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Steve Vancil
Chairman

MEMORANDUM:

To: Solano County Airport Land Use Commission

From: Jim Leland, Principal Planner

Subject: **ITEM 8: ALUC-11-04**: County of Solano General Plan Amendment and Zoning Ordinance Revisions

Conduct a Public Hearing to consider the consistency of the County of Solano General Plan Amendment and Zoning Ordinance Revisions 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. Applicant: County of Solano

RECOMMENDATION

Staff recommends that the Commission adopt the recommended findings and determine that **the County of Solano's General Plan Amendment and Zoning Ordinance Revisions are 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.

INTRODUCTION

The County of Solano is in the process of amending its General Plan and Zoning Ordinance. The Board of Supervisors is scheduled to hold its first public hearing on the Zoning Ordinance Amendments later this year. A Draft Initial Study and Negative declaration is presently being circulated for review and comment. State law requires that any proposed zoning amendments or revisions be reviewed for consistency with adopted airport land use compatibility plans.

REQUIRED TESTS FOR CONSISTENCY

The State Department of Aeronautics has published the California Airport Land Use Planning Handbook (January 2002) as a guide for Airport Land Use Commissions in the preparation and implementation of Land Use Compatibility Plans and Procedure Documents. Additionally, the Governor's Office of Planning and Research has published "Guidelines for General Plans-2003" to assist local agencies in their preparations of General Plans. The Guidelines point out that the State's California Airport Land Use Planning Handbook is the primary source for airport land use planning. The Solano Countywide Airport Land Use Review Procedures also require the review of all amendments to a local agency's general plan or zoning ordinances, consistent with the State law.

In order to be considered fully consistent with the applicable compatibility plan(s), the Zoning Ordinance Amendments must meet two specific tests, as identified in the California Airport Land Use Planning Handbook (January 2002). The tests are:

1. Elimination of any direct conflicts between the General Plan and relevant compatibility plan(s).

2. Delineation of a mechanism or process for ensuring that individual land use development proposals comply with the ALUC's adopted compatibility criteria.

   a. Delineation of Compatibility Criteria

   b. Identification of Mechanisms for Compliance

   c. Indication of Review and Approval Procedures

PROJECT DESCRIPTION

The project consists of three major components; a general plan amendment, a zoning text amendment and a zoning map amendment, as outlined below:

General Plan Amendments

1. Table LU-5 corrects the Traditional Community – Residential density standard.
2. Table LU-7 update table to reflect the revised zoning district classification system and new Residential – Traditional Community and Agricultural – Suisun Valley zoning districts.
3. Land Use Chapter, pg LU-17, Land Use Designations, provisions for existing General Manufacturing (MG ½) zoned properties in areas designated Agriculture.
4. Public Facilities and Services Chapter, pg PF-20 Solid Waste, updates solid waste facilities descriptions and Figure PF-2.

Zoning Code Amendments

1. Zoning Code Sections renumbered.
2. Establishing a new Article I, General section including new land use definitions.
3. Establishing a new Article II section including:

   a. Reformatting the following districts

   Limited Agriculture (A-L)

   Water Dependent Industrial (I-WD) District

   Marsh Preservation District (MP)

   b. Reformatting and amending the following districts:

   Agricultural (A) District

   Rural Residential (R-R) District

Highway Commercial (C-H) District

Neighborhood Commercial (C-N) District

Commercial Recreation (C-R) District

Commercial Service (C-S) District

Limited Manufacturing (M-L)

General Manufacturing (M-G)

Watershed and Conservation (W) District

Park (P) District

c. Establishing a new Residential -Traditional Community (R-TC) district consolidating the existing Suburban Residential and Urban Residential zoning districts.

d. Establishing a new Residential – Traditional Community Mixed Use (R-TC- MU).

4. Establishing a new Article III, Land Use Regulation section

5. Establishing a new Article IV, Site Development and Performance Standards section.

6. Establishing a new Article V, Operations of Chapter section.

Zoning Map Amendments

1. Re-Titled Zoning Districts

2. Rezoning: Residential Traditional Community Mixed Use

3. Rezoning: Commercial Recreation

Each of the proposed amendments is discussed below.

General Plan Amendments

Four minor General Plan amendments are proposed. They include the Land Use Chapter Table LU-5, General Plan Land Use Designation and Table LU-7, General Plan/Zoning Consistency, Land Use Designation text and Solid Waste Facilities text as described below. The specific General Plan text amendments are provided in Attachment 1.

1. General Plan Land Use Designation Table LU-5

A technical correction to the General Plan residential designation density standards is proposed in Table LU-5 of the General Plan. The table shows Traditional Community – Residential and Traditional Community – Mixed Use designations having a density range of 1-4 du/ac. A change to the Land Use Diagram during the General Plan update to include the unincorporated Vallejo area under the Traditional Community – Residential and Traditional Community - Mix Use classifications from its previous Urban Residential Classification did not get fully reflected in Table LU-5 Traditional Community residential density range. A General Plan amendment is proposed to correct the density range to 1 – 10 du/acre in the unincorporated Vallejo area and Collinsville area to reflect the current residential densities.

2. General Plan / Zoning Consistency Table LU-7

Table LU-7 is proposed to be amended to reflect the reorganized districts proposed in the reformatted zoning code.

The newly adopted Agricultural - Suisun Valley Districts (A-SV-20, ATC, ATC-NC) would be added to the table.

The Residential - Traditional Community (R-TC) zoning district is currently reflected as a new proposed zoning district in the General Plan/Zoning Consistency Table LU-7. The proposed amendment would replace the existing Residential Estate (RE), One - Family Residential (RS), Duplex Residential (RD) and Multiple - Family Residential (RM) zoning districts in the table with the R-TC zoning districts and delete the R-TC district under "New Districts" in the table.

The Business and Professional Office (C-O) and Commercial Recreation (C-R) would be added to the table under commercial districts,

New Districts listed in the table, R-TC, R-TCM, CV-AT and CR would be deleted. These districts have been moved to the Existing Zoning District section of the table under the proposed amendment.

These changes to Table LU-7 will bring consistency between the General Plan and the new reformatted Zoning Regulations.

3. Land Use Designations

Land Use Chapter, pg, LU-17, Land Use Designations, a new fourth paragraph is proposed to address properties zoned General Manufacturing (MG ½) prior to adoption of the General Plan, that they are recognized and may continue as being in conformance with the Agricultural land use designation.

4. Solid Waste Facilities

Public Facilities and Services Chapter, pg PF-20 Solid Waste, the Planning Context is updated to reflect new information from the Countywide Siting Element for Recology Hay Road landfill and Potrero Hills Landfill. Description of Tonnesen Pet Cemetery is added. Figure PF-2, Solid Waste Facilities is amended to add Tonnesen Pet Cemetery.

Zoning Text Amendments

The County is proposing to repeal Chapter 28 of the Code of Solano County and replace it with a new Chapter 28. The following summarizes the major changes contained in the new Chapter 28. The full text amendment to Chapter 28, Zoning Regulations is available at the Solano County Department of Resource Management and online at the Departments website at: http://www.solanocounty.com/depts/rm/documents/eir/zoning_code_amendments_(2011).asp

1. Zoning Code Format

The proposed new Zoning Code has been reorganized and the code chapter and sections renumbered. This change will permit the inclusion of the new zoning districts

and code sections and to organize the code in a more logical fashion. The new code makes extensive use of tables to show allowed uses and the land use permit requirements for each use, general site and building standards, and development standards for accessory buildings and structures. Land use regulations have been consolidated into one chapter, which under the current zoning code are fund in individual zoning districts, general provisions, use permits and architectural approval. General site development standards and performance standards have been consolidated in to a new Site Development and Performance Standards section.

2. New Land Use Definitions

A new General section (Article I) is proposed. The definition Section 28.10 has been expanded. A number of new land use definitions have been added clarify the meaning of specific land uses referred to under various sections of the new zoning code.

3. Zoning Districts

A new Article II, Districts and Allowed uses is proposed including the following changes

Reformatted Districts

The Limited Agriculture (A-L) District (Section 28.22), Industrial - Water Dependent (I-WD) District (Part of Section 28.42), Marsh Preservation (MP) District (Section 28.52) Watershed and Conservation (W) Section (Section 28.51) and Park (P) District (Section 28.61) have been reformatted under the proposed new zoning code. The allowed uses and permit requirements along with the site and development standards have been put into a table format. Minor clarifications in some cases have been made to the allowed uses, permit requirements, and development standards under some of these zoning districts. No significant changes are proposed.

Reformatted and Amended Districts

The Agricultural (A) District and Rural Residential (R-R) districts have been reformatted under the new zoning code and the allowed uses and permit requirements have been amended. The Commercial and Industrial zoning districts have been consolidated and reformatted under the new zoning code and the allowed use and permit requirements have been amended.

<u>Agriculture (A) (Section 28.20)</u>

The Agricultural District zoning district has been reformatted consistent with the new zoning code format. Specific allowed land uses have been further defined or changed and the permit requirements have been modified or changed. The land use regulations within the district have been moved to the new Land Use Regulation Article III and Code section references within the tables have been updated to reflect this change.

<u>Rural Residential (R-R) (Section 28.31)</u>

The Rural Residential zoning district has been reformatted consistent with the new zoning code format. The land use regulations within the district have been moved to the new Land Use Regulation Article III and Code sections references have been updated to

reflect this change. The permitting requirements for several land uses have been modified or changed.

Commercial Districts (C-H, C-N, C-R, and C-S (Section 28.41)

The Highway Commercial (C-H) District, Neighborhood Commercial (C-N) District, Commercial Recreation (C-R) District, and Commercial Service (C-S) District have been consolidated into a single new Commercial District section of the code (Section 28.41). These districts have been reformatted consistent with the new zoning code format. The land use regulations within the districts have been moved to the new Land Use Regulation Article III and code sections references have been added to the tables to reflect this change. Changes have been made to the allowed lands uses and permitting requirements. The Business and Professional Office (C-O) district has been incorporated into the Residential Traditional Community Mixed Use (R-TC-MU) district.

Industrial Districts (M-L, M-G and I-WD) (Section 28.42)

The Manufacturing – Limited (M-L) District, Manufacturing – General (M-G) District, and the Industrial – Water Dependent (I-WD) District have been consolidated into a single new Manufacturing and Industrial District section. These districts have been reformatted consistent with the new zoning code format. The land use regulations within the districts have been moved to the new Land Use Regulation Article III and code sections references have been added to the tables to reflect this change. Within the M-L and M-G districts, minor changes have been made to the allowed lands uses and permitting requirements.

New Residential – Traditional Community Districts

The proposed Residential - Traditional Community Districts (R-TC) (Section 28.32) is a combination of the existing Suburban Residential Districts under Section 28-24 and the Urban Residential Districts under Section 28-25 of the current zoning code. The combined district includes new zoning classification names, changes to density standards for the duplex classification, a new mixed use classification and minor amendments to the allowed uses under the district and permit requirements.

Zoning Classifications

The Residential Estate (R-E) zoning classification under the Suburban Residential zoning district has been changed to the Residential – Traditional Community (R-TC) classification as follows. With this change the acreage reference in the classification converted from acres to a square footage abbreviation.

RE-1 to R-TC-1AC.

RE-1/2 to R-TC-20 (20,000 sq. ft. minimum parcel size)

RE-1/3 to R-TC-15 (15,000 sq. ft. minimum parcel size)

RE-1/4 to R-TC-10 (10,000 sq. ft. minimum parcel size)

The Urban Zoning District One Family Residence (R-S), Duplex Residence (R-D) and Multiple Residence (R-M) have been converted in a similar fashion as follows:

R-S 6 to R-TC-6 (6,000 sq. ft. minimum parcel size)

R-S 5 to R-TC-5 (5,000 sq. ft. Minimum parcel size)

R-D to R-TC-D (Duplex)

R-M to R-TC-MF (Multi-Family)

The new R-TC zoning district includes a listing of the R-TC districts that would be applied to each community consistent with each community's Traditional Community - Residential and Traditional Community – Mixed Use land use designations on the General Plan diagram.

The One Family Residence R-S 7.5 classification has not been included in the new R-TC zoning district. This classification is no longer being used. No land within the County is currently zoned R-S 7.5.

Residential – Traditional Community R-TC-D

The existing Duplex Residence (R-D) zoning district has a minimum parcel size of 5,000 sq. ft. The R-D district is only applied in the unincorporated Vallejo area. Within the Vallejo area, most R-D zoned parcels have a minimum parcel sizes between 4,000 sq. ft. to 5, 000 sq. ft. Staff is proposing to change the minimum parcel size from 5,000 sq. ft. to 4,000 sq. ft. to more accurately reflect the existing development pattern. The minimum land area required for dwelling unit in a duplex has also been reduced from 3,000 sq. ft. to 2,000 sq. ft. consistent with General Plan polices to increase densities and promote infill development.

Residential – Traditional Community Mix Use (R-TC-MU)

The new R-TC-MU district includes both residential uses, neighborhood commercial and commercial service uses. Specifically, the R-TC-MU district would allow primary (single family) and multiple family dwellings together with a mix of neighborhood commercial and commercial office uses. Where there are existing commercial service uses, these uses would be permitted to continue, but no new commercial service uses could be established.

4. Land Use Regulations

A new zoning code article, Land Use Regulations (Article III) is proposed to incorporate into one article all of the development standards that apply to specific uses. Currently, development standards are located the specific zoning district code sections along with the General Provisions, Architectural Review, and Use Permit code sections. For some land uses, new or modified regulations are proposed. The revisions are designed to meet the needs of the County for effective, clarified and enforceable land use regulations, to comply with the General Plan, and to eliminate outdated and internally inconsistent regulations.

New regulations are proposed for temporary special events.

5. Site Development and Performance Standards

A new zoning code article, Site Development and Performance Standards (Article IV) is proposed to incorporate into one article the following provisions, site development standards, architectural standards, building site special provisions, general height

regulations and exceptions, parking requirements, performance standards, signs, yards, airport flight obstruction requirements and other miscellaneous provisions.

6. Operations of Chapter

Under new Article V, Operations of Chapter, new permit procedures, non-conforming use provisions and rules of interpretation are proposed.

Zoning Map Amendments

The following is a summary of the proposed zoning map amendments. The specific proposed zoning map amendments are provided in Attachment 2.

1. Re-Titled Zoning Districts

Residential zoned properties in the Cordelia, Rockville Corners, Unincorporated Fairfield, Elmira, Birds Landing and Snug Harbor areas would be re-titled on the Zoning Maps as follows:

RE-1 to R-TC-1AC.

RE-1/2 to R-TC-20

RE-1/3 to R-TC-15

RE-1/4 to R-TC-10

Residential zoned properties in unincorporated Vallejo would be re-titled as follows:

R-S 6 to R-TC-6

R-S 5 to R-TC-5

R-D to R-TC-D

R-M to R-TC-MF

2. Rezoning: Residential – Traditional Community Mixed Use

On Benicia Road, west of I-80, Neighborhood Commercial (CN) zoned properties would be rezoned to Residential – Traditional Community Mix Use (R-TC-MU) The allowed and permitted commercial uses would remain unchanged under the new R-TC-MU district as currently provided under the CN district. The addition of residential uses under the R-TC-MU district would allow existing non-conforming residential uses on Benicia Road to be recognized as conforming uses under the new district.

3. Rezoning: Commercial Recreation

There are five locations designated Commercial Recreation under the General Plan. The County is proposing to be rezoned these properties Commercial Recreation consistent with their General Plan land use designation. They include:

Snug Harbor	Park (P) to Commercial Recreation (CR)
Hidden Harbor	Agriculture (A-80) to Commercial Recreation (CR)

Western Railway Museum	Park (P) to Commercial Recreation (CR)
Rockville Road	Park (P) to Commercial Recreation (CR)
Midway Road/I-505	Park (P) to Commercial Recreation (CR)

ANALYSIS

Relevant Issues for the ALUC

The ALUC is concerned with those aspects of the Zoning Ordinance Amendments that have the potential to be incompatible with any of the three Land Use Compatibility Plans (LUCP's) established by the ALUC. The prescribed method considers the following:

- Elimination of direct conflicts, and
- Assurance of Compliance with Compatibility Criteria

Elimination of Direct Conflicts

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.

As discussed above, the proposed Zoning Ordinance Amendments involves a major re-organization of the regulations, a major revision to the Exclusive Agricultural (A) District, minor changes to the residential districts, a number of changes in permitting requirements and procedures and a refinement of the listed land uses in several zoning districts.

Density Standards

None of the proposed changes to the general plan, zoning text or zoning maps alter the existing density standards for residential land uses.

Intensity Standards

None of the proposed changes to the general plan, zoning text or zoning maps alter the existing intensity standards for non-residential land uses.

Height

None of the proposed changes to the general plan, zoning text or zoning maps alter the existing height standards for any land uses.

Conclusion

Based on the analysis above, the proposed Zoning Ordinance 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.

The Solano County Zoning Ordinance is the mechanism for ensuring that the compatibility criteria will be tied to individual development proposals. The Board of Supervisors recently modified the Zoning Code to add Section 28-98-B. This Section requires

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

This requirement mandates conformance with applicable criteria within the LUCP's and as such, the County's mechanism for compliance is adequately assured.

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.

The Solano County Zoning Ordinance is the mechanism for ensuring that the compatibility criteria will be tied to individual development proposals. The Board of Supervisors recently modified the Zoning Code to add Section 28-98-B. This Section requires

> "Within an airport area of influence or area of concern depicted in an airport land use compatibility plan adopted by Solano County Airport Land Use Commission, land uses allowed by the Zoning Ordinance shall conform with the applicable

compatibility policies and criteria set forth in that airport land use compatibility plan".

This requirement mandates 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.

Discretionary permits within the County of Solano are reviewed and approved at public hearings conducted by the Zoning Administrator, Planning Commission or the Board of Supervisors. The Zoning Ordinance was recently revised to mandate their compliance with the compatibility criteria contained within airport LUCP's.

Building permits are reviewed by the planning staff for consistency with the Zoning Ordinance which assures that the individual building permit applications will be reviewed for compliance with the LUCP's adopted by the ALUC.

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: That the General Plan and Zoning Ordinance Amendments are substantially 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 specific plan and any Airport Land Use Compatibility Plan and the mechanisms for assurance of compliance with applicable compatibility criteria are in place.

REFERENCES

Negative Declaration and Initial Study, General Plan Amendments and New Zoning Regulations may be found at the following link:

http://www.solanocounty.com/depts/rm/documents/eir/zoning_code_amendments_(2011).asp