



Solano County  
**Airport Land Use Commission**  
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Stephen Vancil  
Chairman

DATE: July 10, 2014

**MEMORANDUM:**

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

**From:** Jim Leland, Principal Planner

**Subject: ITEM 9A: ALUC-14-04** Request for a Consistency Finding by the County of Solano for the Shadi Lane Rezoning (Applicant County of Solano).

Conduct a Public hearing to consider the consistency of the Blue Mountain Shadi Lane Rezoning with the Travis Air Force Base Land Use Compatibility Plan, the Nut Tree Airport Land Use Compatibility Plan and the Rio Vista Land Use Compatibility Plan. The project consists of a rezoning request to rezone approximately 10 acres from Exclusive Agriculture A-40 to Rural Residential RR-5.

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**RECOMMENDATION**

Determine that the proposed rezoning of the Shadi Lane property is **consistent** with the policies of the Travis Air Force Base Land Use Compatibility Plan, the Nut Tree Airport Land Use Compatibility Plan and the Rio Vista Land Use Compatibility Plan.

**PROJECT DESCRIPTION**

The County of Solano is processing an application to rezone 10 acres from Exclusive Agriculture A-40 to Rural Residential RR-5, which decreases the minimum parcel size from 40 acres to 5 acres, to permit a two lot parcel map. The site is located at 8304 Shadi Lane, in the vicinity of Sweeny Road and Haley Road, approximately 4 miles north of Vacaville (Exhibit A). The County of Solano General Plan designates this property as Rural Residential (Exhibit B). The requested rezoning would permit the property owner to split their 10 acre parcel into two 5 acre parcels (Exhibit C).

The property lies approximately 13 miles north of the nearest runway at Travis Air Force Base, 6 miles northeast of the nearest runway at the Nut Tree Airport and 21 miles northwest of the nearest runway at the Rio Vista Airport. The property lies entirely outside of the Area of Influence of the three airport's Land Use Compatibility Plans.

## **ALUCP REVIEW REQUIREMENTS**

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. The proposed rezoning of 10 acres is considered a revision to the County's Zoning Regulations and requires review by the ALUC.

### **Required Tests for Consistency**

#### **California Airport Land Use Planning Handbook (2011)**

The State Department of Aeronautics has published the California Airport Land Use Planning Handbook (2011) 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 (p. 6-14) 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 Shadi Lane rezoning project in light of the tests outlined above. Our analysis is presented below.

### **Discussion**

As previously stated, the project lies outside the compatibility zones delineated in the Travis Air Force Base Land Use Compatibility Plan, the Nut Tree Airport Land Use Compatibility Plan and the Rio Vista Land Use Compatibility Plan. As a result, those plans only require objects that exceed 200 feet in height to be reviewed by the Commission.

The list of criteria from Table 5A (above) includes several items which do not apply to lands outside of the airport influence area for a Land Use Compatibility Plan. In area outside of an airport influence area, the Solano County Airport Land Use Commission Review Procedures only call for a review of objects greater than 200 feet in height.

#### **Objects Greater than 200 Feet in Height**

The rezoning to RR-5 does not permit the construction of any objects greater than 200 feet in height as a matter of right. In fact, the only land uses permitted that reach or exceed that height threshold are communications towers and residential wind turbines in

excess of 200 feet in height. Each of those land uses would require subsequent use permits before they could be approved. The Commission is familiar with the control available through the use permit procedure, due to a number of wind farm proposals which have been brought forward for review over the past several years.

The use permit is a completely discretionary permit issued by the County and has the ability to control potential obstructions. As a result, the Shadi Lane rezoning project has no effect on land uses or structures that require review by the ALUC.

As a further consideration, Solano County has taken the approach of incorporating into the zoning regulations a standard which requires that projects conform to the Airport Land Use Commission plans and policies, as follows:

***28.70.10.D. Airport Land Use Compatibility Plans. 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 with the applicable compatibility policies and criteria set forth in that airport land use compatibility plan.***

This in effect gives the County another basis for requiring that projects under review comply with the applicable Airport land Use Compatibility Plan. In addition, the RR-5 rezoning does not permit or authorize the construction of any structures greater in height than 35 feet.

As a result, the County zoning regulations and review procedures are adequate to assure that applicable compatibility criteria will be tied to an individual development and continue to be enforced. The Shadi Lane rezoning has no effect on the County's regulatory scheme as it pertains to objects greater than 200 feet in height.

### **RECOMMENDATION**

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

**Determination:** That the rezoning application for the Shadi Lane property is consistent with the Travis Air Force Base Land Use Compatibility Plan, the Nut Tree Airport Land Use Compatibility Plan and the Rio Vista Land Use Compatibility Plan because no direct conflicts exist between the Shadi Lane rezoning and any of the Solano County Airport Land Use Compatibility Plans and the mechanisms for assurance of compliance with applicable compatibility criteria are in place.

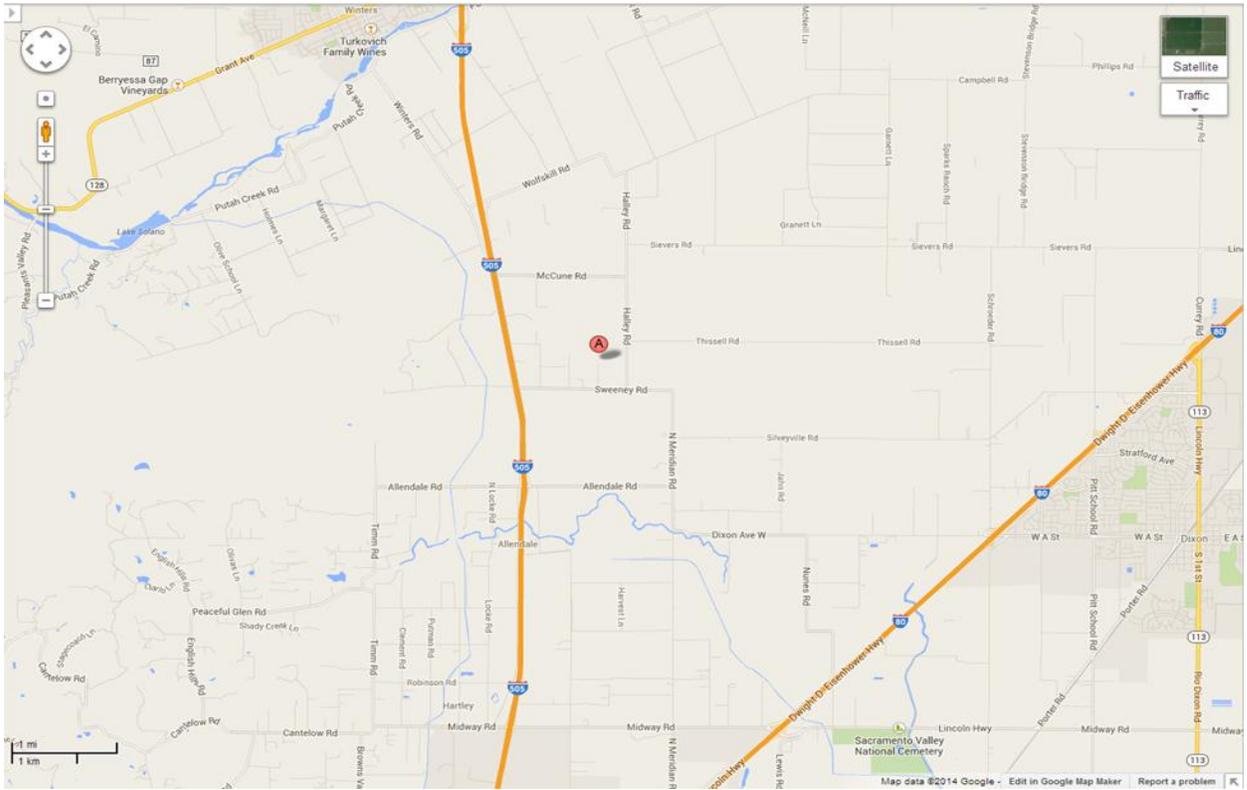
#### EXHIBITS:

Exhibit A – Location Map,

Exhibit B – General Plan and Rezone Request

Exhibit C – Tentative Map

# Exhibit A – Location Map



# Exhibit B – General Plan and Zoning Request



# Exhibit C – Tentative Map

