RIVERSIDE COUNTY

AIRPORT LAND USE PLAN

Formulated

by

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Adopted April 26, 1984

RIVERSIDE COUNTY
AIRPORT LAND USE COMMISSION

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CHAPTER I

INTRODUCTION

A. Legal Background

1. California State Law (Public Utilities Code, Article 3.5, Sections 21670-21678 as amended) created the requirement for an Airport Land Use Commission in each county and assigned the commission the following powers and duties:

   (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 such 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 plan pursuant to Section 21675.

   (d) To review the plans, regulations and other actions of local agencies and airport operators pursuant to Section 21676.

   (e) The powers of the commission shall in no way be construed to give the commission jurisdiction over the operation of any airport.

2. The Riverside County Airport Land Use Commission was established December 14, 1970 when the Board of Supervisors acting in conjunction with the mayors of the cities in the county designated the existing five member aviation commission to assume the planning responsibilities of an airport land use commission. On August 29,

1972, the Board, in response to the mayors of the cities in the county, augmented the five member commission by two additional members to be appointed from time to time by a selection committee of the mayors.

3. The Riverside County Airport Land Use Commission adopted Rules and Regulations that became effective July 29, 1971 and revised them in October 1972. The Rules and Regulations were rewritten and adopted June 17, 1983. A copy of the newest Rules and Regulations is contained in Appendix A.

B. Historical Background

1. The Commission has designated interim airport-influenced areas around nearly all public use airports within the County. Local planning agencies affected by these designations have been encouraged to consult with the Commission and its staff concerning planning actions and regulations affecting the influenced areas.

2. On October 10, 1974, the Commission defined the final boundaries of the Palm Springs Municipal Airport-influenced area and adopted, as their official comprehensive land use plan for the influenced area, "A Specific Plan for the Airport Portion of the Transportation Element of the Palm Springs General Plan, September 1974." Subsequently, the City of Palm Springs adopted the same plan as a part of their general plan and modified their city zoning plan accordingly. The City of Palm Springs acted as lead agency in this matter and prepared the Draft and Final Environmental Impact Report for this plan.

3. An interim airport-influenced area around the Hemet-Ryan Airport was designated by the Airport Land Use Commission (ALUC) August 30, 1973. The ALUC asked the City of Hemet and the County Planning Department to prepare "area" land-use plans for their respective jurisdictions

within the interim-influenced area. Higher priority work in both agencies and the fact that existing land use then appeared to be compatible with the airport, precluded response to the ALUC's request.

In 1977, a proposed residential development within the City of Hemet, but under the approach to the airport, posed a threat to the future viability of the airport. Hearings on this project resulted in its eventual denial by the City of Hemet and led directly to a concerted effort by the City of Hemet, County Planning Department and ALUC to prepare a joint airport land use plan for the Hemet-Ryan airport-influenced area.

A proposed land use plan and draft environmental impact report were prepared by Aviation and Planning Department staff and presented to the County Planning Commission September 13, 1978. The County Planning Commission approved the plan, as revised, during the hearing process on March 14, 1979. The EIR was certified in early 1980 and the Board of Supervisors approved the plan June 10, 1980.

The City of Hemet prepared a plan for their jurisdictional area. Their plan - "Specific Land Use Plan for Southwest Area" and supporting EIR were adopted by the Hemet City Council, June 26, 1979.

The ALUC on October 17, 1980 designated a final airport-influenced area and adopted both the approved City and County Plans as their land use plan.

Subsequently, contested planning actions within the City of Hemet highlighted inadequacies of the approved land use plans. A sub-committee of members of all involved jurisdictions was formed to

research and discuss the problem. This subcommittee first met June 17, 1982 and by December 1982 produced a "Position Paper" defining an enlarged planning boundary around the airport and proposed policies for land use within the boundary.

The City of Hemet acted as lead agency and prepared a Draft Environmental Impact Report. The City Council ultimately certified the EIR and adopted the "Position Paper" policies July 26, 1983. The ALUC on September 22, 1983 adopted the narrative, policies, exhibits and appendix of the "Position Paper" as a complete amendment to and replacement for the "Hemet-Ryan Airport Land Use Plan" that had been adopted in 1980. The County Planning Department has included the "Position Paper" policies in its recently adopted new General Plan.

4. With this background, it is apparent that a great deal of effort has gone into the development of the airport land use plans completed and in progress. It is also apparent that, for the most part, real emphasis is not placed on the development of these airport land use plans until a crisis in land use near an airport develops. It is the intent of the Airport Land Use Commission to build upon the experience gained in these past actions to prepare a single document airport land use plan modeled after the Hemet-Ryan Plan, modified as necessary to fit specific situations, that will apply to the remaining public use airports within the County.

CHAPTER II

Airport Influenced Area Boundaries and Land Use Planning Areas

A. Review

1. As mentioned in Chapter I, interim airport-influenced boundaries have been designated at all public use airports in the County except Chiriaco Summit, Rancho California and Thompson Transportation Center. Final boundaries have been designated for the Palm Springs Municipal Airport and the Hemet-Ryan Airport. Experience in developing the final boundaries at these two airports led to a change in the ALUC's Rules and Regulations for defining airport-influenced boundaries.

2. As a result, each interim influenced boundary must be reviewed against the new criteria and the area redesignated or a new influenced area boundary defined, if deemed necessary.

B. Airport Influenced Area Boundaries

1. Airport Influenced Area Boundaries will be determined by the ALUC on the basis of the type of airport, type of aircraft expected to use the airport, aircraft flight patterns and altitudes, noise levels, Federal Aviation Administration (FAA) criteria concerning objects affecting navigable airspace as established in Part 77 of the Federal Aviation Regulations (FAR Part 77) or a combination of these factors.

2. The boundaries will be adjusted in so far as possible to follow roads, section lines, canals, aqueducts, or other natural features that will provide for easy identification of the boundaries.

3. If practicable, parcel maps will be used in defining the boundaries.

4. Existing land uses within the airport-influenced boundaries will be documented so that those areas already devoted to incompatible uses can be identified.

C. Land Use Planning Areas

1. Three land use planning areas will be determined by the ALUC within each airport-influenced area boundary described in B above. The description of each planning area will be based upon the criteria below. This criteria may be changed, as necessary, to meet conditions for specific airports.

2. Area I

The imaginary approach surface defined by FAR Part 77, Objects Affecting Navigable Airspace, as the approach surfaces for the size and type of runways at each airport. These areas are always centered on the runway centerlines extended.

3. Area II

An area defined by the ALUC to be those areas of significant safety conc These safety concerns are due to aircraft maneuvering, ascending, descending, turning, and changing power settings when landing or taking off from the airport. These areas may bend to accurately reflect actual flight paths utilized.

4. Area III

The outer boundary of each airport-influenced area, as defined by the ALUC per paragraph B above. Areas I and II are considered to be a part of Area III.

5. The provisions for adjusting boundaries described in paragraphs B, 2 and 3 above, will be used in so far as possible in describing the boundaries of the Land Use Planning Areas.

CHAPTER III

Airport Land Use Commission Policies and Rationale

A. Safety Considerations

1. Policy 1: Area I shall be kept free of all high risk land uses. (See Appendix B). Residential development (2½ acre lot size and larger) will be permitted only within areas designated by the ALUC to be so far removed from the actual flight paths or to be in areas where aircraft will have gained sufficient altitude that they no longer pose a relative safety threat, should inflight problems occur.

2. Rationale for Policy 1: The approach surfaces are specifically defined by Federal Aviation Regulations. These areas carry the highest volume of air traffic due to the fact that all aircraft have to align with these areas to land or take-off on the runways. Aircraft have a higher tendency to have problems within these zones due to changing power settings to take-off or land. The convergence of all aircraft landing and taking-off within these narrow zones also means that the noise levels are highest in these zones. Due to these factors and the accepted Federal definition of the boundary of these surfaces, the area was deemed inappropriate for housing and high risk uses. Certain areas of approach zones may be deemed appropriate for large lot (dispersed) residential use because over this area aircraft have achieved higher altitude and may be turning out of the approach zone away from the area in question. Therefore, the relative risk is not as great as in other areas of the approach zone.

3. Policy 2: Area II shall have a minimum residential lot size of 2½ acres. Agricultural, industrial and commercial uses are acceptable in this area.

4. Rationale for Policy 2: Area II illustrates the general flight paths of the various types of aircraft using the airport. The hazards in

this area are similar to those in Area I, the approach zones, but the influence of the same factors of landing, take-off and noise are not as severe and the aircraft are higher in altitude. Therefore, the proposed policy is not as severe. The boundaries of the area will be established to coincide as much as possible to areas where aircraft would be in the landing - take-off pattern and would be turning and applying or reducing power (again, higher risk of something happening.)

B. Noise Considerations

1. Policy 3 - Within Area III, avigation easements will be required for all land uses. The height of the avigation easements will be from runway ground elevation within Area I, the defined approach surfaces, and from 150 feet above runway ground level elevation throughout the remainder of Areas II and III.

2. Rationale for Policy 3. Activity directly related to the airports does not extend much beyond the area defined as the airport-influenced area. This is the area influenced by airport operations and aircraft noise. Prospective buyers of land within the area should be notified that aircraft will be in the area and that some may be noisy or produce other ancillary effects such as glare or vibration. Avigation easements are a legal basis wherein the landowner basically acknowledges that aircraft and ancillary effects are present in the airspace overhead, and gives up any future right to sue regarding the acknowledged effects and their impact upon the enjoyment of his property or change in property value. Avigation easements are permitted and defined by the Public Utilities Code, Section 21652. The requirement for avigation easements allows property to be developed in the airport-influenced area for residential and other land uses, but offers constructive notice to future buyers; and protection to the airport that people

choosing to live and/or work in the influenced area will not have a legal basis for suit, which would jeopardize the airport operation and presence.

3. Policy 4 - New housing to be constructed within the noise level specified by the ALUC for each airport shall be sound-proofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45 dB (CNEL of Ldn) in any habital room with windows closed.

4. Rationale for Policy 4. An important element of this plan is the selection of a noise standard determining residential land use compatability. There is a great deal of information available on the subject. Not all of the information is consistent. The State of California Noise Standards for Airports established 65 CNEL as the long range (1986) criteria for excluding residential uses without soundproofing. The Environmental Protection Agency uses 55 Ldn (equivalent to CNEL) as the minimum outdoor level of noise that they can predict with confidence will not be detrimental to health or welfare. The County of Riverside General Plan establishes 60 Ldn or CNEL as the level above which residential uses should be discouraged. In addition to these various recommended standards, some references (see Appendix C) point out that the acceptable noise standard may vary according to location. These studies suggest that, because of the difference in background noise levels, the standard for quiet rural areas could be as much as 20 dB less than for established but very noisy urban residential communities near busy roads, industrial areas, or airports. These studies also suggest that the standard could be adjusted based upon previous exposure and community attitudes by as

much as 15 dB from a community with no prior experience with the intruding noise (such as at a new airport) to those communities that have had considerable previous exposure and are aware that the noise source is necessary and operating for their benefit (such as military airports) or that the noise will not continue indefinitely (such as emergency or fire bomber operation). Because of these various considerations, the ALUC expects to establish an appropriate noise standard at each airport based upon all of the mentioned considerations. This standard will be an integral part of that specific airport land use plan and will delineate that area within which soundproofing of new housing will be acceptable.

5. Airport Consideration

Policy 5 - Development of Airport Master Plans or Layout Plans, or changes to existing plans of any public use airport that involve significant changes in land use, noise sources, or policy changes in size or type of aircraft to use the airport will, prior to finalizing or modifying the plans, be referred to the ALUC for consideration.

6. Rationale for Policy 5. New master plans, layout plans or changes thereto or physical expansion of airports that change the operational capabilities of the airport may require changes in the airport land use plan pertaining to that airport. Thus, referral to the ALUC is necessary. It is also required by Section 21676 (c) of the PUC. The Commission must make a determination within 60 days from date of referral whether the proposed action is consistent or inconsistent with ALUC Land Use Plan for that airport. A public agency may, under certain conditions, over-rule the ALUC recommendations.

CHAPTER IV

Riverside County Airport Land Use Plans

A. Introduction

This chapter will document by reference, the airport land use plans as formulated and adopted by the ALUC for each public use airport in the County. Thus, this chapter will be amended from time to time to incorporate the individual plans as they are prepared and approved by the various jurisdictions involved and the ALUC. At this time, plans have been formulated for two airports, Palm Springs Municipal and Hemet Ryan.

B. Airport Land Use Plans

1. Palm Springs Municipal Airport. Plan prepared by City of Palm Springs. Adopted by the ALUC October 10, 1974. Plan is on file with the Riverside County Aviation Department.

2. Hemet Ryan Airport. Plan prepared jointly by City of Hemet, County of Riverside and ALUC. Adopted by the ALUC September 22, 1983. Plan is on file with Riverside County Aviation Department.

CHAPTER V

IMPLEMENTATION

A. Consultation with Affected Local Planning Agencies

1. Subsequent to the designation or redesignation of interim airport-influenced areas and designation of planning boundaries (per Chapter II), local planning agencies whose jurisdiction or projected LAFCO approved sphere of influence are affected by these designations will be notified. Their cooperation in the finalization of the boundaries will be sought. If required, a subcommittee structure of ALUC commissioners will be designated to hear and consult with local commissioners to resolve differences. Subcommittees organized under this concept will, after considering all facets and negotiating solution acceptable to individual subcommittee members, prepare a position paper delineating their recommendations to their respective jurisdiction.

2. Before final consideration of airport-influenced areas, associated planning boundaries and individual Airport Land Use Plans, environmental documentation required by Commission rules for implementing the California Environmental Quality Act will be prepared by the local jurisdiction with the cooperation of the ALUC. The Commission will consider the results of this documentation prior to finalizing planning boundaries and land use plans.

B. Land Use Changes after Finalization of Planning Boundaries

1. After final adoption of the Airport Land Use Plan and planning boundaries by the ALUC, the plan will be considered as the comprehensive land use plan required by Section 21675 of the PUC.

2. The plan designating final planning boundaries and land uses therein will be provided each jurisdiction affected. The affected jurisdiction's general plan, and any applicable specific plan, shall be amended within

180 days of receipt of the ALUC plan to be consistent with that plan per Section 65302.3 of the California Government Code (General Planning Law).

3. In the event that the legislative body of the affected jurisdiction does not concur with any provisions of the ALUC approved plan, it may satisfy the provision of the Government Code Section 65302.3 by over-riding the ALUC by a two-thirds vote of its governing body if it makes specific findings that the proposed action is consistent with the legislative purposes defined in Section 21670 of the PUC.

4. If the affected public agency over-rides the ALUC plan and does not itself operate the public owned airport involved, the operator of the involved airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agencies decision to over-ride the ALUC plan.

C. Land Use Changes Before Finalization of the Planning Boundaries

1. After redesignation of the interim airport-influenced boundaries per Chapter II A2 affected local jurisdictions will be notified. They will be asked to refer all land use cases (Tentative Tract Maps, Parcel Maps, Conditional Use Permits, Changes of Zone, General Plan and Specific Plans) that would change or have the potential to change property within the interim-influenced area from currently compatible uses to uses that would be incompatible with the airport activities to the ALUC for review and recommendation.

2. ALUC recommendation before finalization of this plan and planning boundaries would fall within the powers and duties assigned the ALUC per Section 21674 of the PUC. That is, "to assist local agencies in ensuring compatible land uses in the vicintiy of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of such airports is not already devoted to incompatible uses." -Local agencies would be encouraged to consider the ALUC recommendations.

Appendix B

HIGH RISK LAND USE EXAMPLES

The following is a list of examples of high risk land uses. In general, high risk land uses have one or more of the following characteristics:

(1) high concentration of people,

(2) critical facilities, and

(3) flammable or explosive materials.

The following are examples of uses which have these higher risk characteristics. This list is not complete and each land use application shall be evaluated for its appropriateness given airport flight activities:

Places of Assembly:

auditoriums, churches, schools, carnivals, drive-in theaters, etc.

High Patronage Services:

bowling alleys, restaurants, theaters, motels, banks, etc.

Large Retail Outlets:

department stores, supermarkets, drug stores, etc.

Residential:

smaller than 2-1/2 acre lot sizes.

Critical Facilities:

telephone exchanges, radio/t.v. studies, hospitals, etc.

Flammables:

bulk fuel storage, gasoline and liquid petroleum service stations, manufacture of plastics, breweries, feed and flour mills, etc.

Source: Hemet Ryan Airport Land Use Plan

APPENDIX C

Adjustments to the
Measured Community Noise Equivalent Level (CNEL)
to Obtain Normalized CNEL

Type of Correction	Description	Amount of Correction to be Added to Measured CNEL in dB
Seasonal Correction	Summer (or year-round operation).	0
	Winter only (or windows always closed).	-5
Correction for Outdoor Residual Noise Level	Quiet suburban or rural community (remote from large cities and from industrial activity and trucking).	+10
	Quiet suburban or rural community (not located near industrial activity).	+5
	Urban residential community (not immediately adjacent to heavily traveled roads and industrial areas).	0
	Noisy urban residential community (near relatively busy roads or industrial areas).	-5
	Very noisy urban residential community	-10
Correction for Previous Exposure and Community Attitudes	No prior experience with the intruding noise.	+5
	Community has had some previous exposure to intruding noise but little effort is being made to control the noise. This correction may also be applied in a situation where the community has not been exposed to noise previously, but the people are aware that bona fide efforts are being made to control the noise	0
	Community has had considerable previous exposure to the intruding noise and the noise maker's relations with the community are good.	-5
	Community aware that operation causing noise is very necessary and it will not continue indefinitely. This correction can be applied for an operation of limited duration and under emergency circumstances	-10
Pure Tone or Impulse	No pure tone or impulsive character.	0
	Pure tone or impulsive character present.	+5

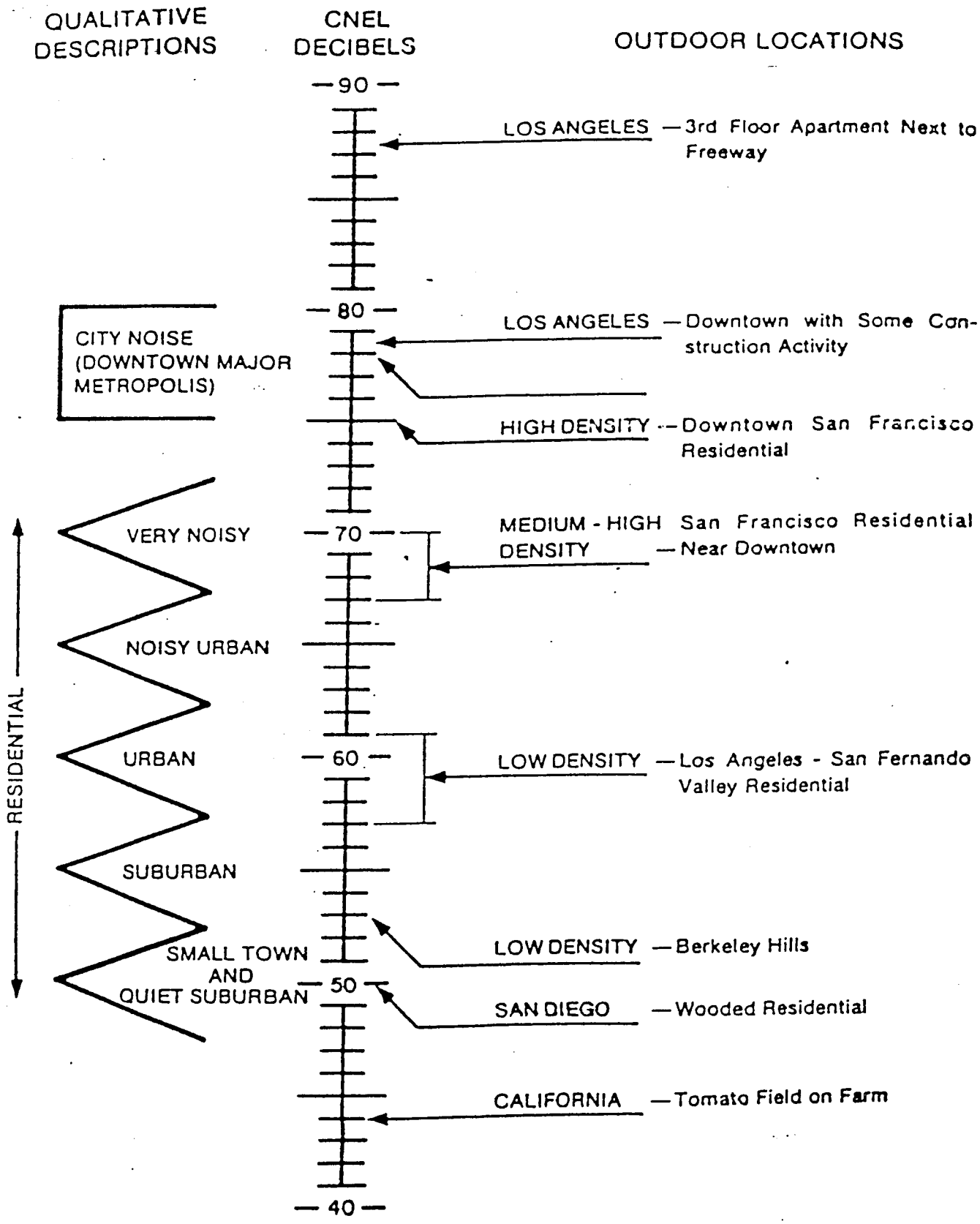

Figure III - 8

COMPARATIVE CNEL VALUES AT VARIOUS LOCATIONS

Source: California Office of Noise Control