

Solano County Airport Land Use Commission



**SOLANO  
COUNTY**

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Thomas Randall  
Chairman

**MINUTES OF THE  
SOLANO COUNTY AIRPORT LAND USE COMMISSION  
MEETING OF JULY 12, 2018**

The meeting of the Solano County Airport Land Use Commission was held in the Solano County Administration Center, Multi-Purpose Rooms 1600/1610 (1<sup>st</sup> floor), 675 Texas Street, Fairfield, CA.

MEMBERS PRESENT: Commissioners Cavanagh, Vancil, DuClair, Sagun, Seiden and Chairman Randall

MEMBERS ABSENT: Commissioners Meyer and Baldwin

OTHERS PRESENT: Jim Leland, Resource Management; Lee Axelrad, Deputy County Counsel; Kristine Sowards, Resource Management

Call to Order & Roll Call

Chairman Randall called the meeting to order at 7:00 p.m. Roll call was taken and a quorum was present.

Approval of the Agenda

The agenda was approved as prepared.

Approval of the Minutes

The minutes for the meeting of May 10, 2018 were approved as prepared. Commissioner Vancil pointed out that the letterhead used for the minutes needed a small correction in the top left corner to reflect the title of Chairman rather than Vice-Chairman.

Reports from Commissioners and/or Staff

There were no committee reports.

Items from the Public

There was no one from the public wishing to speak.

Old Business

There was no old business to discuss.

New Business

1. Public hearing to consider a Consistency Determination (ALUC-18-03) for the proposed County of Solano Secondary Dwelling Unit Ordinance and Accessory Building Ordinance with the Travis Air Force Base, the Nut Tree Airport and the Rio Vista Airport Land Use Compatibility Plans. (Sponsor: County of Solano)

Jim Leland provided a brief summary of staff's written report. The proposed revisions include reformatting of Section 28.72 Residential Uses in Article III of Chapter 28 to organize all of the regulations pertaining to secondary dwellings into one subsection of the County Code. In addition, this ordinance contains minor technical adjustments to the regulations pertaining to various types of non-dwelling accessory buildings. These changes do not alter the intensity of density of development permitted on any parcel in the County of Solano. Mr. Leland noted that the Secondary Dwelling and Accessory Building Ordinances are statutorily required to come before the ALUC for a consistency determination. These regulations apply to properties in various locations of the County of Solano and thus are reviewed in light of all three Airport Land Use Compatibility Plans. Staff recommended the commission find the project consistent.

Commissioner Cavanagh stated that since this proposal has little to do with the primary core mission of the ALUC this type of project would be perfect as a consent calendar item. Mr. Cavanagh commented that he has brought up the subject of a consent calendar in the past and said this is a matter that should be discussed among the commission and possibly implemented in order to save the commission time.

Commissioner Seiden questioned how the determination would be made between an item needing discussion vs being placed on a consent calendar. Mr. Leland said the commission would retain that authority. He said any individual commissioner could pull an agenda item off the consent calendar for discussion. Mr. Leland commented that staff would not want to be involved in making those types of decisions due to a lack of expertise in aviation. Commissioner Vancil stated that perhaps this could be a decision the Chair could make in order to help streamline the process.

Mr. Leland noted that all of the items on tonight's agenda would most likely fall within the consent calendar category because the projects are not having an impact on criteria in any of the airport plans. He noted that these types of items come up rather routinely and it is probably why Commissioner Cavanagh has raised the issue. Mr. Leland commented that each city within the county will be coming forward before the commission with their ADU ordinance over the next twelve months. He believed staff could identify the types of projects suited for consent calendar at the time of application, which would provide plenty of time for the Chair to make a determination before the hearing date.

Commissioner Sagun asked if the process would be such that staff would review an item and discuss with the Chair if it has a potential impact and if not, it would be scheduled for the consent calendar subject to final approval. Mr. Leland stated that staff would contact the Chair when they believed an item is of limited consequence to the ALUC and let the Chair decide if that item could be placed on the consent calendar.

Commissioner Sagun made a motion which was seconded by Commissioner Cavanagh that the Airport Land Use Commission adopts a procedure implementing a Consent Calendar.

Lee Axelrad, county counsel, interjected by stating that there are probably some nuances for this that will need to be worked out such as how the item is called, how the hearing is run and what happens with respect to public speakers who wish to speak on a consent item. Mr. Axelrad asked Commissioner Sagun if he would amend his motion to allow staff the opportunity to work out some of those details rather than the procedure itself adopted as described. He asked that the motion be considered more as a sense of the commission rather than an adoption of a rule of procedure.

Commissioner Sagun amended his motion to ask staff to look into developing a procedure for adopting a consent calendar and to bring it back before the commission for discussion and

possible adoption at the next regular meeting. Commissioner Cavanagh seconded the motion as amended. The motion passed unanimously.

Chairman Randall opened the public hearing for anyone wishing to speak on agenda item no. 1 regarding ALUC-18-03. Since there were no speakers either for or against this matter, the public hearing was closed.

A motion was made by Commissioner Cavanagh and seconded by Commissioner Sagun to determine that Application ALUC-2018-03 (County of Solano Secondary Dwelling and Accessory Building Ordinance) is consistent with the Travis Air Force Base, the Nut Tree Airport and the Rio Vista Airport Land Use Compatibility Plans. The motion passed unanimously. (Resolution No. 18-03)

2. Public hearing to consider a Consistency Determination ALUC-18-04 for the proposed City of Benicia Design Review Regulations with the Travis Air Force Base Land Use Compatibility Plan (Sponsor: City of Benicia)

Jim Leland reviewed the written staff report. The City of Benicia periodically updates the Benicia Zoning Ordinance to implement General Plan policies, remain consistent with state and federal law, streamline the permit and review process, and ensure overall clarity and consistency.

Presently, the City is proposing adoption of Downtown Historic District Design Guidelines (DHDG) to address the treatment of historic properties and new structures within the historic district. Some design guidelines contained within the Downtown Historic Conservation Plan would be eliminated, replaced by the DHDGs. In addition, the City is proposing amendments to the design review procedures to provide for more streamlined processing of design review.

The City of Benicia lies within the Area of Influence of the Travis AFB Land Use Compatibility Plan (Travis Plan) and more particularly within Compatibility Zones D and E. The City is seeking a consistency determination for these items from the Airport Land Use Commission as required by the State Aeronautics Act. Staff recommended the project is consistent.

Chairman Randall opened the public hearing. Since there were no speakers either for or against this matter, the public hearing was closed.

A motion was made by Commissioner Sagun and seconded by Commissioner Seiden to determine that the Project is consistent with the provisions of the Travis Air Force Base Land Use Compatibility Plan. The motion passed unanimously. (Resolution No. 18-04)

3. Conduct a Public Hearing to consider a Consistency Determination (ALUC-18-05) for the proposed City of Benicia Accessory Dwelling Unit Ordinance with the Travis Air Force Base Airport Land Use Compatibility Plan. (Sponsor: County of Solano)

Jim Leland introduced the item by saying on January 1, 2018 new state legislation went in to effect mandating certain minimum requirements for any local zoning regulations pertaining to accessory dwelling units. The legislation rendered invalid any local regulations if they were not in complete conformance with the new state rules for secondary dwellings. The legislation also imposed several restrictions and requirements which local government must meet in any local ordinance regulating secondary dwellings. The legislation does permit local agencies to adopt secondary dwelling unit regulations with different size limitations, providing the local ordinances comply with all of the state's other requirements.

The City of Benicia wishes to adopt local regulations for Accessory Dwelling Units. The City has prepared an ordinance which includes the mandated restrictions and requirements imposed by the State as well as standards permitted by the state legislation. The City is seeking a consistency determination for these items from the Airport Land Use Commission as required by the State Aeronautics Act. Staff recommended consistency of the project.

Chairman Randall opened the public hearing. Since there were no speakers either for or against this matter, the public hearing was closed.

A motion was made by Commissioner Sagun and seconded by Commissioner Cavanagh to determine that Application ALUC-2018-05 (City of Benicia Accessory Dwelling Unit Ordinance) is consistent with the Travis Air Force Base Land Use Compatibility Plan. (Resolution No. 18-05)

#### Adjournment

Since there was no further business, the meeting was adjourned.