

## Solano County Airport Land Use Commission



# SOLANO COUNTY

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Bruce DuClair  
Vice-Chairman

### MINUTES OF THE SOLANO COUNTY AIRPORT LAND USE COMMISSION MEETING OF NOVEMBER 10, 2016

The meeting of the Solano County Airport Land Use Commission was held in the Solano County Administration Center, Board of Supervisors Chambers (1<sup>st</sup> floor), 675 Texas Street, Fairfield, CA.

MEMBERS PRESENT: Commissioners Vancil, Randall, Meyer, Sagun and Chairman DuClair

MEMBERS ABSENT: Commissioners Baldwin, Cavanagh and Baumler

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

#### Call to Order & Roll Call

Chairman DuClair 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 meetings of September 8, and October 13, 2016 were approved as prepared.

#### 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-16-07 for the proposed County Marijuana Ordinance with the Travis Air Force Base Land Use Compatibility Plan, the Nut Tree Airport Land Use Compatibility Plan and the Rio Vista Airport Land Use Compatibility Plan (Sponsor: County of Solano)

Jim Leland introduced the item by stating that the California statewide general election scheduled for November 8, 2016 includes Proposition 64, the Adult Use of Marijuana Act (AUMA). The Act, if passed by the voters, in essence will authorize the following actions. 1) Allow adults 21 years and older to possess up to one ounce of marijuana and cultivate up to six plants for personal use; 2) Regulate and tax the production, manufacture, and sale of marijuana for adult use; and 3) Rewrite criminal penalties so as to reduce the most common marijuana felonies to misdemeanors and allow prior offenders to

petition for reduced charges.

In terms of land use activities, Mr. Leland noted that the initiative would permit the following activities and land uses related to the recreational use of marijuana; 1) Personal cultivation, 2) Commercial cultivation, 3) Testing labs, 4) Manufacturing facilities, 5) Distribution centers, 6) Transportation operations, and 7) Sales and delivery to consumers 21 and over.

Mr. Leland said the initiative also allows some local control and regulation for most of these activities within the local jurisdiction. However, the personal cultivation may not be prohibited by local jurisdictions, although controls and regulations may be placed on the personal cultivation of marijuana. The County of Solano is considering adopting controls over personal cultivation to prohibit outdoor cultivation, requiring instead that all personal cultivation occur inside the user's residence or other permanent building on the parcel as shown on Appendix A in the staff report. Otherwise, the County intends to prohibit the commercial cultivation, testing, manufacture, distribution, sales and delivery of recreational marijuana in the unincorporated areas of the county.

Mr. Leland said the County has submitted a request for a consistency determination on its proposed zoning regulations placing controls on the cultivation of marijuana for personal use. Staff has reviewed the proposed ordinance for consistency with the Travis AFB Land Use Compatibility Plan, the Nut Tree Airport Land Use Compatibility Plan, and the Rio Vista Airport Land Use Compatibility Plan and finds it to be consistent.

Commissioner Vancil wanted to know what specific action, if any, the commission would need to take on this matter. Mr. Leland stated that the commission should open the public hearing and take any public testimony, and then after closing the hearing make a finding that the ordinance is consistent with the three plans.

Chairman DuClair opened the public hearing. Since there was no one from the public wishing to speak, the public hearing was closed.

Lee Axelrad noted that a draft resolution was prepared for this project but through inadvertence it did not get to the commission ahead of time. He stated that the commission can move to adopt a resolution to find the county's proposed ordinance consistent with the 3 land use compatibility plans and adopt the findings as listed in the staff report, and staff will provide the resolution for the chairman's signature at a later date.

Commissioner Sagun asked if the commission would be voting on a moving target at this point since the resolution is not a finalized document. Mr. Leland said the draft ordinance as included in the staff report is the only thing the commission would be finding consistent. He explained if the Board chooses to go in a different direction than what was provided, it would become a different project and that would need to come back before the commission for a consistency determination.

A motion was made by Commissioner Sagun and seconded by Commissioner Meyer to find and determine the Project is consistent with the provisions of the Travis Air Force Base Land Use Compatibility Plan, the Nut Tree Airport Land Use Compatibility Plan, and the Rio Vista Airport Land Use Compatibility Plan. The motion passed unanimously. (Resolution No. 16-07)

2. Receive an update from staff regarding the progress of the Wildlife Hazards Working Group

Jim Leland stated that staff is continuing to put into writing what the working group and its subcommittee have agreed upon and then will be taking it back to the group for a final look. Staff is hoping to put it on the commission's December meeting agenda for consideration.

3. Receive an update from staff regarding the progress of the Renewable Energy Working Group

Jim Leland stated that one of the stakeholders represented on the group has asked for additional time in order to submit further information for consideration by the working group and its technical subcommittee. Mr. Leland predicted that this matter will probably not come before the commission until January or February of next year depending upon the amount of information that is received.

Adjournment

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