



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administration Center
4080 Lemon St., Hearing Room (1st Floor)
Riverside, California

Thursday 9:00 a.m., April 16, 2009

CHAIR
Simon Housman
Rancho Mirage

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Riverside

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Riverside

Robin Lowe
Hemet

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John Guerin
Brenda Ramirez
Barbara Santos

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NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the item under consideration. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s). Also please be aware that the indicated staff recommendation shown below may differ from that presented to the Commission during the public hearing.

Non-exempt materials related to an item on this agenda submitted to the Airport Land Use Commission or its staff after distribution of the agenda packet are available for public inspection in the Airport Land Use Commission's office located at 4080 Lemon Street, 9th Floor, Riverside, CA 92501 during normal business hours.

In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Barbara Santos at (951) 955-5132 or E-mail at basantos@rctlma.org. Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

1.0 INTRODUCTIONS

1.1 CALL TO ORDER

1.2 SALUTE TO FLAG

1.3 ROLL CALL

2.0 PUBLIC HEARING: NEW BUSINESS

ITEMS FOR WHICH STAFF RECOMMENDS CONSISTENCY UNDER ONE MOTION UNLESS A COMMISSION MEMBER OR MEMBER OF THE PUBLIC DESIRES TO DISCUSS THE MATTER.

BERMUDA DUNES AIRPORT

- 2.1 ZAP1032BD09 - National Community Renaissance of California/ Redevelopment Agency County of Riverside (Representative: Julie Mungai) – County Case No. GPA01072 (General Plan Amendment). A proposal to amend the Western Coachella Valley Area Plan land use designation of a 4.82-5.22 acre parcel located at the southwest corner of Clinton Street and Fred Waring Drive in an unincorporated area adjacent to the City of Indio from MDR (Medium Density Residential, 2 to 5 dwelling units per acre) to VHDR (Very High Density Residential, 14 to 20 dwelling units per acre). (This is the former site of Date Palm Mobile Park, with an address of 44-071 Clinton Street). The project site is within Airport Compatibility Zone E of the Bermuda Dunes Airport Influence Area. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

3.0 PUBLIC HEARING: NEW BUSINESS

FRENCH VALLEY AIRPORT

- 3.1 ZAP1032FV09-Stepping Stones Child Development Center (Lessee: Ann Cavaretta) - City Case No. RPO 0082693 (Revised Permit to Conditional Use Permit). The applicant proposes to increase the capacity of an existing child day care center, to allow a maximum of 85 children, in a 4,490 square foot building on a 0.46 acre lot. The project site is located at 29910 Hunter Road, Suite 102-104, in the Mesa Village Commercial Center located on the northerly side of Hunter Road, westerly of Winchester Road, and easterly of Shady Maple Road, in the City of Murrieta. The project site is within Airport Compatibility Zone D of the French Valley Airport Influence Area. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at bramire@rctlma.org.

Staff Recommendation: CONSISTENT

MARCH AIR RESERVE BASE

- 3.2 ZAP1055MA09-March Joint Powers Authority/ March Healthcare Development, LLC (Representative: Donovan C. Collier) – Case No. SP08-01 (Specific Plan), GP08-01 (General Plan Amendment), and Z08-02 (Change of Zone). The March Life Care Campus Specific Plan proposes the development of a health care campus that will provide a wide range of general and military medical-related uses, on 206.3 gross acres located southerly of Cactus Avenue and westerly of Heacock Street in the northeast portion of the former March Air Force Base. Potential uses would include hospitals, general and specialty medical offices, medical retail, research and education facilities, wellness center, senior center, independent/assisted living facilities, and mixed use. The general plan amendment proposes to change the land use designation from Mixed Use, Business Park, Office, and Park/ Recreation/Open Space to Specific Plan. The Change of Zone proposes to designate the project site with seven special zones specific to this project and a zone overlay. The vast majority of the project site is not currently zoned, but portions are zoned Business Park and Business Park/Mixed Use. The project site is located within the March Joint Powers Authority and is within Area II of the March Air Reserve Base Airport Influence Area. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at bramire@rctlma.org.

Staff Recommendation: CONDITIONALLY CONSISTENT

4.0 PUBLIC HEARING: 9:30 A.M.

HEMET-RYAN AIRPORT

ZAPEA01HR08 – NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

- 4.1 AIRPORT LAND USE COMMISSION CASE NO. ZAPEA01HR08 – Environmental Assessment - PROPOSAL: 2009 Amendment to the 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP). The amendment proposes to revise the definition of “Places of Assembly” in Section II.E. (see pages 13 and 14 of the 1992 HRACALUP), so as to be based on the occupancy level per square foot (pursuant to the California Building Code) and total square footage, rather than on an occupancy capacity of 50 persons. ALUC Staff Planner: John Guerin at (951) 955-0982 or E-mail at jguerin@rctlma.org.

Staff Recommendation: ADOPT Resolution No. 2009-01, ADOPTING the Negative Declaration, and APPROVING and ADOPTING the 2009 Amendment.

5.0 ADMINISTRATIVE ITEMS

- 5.1 Discussion of Possible Changes in ALUC Meeting Schedule
- 5.2 Discussion of Proposed Foreign Trade Zone Expansion
- 5.3 Discussion of ALUC Strategic Vision Plan Update (Priority Sequence Ordering)
- 5.4 Status Update: Perris Valley Airport Land Use Compatibility Plan
- 5.5 City of Perris Overrule of Finding of Inconsistency for its General Plan

6.0 APPROVAL OF MINUTES

March 12, 2009

7.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

8.0 COMMISSIONER'S COMMENTS

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COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 2.1

HEARING DATE: April 16, 2009

CASE NUMBER: ZAP1032BD09 – Redevelopment Agency County of Riverside (Representative: National Community Renaissance of California, Julie Mungai)

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: GPA001072 (General Plan Amendment)

MAJOR ISSUES: None.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the General Plan Amendment.

PROJECT DESCRIPTION:

General Plan Amendment No. 01072 proposes to amend the Western Coachella Valley Area Plan land use designation of a 5.22 gross acre parcel from MDR (Medium Density Residential, 2 to 5 dwelling units per acre) to VHDR (Very High Density Residential, 14 to 20 dwelling units per acre).

PROJECT LOCATION:

The project site is located at the southwest corner of Clinton Street and Fred Waring Drive, in unincorporated Riverside County, adjacent to the City of Indio, approximately 9,108 feet southeasterly of the southeasterly terminus of Runway 10-28 at Bermuda Dunes Airport. This is the former site of Date Palm Mobile Estates, with an address of 44-071 Clinton Street.

LAND USE PLAN: 2004 Bermuda Dunes Airport Land Use Compatibility Plan

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use Policy: Airport Compatibility Zone E
- c. Noise Levels: Outside the 55 CNEL Contour

BACKGROUND:

Land Use/Intensity: The project site is located within Airport Compatibility Zone E. The General Plan Amendment is proposing to amend the land use designation on a 5.22 gross acre parcel from MDR (Medium Density Residential) to VHDR (Very High Density Residential). Residential density is not restricted in Airport Compatibility Zone E.

The applicant will in the future submit a change of zone and plot plan for review, as the site is proposed for the construction of 80 apartment units and a 5,000 square foot recreational building.

Part 77: The elevation of the runway at Bermuda Dunes Airport at its easterly terminus is 49.1 feet above mean sea level (AMSL). At a distance of 9,108 feet from this end of the runway, any structure above 140.2 feet AMSL would require FAA review. Given the site's elevation of 12 feet AMSL, it is highly unlikely that any structure on this property would exceed an elevation of 140 feet AMSL at top point.

Noise: The site lies outside the ultimate 55 CNEL contour for Bermuda Dunes Airport; consequently, no special mitigation for aircraft noise is required.

General plan amendments and rezoning are not subject to conditions.

Attachment: State law requires notification that the property is located in an Airport Influence Area in the course of real estate transactions. The landowner shall notify potential purchasers and tenants.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 3.1

HEARING DATE: April 16, 2009

CASE NUMBER: ZAP1032FV09-Stepping Stones Child
Development Center (Lessee: Ann Cavaretta)

APPROVING JURISDICTION: City of Murrieta

JURISDICTION CASE NO.: RPO 0082693 (Revised Permit for Conditional Use
Permit No. 004-069)

MAJOR ISSUES: The project originally requested to increase the number of children from 60 to 85. With the addition of 8 employees, the number of people on-site would have been 93, which would have exceeded Airport Compatibility Zone D criteria, given the gross area of the parcel. Upon being advised of this potential inconsistency, the applicant agreed to revise her proposal. The revised maximum of 87 people on-site (79 children and 8 employees) is consistent with Zone D criteria.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the revised conditional use permit.

PROJECT DESCRIPTION:

The applicant proposes to increase the capacity of an existing child day care center to allow a maximum of 79 children in an existing building approximately 4,490 square feet on a 0.46 acre lot. (Initially, the applicant proposed to allow a maximum of 85 children.)

PROJECT LOCATION:

The project site is located at 29910 Hunter Road, Suite 102-104, in the Mesa Village Commercial Center located on the northerly side of Hunter Road, westerly of Winchester Road, and easterly of Shady Maple Road, in the City of Murrieta, approximately 2,508 feet westerly of the southerly terminus of Runway 18-36 at French Valley Airport.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan (FVALUCP)

a. Airport Influence Area: French Valley Airport

- b. Land Use Policy: Airport Compatibility Zone D
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The site is located in Airport Compatibility Zone D of the French Valley Airport, which allows a density of 150 persons per average acre and 450 persons per single acre. The applicant is proposing to increase the allowable number of children in the existing day care center from 60 to 79 children. The day care facility is located on a 0.46 net acre parcel that is part of a six (6) lot commercial center. Considering only the net area of the parcel, the maximum number of people allowed on-site would be 69 persons. With the addition of the Shady Maple Road half-width right-of-way, the gross area becomes 0.58 acre, increasing the allowable intensity to 87 people on-site.

The facility will have up to 8 employees. (The number of employees on-site will vary, dependent on the number of children at the facility at any given time.) The total number of people on-site will be 87 persons, which makes the project consistent with Airport Compatibility Zone D criteria, based on the gross area of the parcel. The applicant, Ms. Cavaretta, stated that, while her day care center will be licensed for a maximum of 79 children, the probability that all 87 people (79 children and 8 employees) would be on-site at any one time is very slim.

It should be noted that use of the Building Code Method (with the standard 50 percent reduction) would result in an estimate of approximately 57 people on-site (3580.66 divided by 35, divided by 2), which would also be consistent with the criteria for Airport Zone D.

The day care facility was originally approved (CUP No. 004-069) on October 27, 2004 by the City of Murrieta. ALUC staff found no records of that case being submitted for the Commission's review, nor was reference found in the City's case file. However, ALUC reviewed Plot Plan No. 17398 proposing a 36,000 square foot commercial center at its January 24, 2002 meeting (ALUC Case No. FV-01-115), and found the project to be consistent with the 1996 French Valley Airport Comprehensive Land Use Plan.

Lastly, the project site lies below the traffic pattern designated for helicopters. The airplane traffic at French Valley Airport is entirely on the east side of the airport, due to the residential areas to the west.

Part 77: The site's elevation ranges between 1312 to 1320 feet above mean sea level (AMSL), and the existing structure's height is approximately 27 feet. The project site is approximately 2,508 feet westerly of the southerly terminus of the runway at French Valley Airport. The elevation at the southerly terminus of the runway is 1,340 feet AMSL. FAA review is not required, since no new structures are proposed.

Noise: The project site lies outside the 55 CNEL noise level contour. No noise mitigation is required.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. Such uses include landscaping utilizing water features.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor nonresidential uses.
 - (f) The aboveground storage of flammable materials.
 - (g) The use of helium balloons on exterior displays.
3. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
4. This finding of consistency is predicated on licensing of the day care center to serve not more than seventy-nine (79) children at any given time.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 3.2

HEARING DATE: April 16, 2009

CASE NUMBER: ZAP1055MA09-March Joint Powers Authority/
March Healthcare Development, LLC
(Representative: Donovan C. Collier)

APPROVING JURISDICTION: March Joint Powers Authority

JURISDICTION CASE NO.: SP08-01 (Specific Plan), GP08-01 (General Plan Amendment), and Z08-02 (Change of Zone)

MAJOR ISSUES: The proposed project is located within Airport Area II of the March Air Reserve Base Airport Influence Area. The 1984 Riverside County Airport Land Use Plan, as applied to March Air Reserve Base, prohibits residential lot sizes less than 2 ½ acres within Airport Area II. While the project does not propose a land division resulting in the establishment of individual lots, the density of the residential portion of the project could potentially exceed one dwelling unit per 2 ½ acres. The plan lists multi-family residential and senior group homes among permitted uses.

However, the residential component of the March Life Care Campus Specific Plan may qualify as an institutional or quasi-public use, provided that all dwelling areas would be within facilities licensed by the State of California.

RECOMMENDATION: Staff recommends a finding of CONDITIONAL CONSISTENCY for the Specific Plan, General Plan Amendment, and Change of Zone, subject to the conditions herein (to be applied to the Specific Plan). These conditions include a requirement for the amendment of Table 4.1.

PROJECT DESCRIPTION:

The March Life Care Campus Specific Plan proposes the development of a healthcare campus, on 206.3 gross acres, that will provide a wide range of general and military medical-related uses, including hospitals, general and specialty medical offices, medical retail, research and education facilities, wellness center, senior center, independent/assisted living facilities, and mixed use. The general plan amendment proposes to change the land use designation from Mixed Use, Business Park, Office, and Park/ Recreation/Open Space to Specific Plan. The Change of Zone proposes to designate

the project site with seven special zones specific to this project and a zone overlay. The vast majority of the project site is not currently zoned, but portions are zoned Business Park and Business Park/Mixed Use.

PROJECT LOCATION:

The project site is located southerly of Cactus Avenue and westerly of Heacock Street in the northeast portion of the former March Air Force Base, within the jurisdiction of the March Joint Powers Authority, approximately 5,610 feet northeasterly of the northerly terminus of Runway 14-32 at March Air Reserve Base.

LAND USE PLAN: 1984 Riverside County Airport Land Use Plan, as applied to March Air Reserve Base

- a. Airport Influence Area: March Air Reserve Base
- b. Land Use Policy: Area II
- c. Noise Levels: Outside the 60 CNEL contour

BACKGROUND:

Land Use/Intensity: The project site is located within Area II of the March Air Reserve Base Airport Influence Area. The site is a 206.3 acre portion of the former March Air Force Base. The project proposes the development of a healthcare campus that will provide a wide range of general and military medical-related uses, including hospitals, general and specialty medical offices, medical retail, research and education facilities, wellness center, senior center, independent/assisted living facilities, skilled nursing facilities, and related support facilities.

The general plan amendment proposes to amend the land use designation from Mixed Use, Business Park, Office, and Park/ Recreation/Open Space to Specific Plan. The Specific Plan will have the following land uses: General Medical Office (includes hospitals), Commercial Retail, Research and Education, Institutional Residential, Wellness Facilities, and Mixed Use.

The change of zone proposes to designate the project site with seven special zones specific to this project and a zone overlay. The seven Specific Plan zones are: Public Realm, Building Zone 1, Building Zone 2, Flex Zone 1, Flex Zone 2, Parking Core, and Mixed-Use. The Parking overlay will allow the placement of parking structures in the Flex zones and in the Building 1 zone.

The Specific Plan is anticipated to accommodate a maximum of 3,555,000 square feet of gross leasable building area. The greatest portion of square footage (1,990,000 S.F.) will be in the permitted use of General Medical Offices, which includes hospitals.

The proposed Institutional Residential land use is intended to accommodate a spectrum of residential care facilities that will range from independent living to hospice care. This use will be located to the southeast of the intersection of Meyer Drive and Riverside Drive. Traditional residential uses, such as single family and multi-family dwellings, will not be permitted.

Staff is concerned, however, with the references in Table 4-1 to group homes, residential uses, congregate care facilities, and independent living. Condition No. 6 requires that these uses be excluded. Staff suggests that the table refer to the facilities by the terms used by the licensing agencies: “residential care facilities for the elderly” and “continuing care retirement communities,” both of which require community care licensing.

All proposed non-residential uses are consistent with Area II, which allows agricultural, industrial, and commercial uses. In addition, the project site is not within the Accident Potential Zone.

Part 77: The ground elevation on the site ranges between 1,515-1,556 feet above mean sea level (AMSL). The Specific Plan proposes structures ranging between 40 to 85 feet in maximum building height. The elevation at the northerly runway terminus is approximately 1,538 feet AMSL. At a distance of 5,610 feet easterly of the northerly runway terminus at March Air Reserve Base, any new structure above 1,594.1 feet AMSL would require FAA review.

Noise: The project site lies outside the 60 CNEL contour. Yet, noise mitigation will be required for noise sensitive uses to not exceed 45 dB(A) CNEL. Such future uses shall include offices, hospitals, and residential living areas.

CONDITIONS: (Specific Plan)

1. Prior to project development or issuance of building permits, the landowner shall convey an avigation easement to the MARB/IPA Airport (March Joint Powers Authority), which shall subsequently be recorded, or shall provide documentation of such existing recorded easement to the satisfaction of March Joint Powers Authority. A copy of the recorded avigation easement shall be forwarded to the Airport Land Use Commission for its records.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator, or FAA-approved obstruction lighting.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Residential dwellings for permanent occupancy, other than living areas within facilities licensed by either the California Department of Public Health or the California Department of Social Services (or their successors-in-interest), and the relocation of existing transitional housing facilities already present on-site.
3. The attached notice shall be provided to all potential purchasers and tenants.
 4. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing. All outdoor lighting plans shall be subject to the approval of airport management (U.S. Air Force March Air Reserve Base and March Joint Powers Authority).
 5. All proposed residential living areas, community care and health care facilities, and offices shall be designed to ensure that interior noise levels from aircraft operations do not exceed 45 dB(A) CNEL.
 6. Table 4-1 shall be amended to specifically exclude multi-family residential, congregate care facilities, independent living, and unlicensed group homes and residential uses.
 7. Prior to issuance of building permits for any structure or group of structures, the project applicant shall provide evidence of receipt of a determination from the Federal Aviation Administration that the structure or group of structures is “Not a Hazard to Air Navigation”.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 4.1

HEARING DATE: April 16, 2009

CASE SUMMARY:

CASE NUMBER: ZAPEA01HR08 – Airport Land Use Commission

LEAD AGENCY: Riverside County Airport Land Use Commission
("Commission")

JURISDICTION CASE NO: Not Applicable

MAJOR ISSUE: Whether to adopt: (1) the Initial Study/Negative Declaration (“IS/ND”) prepared for the 2009 Amendment to the Hemet-Ryan Airport Comprehensive Airport Land Use Plan ("2009 Amendment"); and (2) the 2009 Amendment.

RECOMMENDATION:

Subject to the express provisions of the Resolution, Staff recommends that the Commission adopt proposed Resolution No. 2009-01, which:

- (1) Certifies that the Initial Study and Negative Declaration for the 2009 proposed amendment to the Hemet-Ryan Airport Comprehensive Airport Land Use Plan has been prepared and completed in compliance with the California Environmental Quality Act (Pub. Resources Code, §21000 *et seq.*) and the CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 *et seq.*),
- (2) Adopts the proposed Negative Declaration, and
- (3) Approves and adopts for implementation the proposed amendment to the HRACALUP.

PROJECT DESCRIPTION:

The 2009 Amendment to the Hemet-Ryan Airport Comprehensive Airport Land Use Plan is a proposal to revise the definition of “Places of Assembly” in Section II.E. (see pages 13 and 14 of the HRACALUP), so as to be based on the occupancy level per square foot (pursuant to the California Building Code) and total square footage, rather than on an occupancy capacity of 50 persons.

PROJECT LOCATION:

The 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (“HRACALUP”) applies within the Airport Influence Area of Hemet-Ryan Airport, which includes land in both the City of Hemet and unincorporated Riverside County, and is located northerly of Simpson Road, easterly of Winchester Road, westerly of Palm Avenue, and southerly of Eaton Avenue.

If adopted, the amended definition of “Places of Assembly” would be applicable throughout the Hemet-Ryan Airport Influence Area (both within the City of Hemet and unincorporated Riverside County). However, to the extent that the amended definition would facilitate commercial and industrial development, such effects would occur predominantly in the City of Hemet, as the portions of unincorporated Riverside County in Areas I and II do not include any properties designated for commercial or industrial development.

BACKGROUND:

The 1992 HRACALUP delineated four relative risk areas (Area I, Area II, Transition Area, and Area III) within the Airport Influence Area of Hemet-Ryan Airport. The Plan contains policies for each area that guide the ALUC and the affected jurisdictions in determining whether projects are consistent with the Plan.

As adopted in 1992, the HRACALUP prohibits “Places of Assembly” in Areas I and II (except within the Transition Area at the outer edge of Area II). The Plan defines “Places of Assembly” to include “[a]ny structure, public or private, or premise, or portion thereof with a capacity for occupancy of over 50 persons, which is designed or used for entertainment, amusement, instruction, education, worship, deliberation, display, meeting, awaiting transportation or for the consumption of food and drink.” The text proceeds to cite examples of “Places of Assembly” as including the following land uses: auditorium, theatre, recreation/entertainment facilities, shopping mall, restaurant, church, clubhouse, arena, stadium, circus, major retail outlets, funeral homes, bowling alleys, motels, banks, professional office buildings, and labor-intensive industrial operations.

While “Places of Assembly” are prohibited in Areas I and II, commercial development is listed as “discretionary,” even though almost any commercial land use would also be a “Place of Assembly” pursuant to the existing definition. This definition is not utilized in any other compatibility plan adopted by the Commission and has resulted in retail projects (such as the Stetson Crossing Specific Plan in the City of Hemet) being determined to be inconsistent in Areas I and II.

ALUC staff, working with Mr. Ron Running of the City of Hemet Planning Department and the members of the Hemet-Ryan Subcommittee of the Riverside County Airport Land Use Commission, prepared three alternative amendments to address this issue. The amendment before the Commission today is the option selected by the City of Hemet, with the assent of the Subcommittee. The amendment proposes a revised definition of “Places of Assembly” based on the occupancy level per square foot (pursuant to the California Building Code) and total square footage, rather than on an occupancy capacity of 50 persons.

AMENDMENT TEXT:

As amended, the definition of “Places of Assembly” would read as follows, with additional text shown in *italics* and deletions in ~~strike through~~:

Any structure, public or private, or premise, or portion thereof ~~with a capacity for occupancy of over 50 persons~~ *exceeding 1,500 square feet in area, where the Building Code would provide for occupancy levels of an intensity exceeding one person per 30 square feet*, which is designed or used for entertainment, amusement, instruction, education, worship, deliberation, display, meeting, awaiting transportation or for the consumption of food and drink.

The list of examples of “Places of Assembly” in the HRACALUP would be amended to exclude recreational and entertainment facilities, shopping malls, major retail outlets, and funeral homes, which may constitute “Places of Assembly” in certain circumstances, but not in other circumstances. Additionally, motels, banks, professional office buildings, and labor intensive industrial operations would be excluded from the examples because, pursuant to the amended definition, they would never constitute “Places of Assembly.” The list would continue to include auditoriums, theaters, restaurants, churches, clubhouses, arenas, stadiums, circuses, and bowling alleys.

As the revised definition of “Places of Assembly” is less restrictive than the existing definition, this amendment could serve to release existing constraints to the development of new commercial and industrial land uses by increasing the likelihood that such proposed developments would be found consistent with the HRACALUP. The proposed amendment of the definition would result in proposed retail developments that meet certain occupancy and square footage criteria being deemed consistent with the HRACALUP, while still prohibiting those uses that are more intensive than retail trade, including any areas in excess of 1,500 square feet where intensity levels exceeding one person per 30 square feet are permitted pursuant to tables in the California Building Code. Uses listed as “assembly areas,” pursuant to the California Building Code, and as included in Exhibit C-1 of Appendix C of the California Airport Land Use Planning Handbook (as well as Appendix C of the 2004 Riverside County Airport Land Use Compatibility Plan), include auditoriums, churches and chapels, conference rooms, dance floors, dining rooms, drinking establishments, exhibit rooms, gaming areas, gymnasiums, lobbies accessory to assembly occupancies, lodge rooms, lounges, reviewing stands, stadiums, stages, and waiting areas. Additional areas that would qualify as “Places of Assembly” pursuant to the revised definition include auction rooms, bowling alleys, classrooms, and the decks of skating rinks and swimming pools.

While the HRACALUP, as modified by this amendment, would no longer restrict the total occupancy, peak intensity, or average intensity for uses whose maximum intensity does not exceed one person per 30 square feet (such as retail trade and offices), it should be remembered that HRACALUP policies state that commercial uses are “discretionary uses” in Areas I and II, and that industrial uses are “discretionary uses” in Area I. Pursuant to Plan policies, “discretionary uses” are to be referred to the Commission for review. Furthermore, the City of Hemet requires airport land use compatibility analyses for major projects in the Airport Influence Area, including analysis of

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consistency with State Handbook-based safety zones. The Commission would be able to consider these analyses when reviewing such “discretionary uses.”

COMMENTS ON THE ENVIRONMENTAL DOCUMENT:

In accordance with CEQA, staff distributed a "Notice of Intent to Adopt" the Initial Study/Negative Declaration. As of the writing of this report, no written comments have been received.

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 5.1 Discussion of Possible Changes in ALUC Meeting Schedule. Staff has placed this matter on the agenda to allow for Commission discussion of possible changes in the meeting schedule. Presently, ALUC Bylaws and procedures call for a monthly meeting, unless the meeting is cancelled by the Chairman. The regular meeting has been cancelled only once in the last three years – in February of this year, when no new cases were submitted in time to be considered at that hearing and no cases had been continued from previous hearing dates. Given the FY10 target of a 10% reduction in general funding combined with a 50% drop in the number of incoming cases, one possible way to reduce Commission expenses would be to reduce the number of meetings per year from twelve to eight, or even six, dependent on case activity levels. The concept would involve “stacking” cases so that the Commission meets less frequently to hear five or six cases, rather than every month to hear two or three cases. Each meeting can cost the Commission from \$2500 upward. There are pluses and minuses to the approach, but the fact remains it will be a very tight budget year and savings here could be used to further work elsewhere, such as plan production.
- 5.2 Discussion of Proposed Foreign Trade Zone Expansion. At the March 12 ALUC meeting, during the Commissioner’s Comments period, Vice-Chairman Rod Ballance directed the Commission’s attention to a Riverside Press-Enterprise article stating that the United States Department of Commerce had rejected a proposal for expansion of the Foreign Trade Zone centered on March Air Reserve Base. (Staff has downloaded the article from the newspaper’s website; a copy is attached. The article, which was written by Kimberly Pierceall and is dated March 5, 2009, indicates that the Foreign Trade Zone covers the jurisdictional area of March Joint Powers Authority [March JPA], and that the application for expansion was made by the March JPA. The expansion would have extended the Foreign Trade Zone to other areas of Western Riverside County, including portions of the cities of Murrieta and Temecula, as well as March JPA member cities Moreno Valley, Perris, and Riverside.) Commissioners Glen Holmes and Robin Lowe agreed with Vice-Chairman Ballance that the decision was “unfortunate,” and Commissioner Lowe suggested that the Commission prepare a letter in support of the Foreign Trade Zone expansion. Commissioner Lowe asked that this issue be placed on the April agenda as an item for discussion. ALUC Counsel B.T. Miller suggested that ALUC join, endorse, or “sign onto” a letter from another organization rather than prepare its own letter, given ALUC’s limited jurisdictional responsibilities, and ALUC Director Ed Cooper noted that, while ALUC could be a partner in such an effort, the Riverside County Economic Development Agency (EDA) would be the most appropriate County Department to lead the effort in support. It was agreed that staff would contact Chad Davies or other EDA representative and March JPA staff prior to the next meeting.

Staff contacted Colby Cataldi of EDA – Aviation Division, who referred us to Tom Freeman at EDA. As this report goes to press, Mr. Freeman has not yet responded to our voice mail request for information; however, we were able to contact Danielle Wheeler, Assistant Director of the March Joint Powers Authority. Ms. Wheeler advised that the article was not wholly correct. There was no “denial” of the application, but, in order to be approved, U.S. Customs and Border Protection must “concur” with the application. They had advised her that they could not concur at this time because of (a) lack of manpower

and (b) user fee status. The opinion of Customs is that, with the departure of DHL, the level of international trade activity at March is not sufficient to justify the allocation of Customs agents to the March ARB Foreign Trade Zone in the absence of financial participation by the JPA or other State or local government sponsor. Ms. Wheeler will be discussing these issues with officials in a visit to Washington, D.C. later this month, and expressed a willingness to provide an update to the Commission (when mutually convenient) after her return.

5.3 Discussion of ALUC Strategic Vision Plan Update (Priority Sequence Ordering). At the March ALUC meeting, Vice-Chairman Ballance recommended that the Commission be given an opportunity to revisit the priority ranking of Compatibility Plan adoption and amendment efforts this year. ALUC Director Ed Cooper noted that staff, working with ALUC's consultants Mead & Hunt, and Gatzke, Dillon & Ballance, has completed, and the Commission has adopted, the Chino ALUCP. The amendment to the definition of "Places of Assembly" in the Hemet-Ryan Plan is moving forward, and staff hopes to bring the new Perris Valley ALUCP forward to the Commission in June. The 10 percent cut in general funding for the upcoming fiscal year will affect the resources available to adopt and amend Compatibility Plans, and, in particular, the ability to draw on outside expertise.

Priority Level Discussion

The Strategic Vision Plan Land Use Compatibility Plan Processing Priorities Chart utilized to prioritize staff and consultant tasks during the 2008-09 fiscal year cited Hemet-Ryan, Perris Valley, March Air Reserve Base, and Chino as the top ("A" level) priorities. With the adoption of the Chino ALUCP, staff would recommend that Chino now drop to the "C" level. Perris Valley will remain at the "A" level until a Plan is adopted, but it is hoped that this can occur by June. (See below.)

We project that the discussions regarding the March Air Reserve Base Joint Land Use Study (JLUS) will remain an ongoing matter requiring staff's attention; however, at this time, it is not clear when the final version will be completed and endorsed by the March Joint Powers Authority. The chief ongoing issues remain lot coverage limitations for nonresidential development (specifically warehouses) in the Accident Potential Zones as delineated in the U.S. Air Force Air Installation Compatible Use Zones Study and the recommended residential density restrictions in the proposed C1 and C2 zones. Furthermore, the formulation of an ALUCP based on the JLUS will likely require the preparation of an Environmental Impact Report (EIR), especially if jurisdictions or landowners sharply disagree with the density or intensity limitations included in the ultimate JLUS. The ALUC budget does not allow for the costs of EIR preparation.

In considering the projected airport compatibility zones in the Draft JLUS (as prepared by Mead & Hunt and reviewed by the Technical Advisory Committee), staff has noted that portions of Airport Area II, which are currently subject to a residential density limitation of one dwelling unit per 2½ acres, would be within zones where residential densities would not be limited. This implies that the existing Area II boundaries as depicted on the map adopted in 1986 are too broad. Consideration should be given to amending the boundaries between Areas II and III (from the 1986 Map) if action on a new JLUS-based ALUCP is not economically feasible.

The Economic Development Agency – Aviation Division continues to work on new Master Plans for Hemet-Ryan Airport and French Valley Airport, and has projected that both Master Plans will be completed during the upcoming fiscal year. In the case of Hemet-Ryan Airport, one possibility would be for a new Compatibility Plan map to be prepared by Mead & Hunt concurrently with the Master Plan, which would

then allow for the Environmental Impact Report to address both the Master Plan and the Compatibility Plan. While the adoption of the 2009 “Places of Assembly” amendment precludes adoption of a new Plan for Hemet-Ryan in calendar year 2009, it is recommended that staff work with EDA to provide data to the EIR consultant so that the issue of potential displacement can be addressed in the EIR. Staff recommends that Hemet-Ryan remain an “A” priority, with the understanding that it may be possible to adopt a new Plan in 2010 IF: (a) Mead & Hunt prepares a Compatibility Plan map as part of the Master Plan EIR effort; and (b) the Master Plan/Compatibility Plan EIR incorporates the “potential land use yield displacement” analysis and discussion of potential mitigation measures.

As for French Valley, it is anticipated that the new Master Plan will eliminate the secondary runway depicted on the existing Master Plan. This will necessitate a re-evaluation of zone boundaries easterly of the Airport. Fortunately, the change in zone boundaries would be rather straightforward, given that the secondary runway had been planned as a parallel runway. Staff recommends that French Valley be moved up to the “A” priority level in place of Chino.

Riverside Municipal, Jacqueline Cochran, and Blythe constitute the remaining “B” priority level airports and probably should stay at that level. Jacqueline Cochran is a potential wild-card on the priority level list, depending on the County’s progress on the General Plan update and ongoing discussions relating to development patterns directly southerly of the primary runway. Of the Airport Influence Areas surrounding the remaining six public-use airports in the County (all at the “C” priority level), only the Bermuda Dunes and Flabob Airport Influence Areas have had sufficient development activity as to raise concerns regarding development criteria. These would also be areas that would require attention in conjunction with the General Plan update.

Difficult Choices

Staff is striving to meet the Commission’s objective of adopting or amending three Compatibility Plans in the fiscal year ending this June. The new Chino Plan was approved in September, the “Places of Assembly” amendment to Hemet-Ryan is on this agenda, and Perris Valley will, hopefully, come before the Commission in June. The intent of the Strategic Vision Plan was that staff would process three or four Plan adoptions or amendments per year, so as to review Plans for each of the public-use airports in Riverside County over a four-to-five-year processing cycle. However, given the known cutbacks in general funding (a 10% cut in the coming fiscal year, and a 7% cut in the following fiscal year) and the downturn in application fee revenues (only 28.5% of the average monthly fee revenue projection in the month of March), there will not be sufficient funding to maintain the level of advance planning progress achieved this year. In the absence of funding from EDA (in association with the Master Plan efforts) or the Air Force or March JPA (in association with the JLUS), we may be limited by economic circumstances during the next two fiscal years to one Plan amendment (per year) that can be processed without outside expertise. Staff would like the Commission to consider whether there is any one Plan or amendment toward which staff resources should be channeled during the coming fiscal year in such a situation. It could be an amendment to one of the Plans at the “A” priority level, or possibly an amendment to the text of the Countywide Policies to address one of the “common issues.”

- 5.4** Status Update: Perris Valley Airport Land Use Compatibility Plan: A draft Compatibility Plan Map utilizing the standard Compatibility Zones A through E has been prepared for the Draft Perris Valley Airport Land Use Compatibility Plan. Staff has been compiling information regarding existing land use, lot size, and City of Perris General Plan designations for properties in projected Compatibility Zones A, B1, B2, C, and D since mid-January. (All of the properties within these projected Compatibility Zones are within Perris

city limits.) During the first half of April, staff is planning to meet with City of Perris Planning Department representatives to unveil the proposed Compatibility Zone boundaries and Airport Influence Area boundary and also to ensure that our understanding of the City General Plan designations for affected properties is accurate and current. Staff will then calculate “potential land use yield displacement” and prepare mitigation measures, as appropriate.

- 5.5** City of Perris Overrule of Finding of Inconsistency for its General Plan: The Perris City Council voted unanimously on March 31, 2009 to overrule the determination of the Riverside County Airport Land Use Commission that the City’s General Plan is inconsistent with the 1984 Riverside County Airport Land Use Plan, as applied to March Air Reserve Base.

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