

Agenda Submittal

Agenda #:	4	Status:	ALUC-Regular-CS
Type:	ALUC-Document	Department:	Airport Land Use Commission
File #:	AC 23-045	Contact:	Nedzlene Ferrario
Agenda date:	11/09/2023	Final Action:	
Title:	ALUC-23-16 (City of Benicia's Housing Element Update November 2023)		
	Determine that Application No. ALUC-23-16 (City of Benicia's Housing Element Update November 2023), located within the Travis Air Force Base (AFB) Compatibility Zone D and E, is consistent with the Travis Air Force Base (AFB) Land Use Compatibility Plan (LUCP)		
Governing body:	Airport Land Use Commission		
District:			
Attachments:	A - Airport Compatibility Zones Criteria , B - City of Benicia and Compatibility Zones , C - Link to City of Benicia Housing Element Update Website , D - ALUC Application , E - Draft Resolution		

Date:	Ver.	Action By:	Action:	Result:
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RECOMMENDATION:

Determine that Application No. ALUC-23-16 (City of Benicia's Housing Element Update November 2023), located within the Travis Air Force Base (AFB) Compatibility Zone D and E, is consistent with the Travis Air Force Base (AFB) Land Use Compatibility Plan (LUCP).

DISCUSSION:

Section 21676 (d) of the State Aeronautics Act requires Airport Land Use Commission (ALUC) review of any general plan amendment within an Airport Influence Area.

On January 12, 2023, ALUC reviewed the City of Benicia's Housing Element Update and determined that the update is consistent with the Travis AFB LUCP. Since then, the City has responded to comment letters from the California Department of Housing and Community Department (HCD) and the public, subsequently revised the Housing Element and referred an application to ALUC. The specific text changes can be found on the City of Benicia Housing Element website (Attachment C).

Three (3) key categories related to the recent revision include:

Clarifications to Housing Element:

The clarifications added to the Housing Element include minor revisions, date corrections, and the addition of language to clarify programs throughout the document. HCD also specifically required additional information on the Sites Inventory (Realistic Capacity, Non-Vacant Sites Analysis and Environmental Constraints) and Affirmatively Furthering Fair Housing (AFFH). HCD requested the various AFFH programs be modified with

metrics or numerical targets, and geographic targeting toward significant and meaningful outcomes. The City modified the Housing Element to comply with HCD's requests and recommendations.

Removal of Sites:

HCD evaluated non-vacant sites as to whether the Housing Element demonstrates feasibility of development during the eight-year planning cycle. Based on HCD's comments, some additional detail and clarifications were made to the site exhibits and certain nonvacant sites were removed from the site inventory. Removal of these sites does not change the conclusions of the Housing Element nor the City's ability to meet its Regional Housing Needs Assessment (RHNA).

New Housing Programs:

The revision proposes the addition of new programs to address the distribution of lower-income housing on the west side of the City, allow religious institutions to develop an affordable housing project at a place of worship owned by the religious institution in alignment with Government Code Section 65913.6, streamline the design review procedures for housing outside of the historic district and develop outreach materials to educate the community regarding Senate Bill 9 which allows land owners to split their property through an administrative process.

AIRPORT PLANNING CONTEXT & ANALYSIS

General Plan amendments must undergo review by the ALUC for consistency with the applicable LUCPs (State Aeronautics Act section 21676). The proposed amendments would apply City wide, which is located in Compatibility Zones D and E of the Travis AFB LUCP (Attachment B). In general, Compatibility Zones D and E criteria require review of structural heights of objects and/or hazards related to bird attraction, electrical inference, glare and other flight hazards.

Staff evaluated the City's project using the Zone Compatibility criteria for Zone D and E of the Travis AFB LUCP. Staff analysis of the project is summarized in Attachment A.

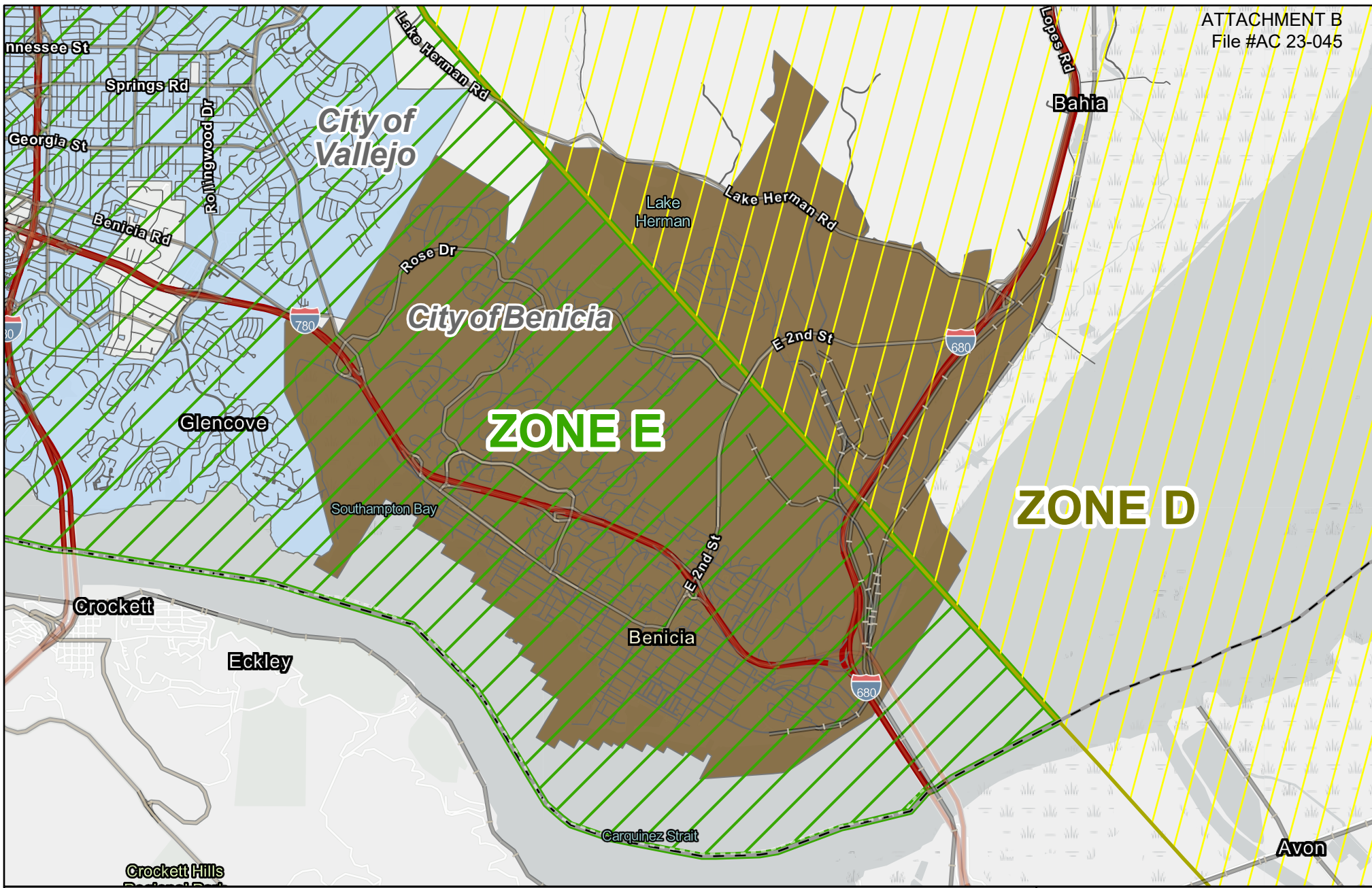
Analysis Finding

Based on the review, staff finds that the proposed changes comply with the requirements of the zones to protect flight and are consistent with the Travis AFB Land Use Compatibility Plan.






Travis AFB Land Use Compatibility Zone Criteria

ALUC-23-16 (City of Benicia’s Housing Element Update Nov 2023)

Compatibility Zone Criteria	Consistent	Not Consistent	Comment
Zone D			
Max Densities – No limits	X		The proposed policies do not increase densities
Prohibited uses: hazards to flight	X		The proposed policies do not introduce hazards to flight
ALUC review required for objects > 200 feet AGL	X		No objects above 200 feet tall proposed
All proposed wind turbines must meet line-of-sight criteria in Policy 5.6.1(b)	X		No wind turbines proposed
All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review	X		No commercial solar facilities proposed
All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review	X		No meteorological towers proposed
For areas within the Bird Strike Hazard Zone, reviewing agencies shall prepare a WHA for projects that have the potential to attract wildlife that could cause bird strikes. Based on the findings of the WHA, all reasonably feasible mitigation measures must be incorporated into the planned land use.	X		City of Benicia is located outside of the Bird Strike Hazards Zone
For areas outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.	X		City of Benicia is located outside of the Outer Perimeter.
Zone E			
Max Densities – No limits	X		The proposed policies do not increase densities
Prohibited uses - None	X		The proposed policies are not in conflict
ALUC review required for objects > 200 feet AGL	X		No objects above 200 feet tall proposed
All proposed wind turbines must meet line-of-sight criteria in Policy 5.6.1(b)	X		No wind turbines proposed
All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review	X		No commercial solar proposed
All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review	X		No meteorological towers proposed
Outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.	X		City of Benicia is located outside of the Outer Perimeter

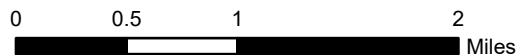


Travis AFB Compatibility Zones in City of Benicia

-  Zone D
-  Zone E
-  City of Benicia
-  City of Vallejo
-  Solano County Boundary



Disclaimer: The information shown is intended to be used for general display only and is not to be used as an official map.



Please use the webpage address/link below to access the City of Benicia's Housing Element Update.

[1 – 2023-2031 Housing Element Update \(https://www.ci.benicia.ca.us/housingelement\)](https://www.ci.benicia.ca.us/housingelement)

Solano County Airport Land Use Commission

675 Texas Street Suite 5500
Fairfield, CA 94533
Tel 707.784.6765
Fax 707.784.4805
SolanoALUC@solanocounty.com

LAND USE COMPATIBILITY DETERMINATION: APPLICATION FORM

TO BE COMPLETED BY STAFF		
APPLICATION NUMBER:	FILING FEE:	
DATE FILED:	RECEIPT NUMBER:	
JURISDICTION:	RECEIVED BY:	
PROJECT APN(S):		
TO BE COMPLETED BY THE APPLICANT		
I. GENERAL INFORMATION		
NAME OF AGENCY: City of Benicia	DATE: 10/06/2023	
ADDRESS: 250 East L Street, Benicia, CA 94510		
E-MAIL ADDRESS: jhade@ci.benicia.ca.us	DAYTIME PHONE: (707) 746-4277	FAX:
NAME OF PROPERTY OWNER: N/A - General Plan Amendment		DATE:
ADDRESS: N/A - General Plan Amendment		DAYTIME PHONE:
NAME OF DOCUMENT PREPARER: Jason Hade, Planning Manager		DATE: 10/06/2023
ADDRESS: 250 East L Street, Benicia, CA 94510	DAYTIME PHONE: (707) 746-4277	FAX:
NAME OF PROJECT: General Plan Amendments to Housing Element		
PROJECT LOCATION: N/A - Citywide Update		
STREET ADDRESS: N/A - Citywide Update		

EMAIL APPLICATION PACKET TO SOLANOALUC@SOLANOCOUNTY.COM OR CALL (707) 784-6765 FOR AN APPLICATION APPOINTMENT

LAND USE COMPATIBILITY DETERMINATION APPLICATION

TO BE COMPLETED BY THE APPLICANT

II. DESCRIPTION OF PROJECT – include additional sheets as necessary

This project will make amendments to the City's General Plan Housing Element for the 6th Cycle Housing Element update. Updates will guide housing development in Benicia in the 2023-2031 planning period pursuant to State law. The Housing Element update identifies and inventories sites suitable for residential development; assesses current financial resources and City programs; and develops quantifiable objectives to ensure that existing and projected housing needs are met. These updates are expected to be presented to Benicia City Council in November 2023.

EMAIL APPLICATION PACKET TO SOLANOALUC@SOLANOCOUNTY.COM OR CALL (707) 784-6765 FOR AN APPLICATION APPOINTMENT



October 6, 2023

Nedzlene Ferrario
Solano County Department of Resource Management
Planning Services Division
675 Texas Street, Suite 5500
Fairfield, CA 94533-6341

RE: Referral of General Plan Amendments to Airport Land Use Commission

Dear Ms. Ferrario,

Enclosed please find an application to the Solano County Airport Land Use Commission, requesting the Commission's review of proposed amendments to the Benicia General Plan Housing Element for compatibility with the Travis Air Force Base Land Use Compatibility Plan (AFB LUCP). These amendments are expected to guide housing development in Benicia through the 2023-2031 planning period as required by the California Department of Housing and Community Development. This project will be heard by Benicia's City Council in November 2023 and adopted updates will be effective city-wide. The majority of the City is in Zone E of the Travis AFB LUCP, although some of the City's jurisdiction falls within Zone D as well.

The City of Benicia hopes that you will review the enclosed application materials to advise us of this application's completeness and any comments you may have.

Thank you for your assistance and consideration.

Sincerely,



Jason Hade
Planning Manager
JHade@ci.benicia.ca.us

Enclosure



October 6, 2023

Dear Ms. Ferrario,

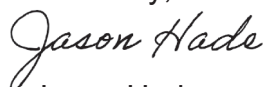
In lieu of attaching the City of Benicia's most recent Housing Element Update to this application, please find a link to the document here:

- https://www.ci.benicia.ca.us/vertical/Sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/Revised_Benicia_2023-2031_HE_Subsequent_Draft_June_2023_Tracked.pdf

This version identifies the changes and revisions made over the course of several months as the document was developed. We hope this document assists in conducting your review.

Please contact the Planning Division at (707) 746-4320 or ComDev@ci.benicia.ca.us if you have any questions or comments.

Sincerely,



Jason Hade
Planning Manager

SOLANO COUNTY AIRPORT LAND USE COMMISSION RESOLUTION NO. 23-__

**RESOLUTION REGARDING CONSISTENCY WITH
AIRPORT LAND USE COMPATIBILITY PLANS
(City of Benicia Housing Element Update November 2023 – City of Benicia)**

WHEREAS, pursuant to California Public Utilities Code section 21675 the Solano County Airport Land Use Commission (“**Commission**”) has the responsibility to prepare and adopt airport land use plans for any public and military airports within Solano County and to amend any such adopted plan as necessary; and

WHEREAS, pursuant to such authority, the Commission has adopted airport land use compatibility plans for Travis Air Force Base, Rio Vista Municipal Airport, and the Nut Tree Airport, and the Solano County Airport Land Use Compatibility Review Procedures (the “**Compatibility Plans**”); and

WHEREAS, in enacting the sections within the State Aeronautics Act (the “**Act**”) that provide for airport land use commissions, the California Legislature has declared that the purposes of the legislation include: (1) to provide for the orderly development of each public use airport in this state; (2) to provide for the orderly development of the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards; (3) to provide for the orderly development of the area surrounding these airports so as to prevent the creation of new noise and safety problems; (4) to protect the public health, safety, and welfare by ensuring the orderly expansion of airports; and (5) to protect the public health, safety, and welfare by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses (Pub. Util. Code, § 21670, subd. (a)); and

WHEREAS, the Act provides that an airport land use commission's powers and duties include: (a) to assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses; (b) to coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare; (c) to prepare and adopt an airport land use compatibility plan pursuant to Public Utilities Code section 21675; and (d) to review the plans, regulations, and other actions of local agencies and airport operators pursuant to Public Utilities Code section 21676 (Pub. Util. Code, § 21674); and

WHEREAS, the Act provides that the purpose of compatibility plans is to provide for the orderly growth of the airports and the area surrounding the airports, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general (Pub. Util. Code, § 21675, subd. (a)); and

WHEREAS, Public Utilities Code section 21675, subdivision (a), authorizes the Commission, in formulating a compatibility plan, to develop height restrictions on buildings, specify the use of land, and determine building standards, including sound-proofing adjacent to airports; and

WHEREAS, Public Utilities Code section 21675, subdivision (b), directs the Commission to prepare a compatibility plan for areas surrounding military airports, and the Legislature's intent in enacting subdivision (b) was to protect the continued viability of military installations in California, to protect the operations of military airports from encroachment by development, and to

encourage land use policies that reflect the contributions military bases make to their communities, as well as their vital importance in the state's economy and in the defense of our nation; and

WHEREAS, pursuant to such authorities, the Compatibility Plans set forth criteria to be applied by the Commission when evaluating local land use plans and specific development proposals; and

WHEREAS, Public Utilities Code section 21676, subdivision (b), requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Commission, local agencies within Solano County are required to first refer the proposed action to the Commission for a consistency determination; and

WHEREAS, the City of Benicia ("**Local Agency**") is considering approving the following project (the "**Project**"), as set forth in greater detail in the Staff Report and its Attachments concerning "Item AC 23-045" of the Commission's November 9, 2023 Regular Meeting ("**Staff Report**"): "Determine that Application ALUC-23-16 (City of Benicia's Housing Element Update November 2023), located within the Travis Air Force Base (AFB) Compatibility Zone D and E, is consistent with the Travis Air Force Base (AFB) Land Use Compatibility Plan (LUCP;) and

WHEREAS, the Commission has duly considered the Project, at a noticed public meeting, in order to ensure consistency of the Project with the Compatibility Plans.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does adopt and incorporate by this reference as its findings and determinations the analysis, conclusions, and recommended findings of the Staff Report.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does find and determine that the Project is consistent with the provisions of the Travis Air Force Base and Nut Tree Airport Land Use Compatibility Plans.

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RESOLVED, that after adoption of this Resolution Staff is authorized to correct any clerical errors in this Resolution or the Staff Report.

I certify that the foregoing resolution was adopted at a regular meeting of the Solano County Airport Land Use Commission on November 9, 2023 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

By _____

Ross Sagun, Chair
Solano County Airport Land Use Commission

Attest:

By: _____

Terry Schmidtbauer
Secretary to the Commission