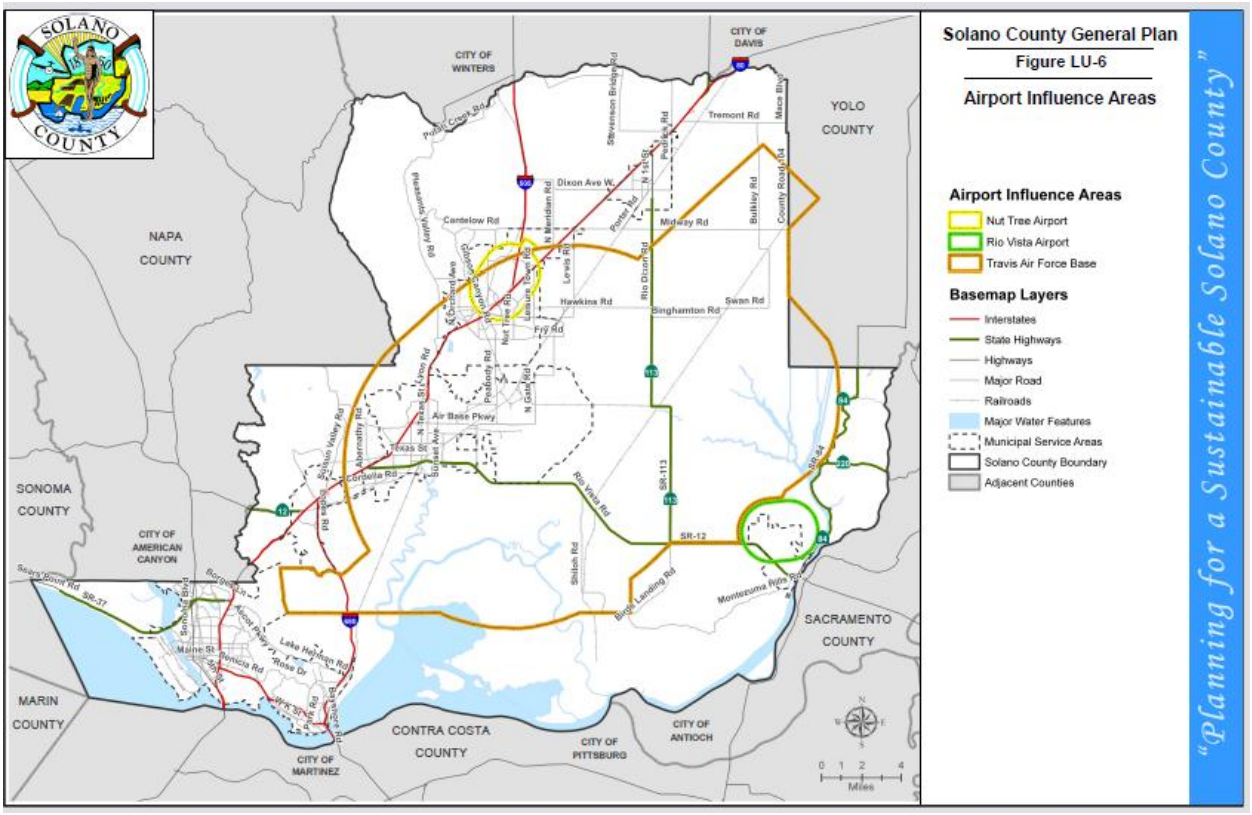
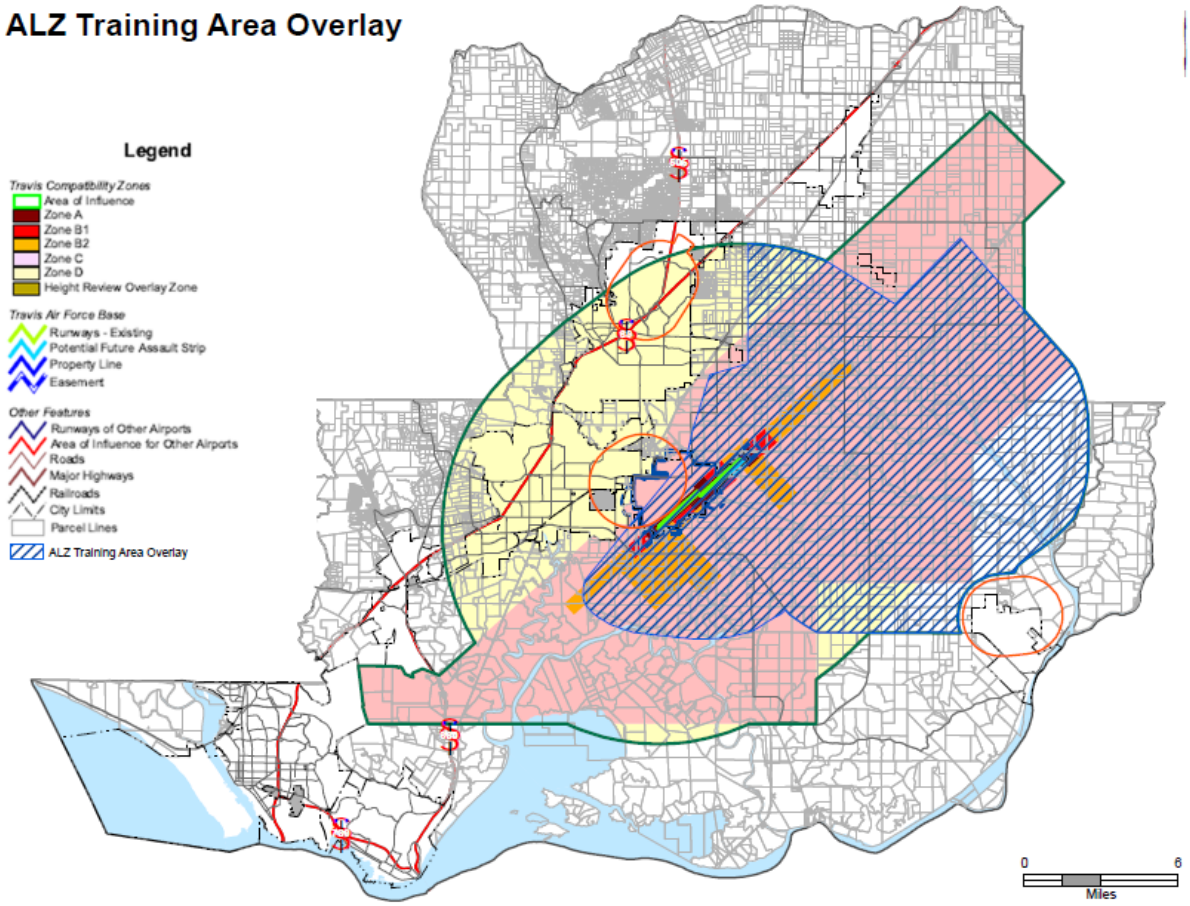
Exhibit E: ALUC Land Use Compatibility Map (December 2013)