

#### AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administration Center 4080 Lemon Street, 1st Floor Hearing Room Riverside, California

CHAIR Simon Housman Rancho Mirage

Thursday 9:00 A.M., March 12, 2015

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.

VICE CHAIRMAN Rod Ballance Riverside

COMMISSIONERS

Arthur Butler Riverside

Glen Holmes Hemet

> John Lyon Riverside

Greg Pettis Cathedral City

Steve Manos Lake Elsinore

> STAFF Director

**Ed Cooper** 

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, 14<sup>th</sup> 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 <a href="mailto:basantos@rctlma.org">basantos@rctlma.org</a>. 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

John Guerin Russell Brady Barbara Santos

County Administrative Center 4080 Lernon St, 14h Floor Riverside, CA 92501 (951) 955-5132

www.rcaluc.org

2.0 PUBLIC HEARING: CONTINUED CASE

#### MARCH AIR RESERVE BASE

2.1 ZAP1107MA14 – Proficiency 215 LLC/Proficiency Capital LLC/Jeff Trenton (Representative: Pam Steele, MIG/Hogle-Ireland) – March Joint Powers Authority (JPA) Case Nos. GPA 15-01 (General Plan Amendment), CZ 14-01 (Change of Zone) and PP 14-02 (Plot Plan). A proposal to establish Industrial zoning on 39.42 acres (Assessor's Parcel Nos. 297-100-013 and 297-100-045) located southerly of Alessandro Boulevard, easterly of Interstate 215, westerly of Old 215 Frontage Road, and northerly of Cactus Avenue, and to build a 709,083 square foot industrial warehouse (including 15,000 square feet of office area, 3,000 square feet of which will be on a mezzanine level) thereon. The easterly 6.2 acres (Assessor's Parcel No. 297-100-045) was zoned R-R (Rural Residential) when in County jurisdiction. GPA 15-01 is a proposal to designate the easterly 6.2 acres of the site (Assessor's Parcel No. 297-100-045) as Industrial on the March JPA General Plan. (Airport Compatibility Zones B1-APZ I and B1-APZ II of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan). Continued from February 5, 2015. ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jquerin@rctlma.org

Staff Recommendation: CONSISTENT (GPA and Change of Zone); CONTINUE to 4-9-15 (Plot Plan)

#### 3.0 PUBLIC HEARING: NEW CASE

#### **FLABOB AIRPORT**

3.1 ZAP1024FL15 – Secured Income Group. Inc. (Representative: Eva P. Rojo) – City of Jurupa Valley Major Action Case No. 1432 (MA 1432), consisting of Change of Zone No. 1403 and Tentative Tract Map No. 36649. The applicant proposes to change the zoning of 5.49 acres located northerly of 36<sup>th</sup> Street and westerly of Avalon Street from R-1 (One-Family Dwelling) to R-4 (Planned Residential). Tentative Tract Map No. 36649 is a proposal to divide the site (Assessor's Parcel Number 179-060-027) into 25 single-family residential lots ranging from 6,200 square feet to 11,000 square feet in size. (Airport Compatibility Zones D and E of the Flabob Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org

<u>Staff Recommendation</u>: CONSISTENT (Change of Zone); INCONSISTENT (Tract Map)

#### 4.0 **ADMINISTRATIVE ITEMS**

- 4.1 Director's Approvals
- 4.2 Countywide Policies, Jacqueline Cochran Regional Airport, Vista Santa Rosa
- 4.3 Brown Act Presentation by Anna Wang, ALUC Counsel

#### 5.0 APPROVAL OF MINUTES

February 5, 2015

#### 6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

#### 7.0 **COMMISSIONER'S COMMENTS**

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### STAFF REPORT

**AGENDA ITEM:** 

2.13.3

**HEARING DATE:** 

March 12, 2015 (continued from February 5, 2015)

**CASE NUMBER:** 

ZAP1107MA14 – Proficiency 215 LLC/Proficiency Capital

LLC/Jeff Trenton (Representative: Pam Steele, MIG/Hogle-

Ireland)

APPROVING JURISDICTION:

March Joint Powers Authority

**JURISDICTION CASE NO:** 

CZ14-01 (Change of Zone), PP14-02 (Plot Plan), GPA15-01

(General Plan Amendment)

MAJOR ISSUES: None. Air Force Reserve Command officials have advised that the basins at this site should be covered due to the proximity to the runway and location directly underlying the extended runway centerline, noting that standing water would be a bird attractant. They are recommending a design similar to the approach to water detention being taken at the General Terminal. ALUC staff will be meeting with representatives of the Air Force, Joint Powers Authority staff, and the applicant team on February 26 to try to reach consensus on the approach to minimize wildlife attractants.

Staff has received one e-mail in opposition to the project, specifically in opposition to the location of the point of access off Old 215 Frontage Road.

RECOMMENDATION: Staff recommends that the proposed General Plan Amendment and Change of Zone be found <u>CONSISTENT</u> with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. Until an appropriately worded condition is added reflecting the character of the mutually acceptable method of maintaining water quality in a manner that does not increase the potential for bird strike, staff Staff further recommends that consideration of the Plot Plan be <u>CONTINUED</u> to April 9, 2015 to allow for resolution of the Air Force concerns regarding the water retention basins. Staff is confident that there is a reasonable probability that a consensus will be reached on February 26 or shortly thereafter, enabling staff to recommend a finding of <u>CONDITIONAL CONSISTENCY</u> for the Plot Plan by the hearing date of March 12, 2015. , subject to the conditions included herein and such additional conditions as may be necessary to comply with FAA requirements.

**PROJECT DESCRIPTION**: The applicant proposes to establish Industrial zoning on 39.42 acres and to build a 709,083 square foot industrial warehouse building (including 15,000 square feet of office area, 3,000 square feet of which would be at a mezzanine level) on the property. **The project also includes a General Plan Amendment to establish an Industrial General Plan designation** 

on the easterly 6.2 acres of the property, which has just been annexed into the March Joint Powers Authority's land use jurisdiction.

**PROJECT LOCATION:** The site is located southerly of Alessandro Boulevard, easterly of Interstate 215, westerly of Old 215 Frontage Road, and northerly of Cactus Avenue within the land use jurisdiction of the March Joint Powers Authority, approximately 5,440 feet northwesterly of the northwesterly terminus of Runway 14-32 at March Air Reserve Base.

LAND USE PLAN: 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan

a. Airport Influence Area: March Air Reserve Base

b. Land Use Policy: Compatibility Zones B1- APZ I and B1 – APZ II

c. Noise Levels: 65-75 CNEL

#### BACKGROUND:

Non-Residential Land Use Intensity: The site is located in Compatibility Zones B1 - APZ I and B1 – APZ II of the March Air Reserve Base/Inland Port Airport Influence Area. Non-residential intensity is limited to an average of 25 persons per acre within Compatibility Zone B1 – APZ II and an average of 50 persons per acre within Compatibility Zone B1 – APZ II. Single-acre intensities are limited to a maximum of 100 persons within any given acre. (There are no risk-reduction design bonuses available, as March is primarily utilized by large aircraft weighing more than 12,500 pounds.)

#### **Average Intensity**

The site is 39.42 acres in area. The site is located in Compatibility Zone B1, and the boundary between Accident Potential Zones I and II (distance of 8,000 feet from the runway terminus) crosses the proposed building location. The more restrictive of these zones limits intensity to a maximum of 25 persons per acre. If the entire site were in APZ I, the allowable total intensity would be 985 persons. The applicant is proposing an industrial warehouse with a total building area of 709,083 square feet, including 15,000 square feet of office space (3,000 square feet of which is in the mezzanine area). The total number of persons that would be expected to be at this facility would be 769 persons if the structure were to be utilized as an e-commerce or fulfillment center, or 561 persons if the structure were to be utilized as a high-cube logistics warehouse. In order to comply with single-acre intensity limitations, the applicant has agreed to limit the warehouse use to that of a high-cube logistics warehouse. On that basis, the average intensity of the project would be 14 persons per acre, which is clearly consistent with the APZ I limitation of 25 persons per acre.

A second method for determining total occupancy involves multiplying the number of parking spaces provided or required (whichever is greater) by average vehicle occupancy (assumed to be 1.5 persons per standard vehicle and 1.0 persons per trailer truck in the absence of more precise data). Based on

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the number of parking spaces provided (407 standard vehicle spaces and 237 trailer truck loading spaces), the total occupancy would be estimated at 848 people for an average acre intensity of approximately 22, which is also consistent with the APZ I average acre intensity criteria.

#### Single-Acre Intensity

Single-acre intensity in Compatibility Zone B1 is limited to a maximum of 100 persons for areas in either Accident Potential Zone I or Accident Potential Zone II. The most intensely used single acre would be an acre that included 10,000 square feet of office area (7,000 square feet on the ground floor and 3,000 square feet of mezzanine office space), with the remainder of the acre in high-cube warehouse use. Theoretically, the area in warehouse use could be as high as 36,560 square feet within the given acre. Given that the project is proposed as a high-cube logistics warehouse with a floor area of 200,000 square feet or greater, the projected occupancy level is 35 percent of the Building Code maximum for warehouses (one person per 500 times 0.35) and 50 percent of the Building Code maximum for offices (one person per 100 times 0.50), for a single-acre maximum of 76 persons (10,000 divided by 100, divided by 2 = 50 in offices, plus 36,560 divided by 500, times 0.35 = 26 in warehouse area). However, the actual warehouse area within the acre that is proposed to include the 10,000 square feet of office area is less than 36,560 square feet due to the design of that particular portion of the building, such that the single-acre area that includes the office also includes 7,725 square feet outside the building. Thus, the actual warehouse area within that singleacre area is 28,835 square feet. Pursuant to the calculation for high-cube logistics warehouses, this area translates into 20 warehouse employees, for an actual single-acre maximum of 70. This most intensely used single-acre area is in the northerly portion of the building, which is in Accident Potential Zone II.

Staff also checked the most intense single-acre area within Accident Potential Zone I (APZ I). Pursuant to the applicant's agreement to limit office area within APZ I to 5,000 square feet, and given that there is no second floor or mezzanine permissible in APZ I, the projected occupancy for the most intense single-acre area within APZ I would be (5,000 divided by 100, divided by 2 = 25 in offices, plus 38,560 divided by 500, times 0.35 = 27 in warehouse area), for a single-acre maximum of 52.

<u>Site Design/On-Site Locational Criteria:</u> Within Airport Compatibility Zone B1, criteria specify that structures are to be located a "maximum distance from the extended runway centerline." The extended runway centerline passes directly over the easterly portion of this property. The project design is generally in compliance with this criterion. The exception is that the design provides for automobile parking along the westerly side of the property, which is the area farthest from the extended runway centerline. However, this may be the only location where such parking is feasible. The easterly side of the building has been designed to provide for truck docking, which renders use of that area for automobile parking infeasible. The applicant has been careful to design the project so that the structure does not straddle or approach the location of the extended runway centerline. The underlying area is used primarily for trailer parking. Furthermore, when trucks are not in the docked position, there is an extensive open area directly easterly of the building that would potentially be

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available in the event of a controlled landing.

Lot coverage within Accident Potential Zones is limited to a maximum of 50 percent. Using a conservative approach that does not include land within the adjacent surface street rights-of-way, the proposed project has a lot coverage of 41.49 percent. Considering the two APZs separately, lot coverage is 42.57 percent in APZ I and 38.87 percent in APZ II. As the lot coverage in APZ I exceeds 20 percent, provision of on-site services to the public in the portion of the site within APZ I is prohibited.

The number of aboveground habitable floors is limited to one story in APZ I and two stories in APZ II. The proposed building complies with these limits. The building is one story, with the exception of a mezzanine that is limited to 3,000 square feet within APZ II.

Zoned fire sprinkler systems are required.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses prohibited or discouraged in Compatibility Zone B1 within the project.

Hazards to flight are, of course, prohibited in Airport Compatibility Zone B1. Air Force Reserve Command officials have raised concerns that uncovered water in the detention basins would be a bird attractant and have suggested that water quality and drainage needs be addressed in a manner similar to the approach taken by March Inland Port Airport Authority at its new general aviation terminal. Staff is hoping that these concerns can be resolved through a mutually acceptable solution formulated at, or shortly after, the meeting scheduled for February 26.

<u>Noise</u>: The entire site is located within the 65 CNEL contour from operations associated with aircraft departing from and/or landing at March Air Reserve Base/Inland Port Airport, and the southerly portion of the site is located within the 70 CNEL contour. Thus, this site is one of the most heavily impacted by aircraft noise among all off-Base locations. At these anticipated exterior noise levels, special measures would be required to mitigate aircraft-generated noise within the office portions of the building so as to achieve an interior noise level of 45 CNEL.

Part 77: The elevation of Runway 14-32 at its northerly terminus is approximately 1535.1 feet above mean sea level (1535.1 feet AMSL). At a distance of approximately 5,920 feet from the runway, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1594.3 feet AMSL. The apparent finished floor elevation of the building is approximately 1541 feet AMSL. The proposed building has a maximum height of 44.3 feet for a potential maximum elevation of 1585.3 feet AMSL. Therefore, review by the FAA Obstruction Evaluation Service would not normally be required. However, March Joint Powers Authority, the jurisdiction of record, requires submittal of Form 7460-1 for all building projects within their area. The applicant has submitted Form 7460-1, and the FAA has assigned Aeronautical Study No. 2015-AWP-566-OE a "Work in Progress" status.

<u>Avigation Easement:</u> Pursuant to Table MA-2 of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, avigation easement dedication (to the March Inland Port Airport Authority) is required for land uses located within Airport Compatibility Zone B1.

Jurisdictional Matters: In the course of project review, March Joint Powers Authority (March JPA) officials determined that the easterly 6.2 acres of the project site (Assessor's Parcel Number 297-100-045, the linear parcel along the easterly portion of the project site) was not located within March JPA's jurisdiction and was actually still within unincorporated Riverside County. Land use authority over this parcel has since been transferred from the County of Riverside to March JPA through an amendment to the Joint Powers Agreement approved by the Board of Supervisors on February 10, 2015. Under County jurisdiction, this linear parcel was zoned R-R (Rural Residential), the lineal descendant of the County's original M-3 zoning. The parcel was not given a Riverside County Integrated Project General Plan or Area Plan land use map designation, as it was apparently mistaken for a right-of-way by the County's Principal Planner John Guerin and General Plan consultants during the formulation of Area Plan land use maps just after the turn of the century.

Therefore, in addition to establishing Industrial zoning on the entire 39.42-acre site, it would be necessary to establish a March JPA General Plan land use designation of Industrial on Assessor's Parcel Number 297-100-045 and, to that end, the applicant team filed GPA 15-01 with March JPA. Staff has re-advertised this project to reflect the addition of the General Plan Amendment to the project description.

Other: Staff has received one letter in opposition to the proposed project, specifically to the location of the access point off Highway 215 Frontage Road on the easterly side of the property. Ground access is not within the realm of ALUC, so staff forwarded copies to the March Joint Powers Authority, the City of Moreno Valley, and the project team. A copy is also attached to this staff report.

#### **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, aquaculture, production of cereal grains, sunflower, and row crops, 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, and incinerators.)
- (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, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly, restaurants, hazardous materials manufacture/storage (excluding storage of quantities of less than 6,000 gallons of flammable materials in the APZ II portion of the property), noise sensitive outdoor nonresidential uses, and hazards to flight.
- (f) Retail trade, eating and drinking establishments, personal services, professional services, educational services, governmental services, medical facilities, cultural activities, and any other uses providing on-site services to the public.
- (g) Commercial/service uses; civic uses; churches, chapels, and other places of worship; classrooms; gymnasiums; theaters; conference or convention halls; auditoriums; fraternal lodges; bowling alleys; gaming; auction rooms.
- (h) Manufacturing of: food and kindred products, textile mill products, apparel, chemicals and allied products, rubber and plastic products, fabricated metal products, professional, scientific, and controlling instruments, photographic and optical goods, watches and clocks.
- 3. Prior to issuance of any building permits, the landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
- 4. The attached notice shall be given to all prospective purchasers of the property and/or tenants of the building. While not required, the applicant and its successors-in-interest are encouraged to provide a copy of said notice to employees who would regularly be working at this location.

- 5. The proposed detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the retention basin(s) shall not include trees that produce seeds, fruits, or berries.
- 6. This project has been evaluated as a proposal for the establishment of a high-cube logistics warehouse with a maximum of 10,000 square feet of office space in the northerly portion of the building and a maximum of 5,000 square feet of office space in the southerly portion of the building. March Joint Powers Authority shall require additional review by the Airport Land Use Commission prior to the establishment of office uses exceeding the amounts specified above.
- 7. Mezzanine areas shall be limited to a maximum of 3,000 square feet, and shall be permitted only in the northerly portion of the building outside Accident Potential Zone I.
- 8. Zoned fire sprinkler systems shall be required throughout the building.
- 9. Office space must have sound attenuation features sufficient to reduce interior noise levels from exterior aviation-related sources to no more than CNEL 45 dB. March Joint Powers Authority shall require an acoustical study to ensure compliance with this requirement.
- 10. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

Y:\AIRPORT CASE FILES\March\ZAP1107MA14\ZAP1107MA14febmar15SR.doc

From:

Clayton Corwin <ccorwin@stonecreekcompany.com>

Sent:

Monday, February 02, 2015 4:04 PM

To:

Guerin, John

Subject:

ALUC Agenda for 2/5/15 -- March Air Reserve Base, Item 3.3 -- ZAP1107MA14

Hi John — We just received notice of this meeting, and we were finally able to obtain a copy of the proposed site plan. We own the property immediately adjacent to the south and east of the subject property. We have very limited frontage on Old 215 Frontage Road; the southerly proposed access point for the subject property appears to be at our common property line. Due to typical traffic requirements for driveway separation distances, this design will likely render our property undevelopable. Accordingly, we object to its location and the site plan, and respectfully request a change in this access design to solve this problem.

Thank you,

Clayton M. Corwin StoneCreek Company 30212 Tomas | Suite 300 Rancho Santa Margarita | CA | 92688 tel 949.709.8080 | fax 949.709.8081 | cell 949.874.6033

3.3

From: Grace Williams <williams@marchjpa.com>

Sent: Tuesday, February 03, 2015 1:48 PM

To: Guerin, John

**Cc:** Pam Steele; David Alvarez; Dan Fairbanks

**Subject:** Freeway Business Center

Hi John,

I just you a voicemail message regarding the Freeway Business Center. As we discussed this morning, there is a sliver of property along the easterly portion of the Project site that is currently within the County's jurisdiction but is proposed as part of the Project. This month, the Board of Supervisors is considering a the transfer of land use authority on that piece of property over to the March JPA. When that action is completed, the March JPA will then proceed with processing the proposed General Plan Amendment and will be sending over a copy your way for ALUC's consideration. I will let you know what the applicant decides on whether or not to proceed with this Thursday's ALUC meeting for the Project.

When we spoke, you were fine with proceeding with this Thursday's meeting on the proposed Plot Plan and Change of Zone and then scheduling the GPA for a separate Commission meeting at a later time. You were also okay with continuing the case altogether for a later ALUC meeting until the GPA meeting. I've forwarded this information to the applicant's project manager and hope to get direction from them before the end of the day. However, I want to ask you about the Freeway Business Center Change of Zone that you have scheduled for Thursday's meeting. The proposed Project Change of Zone includes the aforementioned parcel sliver within the County's jurisdiction. Will you have any concerns on the proposal?

My thought is, County RCLIS shows that the property within the County jurisdiction is unzoned as with the rest of the Project site. Would it be sufficient for ALUC staff to disclose the jurisdictional divide on the Project but proceed with the finding of consistency? I would think that your findings would be the same regardless of the jurisdictional issue. What are your thoughts?

Grace I. Williams

Senior Planner March Joint Powers Authority 23555 Meyer Drive

Riverside, CA. 92518 P: (951) 656-7000

F: (951) 697-6706

williams@marchipa.com

3.3

From:

PIERCE, SONIA L CTR USAFR AFRC 452 MSG/CECP < sonia.pierce.ctr@us.af.mil>

Sent:

Wednesday, February 04, 2015 2:27 PM

To:

Guerin, John; Brady, Russell

Cc:

HAUSER, DENISE L GS-11 USAF AFRC 452 MSG/CECP; Grace Williams

Subject:

FW: Freeway Business Center

John and Russ,

Denise and I will not be in attendance at the hearing tomorrow due to a MARB presentation that we are required to attend. Denise had discussed the water retention basins with the applicants of ZAP1107MA14. She said the base wanted the same type of covered basins as the MJPA General Terminal has. The standing water has become an attraction for birds and this property in directly under the flight path.

Denise said Gary is familiar with the details of the water detention basin. Before they get too far along, we will contact Gary to get the specs and forward them.

Thank you,

Sonia Pierce Community Planner and Liaison 452 MSG/Civil Engineers 610 Meyer Drive, Building 2403 March ARB, CA 92518-2166

Comm: (951) 655-2236

----Original Message----

From: PIERCE, SONIA L CTR USAFR AFRC 452 MSG/CECP [mailto:sonia.pierce.ctr@us.af.mil]

Sent: Monday, December 29, 2014 11:05 AM

To: Grace Williams

Cc: HAUSER, DENISE L GS-11 USAF AFRC 452 MSG/CECP

Subject: Freeway Business Center

Grace,

Did the applicant for the Freeway Business Center (MIG/Hogle-Ireland) provide any details regarding enclosing the water detention basins? Denise recalls they were requested to enclose or cover the water retention basins due to their location in the APZ I and APZ II also the property is right under the flight path (center of the runway).

We are looking for something similar to what MJPA did over at the terminal.

Thanks,

Sonia Pierce



#### General Plan Amendment for APN 297-100-045 Freeway Business Center Proficiency 215 LLC

The proposed Freeway Business Center project is located at the southwest corner of Alessandro Boulevard and Old 215 Frontage Road. The project site is proposed to be located on two contiguous parcels (APNs: 297-100-013 and 297-100-045). These parcels were formerly located in two different jurisdictions, the larger in March JPA and the smaller in Riverside County. With the recent adoption of the 13<sup>th</sup> Amendment to the March Joint Powers Agreement, both parcels are now located in the March JPA jurisdiction.

The larger parcel on the west (APN 297-100-013) is located within March JPA's jurisdiction at the southwest corner of Interstate 215 and Alessandro Boulevard and contains approximately 33.22 acres.

The smaller parcel on the east (APN 297-100-045) is now located within March JPA's jurisdiction at the southeast corner of Old 215 Frontage Road and Alessandro Boulevard and contains approximately 6.2 acres.

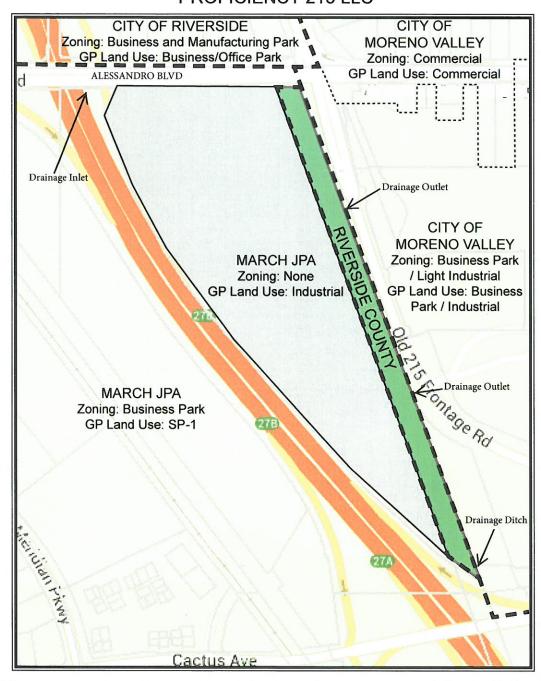
The smaller 6.2 acre parcel, recently approved to be included in the jurisdictional authority of March JPA, has no General Plan Land Use designation. Accordingly, a General Plan Amendment application has been submitted to March JPA to establish a General Plan Land Use designation of Industrial for the smaller 6.2 acre parcel, identical to the existing Industrial General Plan Land Use for the larger, contiguous 33.22 acre parcel.

This application can be supported as noted below:

- The proposed Land Use designation is Industrial, which is consistent with the March JPA General Plan Land Use designation for the area. The larger contiguous 33.2 parcel already is located within the Industrial Land Use of March JPA's General Plan. The attached Comprehensive Evaluation of General Plan Goals and Policies discusses the project's compatibility with March JPA's General Plan.
- 2. The smaller 6.2 acre parcel had a County zoning designation of RR (Rural Residential) and did not have a Riverside County General Plan Land Use designation.
- The project location is compatible with surrounding industrial uses. Robertson's Ready Mix, a concrete manufacturer, is located directly

- across Old 215 Frontage Road in the City of Moreno Valley as are several other industrial buildings directly behind it to the east and southeast.
- 4. The proposed project site is currently vacant. There is adequate infrastructure to serve the development.
- 5. A Zone Change application has been submitted to establish the Industrial zone on the project site.
- 6. No changes are required to the comprehensive list of the goals, objectives, policies, programs and text changes of the General Plan. The change will occur in the zoning and land use maps to designate the smaller parcel as Industrial.

#### GENERAL PLAN AMENDMENT FOR APN 297-100-045 FREEWAY BUSINESS CENTER PROFICIENCY 215 LLC



#### **LEGEND**

PROJECT SITE. PROPOSED GENERAL PLAN AMENDMENT

CURRENT - RIVERSIDE COUNTYPROPOSED - MARCH JPAZONING:RR (RURAL RESIDENTIAL)ZONING:INDUSTRIALLAND USE:NONELAND USE:INDUSTRIAL

PART OF PROJECT SITE WITHIN MARCH JPA. NOT A PART OF GENERAL PLAN AMENDMENT. ALREADY HAS INDUSTRIAL LAND USE DESIGNATION.

— JURISDICTION BOUNDARY



#### March Joint Powers Authority Planning Department 23555 Meyer Drive Riverside, CA 92518

(951) 656-7000 (951) 653-5558 FAX

# PROJECT APPLICATION

No.:		
2000 05 8850000		 

Application <u>must be complete</u> (all spaces filled in including General Information and Development Standards) to be accepted.

accepted.						
TYPE OF APPLICATION  (One Application Form Required for Each Type of Application)						
Administrative Plot Plan Development Code Amendment Specific Plan						
Administrative Variance	Extension of Time		Tentative Parcel Map			
Amended Plot Plan	General Plan Amend	dment [	Tentative Tract Map□			
☐ Change of Zone	Modifications to COA	's [	Variance			
Conditional Use Permit	Plot Plan	Ē	Temporary Use Permit			
Development Agreement	Pre-Application Revie	ew [	Other			
	PPLICATION INF	ORMATIO	V			
Project/Business Name (if any): Freeway	Business Center					
Project General Plan Amendment to a	add APN 297-100-045 to the March to Plot Plan No. 14-02 and Zone C		rea, with a Land Use designation of Industrial. Dications currently in process at March JPA which also			
		<u>a</u>				
Property Address/Location: Southeast co	orner of Alessandro Blvd	and I-215				
Assessor's Parcel Number(s): 297-100-0						
Gross 6.2 Net Area:	Proposed # 1 of Lots:		Proposed # of Residential Units: 0			
Related Application(s):						
Redevelopment Area: Yes No	Specific Plan Nar	ne/No. (if applic	<sup>able):</sup> N/A			
	CONTACT PE	RSONS				
APPLICANT Name: MIG Hogle-Irelan	d		Telephone: (951) 787-9222			
Address: 1500 Iowa Avenue #110			Fax No. (951) 781-6014			
City: Riverside	State: CA	Zip: 92507	E-mail Address:			
Contact Person: Pamela Steele			PamS@migcom.com			
OWNER Name: Proficiency 215 LLC			Telephone: ( 310 ) 979-8000			
Address: 11777 San Vicente Blvd, S	Suite 780		Fax No. (310 ) 979-7772			
City: Los Angeles	State: CA	Zip 90049	E-mail Address:			
Contact Person: Jeff Trenton			JTrenton@proficiencycapital.com			
REPRESENTATIVE Name: (SAM	ME AS APPLICANT)	CONTRACTOR OF THE PROPERTY OF	Telephone: ( )			
Address		_	Fax No. ( )			
City:	State:	Zip:	E-mail Address:			
Contact Person:	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					



4		GENERAL INFORMATION		
Existing Zoning and	Genera	ll Plan Designation Zoning - N/A, GP - Indu	ustrial	
Proposed Zoning ar	nd Gene	ral Plan Designation (if applicable) Zoning - I <b>ı</b>	ndustrial, GP - Indu	ustrial
Existing Uses and/o				
Surrounding Uses:	North	Commercial, Service Station		
	South	Vacant		
	East	Commercial, Industrial, Vacant		
	West	I-215, Vacant		
	wastate.	DEVELOPMENT STANDARD	S	
(not applicab	le to Ger	neral Plan Amendment/Change of Zone/Specific Plan		reement)
	DEVE	LOPMENT STANDARDS	PROPOSED	REQUIRED
Minimum Lot Size (So	լ. Ft.):		1,709,058 s.f.	217,800 s.f.
Total Building Size (S	q. Ft.):		709,083 s.f.	N/A
streets):	Per Adju	sted Net Acre (excluding exterior boundary	0	N/A
Setbacks: Front			70	20
Side (ir	950		30	3
•	treet side	:)	70	20
Rear			30	3
Maximum Building He			44' 3"	80
Total No. of Parking S		Standard	344	202
	ŀ	Handicapped	11	7
		APPLICATION PROCESSING	3	
Additional informat incomplete applicati	ion or i	ubmitted with the required processing fee and a materials may be needed before an applica be closed if it remains inactive for 180 days or OWNER'S SIGNATURE	tion is accepted as	al requirements complete. A
T-11	n, Pres	ident of		
Print Name  Print Name  Applicant Re  Property Ow	gle Iv presentati	to act on my behalf on my behalf on my washing from the property described in the property descr	atters pertaining to this	
Print Name Print Name Applicant Re  Property Own	ple Iv presentati mer's Sign owner, a s	to act on my behalf on my behalf on my washing from the property described in the property descr	atters pertaining to this  Januar  Date	application. y 16, 2015
Print Name Print Name Applicant Re  Property Own	ple Iv presentati mer's Sign owner, a s	to act on my behalf on my behal	atters pertaining to this  Januar  Date  Iddresses of all persons (i	application. y 16, 2015
Print Name Print Name Applicant Re  Property Own  Note: If more than one officers and principals) h	ple Tv bresentati prer's Sign owner, a s naving inter	to act on my behalf on my behal	atters pertaining to this  Januar  Date  addresses of all persons (i	application. y 16, 2015  If a corporation, lis
Print Name Print Name Applicant Re  Property Own  Note: If more than one officers and principals) h	ple Tv bresentati prer's Sign owner, a s naving inter	to act on my behalf on my behal	atters pertaining to this  Januar  Date  addresses of all persons (i	application. y 16, 2015 if a corporation, lis

# COMPREHENSIVE EVALUATION OF GENERAL PLAN GOALS AND POLICIES Freeway Business Center Zone Change Proficiency 215 LLC

The proposed Freeway Business Center is located at the southwest corner of Alessandro Boulevard and Old 215 Frontage Road. The project site has a General Plan land use designation of Industrial; however there is no zoning designation. Therefore, a Zone Change application has been submitted to establish industrial zoning for the project site. One of the requirements of the Zone Change application is to provide a comprehensive evaluation of the proposed project's consistency with the goals and policies of the General Plan. The table below illustrates key goals and policies from the General Plan and discusses how the project is consistent with those goals and policies. As stated in the General Plan, the focus of the goals and policies of the Land Use Element "... focus on maintaining a balance between commerce, industry and aviation uses, while promoting high quality development with minimizing land use conflicts."

According to the General Plan Land Use Element Section, Summary of Issues, page 1-7:

"Commercial, Business Park, and Industrial Uses: Commercial, Business Park and Industrial development are needed to recapture the economic loss attributed to base realignment. The development and reuse within the March JPA Planning Area will further the economic recovery of the region, and will advance toward an equitable balance between jobs provided within the Western Riverside County subregion and the availability of housing. Land set aside at appropriate locations provide for commercial, industrial development, and job creating commerce. Development of Business Park and industrial land within the Planning Area should focus on commerce and industrial uses which provide employment opportunities, and capture upon the unique opportunities available at March." (Emphasis added)

	GOAL / POLICY	PROJECT CONSISTENCY
GOAL	Land Use Plan provides for a balanced mix of land uses that contribute to the regional setting, and capitalize on the assets of the Planning Area, while insuring compatibility throughout the Planning Area and with regional plans	The General Plan Land Use Map provides a balanced mixture of land uses. The project site is proposed to be developed with an industrial warehouse building, consistent with the land use designation of Industrial.

		GOAL / POLICY	PROJECT CONSISTENCY
	1.1	Provide for a mix of land uses which implement the Base Master Reuse Plan for March AFB; offer a variety of employment opportunities; and capitalizes, enhances and expands upon existing physical and economic assets of the Planning Area	The proposed industrial warehouse building will provide jobs during construction and following completion when operating, in an area that is not suited for dense occupancy, and would otherwise not provide employment opportunities.
	1.2	Develop and maintain a system of land use designations and zoning districts which will provide locations for commercial, business park, manufacturing, aviation, public, and open space uses, and which actuates compatible and synergistic land uses.	The project proposes an industrial warehouse building in a location which is compatible for industrial development, consistent with the General Plan Land Use designation.
POLICIES	1.3	Provide for patterns of land use which can be supported by existing and planned circulation, public facilities, and infrastructure system improvements in a manner that will preserve the March JPA's fiscal capacity.	The proposed project is consistent with the General Plan Land Use designation and is surrounded by a developed or planned infrastructure.
POL	1.5	Provide for a variety of industrial uses, including heavy manufacturing, light manufacturing, warehousing and distribution, transportation-related, and research and development	The project proposes a 709,083 square-foot industrial warehouse building consistent with the General Plan Land Use designation.
	1.6	Locate and group commercial and industrial uses which are oriented toward regional service/market areas to promote utilization of regional transportation facilities and development-supporting infrastructure.	The project proposes a 709,083 square-foot industrial warehouse building with convenient access to the I-215 freeway, a regional transportation facility. Utilities are available to support the project development.
	1.9	Plan for compatible land uses within the aircraft noise impact contours depicted in the Air Installation Compatible Use Zones (AICUZ) Report for the airfield use.	The project will conform to the noise standards required in the AICUZ. Development of an industrial warehouse building on the project site is compatible with the level of aircraft noise generated from the airfield. And, the industrial warehouse building will be insulated for such aircraft noise impacts.
GOAL	2	Locate land uses to minimize land use conflict or creating competing land uses, and achieve maximum land use compatibility while improving or maintaining the desired integrity of the Planning Area and subregion.	The project proposes an industrial warehouse building in a location which is compatible for industrial development, consistent with the General Plan Land Use designation, and which does not conflict or compete with other land uses.

		GOAL / POLICY	PROJECT CONSISTENCY
ES	2.1	Avoid conflicts and incompatibilities between land uses through the use of landscaped setbacks and buffers, site design, site orientation, architectural features, walls or fences, density/intensity reductions, reduced hours of operation for commercial and industrial uses, shielding of lighting, and the like.	The proposed project will be developed in accordance with March Joint Powers Authority development standards which will ensure compatibility with adjacent and surrounding land uses.
POLICIES	2.2	Encourage and facilitate the transition of facility reuse and land uses to conforming land uses.	The project proposes an industrial warehouse building in a location which is designated for industrial development in General Plan and is currently vacant land.
	2.3	Support land uses that provide a balanced land use pattern of the Planning Area, and discourage land uses that conflict or compete with the services and/or plans of adjoining jurisdictions.	The project proposes an industrial warehouse building in a location which is compatible for industrial development, consistent with the General Plan Land Use designation, and which does not conflict or compete with other land uses.
GOAL	3	Manage growth and development to avoid adverse environmental and fiscal effects.	The proposed project will be developed in accordance with March Joint Powers Authority development standards, consistent with the anticipated build out of the General Plan and subject to applicable mitigation measures as will be identified in the CEQA document for the project.
POLICY	3.1	Manage growth so that its rate does not exceed the ability of March JPA or service districts to provide for an acceptable level of public facilities and services.	Public facilities and services are available to the project site and the project will neither burden nor exceed the capacity of the service providers.
		De la contraction de la contra	The proposed architectural design will demonstrate an awareness of
GOAL	4	Develop an identity and foster quality development within the Planning Area.	the unique project location, be contemporary, tasteful and visually interesting with special focus on areas of the proposed building visible from the I-215 Freeway, Alessandro Boulevard and Old 215 Frontage Road.
POLICIES	4.1	Develop and maintain a land use plan for the Planning Area, which proposes compatible land uses to create distinct, identifiable historic, commercial, industrial, public, and aviation areas.	The General Plan Land Use Map identifies the mix of uses to promote compatibility within the area. The proposed project is consistent with the Industrial Land Use designation and will present an attractive development visible from the I-215 Freeway, Alessandro Boulevard and Old 215 Frontage Road.

		GOAL / POLICY	PROJECT CONSISTENCY
	business park and industrial developments that reflect the character and atmosphere of March JPA Planning Area through the use of good planning and design principles, and sound development practices which serve as guidelines for		Good planning and design principles will be used in the development of the proposed industrial warehouse building. Glass, reveals, metals, score lines, bands of color, recessed openings and other architectural design elements will be used to create visual interest with significant articulation in panel heights to break up the industrial warehouse building expanse.
	4.7	Develop and enhance the economic climate and create a balanced business community to serve the work force, commerce and industry of the region.	The proposed project will provide an industrial warehouse building whose ultimate use will create employment and help serve the industrial needs of the region.
GOAL	5	Maximize and enhance the tax base and generation of jobs through new, reuse and joint use opportunities.	Development of the proposed project will increase the property value of the site and will provide employment opportunities both during construction and when operating.
	5.1	Support the development and establishment of new employment centers and economic development activities that contribute to an improved tax base.	Development of the proposed project will increase the property value of the site and will provide employment opportunities both during construction and when operating.
POLICIES	5.5	Encourage the development of commercial, business park and industrial centers to expand the employment and fiscal base of the March JPA Planning Area and the western Riverside County Subregion.	Development of the proposed project will increase the property value of the site and will provide employment opportunities both during construction and when operating.
	5.6	Encourage employers in the March JPA Planning Area to hire from the local communities when seeking to fill employment positions.	The location of the project will provide employment opportunities both during construction and when operating.
		Support the continued Military Mission of March Air	The project site is located in the APZ I and APZ II areas of Zone B1
GOAL	6	Reserve Base, and preservation of the airfield from incompatible land use encroachment.	and will conform to the newly adopted Airport Land Use Compatibility Plan. Industrial warehouse uses in APZ I and APZ II are desirable given their inherently low occupancy uses.
POLICIE S	6.2	Plan for compatible land uses within the Clear Zone, Accident Potential Zones I & II, as depicted in the Air Installation Compatible Use Zones (AICUZ) Report for the airfield use.	The project site is located in the APZ I and APZ II areas of Zone B1 and will conform to the newly adopted Airport Land Use Compatibility Plan. Industrial warehouse uses in APZ I and APZ II are desirable given their inherently low occupancy uses.

		GOAL / POLICY	PROJECT CONSISTENCY
	6.3	Ensure that plans and development do not interfere, conflict or degrade the military mission of March ARB.	As noted above, the project will conform to the newly adopted Airport Land Use Compatibility Plan which takes into account the military mission of March ARB.
	6.4	Ensure that plans and development do not conflict with the long-term needs of the Air Force Reserve in terms of encroachment, noise, accident zone, constraints, etc.	As noted, the project will conform to the newly adopted Airport Land Use Compatibility Plan which takes into account the APZ I & II location of this site. The issues related to the location have been considered and addressed in the design of the project.
	6.5	Ensure that plans and development conform to the draft Comprehensive Land Use Plan for March AFB/March Inland Port.	As noted above, the project will conform to the newly adopted Airport Land Use Compatibility Plan.
	6.7	Ensure that land uses adhere to floor area ratios applicable under Caltrans guidelines for airports.	The project conforms to the floor area ratios as adopted in the new Airport Land Use Compatibility Plan which are more restrictive than the Caltrans guidelines for airports.
	6.8	Ensure that land uses adhere to both military and civilian Part 77 conical surface criteria, relative to height restrictions.	The project will process the necessary FAA 7460-1 application through ALUC to ensure compatibility.
GOAL	8	Preserve the natural beauty, minimize degradation of the March JPA Planning Area, and provide enhancement of environmental resources, and scenic vistas.	The project site is currently vacant land. Development of the project site will provide enhanced architecture and landscaping visible from the I-215 Freeway, the Old 215 Frontage Road and Alessandro Boulevard.
POLICY	8.4	Implement federal, state, regional, and local requirements that apply to water and air quality, wetlands, endangered species, and other environmental considerations.	As applicable, the project will implement federal, state, regional, and local requirements that apply to water and air quality, wetlands, endangered species, and other environmental considerations as will be identified in an EIR being prepared to address such issues, together with mitigation measures necessary to ensure compliance.
GOAL	10	Avoid undue burdening of infrastructure, public facilities and services by requiring new development to contribute to the improvement and development of the March JPA Planning Area.	The project site is located in an area where infrastructure, public facilities and services exist. Development of the project will contribute to the improvement and development of the March JPA Planning Area by completing off site infrastructure and by providing impact fees which will contribute to those facilities and services.
POLICI ES	10.1	Require new construction to pay its "fair share" of the cost of providing adequate public services, infrastructure, and facilities for the development.	The proposed project will pay its "fair share" of the cost of public services, infrastructure, and facilities required for the development.

	GOAL / POLICY	PROJECT CONSISTENCY	
to serve the development (i.e., curbs and gutters, sidewalks,		The project site is currently vacant land and will be required to inscurbs and gutters, sidewalks, streetlights, water service connections, and sewer service connections prior to occupancy.	
10.3	Locate commercial and industrial development in areas where street rights-of-way and capacity are available, as well as sufficient infrastructure and public services.	The project site is located in an area where infrastructure, public facilities and services exist in sufficient capacity to serve development of the project. Additionally, the project site is located across the street from existing retail uses, including fueling stations and automobile services.	
10.4	Facilitate the provision of public services, (i.e., sewer, water, streets, and public safety) to be provided in an efficient and cost-effective manner.	The project site is located in an area where infrastructure, public facilities and services exist. Development of the project will provide impact fees which will contribute to those facilities and services.	
12	Ensure, plan, and provide adequate infrastructure for all facility reuse and new development, including but not limited to, integrated infrastructure planning, financing and implementation.	The project site is located in an area where infrastructure, public facilities and services exist. Development of the project will provide impact fees which will contribute to those facilities and services.	
12.2	Require new construction to pay its "fair share" for the regional infrastructure system by providing appropriate dedications, improvements and/or fee assessment districts or other financing mechanisms.	The proposed project will pay for its fair share cost of public services, infrastructure, and facilities for the development.	
13	Secure adequate water supply system capable of meeting normal and emergency demands for existing and future land uses	A Water Supply Assessment will be prepared by the Western Municipal Water District to ensure adequate water supply for the normal and emergency demands of the proposed project.	
13.1	Only approve development which can demonstrate an adequate and secure water supply for the proposed use.	Water supply needed for normal and emergency demands of the proposed project should be able to be provided by the current Western Municipal Water District water supply system.	
	10.3 10.4 12 12.2	Require new construction to provide adequate infrastructure to serve the development (i.e., curbs and gutters, sidewalks, street lights, water service, sewer service or septic systems, etc.) prior to initiation of use.  Locate commercial and industrial development in areas where street rights-of-way and capacity are available, as well as sufficient infrastructure and public services.  Facilitate the provision of public services, (i.e., sewer, water, streets, and public safety) to be provided in an efficient and cost-effective manner.  Ensure, plan, and provide adequate infrastructure for all facility reuse and new development, including but not limited to, integrated infrastructure planning, financing and implementation.  Require new construction to pay its "fair share" for the regional infrastructure system by providing appropriate dedications, improvements and/or fee assessment districts or other financing mechanisms.  Secure adequate water supply system capable of meeting normal and emergency demands for existing and future land uses  Only approve development which can demonstrate an adequate and secure water supply for the proposed use.	

		GOAL / POLICY	PROJECT CONSISTENCY
GOAL	14	Establish, extend, maintain and finance a safe and efficient wastewater collection, treatment and disposal system which maximizes treatment and water recharges, minimizes water use, and prevents groundwater contamination.	The Edgemont Community Services District will prepare an evaluation of sewer capacity and availability for the project to demonstrate its capability to provide sewer service to the project.
POLICIES	14.1	Require all development to adequately collect, treat, and dispose of wastewater in accordance with the Santa Ana Regional Water Quality Control Board requirements.	The proposed project will treat and dispose of wastewater in conformance with the requirements of the Santa Ana Regional Water Quality Control Board.
POL	14.2	Require connection to the sewer system for any development occurring on land formerly part of March AFB.	The proposed project will connect to the existing sewer system.
GOAL	17	Adequate flood control facilities shall be provided prior to, or concurrent with, development in order to protect the lives and property within the March JPA Planning Area.	The project engineer will prepare a Hydrology Study and a Water Quality Management Program for the development to demonstrate that the project will provide appropriate drainage and water retention that will conform to the existing and proposed flood control facilities in the area to protect the lives and property within the March JPA Planning Area.
	17.1	Provide for the adequate drainage of storm runoff to protect the lives and property within the Planning Area.	The project will be designed to provide for adequate drainage of anticipated storm runoff.
IES	17.3	Require new development to construct new or upgrade existing drainage facilities to accommodate the additional storm runoff caused by the development.	The project will construct onsite drainage facilities to accommodate the storm runoff caused by the development.
POLICIES	17.4	Require all storm drain and flood control facilities to be approved and operational prior to the issuance of certificates of occupancy for the associated development.	Prior to issuance of certificates of occupancy, the required storm drain and flood control facilities will be inspected and approved.
	17.7	Seek to preserve drainage courses in their natural condition, while providing adequate safety and protection of property.	Appropriate permit(s) from the federal, state, regional and local permitting agencies will be obtained to address the onsite drainage and protect persons and property.



## SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Supervisor Marion Ashley and Supervisor Kevin Jeffries

SUBMITTAL DATE: January 27, 2015

SUBJECT: March Joint Powers Authority Agreement Thirteenth Amendment

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the March Joint Powers Authority Thirteenth Amendment.

**BACKGROUND:** The County is a Member of the March Joint Powers Authority (March JPA) with the First and Fifth District Supervisors representing the County on the March Joint Powers Commission. The March JPA is specifically tasked with formulating and implementing plans for the use and reuse of the former March Air Force Base. The March JPA is specifically responsible for planning and implementing the development of land in the area covered by the March Master Reuse Plan and Air Force West in its entirety.

The March Joint Powers Agreement has been modified 11 times to meet the ever changing needs for the reuse efforts of the March Joint Powers Authority. Proposed Amendment #7 was not approved by all the member jurisdictions and not enacted. Specifically, Amendment #6 authorized Land Use Authority for the March Master Reuse Plan and Amendment #9 authorized Land Use Authority over Air Force Village West. This 13<sup>th</sup> amendment will authorize land use authority for a remnant parcel within County jurisdiction adjacent to March JPA's D-3 East which is in March JPA's land use authority.

(Continued on page 2)

Kevin Jeffries, First District Supervisor

Marion Ashley, Fifth District Supervisor

3-4

#### SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

Supervisor Marion Ashley and Supervisor Kevin Jeffries

Form 11: March Joint Powers Authority Agreement Thirteenth Amendment

Date: January 27, 2015

Page: 2 of 2

**BACKGROUND:** (Continued)

The subject parcel is a 6.2-acre sliver of land sandwiched between Parcel D-3 East and Old 215 Frontage Road. The remnant parcel was created as a result of the improvements to I-215 and the relocation of the railroad from the east to the west side of I-215. The remnant parcel is part of a proposed 39.42-acre project of which 33.22 acres lies within March JPA jurisdiction and 6.2 lies within County jurisdiction. Rather than require the owner of the parcel to navigate two jurisdictions for land use approvals, this amendment will authorize the March Joint Powers Authority to provide land use authority for the remnant.

It should be noted that all of the March JPA jurisdiction lies within unincorporated County thus the County is the taxing entity associated with the land.

The following language is proposed to be added to the JPA Agreement:

Section 1. Purpose. ...(f) Planning and implementing the development of land in the area covered by the March "Master Reuse Plan," Air Force Village West in its entirety, and additional territory identified in Exhibit A, attached hereto and incorporated herein by reference, including the preparation and adoption of a General Plan and/or a Specific Plan, the preparation and adoption of zoning and other land development standards, the preparation and adoption of health and safety codes related to development activities, and the implementation of these functions through the creation of appropriate Boards and Commissions pursuant to California law.

It should be noted that the Joint Powers Agreement was previously amended to add Paragraph 8 and to address the dissolution of the March Joint Powers Redevelopment Agency. This action was taken in response to the state's legislative efforts to eliminate redevelopment.

#### **RIVERSIDE COUNTY GIS**



#### Selected parcel(s): 297-100-045

#### ZONING SELECTED PARCEL **INTERSTATES HIGHWAYS PARCELS** ZONING BOUNDARY C-P-S R-R W-2

#### \*IMPORTANT\*

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

#### STANDARD WITH PERMITS REPORT

297-100-045-8

#### **OWNER NAME / ADDRESS**

**PROFICIENCY 215** 

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annovances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to vou. Business & Professions Code Section 11010 (b)

From: Sent: To: Cc: Subject:	Pam Steele <pams@migcom.com> Wednesday, January 21, 2015 8:29 AM Guerin, John Jeffrey Trenton Fwd: Status of FAA Filing</pams@migcom.com>
John,	
Please see the e-mail below ide	ntifying that the FAA filing has been initiated.
Thank you,	
Pam	
Daw Charle	
Pam Steele	
Principal	
MIG   Hogle Ireland 1500 Iowa Avenue, Suite #11 Riverside, California 92507 O: 951 787 9222   C: 951 733	
addressed. If you are NOT the intended	th it are confidential and are intended solely for the use of the individual or entity to whom they are recipient, be advised that you have received this e-mail in error and that any use, dissemination, of this e-mail and any attachments is illegal and strictly prohibited by law.
	oroficiencycapital.com> 29 AM
Hi Grace and Pam -	
Please find evidence of the filin	g of FAA Form 7460-1 for Freeway Business Center.
Regards,	
Jeff	
Begin forwarded message:	

From: "noreply@faa.gov" <no. \_ly@faa.gov>
Date: January 20, 2015 at 8:59:19 PM GMT+1

To: J Trenton <<u>JTrenton@proficiencycapital.com</u>>, J Trenton

<<u>JTrenton@proficiencycapital.com</u>>

Subject: Status of FAA Filing

Reply-To: "oeaaa helpdesk@cghtech.com" <oeaaa helpdesk@cghtech.com>

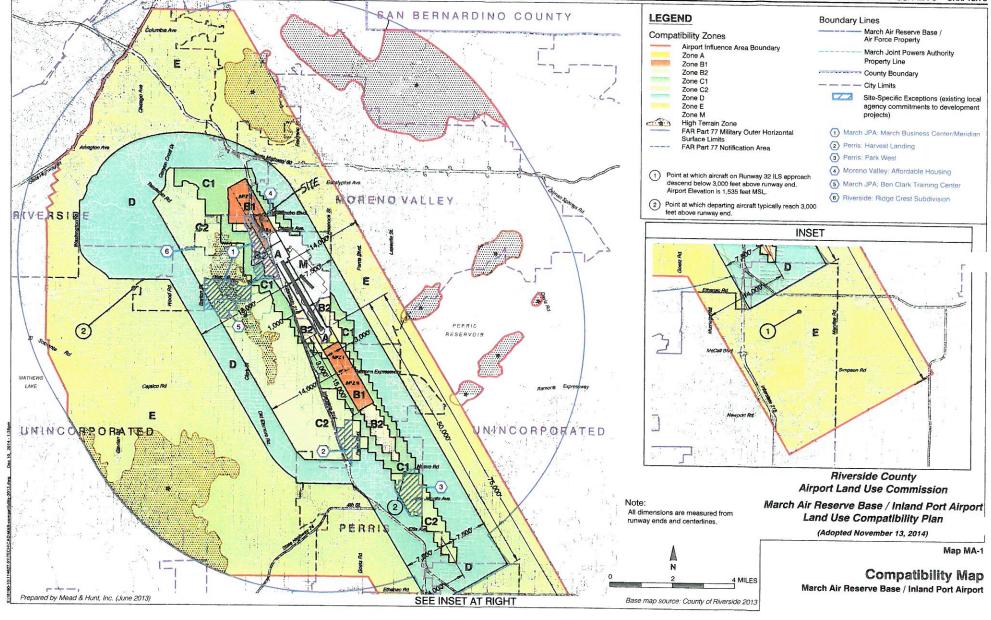
Your filing is assigned Aeronautical Study Number (ASN): 2015-AWP-566-OE.

To review your electronic record, go to our website <u>oeaaa.faa.gov</u> and select the Search Archives link to locate your case using the assigned Aeronautical Study Number (ASN). Copies of your letter are available on the website for your convenience.

The FAA verified your filing and an aeronautical study has been initiated. Please allow a minimum 45 days for the FAA to complete the study. Please refer to the assigned ASN on all future inquiries regarding this filing.

For Wind Turbine proposals only, please ensure Wind Turbine Data as described on the project summary page in your registered e-filing account has been uploaded to your filing.

To ensure e-mail notifications are delivered to your inbox please add <u>noreply@faa.gov</u> to your address book. Notifications sent from this address are system generated FAA e-mails and replies to this address will NOT be read or forwarded for review. Each system generated e-mail will contain specific FAA contact information in the text of the message.



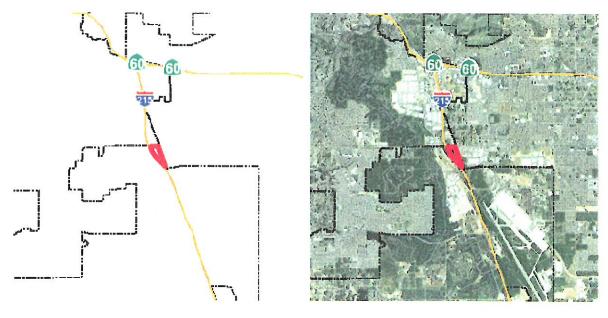


Report Date: Tuesday, January 20, 2015

Applicable
No LAFCO Case #

Available Proposals: Not Applicable

#### MAPS/IMAGES



#### PARCEL

APN	<u>297-100-013</u> -9	Supervisorial District 2011 Supervisorial District 2001	KEVIN JEFFRIES, DISTRICT 1 BOB BUSTER, DISTRICT 1
Previous APN	297100011	Township/Range	T3SR4W SEC 15
Owner Name	PROFICIENCY 215	Elevation Range	1,524 - 1,548
Address	No address available	Thomas Bros. Map Page/Grid	PAGE: 716 GRID: J6 PAGE: 716 GRID: J7 PAGE: 717 GRID: A6 PAGE: 717 GRID: A7
Mailing Address	C/O PROFICIENCY CAPITAL 11777 SAN VICENTE STE 780 LOS ANGELES CA, CA 90049	Indian Tribal Land	Not in Tribal Land
Legal Description	Recorded Book/Page: MB 6/13 Subdivision Name: ALESSANDRO TR Lot/Parcel: 4	City Boundary/Sphere	Not within a City Boundary Not within a City Sphere Annexation Date: Not

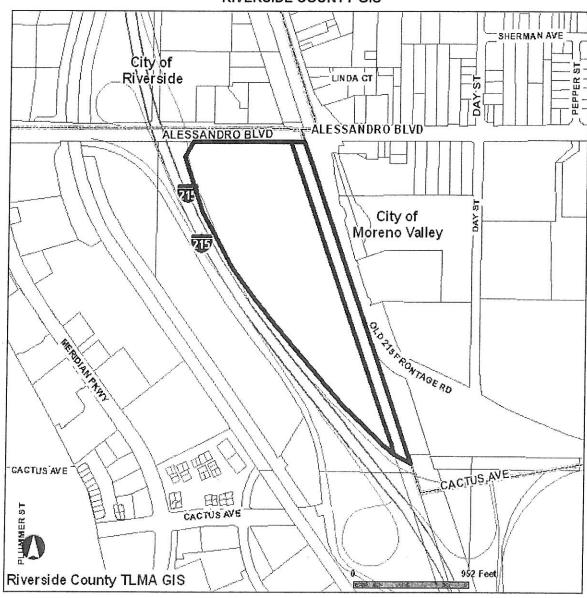
#### **Lot Size**

Lot/Parcel: 4 Block: 12

Available

Tract Number: Not

#### **RIVERSIDE COUNTY GIS**



### Selected parcel(s): 297-100-013 297-100-045

#### **LEGEND**

SELECTED PARCEL	√ INTERSTATES	/V HIGHWAYS	PARCELS
CITY			

#### \*IMPORTANT\*

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

297-100-045 ADDRESS NOT AVAILABLE STANDARD WITH PERMITS REPORT

<u>APNs</u> 297-100-013-9 297-100-045-8

#### **OWNER NAME**

# FREEWAY BUSINESS CENTER Proficiency 215 LLC

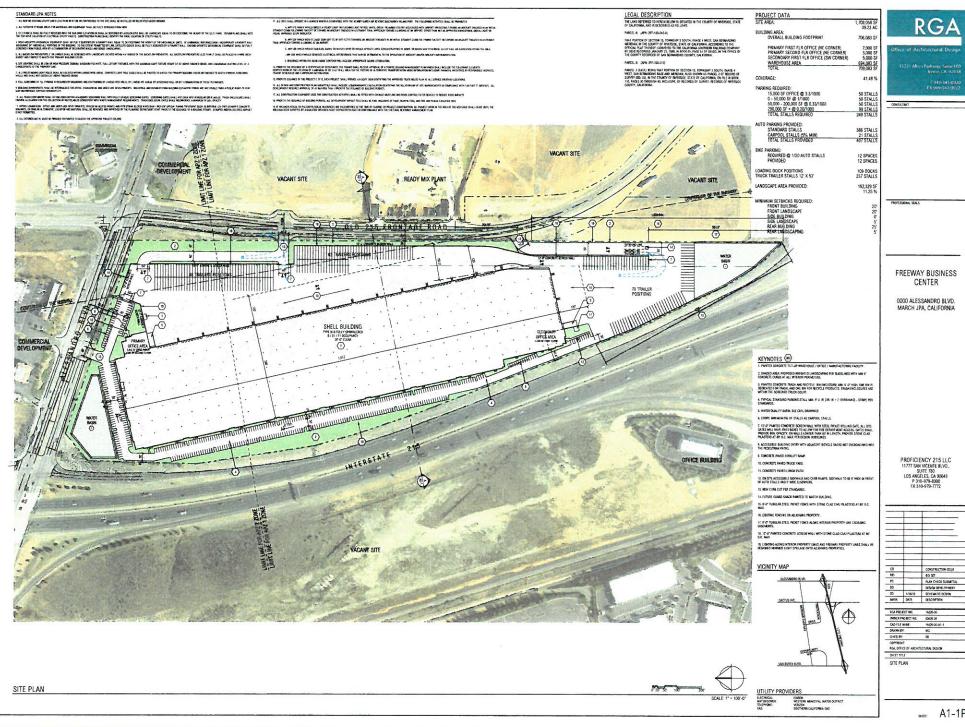
D-3 (East) Parcel March Joint Powers Authority

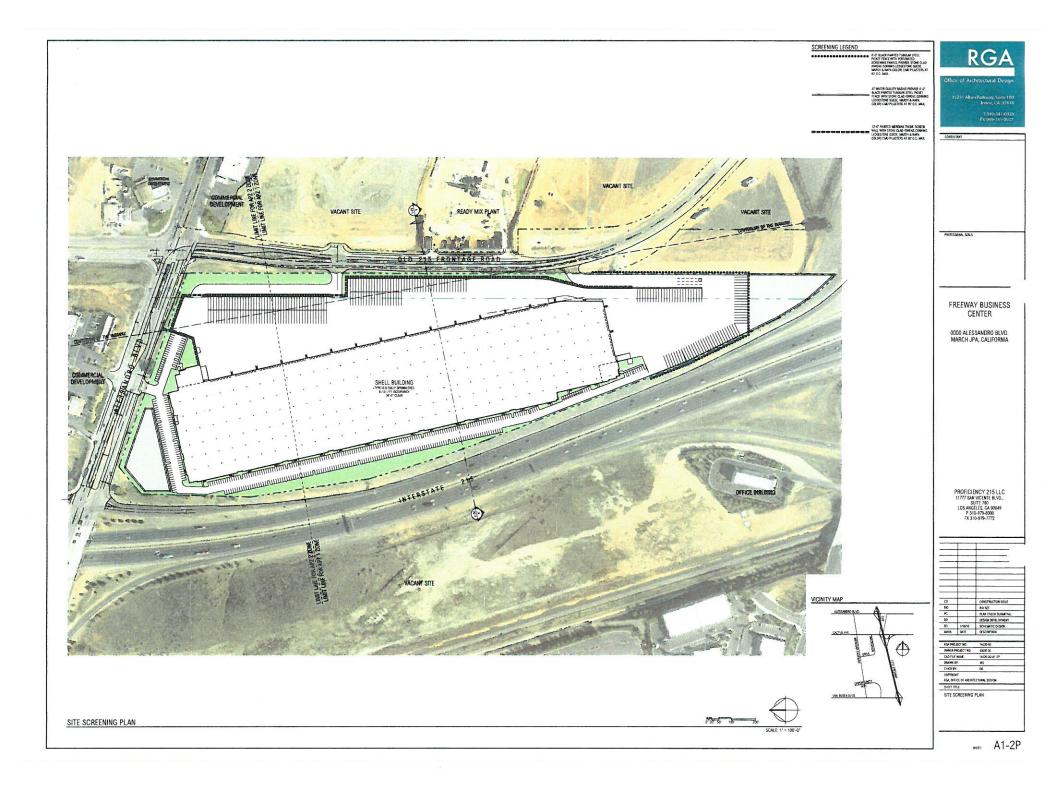
#### REQUEST FOR ZONING DESIGNATION

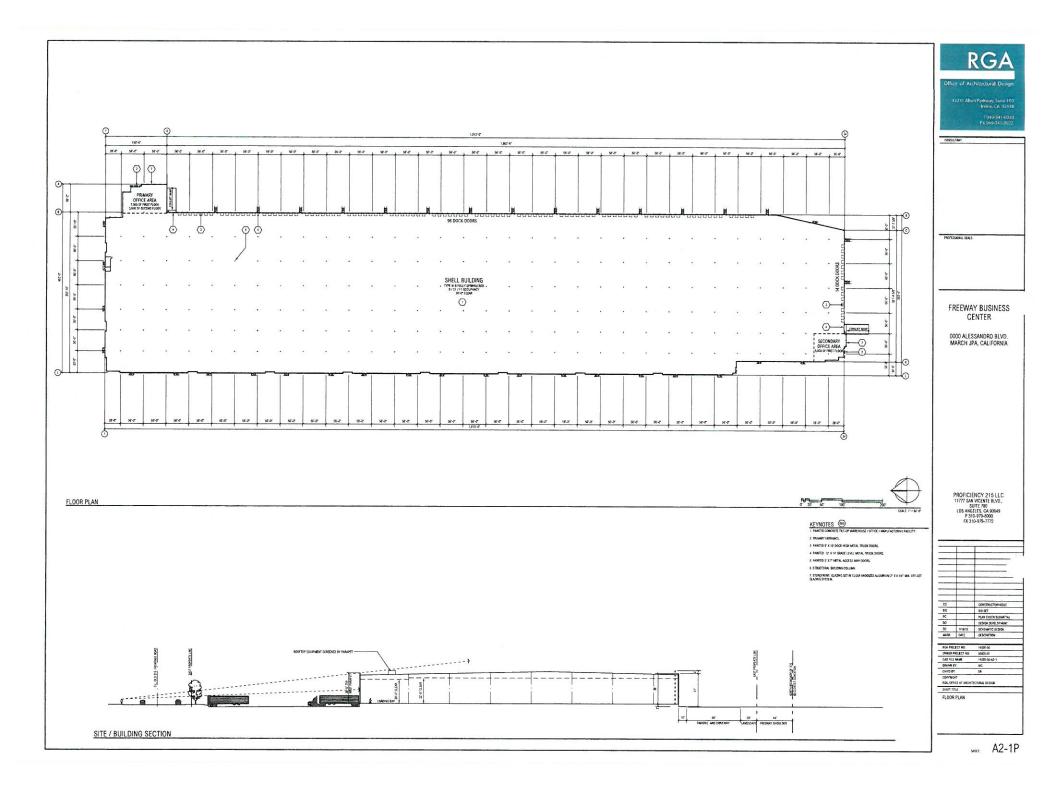
The March Joint Powers Authority application for a Zone Change states that a "written explanation of the requested change of zone and the reasons for the request" must be submitted with the application. This document provides that simple explanation:

The proposed project site is located at the southwest corner of Alessandro Boulevard and Old 215 Frontage Road. It comprises most of the block bounded by Alessandro Boulevard to the north, Interstate 215 to the west, Old 215 Frontage Road to the east, and Cactus Avenue onramp to the south. The project site totals approximately 39.23 acres of land and is composed of two (2) parcels designated as Assessor's Parcel Numbers (APNs): 297-100-013 and 297-100-045.

The project site is designated as *Industrial* by the March JPA General Plan but there is no Zoning designation assigned to the site on the Zoning Map. Therefore, a Zone Change application is therefore being submitted to establish *Industrial* zoning for the project site, in conformance with the General Plan designation.









RGA Office of Architectural Design 15231 Allion Pathway, Super 175 Intrins (A. 1)2618 17949-941-9622

CONSIGNATION OF THE PERSON OF

PRINCISSING STAL

FREEWAY BUSINESS CENTER

0000 ALESSANDRO BLVD. MARCH JPA. CALIFORNIA

PROFICIENCY 215 LLC 1177/ SAN VICENTE BLVD., SUTE 780 LOS ANGELES, CA 9X649 P. 310-979-2000 5X 310-979-7772

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COPYRIGHT
REAL OFFICE OF VACHITIC LURIS DESIGN

EXTERIOR ELEVATIONS

#### GENERAL NOTES

- ALL WORK DONE PER THESE DRAWINGS SHALL BE IN ACCORDANCE WITH THE "STANDARD SPECIFICATIONS FOR PURLIC WORKS CONSTRUCTION", LATEST EDITION, DICLUDING SUPPLEMENTS.
- ALL CONTRACTORS PERFORMENC WORK ON THIS PROJECT SHALL FAMILIARIZE THEISELVES WITH THE STIE AND SHALL BE SOLELY RESPONSIVE FOR ALL DAMAGE. TO DESTING FACILITIES RESALTING DIRECTLY OR INDIRECTLY FROM THEIR OPPORTATIONS, WETHER OR NOT SHOWN ON THESE DIRAKINGS.
- IN CASE OF ANY ACCIDENTS INVOLVING SAFETY MATTERS COVERED BY SECTION 6424 OF THE CALFORNIA LABOR CODE. THE CONTRACTOR SHALL IMMEDIATELY HOTHY THE STATE DIVISION OF INDUSTRIAL SAFETY.
- FOR DEPLOPMENT STE, THE OWNER SHALL FILE A MODIC OF MENT ALONG WITH THE APPROPRIATE AMOUNT PER WITH THE DIVISION OF BATER GUALITY OF THE STATE WHITH PER DIVISION OF THE STATE WHITH RESOURCES CONTROL GROUP PROVIDED TO CHARDICULEUT OF CONSTRUCTION IN ACCORDANCE WITH MATCHAUM PROVIDED THE STATE OF THE PROVIDED THE PROVINCE STATE OF THE PROVINCE STATE OF
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- THE FIELD ENGINEER MUST SET GRADE STAKES FOR ALL DRAMAGE DEVICES.
- PROVISIONS SHALL BE MADE FOR CONTRIBUTORY DRAMAGE AT ALL TIMES.
- THE CONTRACTOR SHALL CONTACT ALL UTILITY COMPANIES AS REQUIRED, 48 HOURS PROOF TO EXCAVATION
- ACCRECATE BASE SHALL BE CRUSHED ACCRECATE BASE AS DETINED IN SECTION 200-22 OF THE "STANDARD SPECIFICATIONS FOR PUBLIC BORKS CONSTRUCTION", UNLESS MOICATED OTHERWISE.
- CONCRETE CURBS, GUITLES, WALKS, APRONS AND PAVEMENT SMALL BE CLASS 520-C-2500 MIX PORTAND CREDICTI CONCRETE AS DETAILED IN SECTION 201-1 OF THE "STANDARD SPECIFICATIONS FOR PUBLIC BORKS CONSTRUCTION, UNILSS MICKAED OTHERWISE.
- THE TOP & INCHES OF SUBGRADE MATERIAL SHALL BE COMPACTED TO A RELATIVE DENSITY OF BS PERCENT WHEN PAYEMENT IS TO BE PLACED DIRECTLY ON SUBGRADE MATERIAL.
- THE TOP 8 INCHES OF SUBSTADE MATERIAL SHALL BE COMPACTED TO A RELATIVE ODNESTY OF 90 PERCENT WHEN BASE OR SUBBASE MATERIAL, CURB, GUTTER OR SIDEMALK ARE PLACED ON THE SUBCRADE MATERIAL.
- 14. ALL ADDREGATE BASE SHALL BE COMPACTED TO A MINIMAN RELATIVE DENSITY OF 95 PERCENT.
- 15. ALL PAVEMENT AND CONCRETE REMOVALS SHALL BE SANGUT.
- PROPOSED CONCRETE MALKMAYS AND LANDSCAPING HARDSCAPE SHALL BE CONSTRUCTED AS SPECIFIED PER ARCHITECTURAL DRAWNS, UNLESS SPECIFICALLY NOICATED OTHERWISE PER THESE DRAWNS.
- 17. ALL PCC CONCRETE SURFACES SHALL BE PER ARCHITECTURAL DRAWINGS
- THE CONTRACTOR SHALL VERBY ALL JOIN ELEVATIONS AND LOCATIONS AT THE START OF THE CONSTRUCTION. IF DRAWING REVISION ARE REQUIRED, THE

# GRADING AND DRAINAGE PLAN PRIVATE ENGINEER'S

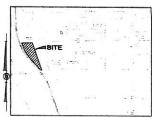
### FREEWAY BUSINESS CENTER

MARCH JPA, CALIFORNIA

## NOTICE TO CONTRACTORS

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ALL CONTRACTORS IND SECONTRACTORS PROVIDENCE WERE SHOWN ON OR RELIED TO THESE CONTRACTORS SHOULD REPORT OF THE OFFICE AND ALL CONTRACTORS SHALL CONTRACTORS



VICINITY MAP

THE THOMAS QUOE: RIVERSIDE COUNTY (2006 EDITION) PAGE 716 CMD JS SECTION: 15 TOWNSHIP: 35 RANGE: 4W

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459 ROOF DEATH OUTLET

### LIST OF ABBREVIATION

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ASSESSOR'S PARCEL NO.

### BASIS OF BEARING

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### OWNER/DEVELOPER

PROFIGENCY 215 LLC 11777 SAN WCENTE BLVD., STE. 780 L.A., CA. 90049 ATTH: MR. LEFFREY N. TRENTON PH. (310) 979-8000 / FAX (310) 979-7772

### ARCHITECT

R G A, DIFFICE OF ARCHTECTURAL DESIGN 15231 ALTON PARK NAY STE 100 BYINE, CA 92518 ATTH: UR. MICHAEL GIL PH. (948) 341-0920 / FAX (949) 341-0922

### SOIL ENGINEER

HORCAL ENGINEERING 10641 HUNBOLT STREET LOS ALAHITOS, CA 90720 ATTH: MR. MARK BURNOLDER PH. (562) 799-9469 / FAX (562) 799-9459

#### CIVIL ENGINEER

THOMSEN ENGINEERING, INC. 1861) E. GALE AVE. INDUSTRY, CA. 91748 ATTN. MR. ROBERT SIALIVAN PH. (626) 985-8350 x 104

### INDEX TO SHEETS

THE SHOOT
DETAILS
REY MAP
PION A
PLAN B
PLAN C
PLAN C
PLAN C
PLAN F
PLAN G
UTELITES - MORTH
UTILITIES - SOUTH

SHEET NO.

#### NOTIFICATION

CONTRACTOR SHALL MOTEY THE FOLLOWING UTILITIES COMPANIES AND AGENCIES AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION.

EASTERN MUNICIPAL WATER DISTRICT (951) 928-3777 EXT. 4630 UNDERGROUND STRWCE ALFRE (800) 227-2600 SOUTHERN CALIFORNIA EDISON CO. (800) 227-2500 SOUTHERN CALIFORNIA GAS CO. (800) 227-2500 TELEPHONE COMPANY (800) 277-2600 RIVERSIDE COUNTY FLOOD CONTROL DIST. (951) 955-1288

#### APPROXIMATE EARTHWORK QUANTITIES:

THE EARTHROPH CHAMBITES SHOWN ON THIS PLAN DO NOT RETLECT ANY SHOWLING, SHELLING, SINGEDONE OR ANY SPICIAL CANDIDOSE THAT MAY BE THE ARROPED GAY. THE COMPANIES SHALL BE APPROSEDE FOR DETERMINE HE OWN EARTHROPH CHAMBITES FOR SHOWING, CONTRACT AND CONSTRUCTION PROPERTY.

QUT: ---- QU. YO. FILL: ---- QU. YO. OVERENCAVATION: \_\_\_\_\_\_ CU. YO. MPORT: \_\_\_\_\_ CU. Y.O.



MARCH JOINT POWERS AUTHORITY

PRIS ALL PERMIT ACCUSES

APPROVED BY:

DIRECTOR OF PUBLIC WORKS

HO. 8244 CONTRACTOR OF THE PARTY OF THE



Thomsen Engineering, Inc. Civil Engineering, Land Planning & Land Surveying 18611 E. Gale Ave. Tel. (E28) 985-9360 hadustry, CA 91748 Pay (E28) 988-2779

PREPARED BY: HANS C. THOMSEN R.C.E. NO. 8244 DATE 82338\_06/36/2014 - FOR SUBMITIAL REVIEW

BENCHMARK:

WDID NO. --MARCH JPA PRECISE GRADING PLAN

1 FREEWAY BUSINESS CENTER OF 12 SHTS SCALE: N/A V. N/A PROFICIENCY 215 LLC FILE NO. ----



NOTE:
WORK CONTAINED WITHIN THESE PLANS
SHALL NOT COMMENCE UNTIL AN
ENCROACHMENT PERMIT AND/OR A
GRADING PERMIT HAS BEEN ISSUED.

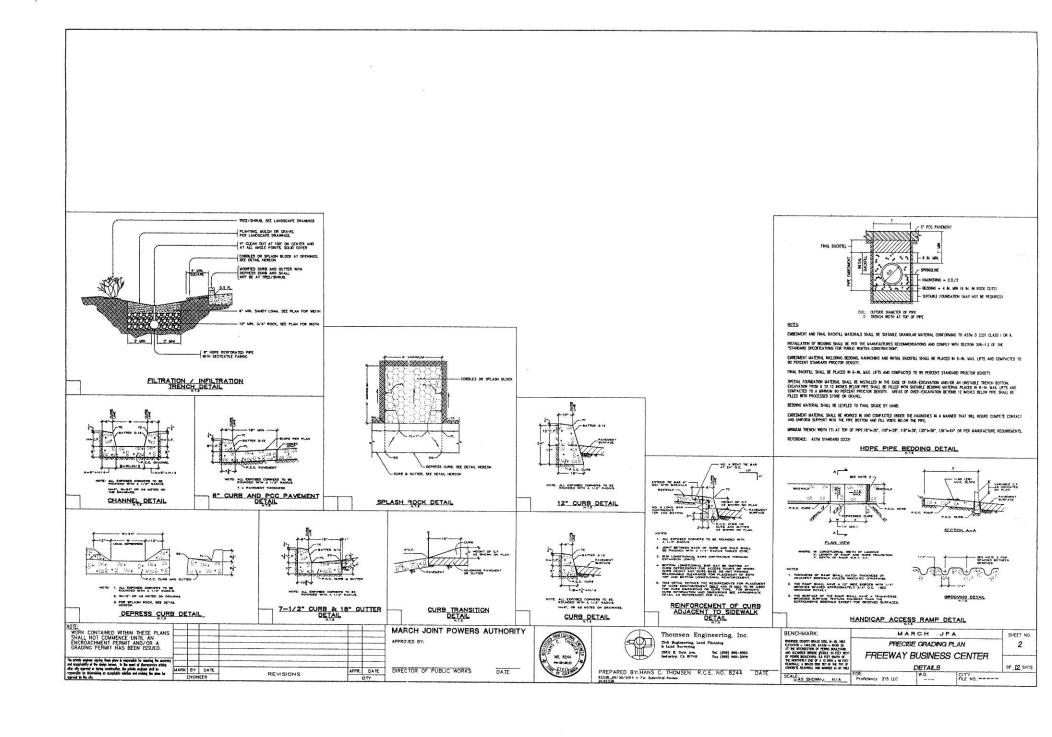
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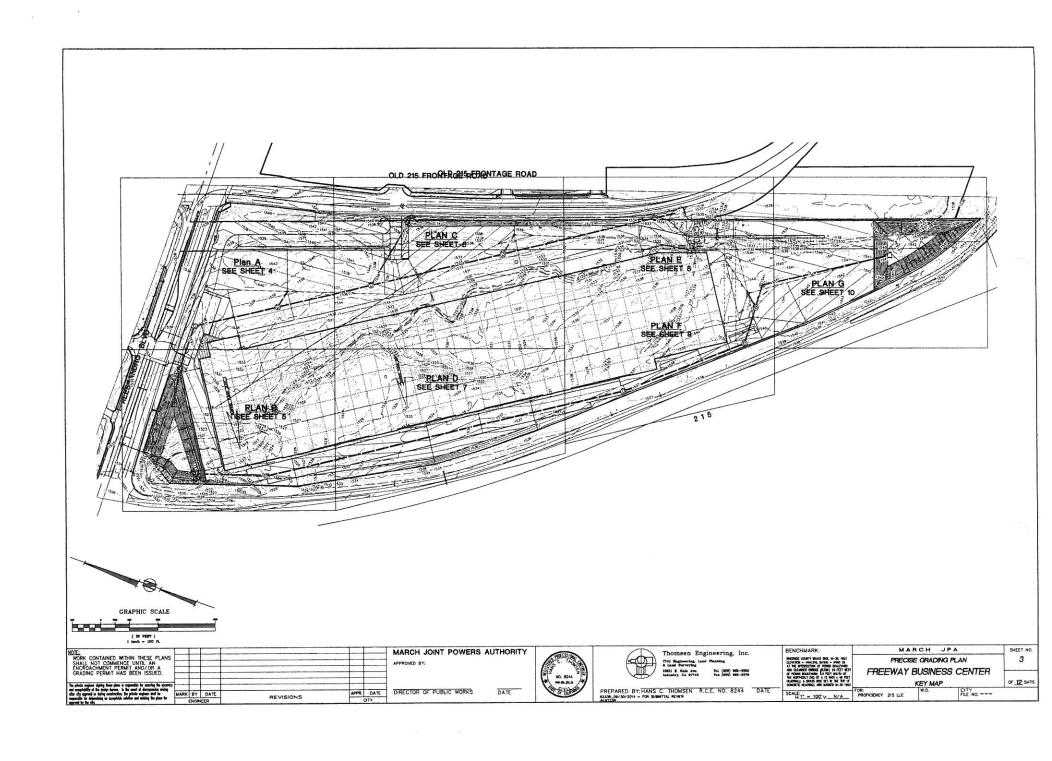
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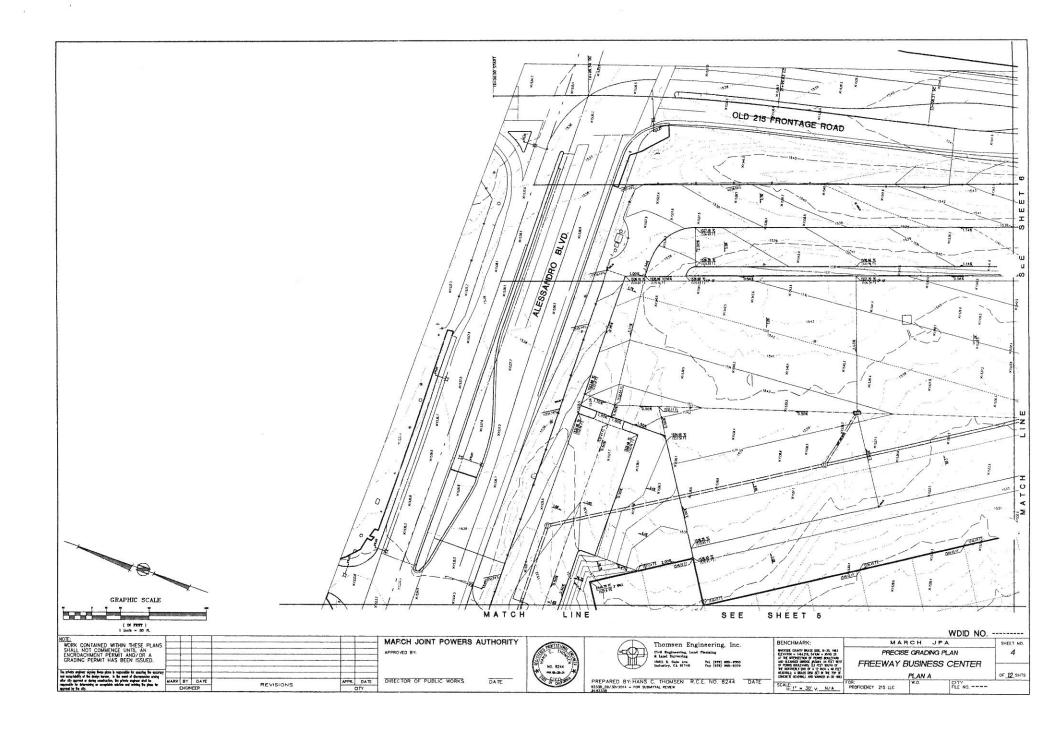
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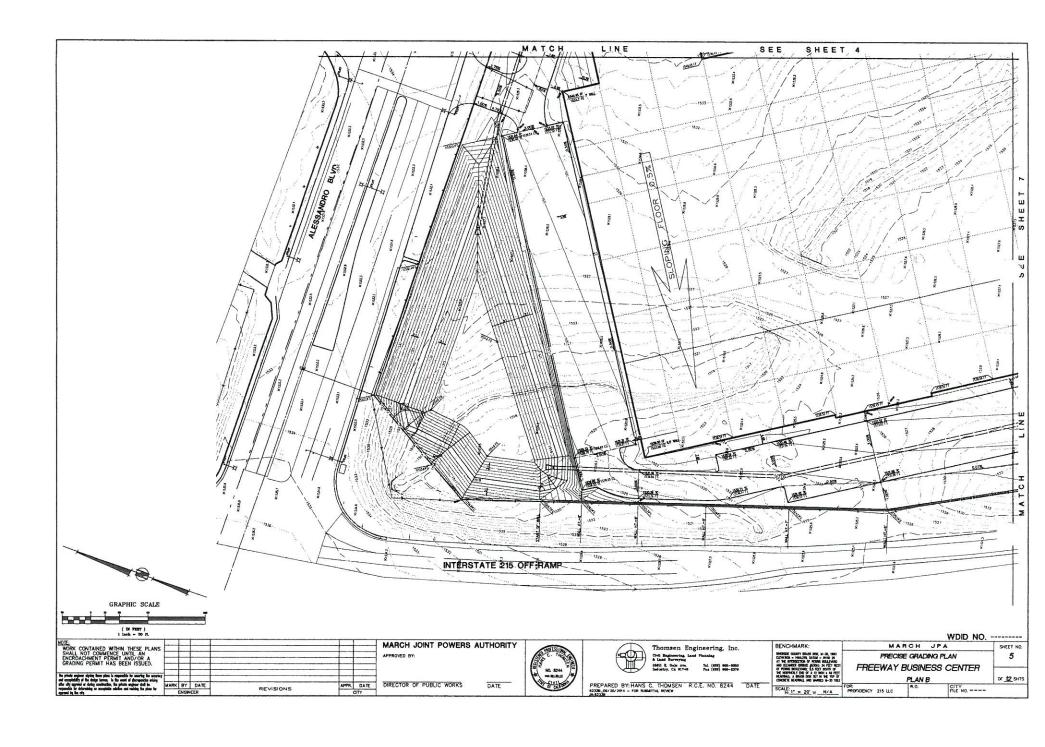
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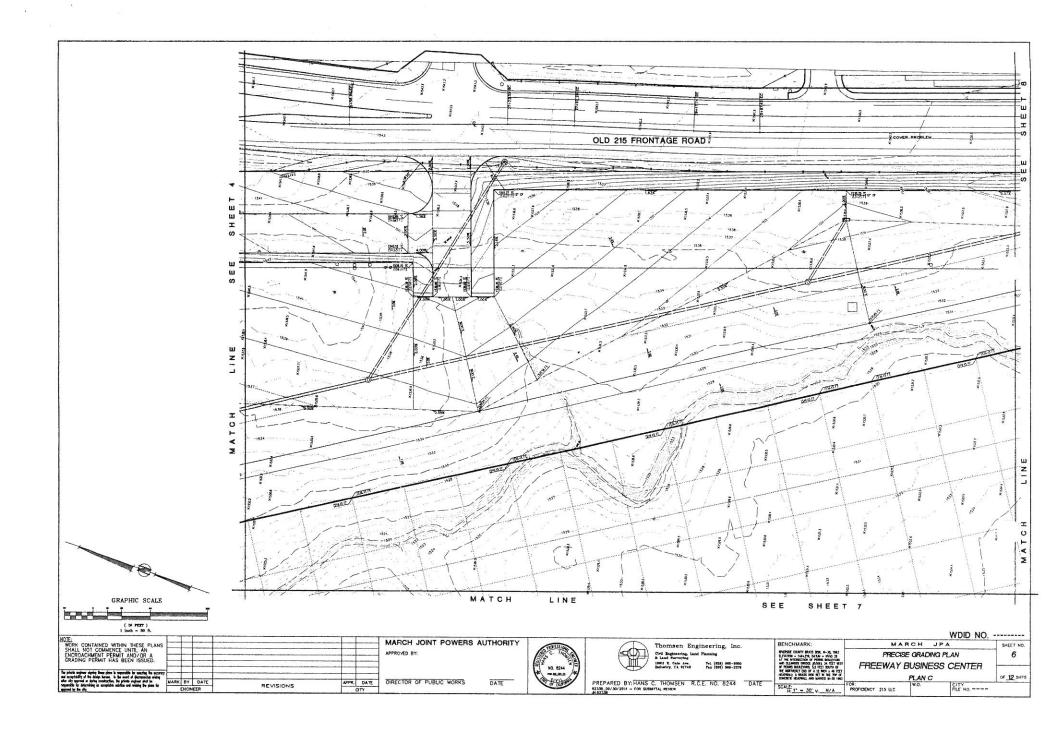


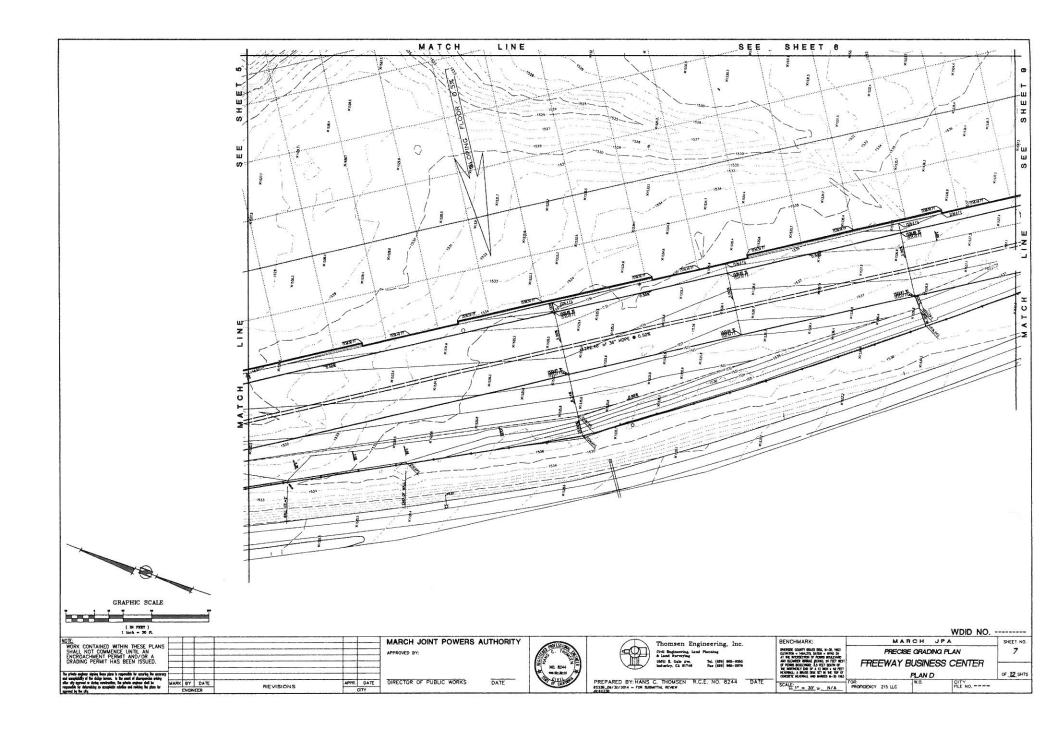


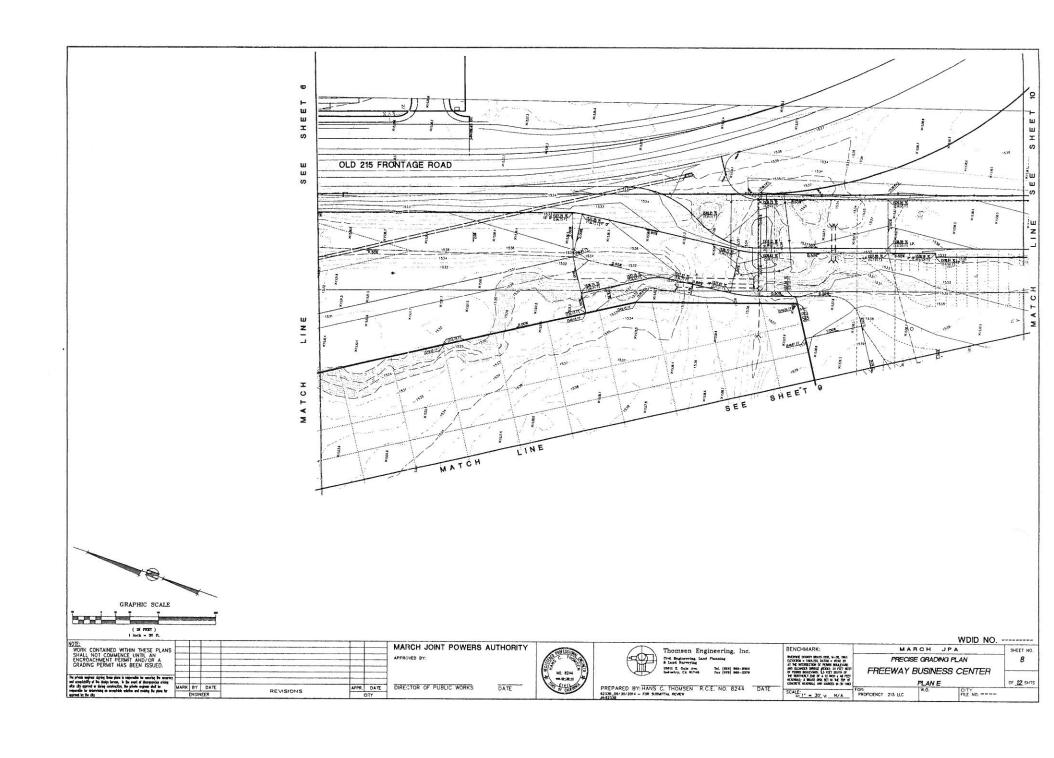


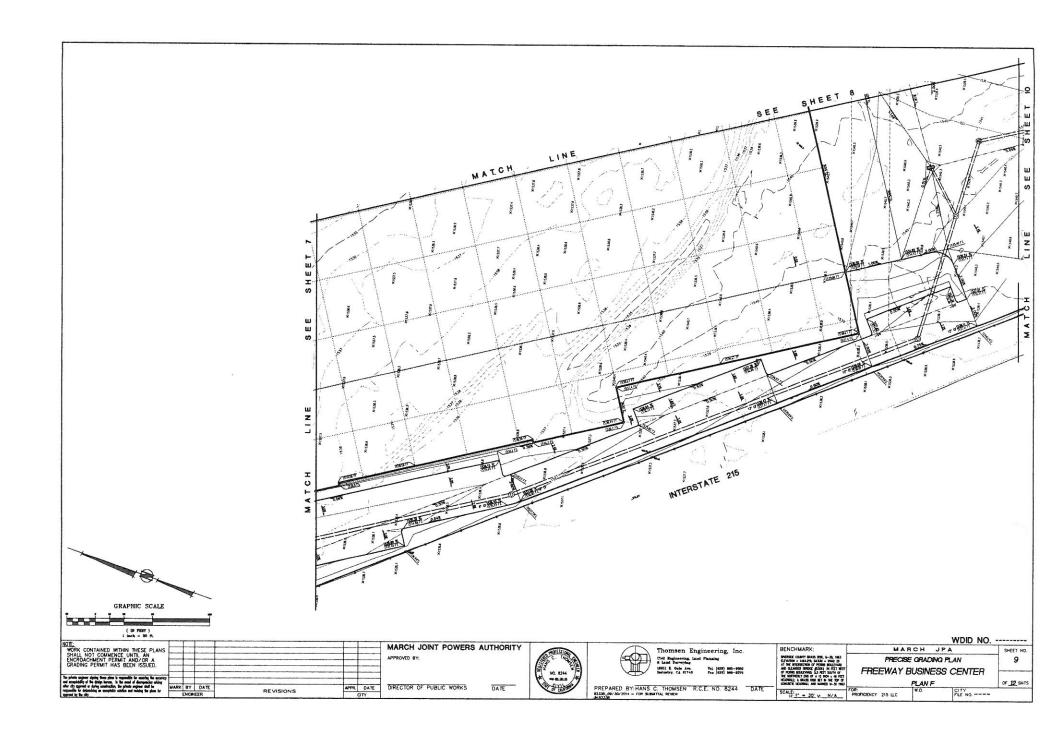


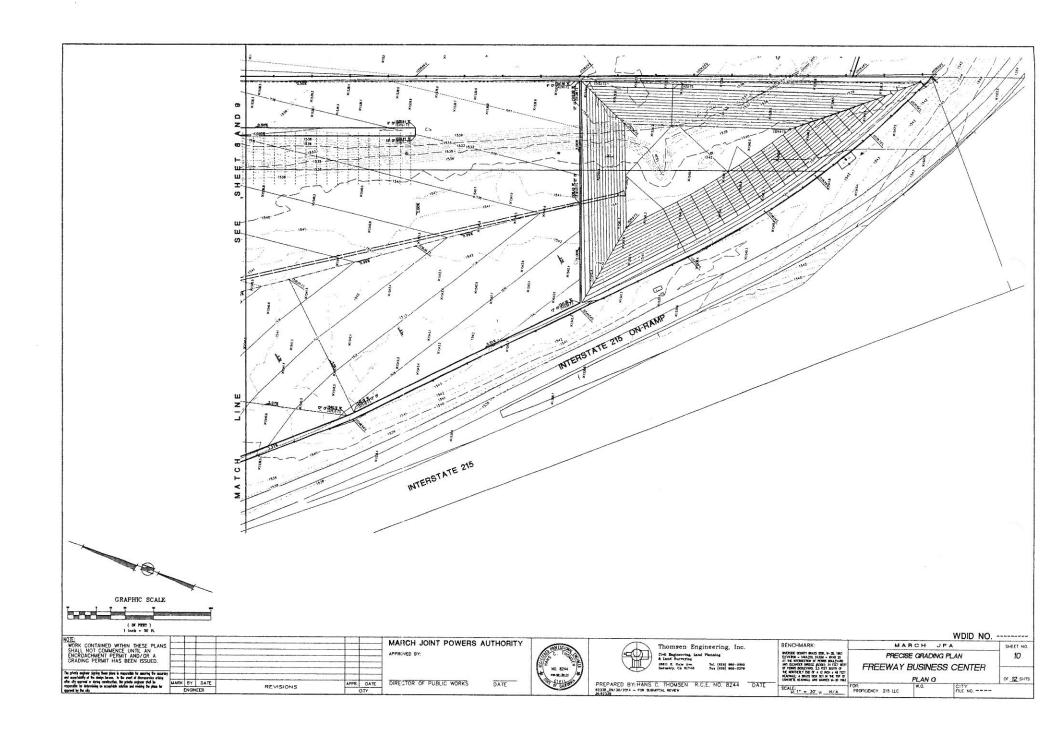


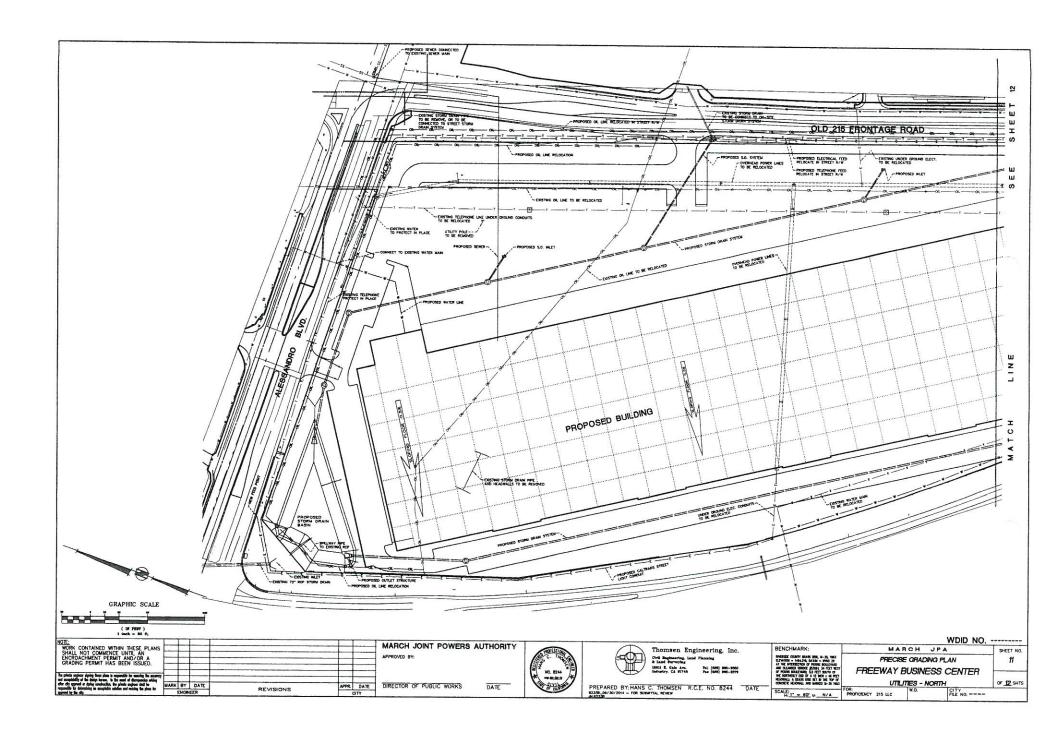


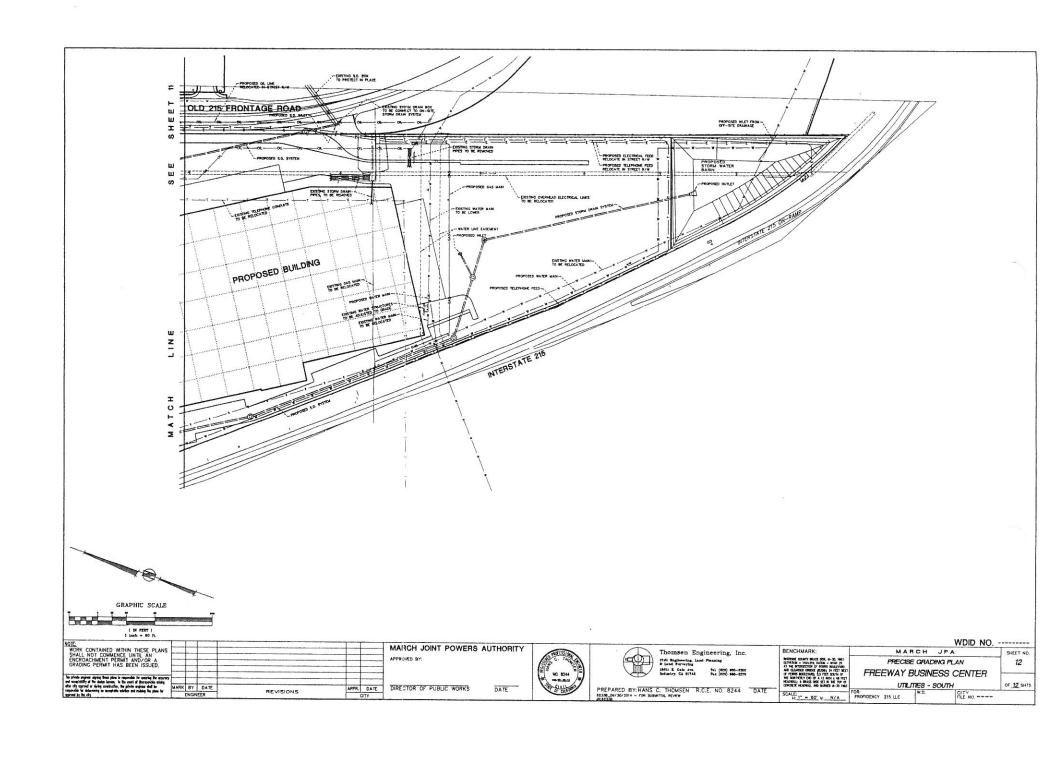


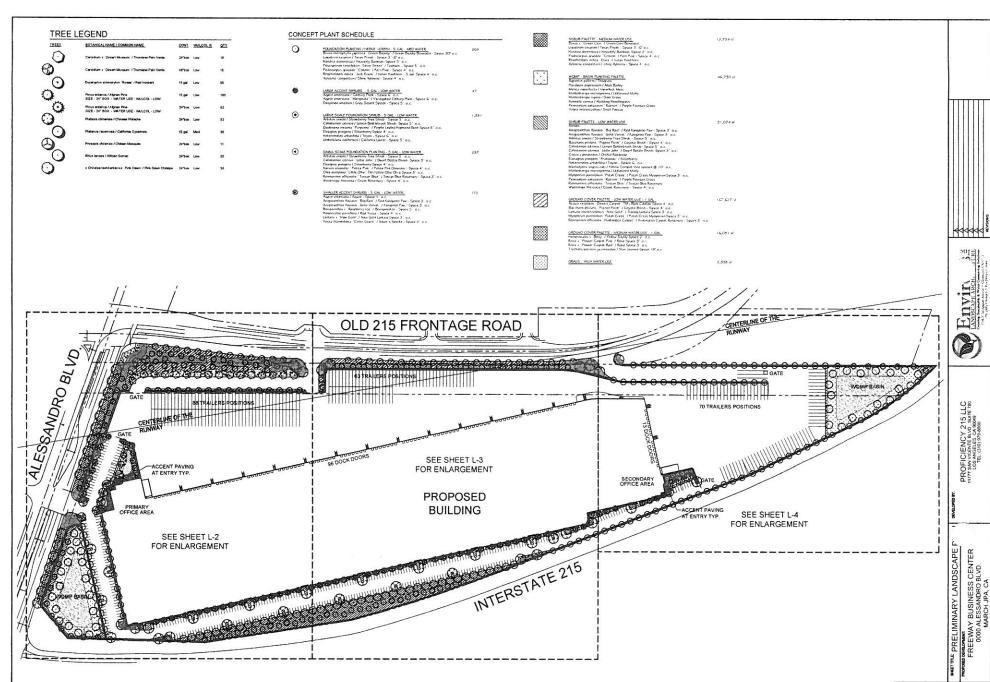


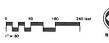




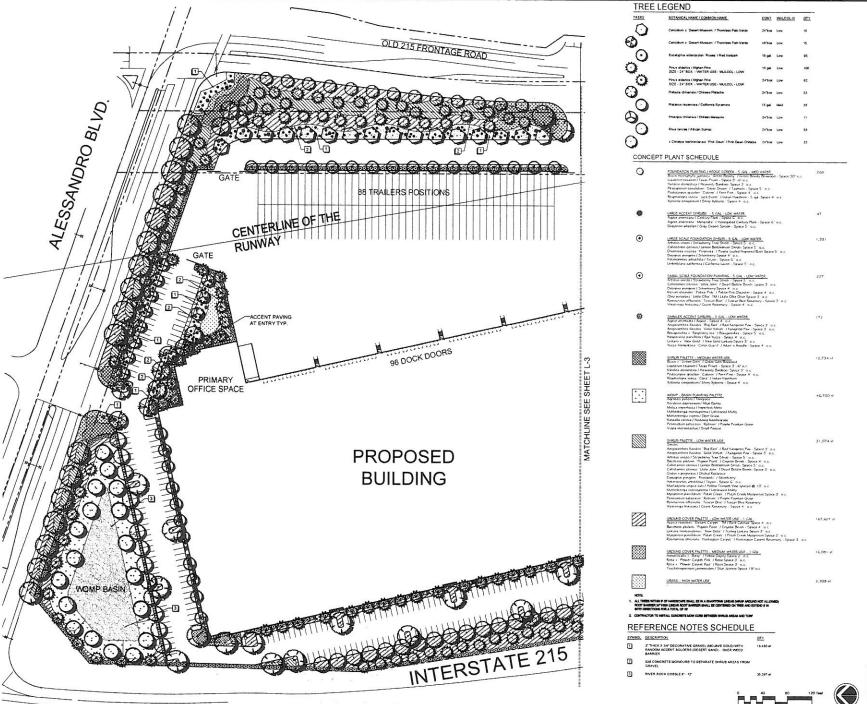














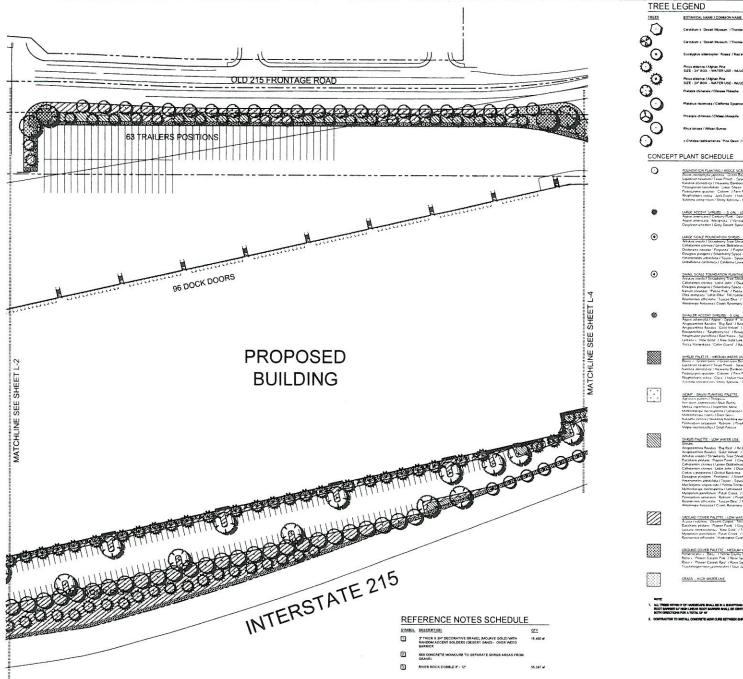


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PROFICIENCY 215 LLC 11777 SAN VICENTE BLVD., SUITE 780 LOS ANGELES, CA 9049 TEL: (310) 979-8000

FREEWAY BUSINESS CENTER 0000 ALESSANDRO BLVD. MARCH JPA, CA

DRAWN BY DATE BFK 12/04/14 JOB NO. RGA0055 SHEET NO



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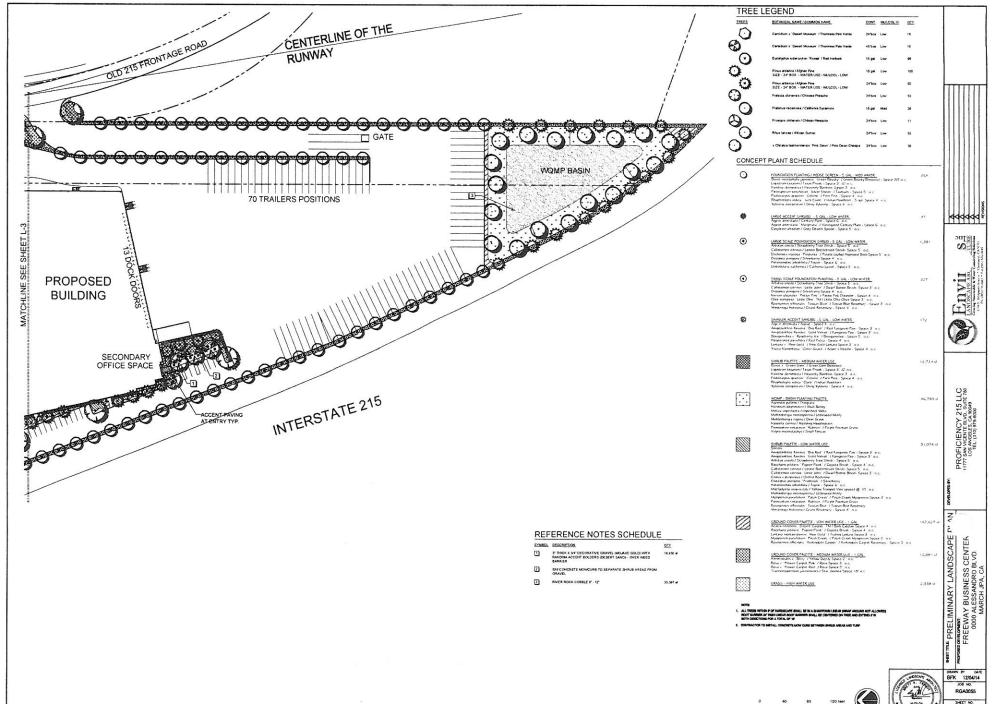
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PROFICIENCY 215 LLC 11777 SAN VICENTE BLVD. SUITE 780 LOS ANGELES, CA 90049 TEL PLAN 179, 80049



NORTH



# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday, from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays, from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon St., 1st Floor Hearing Room

Riverside, California

DATE OF HEARING: March 12, 2015

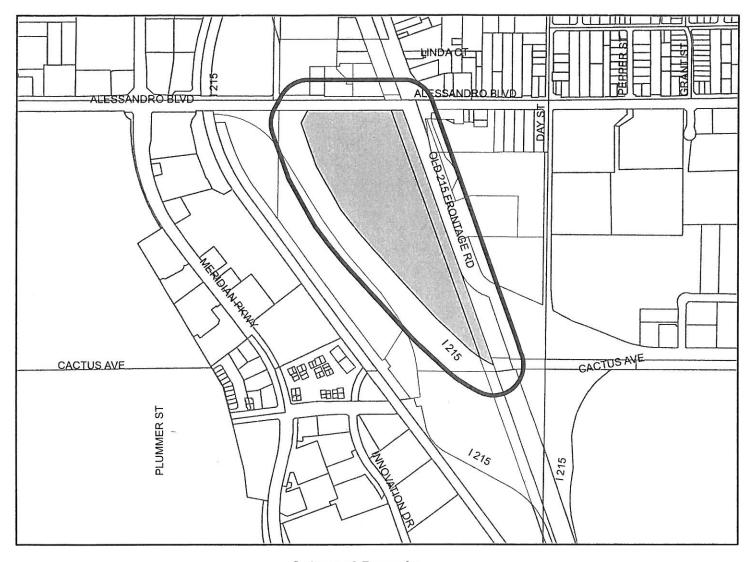
TIME OF HEARING: 9:00 A.M.

CASE DESCRIPTION:

ZAP1107MA14 – Proficiency 215 LLC/Proficiency Capital LLC/Jeff Trenton (Representative: Pam Steele, MIG/Hogle-Ireland) – March Joint Powers Authority (JPA) Case Nos. GPA 15-01 (General Plan Amendment), CZ 14-01 (Change of Zone) and PP 14-02 (Plot Plan). A proposal to establish Industrial zoning on 39.42 acres (Assessor's Parcel Nos. 297-100-013 and 297-100-045) located southerly of Alessandro Boulevard, easterly of Interstate 215, westerly of Old 215 Frontage Road, and northerly of Cactus Avenue, and to build a 709,083 square foot industrial warehouse (including 15,000 square feet of office area, 3,000 square feet of which will be on a mezzanine level) thereon. The easterly 6.2 acres (Assessor's Parcel No. 297-100-045) was zoned R-R (Rural Residential) when in County jurisdiction. GPA 15-01 is a proposal to designate the easterly 6.2 acres of the site (Assessor's Parcel No. 297-100-045) as Industrial on the March JPA General Plan. (Airport Compatibility Zones B1-APZ I and B1-APZ II of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan).

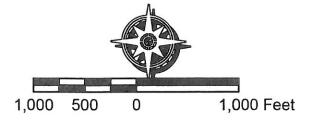
FURTHER INFORMATION: Contact John Guerin at (951) 955-0982. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to Ms. Grace Williams of the March Joint Powers Authority, at (951) 656-7000.

# APN: 297-100-013, 045 (300 feet buffer)



### Selected Parcels

263-100-022 263-100-023 297-100-066 297-100-073 297-100-076 297-120-016 297-120-017 297-120-018 263-100-019 297-100-017 297-100-057 297-100-023 297-100-025 297-110-005 297-100-021 263-100-046 297-100-046 297-110-022 297-100-068 297-100-068 297-100-068 297-100-046 297-100-046 297-110-022 297-100-068 297-100-063



Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

# Application for Major Land Use Action Review Riverside County Airport Land Use Commission

ALUC Identification No.

ZAP 1107 MA14

PROJECT PROPONENT (TO BE COMPLETED BY APPLICANT)					
Date of Application	12/10/10/14	f			
Property Owner	influency 215 UC	Phone Number	(951) 787-922		
Mailing Address	11777 San Vicente Blva.		<u> </u>		
	Suite 180				
	los Angeles, CA. 90049				
	ALC I had a lyal and Our Chade		(00) 361 (000		
Agent (if any)	MIG / Hogle-Ireland (Pam Stede)	Phone Number	[461)78+41227		
Mailing Address	1200 JOHN LINGHON				
	PRIVERSING (A 920)				
	MAGISTON: 12202)				
PROJECT LOCATIO	N (TO BE COMPLETED BY APPLICANT)				
Attach an accurately scale	ed map showing the relationship of the project site to the airport boundary and runways				
Street Address					
	701-100 012 016	· · · · · · · · · · · · · · · · · · ·	20 22 4		
Assessor's Parcel No.	297-100-013, -045	Parcel Size	39.23 Acres		
Subdivision Name		Zoning	Mana		
Lot Number		Classification	None		
PROJECT DESCRIP	TION (TO BE COMPLETED BY APPLICANT)				
If applicable, attach a deta	ailed site plan showing ground elevations, the location of structures, open spaces and w	ater bodies, and the	heights of structures and trees;		
include additional project of	description data as needed	,			
Existing Land Use (describe)	Vacant Parcel				
(describe)		·			
T			¥		
Proposed Land Use	709,083 Square foot Industrial Wavehor	Le le			
(describe)	V (				
	AND DESCRIPTION OF THE PROPERTY OF THE PROPERT				
For Residential Uses	Number of Parcels or Units on Site (exclude secondary units)	None	7/		
For Other Land Uses	Hours of Use Wikhowh Of this time	/			
(See Appendix C)	Number of People on Site Maximum Number				
	Method of Calculation				
Height Data	Height above Ground or Tallest Object (including antennas and trees)	411-3"	ft.		
g z a	Highest Elevation (above sea level) of Any Object or Terrain on Site	17	ft.		
Flight Hazards	Does the project involve any characteristics which could create electrical int confusing lights, glare, smoke, or other electrical or visual hazards to aircraft	flight?	Yes No		
	If yes, describe				

REFERRING AGENC	Y (APPLICANT OR JURISDICTION TO COMPLETE)	
Date Received Agency Name	12/8/14 March Joint Powers	Type of Project
rigericy Name	March Joint Youars Authority	General Plan Amendment Zoning Amendment or Variance
Staff Contact Phone Number	Grace Williams 1	Subdivision Approval
Agency's Project No.	CZ 14-01	Use Permit  Deputie Facility
	Plot Plan 14-02	Other Plan

A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.

### B. SUBMISSION PACKAGE:

### **ALUC REVIEW**

1	Completed Application Form Project Site Plan – Folded (8-1/2 x 14 max.)
1	Elevations of Buildings - Folded
1 Each.	8 ½ x 11 reduced copy of the above
1	8 1/2 x 11 reduced copy showing project
	in relationship to airport.
1 Set	Floor plans for non-residential projects
4 Sets	Gummed address labels of the
	Owner and representative (See Proponent).
1 Set.	Gummed address labels of all property
	owners within a 300' radius of the
	project site. If more than 100 property
	Owners are involved places are it
	owners are involved, please provide pre-
	stamped envelopes (size #10), with ALUC
1 0-4-	return address.
+ Sets	Gummed address labels of the
	referring agency (City or County).
1	Check for Fee (See Item "C" below)

# STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)

1 Completed Application Form
1 Project Site Plans – Folded (8-1/2 x 14 max.)
1 Elevations of Buildings - Folded
1 8 ½ x 11 Vicinity Map
1 Set . Gummed address labels of the
Owner and representative (See Proponent).
1 Set . Gummed address labels of the referring
agency.
1 Check for review–See Below

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

### STAFF REPORT

**AGENDA ITEM:** 

3.1

**HEARING DATE:** 

March 12, 2015

**CASE NUMBER:** 

ZAP1024FL15 - Homequest, LLC and Secured Income

Group, Inc. (Representative: Eva P. Rojo)

APPROVING JURISDICTION:

City of Jurupa Valley

**JURISDICTION CASE NO:** 

MA1432 (CZ1403 [Change of Zone] and TTM36649

[Tentative Tract Map])

MAJOR ISSUES: The proposed project results in a density of between 4.76 dwelling units per acre (including entire project net area, including Zone E) and 4.79 dwelling units per acre (including just the net project area in Zone D and counting the whole lots and lots with majority of area in Zone D), which does not comply with the Compatibility Zone D minimum density criteria of 5.0 dwelling units per acre. However, certain factors are apparent that may be considered under Countywide Policy 3.3.6 to find the normally incompatible density compatible as presented in the following analysis.

RECOMMENDATION: Staff recommends a finding of <u>CONSISTENCY</u> for the Change of Zone. Staff must recommend a finding of <u>INCONSISTENCY</u> for the Tentative Tract Map based on the project not complying with the minimum 5.0 dwelling unit per acre criteria for Compatibility Zone D. However, if the Commission is willing to consider application of Countywide Policy 3.3.6, it may find the Tentative Tract Map <u>CONSISTENT</u>, subject to the conditions included herein.

**PROJECT DESCRIPTION**: The Change of Zone (CZ) proposes to change the zoning classification of 5.49 acres from One-Family Dwellings (R-1) to Planned Residential (R-4). The Tentative Tract Map proposes to subdivide the site into 25 single family residential lots.

### PROJECT LOCATION:

The site is located northerly of 36<sup>th</sup> Street and westerly of Avalon Street in the City of Jurupa Valley, approximately 4,170 feet northwesterly of Runway 6-24 at Flabob Airport.

LAND USE PLAN: 2004 Flabob Airport Land Use Compatibility Plan

a. Airport Influence Area: Flab

Flabob Airport

Staff Report Page 2 of 5

b. Land Use Policy: Airport Compatibility Zones D and E

c. Noise Levels: Below 55 CNEL noise contour from aircraft noise

### **BACKGROUND:**

Residential Density: The site is located in Compatibility Zones D and E. Compatibility Zone D allows residential densities at or above 5.0 dwelling units per acre, and Compatibility Zone E has no applicable residential density criteria. Pursuant to Countywide Policies Table 2A Footnote 16 as amended by RG-05-103, residential densities shall be calculated on a net acreage rather than gross acreage basis in reference to the 5.0 dwelling units per acre criteria for Compatibility Zone D. The net acreage accounts for the "developable" portion of the project site which excludes additional right-of-way dedications (10 feet each) for the adjacent existing roads (36<sup>th</sup> Street and Avalon Street), but includes all internal roadways and residential lot area.

Based on this, the current 5.49-acre net area per Riverside County GIS would be reduced to 5.25 acres net when excluding the additional 10' right-of-way dedications for exterior roads. Based on this total net acreage, the project's proposed 25 units equates to 4.76 dwelling units per acre, which does not comply with the Zone D criteria. Looking at just the acreage within Zone D, approximately 2.71 net acres accommodating approximately 13 lots (9 whole lots and 4 lots with more than half of the area in Zone D) are located within Zone D for a density of 4.79 dwelling units per acre, which also does not comply with the Zone D criteria.

The proposed Change of Zone to R-4 would allow for flexible minimum lot sizes compared to the current R-1 zone, which has a minimum lot size of 7,200 square feet. The R-4 zone would still allow for intermediate densities below 5 dwelling units per acre. Despite this, the proposed potential for smaller lot sizes from the Change of Zone to R-4 from R-1 would provide greater potential for compliance with typical Zone D residential density criteria compared to the R-1 zone.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses specifically prohibited or discouraged in Compatibility Zone D (highly noise-sensitive outdoor nonresidential uses, hazards to flight, children's schools, hospitals, and nursing homes) within the project.

<u>Noise:</u> The property lies outside the area that would be subject to average exterior noise levels above 55 CNEL under ultimate airport development conditions. Therefore, no special noise attenuation measures are required for this residential land use.

Part 77: The elevation of Runway 6-24 at its northeasterly terminus is approximately 766.8 feet AMSL. At a distance of approximately 4,170 feet from the runway and a relevant slope ratio of 50:1, FAA review would typically be required for any structures with peak elevations exceeding 850.2 feet AMSL. The applicant has provided a table noting the distance each proposed lot is from Runway 6-24 to provide a more detailed calculation of whether any lots are required to be submitted to FAA. Based on this table and an assumed maximum building height of 32 feet, no lots are

required to be submitted to FAA for Obstruction Evaluation review. However, the proposed R-4 zone has a maximum building height of 40 feet, and at this maximum height, structures on lots 4 through 9 would require FAA review. Despite the maximum allowed height per the proposed R-4 zone, the applicant is willing to accept a reduced maximum building height of 32 feet. With this height limit, the proposed development would not require FAA Obstruction Evaluation review.

Open Area: Compatibility Zone D requires that 10% of area within major projects (10 acres or larger) be set aside as open area that could potentially serve as emergency landing areas. Since the overall project size is less than 10 acres, the open area requirement is not applicable to this project.

<u>Infill:</u> Countywide Policy 3.3.1 (Infill) is not useful in this situation, as it allows for greater densities than would otherwise be permitted in a Compatibility Zone, but does not offer lower residential densities in the 0.4-5.0 dwelling unit per acre range within Zone D. The proposed project would generally be compatible with the existing surrounding land uses of single-family residential and mobile-home parks.

<u>Countywide Policy 3.3.6</u>: While the project does not strictly comply with Zone D density criteria, the Commission may choose to consider whether to find the normally incompatible density compatible pursuant to Countywide Policy 3.3.6 if the combination of the following facts are determined to represent "other extraordinary factors or circumstances" based on the following findings:

- The project site is in an area below 55 CNEL, thus limiting noise impacts and potential nuisance complaints.
- The proposed average lot size of 7,434 square feet equates to 5.86 dwelling units per acre, and all but four of the residential lots are smaller than 0.2 acre in net area.
- Although the project's net density does not strictly comply with the Compatibility Zone D 5.0 dwelling units per acre minimum criteria, the project's net density is relatively close to the criteria, such that the variance from the ALUC standard of 5.0 dwelling units per acre is insignificant. A subdivision with three (3) additional lots would meet the criteria.
- The project is not located beneath or near the extended centerline of the runway or within the general traffic pattern envelope, wherein approximately 80% of aircraft overflights are expected to occur.

### **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, aquaculture, 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, and incinerators.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- (e) Highly noise-sensitive outdoor nonresidential uses, children's schools, hospitals, and nursing homes.
- 3. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.
- 4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.
- 5. Buildings on all lots shall be no greater than 32 feet in height unless: (a) a building exceeding this height is submitted for FAA Obstruction Evaluation and a Determination of No Hazard to Air Navigation is issued, or (b) a Building Permit Review application is submitted to ALUC and staff determines that FAA review is not required.
- 6. Proposed building pad elevations for Lots 4 through 9 shall not be increased above those elevations noted on the Tentative Tract Map exhibit dated May 23, 2014 and as indicated in the table titled "Flabob Airport Height Analysis" without further ALUC staff review to determine whether FAA Obstruction Evaluation is required. Proposed building pad elevations for all other lots shall not be increased to more than 818 feet above mean sea level

Staff Report Page 5 of 5

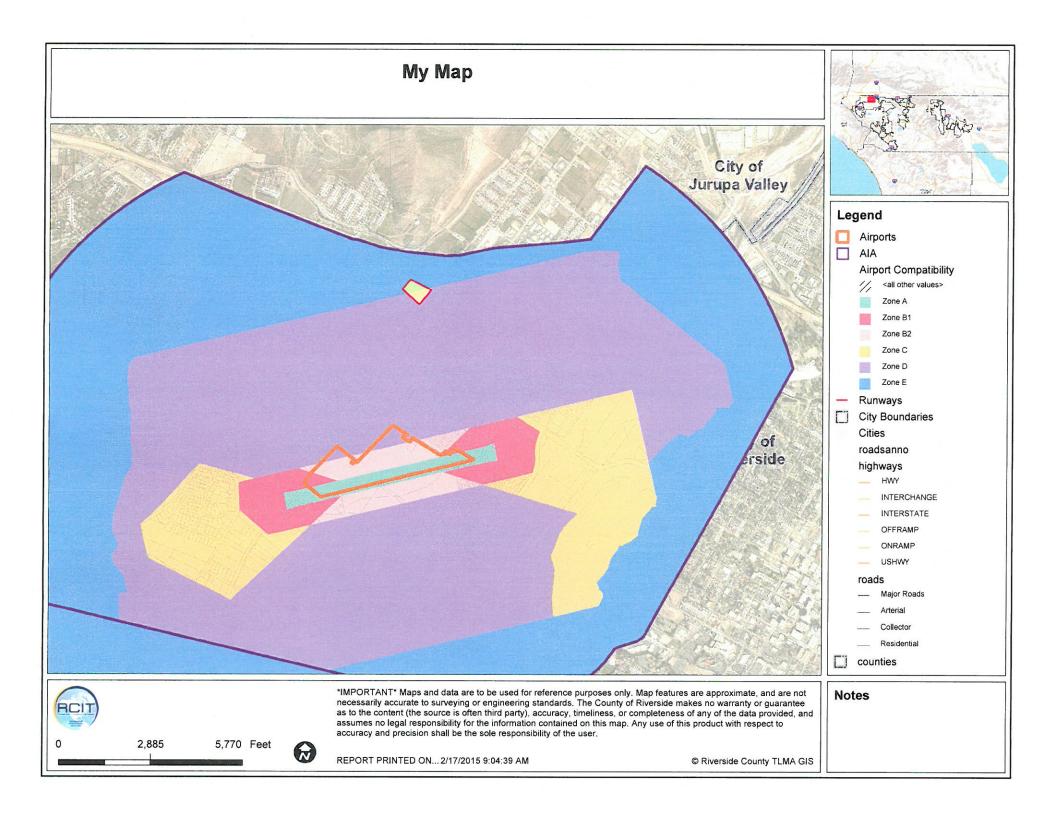
without further ALUC staff review to determine whether FAA Obstruction Evaluation is required.

Y:\AIRPORT CASE FILES\Flabob\ZAP1024FL15\ZAP1024FL15sr.doc

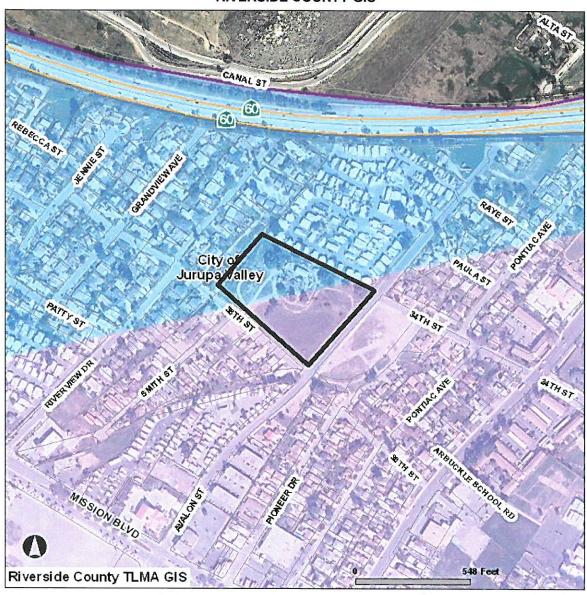
# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to vou. Business & Professions Code Section 11010 (b)





### **RIVERSIDE COUNTY GIS**



### Selected parcel(s): 179-060-027

### **AIRPORTS**

SELECTED PARCEL	✓ INTERSTATES		PARCELS
AIRPORT INFLUENCE AREAS	COMPATIBILTY ZONE D	COMPATIBILTY ZONE E	

### \*IMPORTANT\*

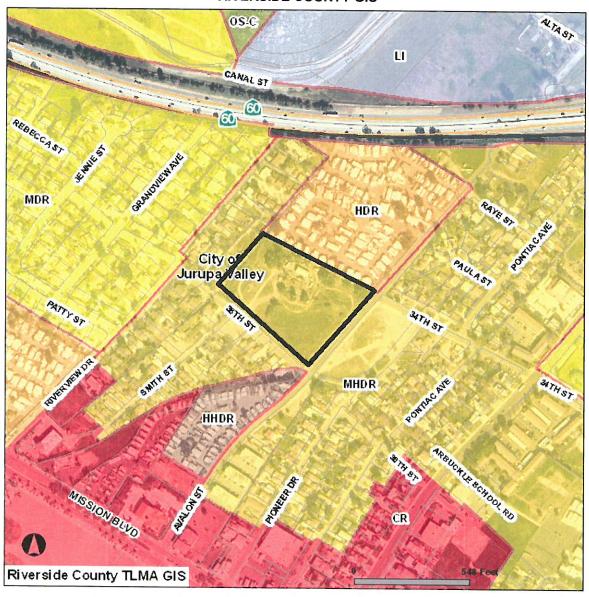
MAPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Fri Jan 30 11:26:33 2015

Version 131127

### **RIVERSIDE COUNTY GIS**



# Selected parcel(s): 179-060-027

### LAND USE



### \*IMPORTANT\*

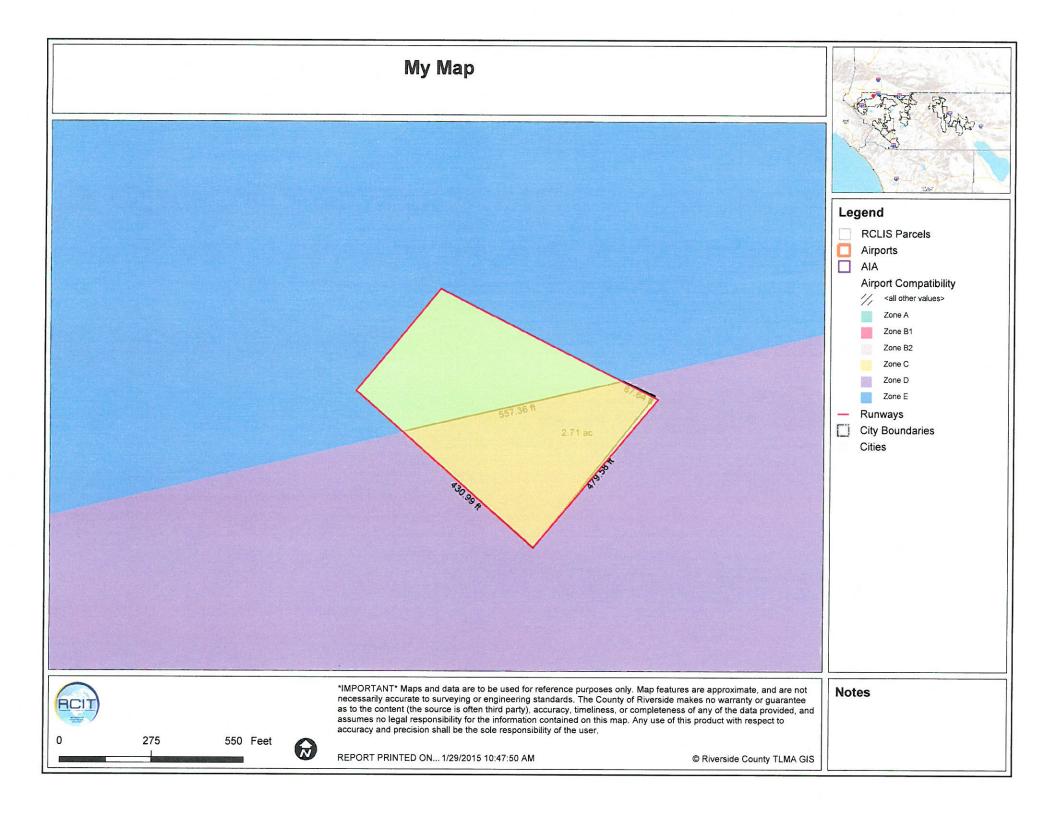
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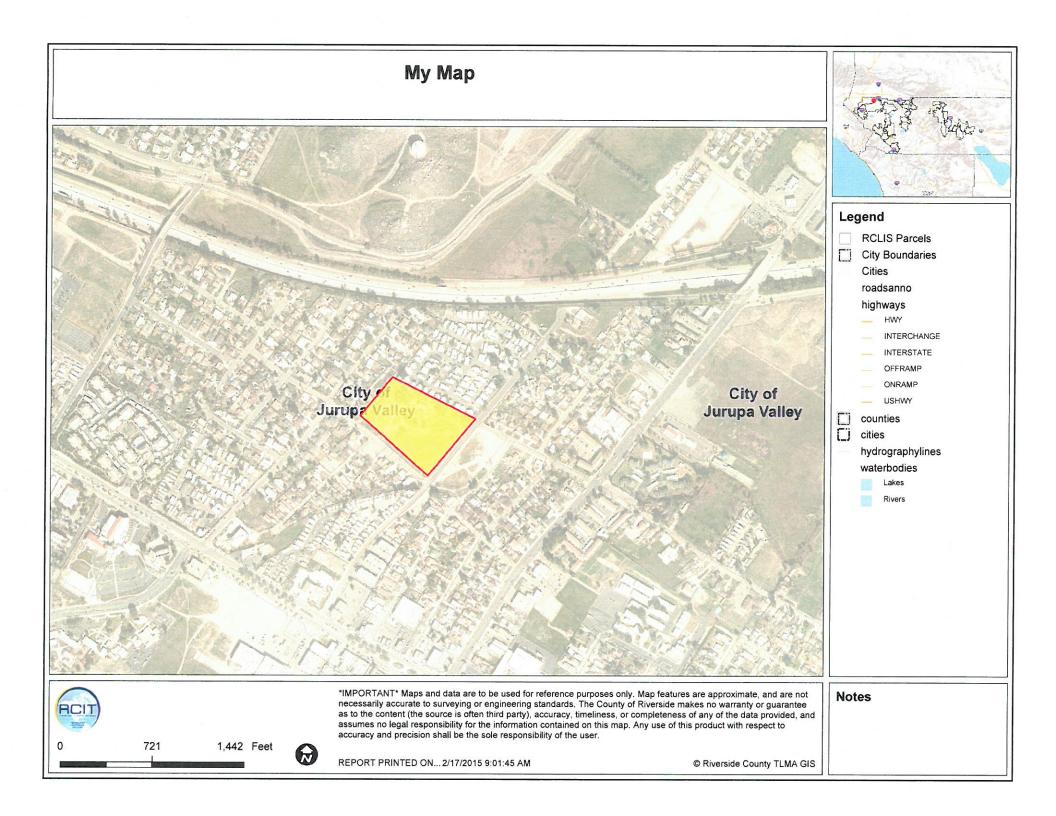
STANDARD WITH PERMITS REPORT

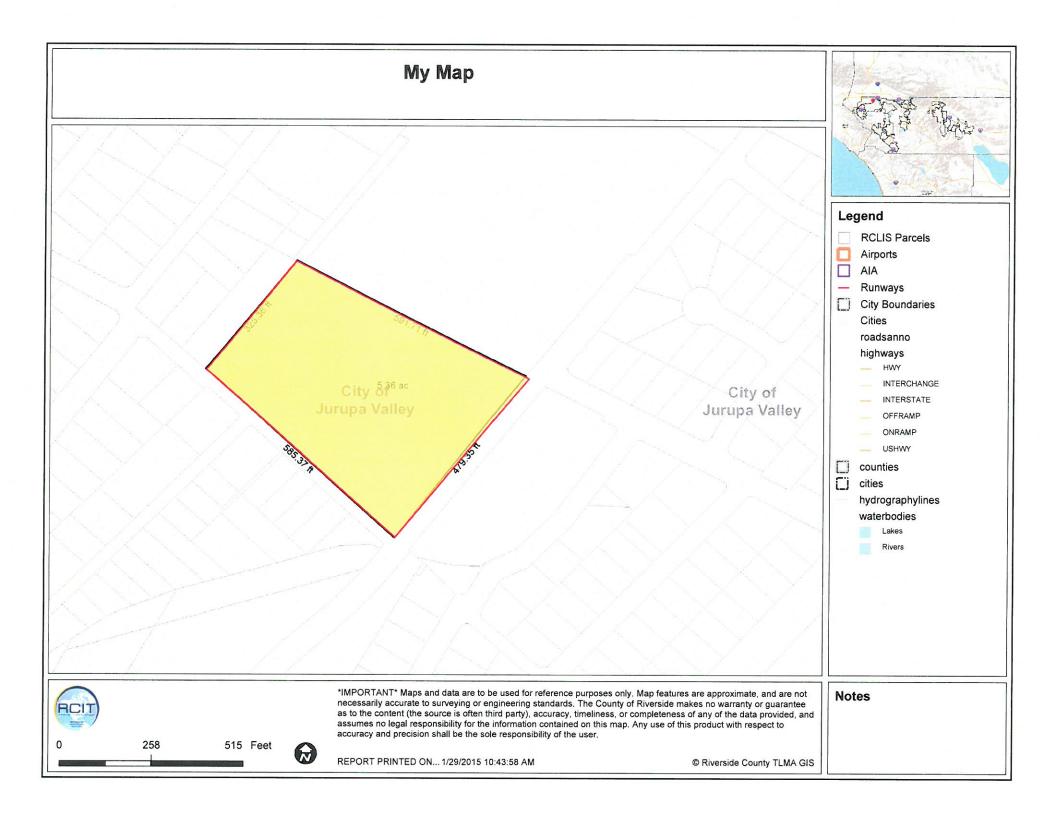
### APNs

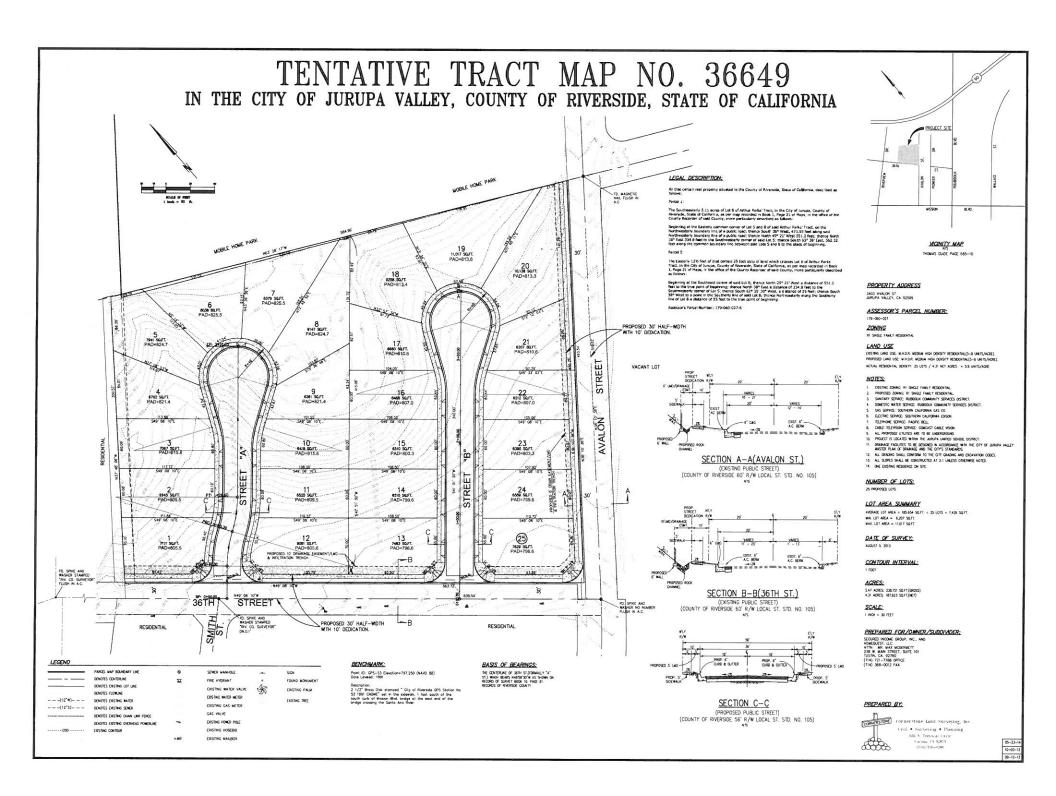
179-060-027-6

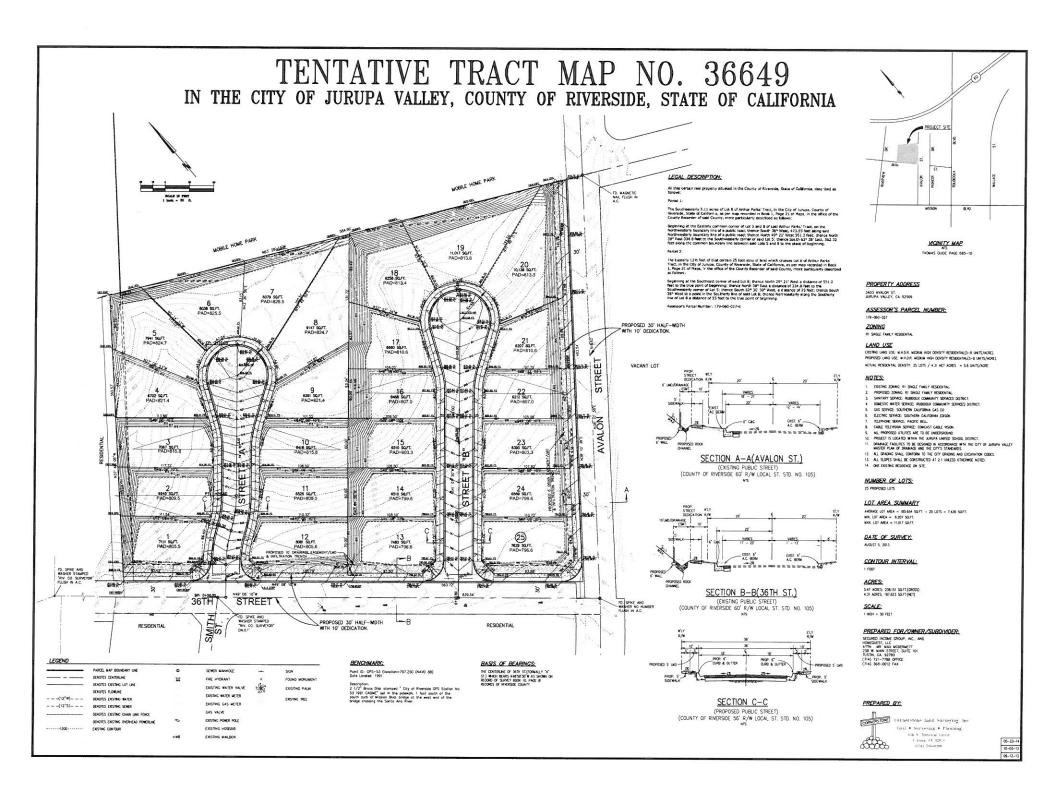
### **OWNER NAME / ADDRESS**











# TENTATIVE TRACT NO. 36649 (ZAP1024FL15) LOCATION: NW CORNER OF AVALON STREET & 36TH STREET FLABOB AIRPORT HEIGHT ANALYSIS

Lot Number	Pad Elevation (Ft)	Proposed Roof Height (Ft) Pad + 32.0' (Max.)	Distance to Runway (Ft)	Maxium Building Height From Runway (Ft) Runway Elevation=766.8	Rooftop Clearance to Maxium Building Height (Ft)	
1	805.5	837.5	4,529	857.4	19.9	
2	809.5	841.5	4,565	858.1	16.6	
3	815.8	847.8	4,594	858.7	10.9	
4	821.4	853.4	4,645	859.7	6.3	
5	824.7	856.7	4,690	860.6	3.9	
6	825.5	857.5	4,659	860.0	2.5	
7	825.5	857.5	4,607	858.9	1.4	
8	824.7	856.7	4,541	857.6	0.9	
9	821.4	853.4	4,493	856.7	3.3	
10	815.8	847.8	4,462	856.0	8.2	
11	809.5	841.5	4,427	855.3	13.8	
12	805.6	837.6	4,392	854.6	17.0	
13	796.6	828.6	4,298	852.8	24.2	
14	799.6	831.6	4,334	853.5	21.9	
15	803.3	835.3	4,368	854.2	18.9	
16	807.0	839.0	4,407	854.9	15.9	
17	810.6	842.6	4,449	855.8	13.2	
18	813.4	845.4	4,505	856.9	11.5	
19	813.8	845.8	4,463	856.1	10.3	
20	813.3	845.3	4,390	854.6	9.3	
21	810.6	842.6	4,328	853.4	10.8	
22	807.0	839.0	4,291	852.6	13.6	
23	803.3	835.3	4,252	851.8	16.5	
24	799.6	831.6	4,217	851.1	19.5	
25	796.6	828.6	4,180	850.4	21.8	

## NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. The proposed project application may be viewed at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday, from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays, from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon St., 1st Floor Hearing Room

Riverside, California

DATE OF HEARING: March 12, 2015

TIME OF HEARING: 9:00 A.M.

CASE DESCRIPTION:

ZAP1024FL15 – Secured Income Group. Inc. (Representative: Eva P. Rojo) – City of Jurupa Valley Major Action Case No. 1432 (MA 1432), consisting of Change of Zone No. 1403 and Tentative Tract Map No. 36649. The applicant proposes to change the zoning of 5.49 acres located northerly of 36<sup>th</sup> Street and westerly of Avalon Street from R-1 (One-Family Dwelling) to R-4 (Planned Residential). Tentative Tract Map No. 36649 is a proposal to divide the site (Assessor's Parcel Number 179-060-027) into 25 single-family residential lots ranging from 6,200 square feet to 11,000 square feet in size. (Airport Compatibility Zones D and E of the Flabob Airport Influence Area).

FURTHER INFORMATION: Contact Russell Brady at (951) 955-0549 or John Guerin at (951) 955-0982. The ALUC holds hearings for local discretionary permits within the Airport Influence Areas, reviewing for aeronautical safety, noise and obstructions. All other concerns should be addressed to Ms. Annette Tam of the City of Jurupa Valley Planning Department, at (951) 332-6464.

## Application for Major Land Use Action Review Riverside County Airport Land Use Commission

ALUC Identification No.

ZAP 1024 FL15

PROJECT PROPOR	NENT (TO BE COMPLETED BY APPLICANT)	
Date of Application Property Owner Mailing Address	January 20, 2015 Homoquest, LLC and Servied Income Group, I Phone Number 714.366-1300 17592 E. 1749 St., Stc. 100 Tustin, CA 92760	
Agent (if any) Mailing Address	Secured Tycome Grap, Inc Phone Number 714-368-1300 17592 E. 1755t, Ste. 100 Tustin, CA 92780	
	ON (TO BE COMPLETED BY APPLICANT)  nied map showing the relationship of the project site to the airport boundary and runways	
Street Address	Jurua Valley, CA	
Assessor's Parcel No Subdivision Name Lot Number		3
If applicable, attach a det include additional project	PTION (TO BE COMPLETED BY APPLICANT)  tailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trees; description data as needed	
Existing Land Use (describe)	SFR-Ranch home	
Proposed Land Use (describe)	25 single family residential lots  Change of Zone from R-1 to R-4	
For Residential Uses	Number of Parcels or Units on Site (exclude secondary units)	7
For Other Land Uses (See Appendix C)	Number of People on Site  Method of Calculation  Method of Calculation  Method of Calculation	
Height Data	Height above Ground or Tallest Object (including antennas and trees)  Highest Elevation (above sea level) of Any Object or Terrain on Site    1364-25004 Home   860.5 ft.	7
Flight Hazards	Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?	1
	If yes, describe possible solar panels	-
		1

Date Received  Agency Name  City of Turung Valley Planning  Band Limoni te Ave, Ste, M, JVCA  Staff Contact  Phone Number  Agency's Project No.  Date Received  Type of Project  General Plan Amendment  Zoning Amendment or Variance  Subdivision Approval  Use Permit  Public Facility  Other	REFERRING AGENCY (APPLICANT OR JURISDICTION TO COMPLETE)							
	Agency Name Staff Contact Phone Number	8304 Limonité Ave, Ste. M., JVCA Annette Tam	General Plan Amendment Zoning Amendment or Variance Subdivision Approval Use Permit Public Facility					

- A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.
- B. SUBMISSION PACKAGE:

#### **ALUC REVIEW**

- Completed Application Form
   Project Site Plan Folded (8-1/2 x 14 max.)
   Elevations of Buildings Folded N/A
   Each . 8 ½ x 11 reduced copy of the above
   8 ½ x 11 reduced copy showing project in relationship to airport.
   Floor plans for non-residential projects N/A
   Sets. Gummed address labels of the Owner and representative (See Proponent).
   Sets. Gummed address labels of all property owners within a 300' radius of the project site. If more than 100 property owners are involved, please provide prestamped envelopes (size #10), with ALUC
  - 4 Sets. . Gummed address labels of the referring agency (City or County).

    1. . . . . Check for Fee (See Item "C" below)
  - \* No buildings

return address.

## STAFF REVIEW (Consult with ALUC staff planner as to whether project qualifies)

- 1 . . . . Completed Application Form
- 1 . . . . Project Site Plans Folded (8-1/2 x 14 max.)
- 1 . . . . Elevations of Buildings Folded
- 1 . . . . . 8 ½ x 11 Vicinity Map
- 1 Set . Gummed address labels of the
- Owner and representative (See Proponent).

  1 Set . Gummed address labels of the referring
- agency.
- 1 . . . . Check for review-See Below



17592 E. 17th Street, Suite 100, Tustin, California 92780

January 22, 2015

John Guerin Riverside County Airport Land Use Commission 4080 Lemon Street, 14<sup>th</sup> Floor Riverside, CA 92501

RE: MA 1432 (SECURED INCOME GROUP, INC & HOMEQUEST, LLC) 3403 Avalon Street: APN 179-060-027 Flabob Airport Compatibility clearance

Dear John:

Per our discussion earlier this week, please find attached our submission Application for Major Land Use Action Review along with the necessary documents requested.

If you have any questions, please feel free to contact me at 714-368-1300.

Sincerely,

Eva P. Rojo (Asset Manager

Attachments

## RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

#### STAFF REPORT

#### ADMINISTRATIVE ITEMS

- Land Use Compatibility Plan, during the month of February, ALUC Director Ed Cooper reviewed one non-legislative case in Western Riverside County and issued a determination of consistency. ZAP1109MA15 pertains to a Public Use Permit application with the County of Riverside proposing construction of a 19,494 square foot church, a 27,470 square foot school, and a 10,865 square foot multi-purpose building including a social hall (three buildings totaling 57,829 square feet) on 12 acres located easterly of Dunlap Drive and southerly of Nuevo Road within Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area. The facility would be the new site for St. James Catholic Church, currently located in downtown Perris. Copies of the consistency letter and background documents are attached, for the Commission's information.
- 4.2 <u>Countywide Policies, Jacqueline Cochran Regional Airport, Vista Santa Rosa.</u> As previously noted in our December discussion of the Strategic Plan, the California Transportation Commission has approved a list of additional Acquisition and Development (A&D) grants for funding, including an update to the Jacqueline Cochran Regional Airport Land Use Compatibility Plan (JCRALUCP) and Countywide Policies amendments. The Jacqueline Cochran amendment would include integration of the Additional Compatibility Policies for the Vista Santa Rosa community that the Commission supported in concept when presented a few years ago. Additionally, amendments to the Countywide Policies should be considered to enhance consistency with California Airport Land Use Planning Handbook (Handbook) recommendations. Our application to the State must be submitted by April 17, 2015, so action by the Board of Supervisors authorizing the application must occur prior to that date.

Copies of the existing JCRALUCP and Countywide Policies, and the Commission's letter approving the Vista Santa Rosa proposal in concept, are attached, for the Commission's information in preparation for discussion at the March 12 hearing. Excerpts from the Safety section of Chapter 4 of the Handbook are also attached.

**4.3** Brown Act Presentation. This item is reserved for a presentation on the Brown Act from ALUC Counsel Anna Wang.

Y:\ALUC\ALUC Administrative Items\Admin. 2015\ADmin Item 03-12-15.doc



#### AIRPORT LAND USE COMMISSION **RIVERSIDE COUNTY**

CHAIR Simon Housman

February 18, 2015

Rancho Mirage **VICE CHAIRMAN** 

Mr. Mark Corcoran, Contract Planner County of Riverside Planning Department

Riverside

**Rod Ballance** 

4080 Lemon Street, 12th Floor Riverside, CA 92501

COMMISSIONERS

[VIA HAND DELIVERY]

**Arthur Butler** Riverside

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

Glen Holmes Hemet

File No.:

Related File No.:

ZAP1109MA15

John Lyon Riverside PUP00924 (Public Use Permit)

APN:

310-230-042

**Greg Pettis** Cathedral City

Dear Mr. Corcoran:

**Steve Manos** Lake Elsinore

Under the delegation of the Riverside County Airport Land Use Commission (ALUC), staff reviewed the above-referenced proposal for construction of a 19,494 square foot church, 27,470 square foot school, and a 10,865 square foot multi-purpose building including a social hall (three buildings totaling 57,829 square feet) on 12.00 acres (gross) located easterly of Dunlap Drive and southerly of Nuevo Road in the unincorporated community of Nuevo.

STAFF

Director **Ed Cooper** 

John Guerin

Russell Brady Barbara Santos

4080 Lemon St., 14th Floor. Riverside, CA 92501 (951) 955-5132

County Administrative Center

www.rcaluc.org

The site is located within Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). Within Compatibility Zone D in this AIA, land use intensity is not restricted, and children's schools are not prohibited or discouraged. The site is located more than five miles from the southerly terminus of the runway.

While the height of the building to top of steeple is 57 feet, 9 inches, the elevation at the top point (projected at 1481.85 feet above mean sea level) will be lower than the elevation of the runway at its southerly terminus (1,488 feet above mean sea level). Therefore, Federal Aviation Administration Obstruction Evaluation review for height/elevation reasons will not be required.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:

#### **CONDITIONS:**

- Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent 1. either the spillage of lumens or reflection into the sky.
- 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, including but not limited to, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, incinerators, and fly ash disposal.
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 3. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
- 4. Any new detention or retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention/retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

If you have any questions, please contact Russell Brady, Contract Planner, at (951) 955-0549, or John Guerin, Principal Planner, at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C Cooper, Director

RB:bks

#### AIRPORT LAND USE COMMISSION

February 18, 2015

Attachments: Notice of Airport in Vicinity

cc: William McKeever, W.J. McKeever Inc. (representative)
David Meier, Diocese of San Bernardino (applicant)

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

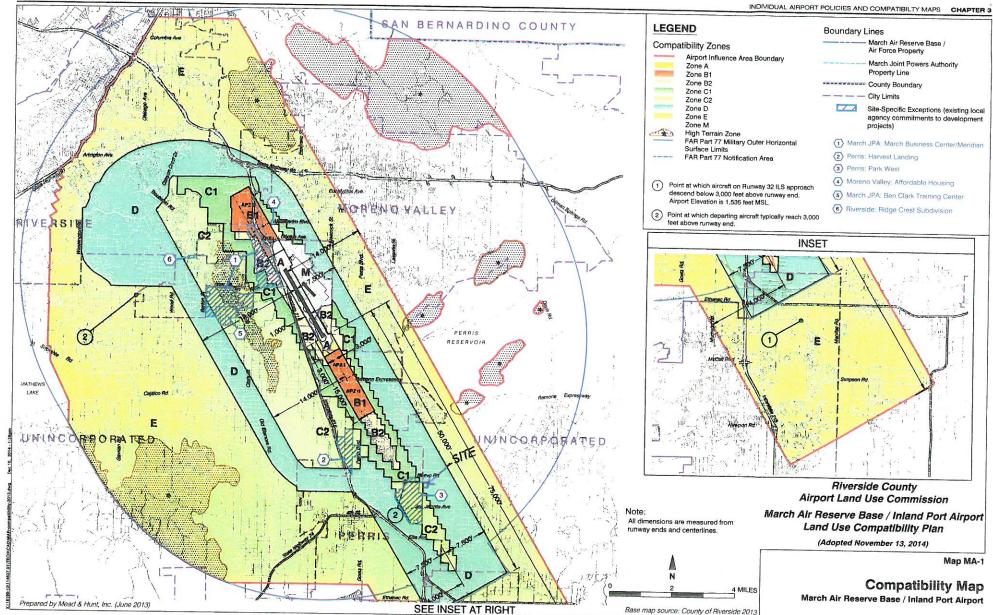
Denise Hauser or Sonia Pierce, March Air Reserve Base

ALUC Case File

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# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)



#### SECTION D-D

SCALE: HORZ: 1"=5' VERT: 1"=2'

NUEVO ROAD.

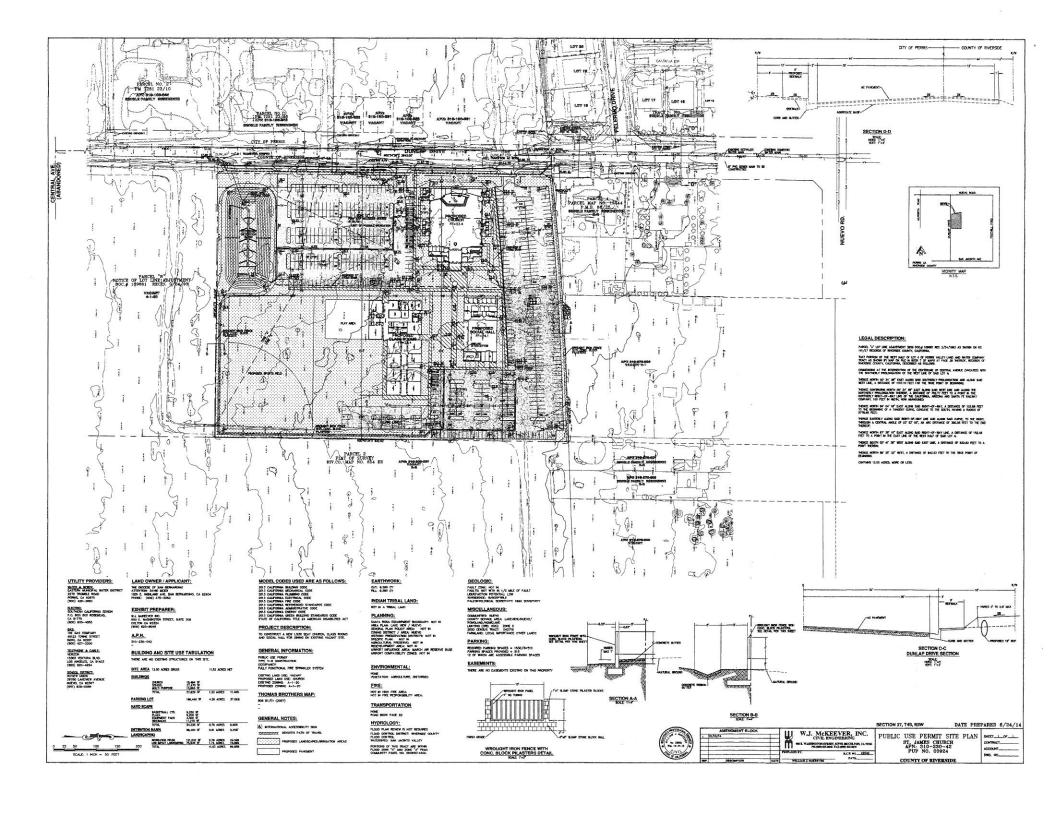
SITE

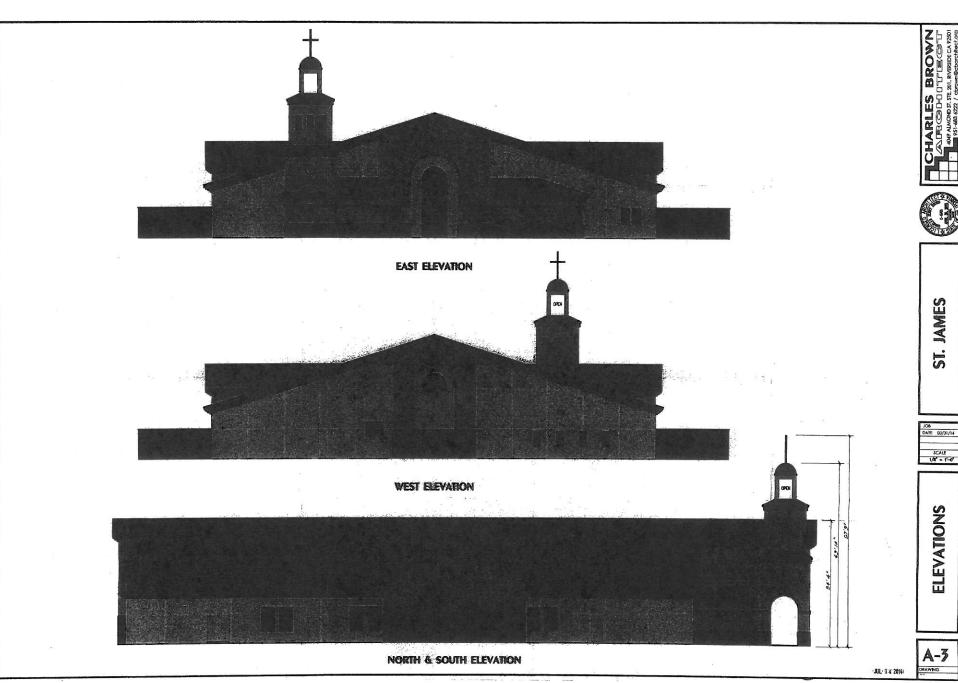
DONNIAP DRIVE

SAN JACINTO AVE

PERRIS CA
RIVERSIDE COUNTY

VICINITY MAP N.T.S.







## Countywide Policies

#### 1. GENERAL APPLICABILITY

#### 1.1. Purpose

The purpose of this Riverside County Airport Land Use Compatibility Plan is to articulate procedures and criteria, established in accordance with the California State Aeronautics Act (Public Utilities Code Section 21670 et seq.), that:

- 1.1.1. Riverside County Airport Land Use Commission (ALUC): The ALUC:
  - (a) Shall utilize when reviewing proposed land use development in Riverside County for compatibility with airport activity.
  - (b) Shall utilize when evaluating certain types of airport development proposals that also are subject to ALUC review and are addressed by the *Compatibility Plan*.
- 1.1.2. County of Riverside and Affected Cities in the County: The county and cities:
  - (a) Shall each apply when modifying their respective general plans and zoning ordinances to be consistent with the Commission's *Compatibility Plan*.
  - (b) Shall consider when making other planning decisions regarding the proposed development of lands impacted by airport operations.
  - (c) Shall use as the basis for referring specified land use proposals to the Riverside County ALUC for review.
- 1.1.3. Special Districts and School Districts: Special districts and school districts:
  - (a) Shall apply when creating plans and making other planning decisions regarding proposed facilities and other development affecting or affected by airport operations.
  - (b) Shall use as the basis for referring specified land use proposals to the Riverside County ALUC for review.

1.1.4. *County of San Bernardino:* The county of San Bernardino should recognize as the basis for coordination with the Riverside County ALUC and the county of Riverside regarding airport impacts, specifically with regard to Chino Airport, that overlap the common boundary between the counties.

#### 1.2. Definitions

The following definitions apply for the purposes of the policies set forth in this document (additional terms are defined in the *Glossary*):

- 1.2.1. Aeronautics Act: Except as indicated otherwise, the article of the California Public Utilities Code (Sections 21670 et seq.) pertaining to airport land use commissions.
- 1.2.2. Airport: Each of the public-use or military airports, as listed in Policy 1.3.1(a), situated within or affecting lands within Riverside County, or any other new public-use airport which might be created within the boundaries of Riverside County.
- 1.2.3. Airport Influence Area: An area, as delineated in Chapter 3 herein, in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses. The airport influence area constitutes the area within which certain land use actions are subject to ALUC review. The term airport influence area is synonymous with the term airport referral area as well as to the term planning area as referred to in Public Utilities Code Section 21675.
- 1.2.4. Airport Land Use Commission (ALUC): The Riverside County Airport Land Use Commission.
- 1.2.5. Aviation-Related Use: Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include runways, taxiways, and their associated protection areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations facilities, terminal buildings, etc.
- 1.2.6. Avigation Easement: An easement that conveys rights associated with aircraft overflight of a property, including creation of noise, limits on the height of structures and trees, etc. (see Glossary)
- 1.2.7. Community Noise Equivalent Level (CNEL): The noise metric adopted by the state of California for describing airport noise impacts. The noise impacts are typically depicted by a set of contours, each of which represents points having the same CNEL value.
- 1.2.8. Compatibility Plan: This document, the Riverside County Airport Land Use Compatibility Plan.
- 1.2.9. Compatibility Zone: Any of the zones set forth herein for the purposes of assessing land use compatibility within the airport influence area.
- 1.2.10. Existing Land Use: A land use that either physically exists or for which local government commitments to the proposal have been obtained; that is, no further discretionary approvals are necessary. Local government commitment to a proposal can usually be considered firm once one or more of the following have occurred:

- (a) A tentative parcel or subdivision map has been approved and not expired;
- (b) A vesting tentative parcel or subdivision map has been approved;
- (c) A development agreement has been approved and remains in effect;
- (d) A final subdivision map has been recorded;
- (e) A use permit or other discretionary entitlement has been approved and not yet expired; or
- (f) A valid building permit has been issued.
- 1.2.11. Federal Aviation Regulations (FAR) Part 77: The part of Federal Aviation Regulations which deals with objects affecting navigable airspace in the vicinity of airports. Objects which exceed the Part 77 height limits constitute airspace obstructions.
- 1.2.12. Gross Acreage: Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands.
- 1.2.13. Height Review Overlay Zone: Areas of land in the vicinity of an airport where the ground lies above an FAR 77 surface or less than 35 feet beneath such surface.
- 1.2.14. *Heliport:* A helicopter landing facility for which a Heliport Permit is required from the California Department of Transportation. Public-use and special-use heliports (including those at hospitals) are included within this definition, but helipads located on an airport are excluded. Personal-use heliports may or may not require a state permit depending upon their location and other factors.
- 1.2.15. *Infill:* Development of vacant or underutilized land within areas that are already largely developed or used more intensively. See Policy 3.3.1(a) for criteria used to identify infill areas for compatibility planning purposes.
- 1.2.16. Local Jurisdiction: The County of Riverside or any city or other government agency (except state or federal government agencies or Indian tribes) having jurisdiction over land uses within their boundaries.
- 1.2.17. Major Land Use Action: Actions related to proposed land uses for which compatibility with airport activity is a particular concern, but for which ALUC review is not always mandatory under state law. These types of actions are listed in Policy 1.5.3.
- 1.2.18. Nonconforming Use: In general, a land use, parcel, or building which does not comply with a current land use plan or zoning ordinance, but which was legally permitted at the time the plan or ordinance was adopted. For the purposes of this Compatibility Plan, a nonconforming land use is one which exists (see definition of "existing land use" in Policy 1.2.10) as of the plan's adoption date, but which does not conform with the compatibility criteria set forth herein.
- 1.2.19. Project; Land Use Action; Development Proposal: Terms similar in meaning and all referring to the types of land use matters, either publicly or privately sponsored, which are subject to the provisions of this Compatibility Plan.

#### 1.3. Geographic Scope

As established by the Riverside County Airport Land Use Commission, the geographic scope of the Riverside County Airport Land Use Compatibility Plan encompasses:

#### 1.3.1. Airport Influence Area

- (a) All lands on which the uses could be negatively affected by present or future aircraft operations at any of the airports listed in Table 1A for which the ALUC has specifically adopted these procedures; also those lands on which the uses could negatively affect any of the same airports.
- (b) All lands within Riverside County that could be negatively affected by present or future aircraft operations at Chino Airport situated in San Bernardino County as well as lands in Riverside County on which the uses could negatively affect usage of that airport.
- (c) The specific limits of the influence area for each of the above airports are depicted on the respective *Compatibility Map* for that airport as presented in Chapter 3.
- 1.3.2. Countywide Impacts on Flight Safety: Other lands, regardless of their location in the county, on which certain land use characteristics could adversely affect the safety of aircraft flight in Riverside County. The specific uses of concern are identified in Policy 1.5.2(c).
- 1.3.3. New Airports: The site and environs of any new airport that may be proposed anywhere in the county, including within incorporated cities, and that requires an Airport Permit from the California Department of Transportation (agricultural airports, personal-use airports, and seaplane landing sites are generally exempt from state permit requirements).
- 1.3.4. *Heliports:* The site and environs of any public-use or special-use heliport (as defined by the California Department of Transportation) that may exist or be proposed anywhere within Riverside County, including within incorporated cities.

#### 1.4. Types of Airport Impacts

- 1.4.1. *Principal Compatibility Concerns:* The Commission is concerned only with the potential impacts related to:
  - (a) Exposure to aircraft noise;
  - (b) Land use safety with respect both to people on the ground and the occupants of aircraft;
  - (c) Protection of airport airspace; and
  - (d) General concerns related to aircraft overflights.
- 1.4.2. Airport Impacts Not Considered: Other impacts sometimes created by airports (e.g., air pollution, automobile traffic, etc.) are not addressed by these compatibility policies and are not subject to review by the Airport Land Use Commission. Also, in accordance with state law (Public Utilities Code Section 21674(e)), neither this Plan nor the

ALUC have authority over the operation of any airport (including where and when aircraft fly, airport security, and other such matters).

#### 1.5. Types of Actions Reviewed

- 1.5.1. Actions Which Always Require ALUC Review: As required by state law, the following types of actions shall be referred to the Airport Land Use Commission for determination of consistency with the Commission's Plan prior to their approval by the local jurisdiction:
  - (a) The adoption or approval of any amendment to a general or specific plan affecting the property within an airport influence area (Public Utilities Code Section 21676(b)).
  - (b) The adoption or approval of a zoning ordinance or building regulation which (1) affects property within an airport influence area, and (2) involves the types of airport impact concerns listed in Section 1.4 (Public Utilities Code Section 21676(b)).
  - (c) Adoption or modification of the master plan for an existing public-use airport (Public Utilities Code Section 21676(c)).
  - (d) Any proposal for expansion of an existing airport or heliport if such expansion will require an amended airport permit from the state of California (Public Utilities Code Section 21664.5).
  - (e) Any proposal for a new airport or heliport whether for public use or private use (Public Utilities Code Section 21661.5) if the facility requires a state airport permit.
- 1.5.2. Other Land Use Actions Subject to ALUC Review: In addition to the above types of land use actions for which ALUC review is mandatory, other types of land use actions are subject to review under the following circumstances:
  - (a) Until such time as (1) the Commission finds that a local agency's general plan or specific plan is consistent with the *Airport Land Use Compatibility Plan*, or (2) the local agency has overruled the Commission's determination of inconsistency, state law provides that the ALUC may require the local agency to refer all actions, regulations, and permits involving land within an airport influence area to the Commission for review (Public Utilities Code Section 21676.5(a)). Only those actions that the ALUC elects not to review are exempt from this requirement. Commission policy is that only the *major land use actions* listed in Policy 1.5.3 shall be submitted for review.
  - (b) After a local agency has revised its general plan or specific plan (see Section 3.2) or has overruled the Commission, the Commission no longer has authority under state law to require that all actions, regulations, and permits be referred for review. However, the Commission and the local agency can agree that the Commission should continue to review individual projects in an advisory capacity.
    - (1) The Commission requests local agencies to continue to submit *major land use actions* as listed in Policy 1.5.3. ALUC review of these types of projects can serve to enhance their compatibility with airport activity.

- (2) Review of these actions is requested only if a review has not previously been conducted as part of a general plan, specific plan, or zoning ordinance action or if sufficient project-level detail to enable a full assessment of compatibility was not available at the time of a previous review.
- (3) Because the ALUC acts in an advisory capacity when reviewing projects under these circumstances, local jurisdictions are not required to adhere to the overruling process if they elect to approve a project without incorporating design changes or conditions suggested by the Commission.
- (c) Proposed redevelopment of a property for which the existing use is consistent with the general plan and/or specific plan, but nonconforming with the compatibility criteria set forth in this plan, shall be subject to ALUC review. This policy is intended to address circumstances that arise when a general or specific plan land use designation does not conform to ALUC compatibility criteria, but is deemed consistent with the compatibility plan because the designation reflects an existing land use. Proposed redevelopment of such lands voids the consistency status and is to be treated as new development subject to ALUC review even if the proposed use is consistent with the local general plan or specific plan. (Also see Policies 3.3.2 and 3.3.3.)
- (d) Proposed land use actions covered by Paragraphs (a), (b), and (c) above shall initially be reviewed by the ALUC Executive Director. If the Executive Director determines that significant compatibility issues are evident, the proposal shall be forwarded to the Commission for review and decision. The Commission authorizes the Executive Director to approve proposed actions having no apparent compatibility issues of significance.
- 1.5.3. Major Land Use Actions: The scope or character of certain major land use actions, as listed below, is such that their compatibility with airport activity is a potential concern. Even though these actions may be basically consistent with the local general plan or specific plan, sufficient detail may not be known to enable a full airport compatibility evaluation at the time that the general plan or specific plan is reviewed. To enable better assessment of compliance with the compatibility criteria set forth herein, ALUC review of these actions may be warranted. The circumstances under which ALUC review of these actions is to be conducted are indicated in Policy 1.5.2 above.
  - (a) Actions affecting land uses within any compatibility zone.
    - (1) Any proposed expansion of the sphere of influence of a city or special district.
    - (2) Proposed pre-zoning associated with future annexation of land to a city.
    - (3) Proposed development agreements or amendments to such agreements.
    - (4) Proposed residential development, including land divisions, consisting of five or more dwelling units or lots.
    - (5) Any discretionary development proposal for projects having a building floor area of 20,000 square feet or greater unless only ministerial approval (e.g., a building permit) is required.

- (6) Major capital improvements (e.g., water, sewer, or roads) which would promote urban uses in undeveloped or agricultural areas to the extent that such uses are not reflected in a previously reviewed general plan or specific plan.
- (7) Proposed land acquisition by a government entity for any facility accommodating a congregation of people (for example, a school or hospital).
- (8) Any off-airport, nonaviation use of land within *Compatibility Zone A* of any airport.
- (9) Proposals for new development (including buildings, antennas, and other structures) having a height of more than:
  - > 35 feet within Compatibility Zone B1, B2, or a Height Review Overlay Zone;
  - → 70 feet within Compatibility Zone C; or
  - ▶ 150 feet within *Compatibility Zone D* or *E*.
- (10) Any obstruction reviewed by the Federal Aviation Administration in accordance with Part 77 of the Federal Aviation Regulations that receives a finding of anything other than "not a hazard to air navigation."
- (11) Any project having the potential to create electrical or visual hazards to aircraft in flight, including:
  - Electrical interference with radio communications or navigational signals;
  - > Lighting which could be mistaken for airport lighting;
  - > Glare in the eyes of pilots of aircraft using the airport; and
  - > Impaired visibility near the airport.
- (12) Projects having the potential to cause attraction of birds or other wildlife that can be hazardous to aircraft operations to be increased within the vicinity of an airport.
- (b) Proposed nonaviation development of airport property if such development has not previously been included in an airport master plan or community general plan reviewed by the Commission. (See Policy 1.2.5 for definition of aviation-related use.)
- (c) Regardless of location within Riverside County, any proposal for construction or alteration of a structure (including antennas) taller than 200 feet above the ground level at the site. (Such structures also require notification to the Federal Aviation Administration in accordance with Federal Aviation Regulations, Part 77, Paragraph 77.13(a)(1).)
- (d) Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.
- 1.5.4. *Intercounty Coordination:* Where an airport influence area crosses the Riverside County line, affected jurisdictions outside Riverside County are asked to maintain coordination with the Riverside County ALUC on airport land use compatibility issues. In particular:
  - (a) The County of San Bernardino should inform the Riverside County ALUC regarding proposed plans for development of Chino Airport that may change the character or magnitude of impacts within the Riverside County portion of the airport influence area. (See map in Chapter 3).

- (b) Any other county adjacent to Riverside County or any city or other agency within such counties that may be considering proposed establishment or expansion of an airport within three miles (or heliport within one mile) of the Riverside County boundary should inform the Riverside County ALUC of such proposal.
- (c) Riverside County ALUC review of such actions is advisory only. The ALUC has no jurisdiction over development outside Riverside County boundaries.

#### 2. REVIEW PROCESS

#### 2.1. General

- 2.1.1. Timing of Project Submittal: Proposed actions listed in Section 1.5 should be submitted to the Commission at the earliest reasonable point in time so that the Commission's (or ALUC Executive Director's) review can be duly considered by the local jurisdiction prior to formalizing its actions. The timing may vary depending upon the nature of the specific project. However, all projects must be submitted to the Commission for review prior to final approval by the local government entity.
- 2.1.2. *Public Input:* Where applicable, the Commission shall provide public notice and obtain public input in accordance with Public Utilities Code Section 21675.2(d) before acting on any plan, regulation, or other land use proposal under consideration.

#### 2.2. Review Process for Community Land Use Plans and Ordinances

- 2.2.1. Initial ALUC Review of General Plan Consistency: In conjunction with adoption or amendment of this Airport Land Use Compatibility Plan, the Commission shall review the general plans and specific plans of affected local jurisdictions to determine their consistency with the Commission's policies.
  - (a) Within 180 days of the Commission's adoption or amendment of the *Airport Land Use Compatibility Plan*, each local agency must amend its general plan and any applicable specific plan to be consistent with the Commission's *Plan* or, alternatively, adopt findings and overrule the Commission in accordance with Public Utilities Code Section 21676(b) (Government Code Section 65302.3).
  - (b) Prior to taking action on a proposed amendment, the local agency must submit a draft of the proposal to the Commission for review and approval.
  - (c) In conjunction with its submittal of a general plan or specific plan amendment to the ALUC, a local agency may request that the Commission modify the areas defined as "infill" in accordance with Policy 3.3.1. The Commission will include a determination on the infill as part of its action on the consistency of the general plan and specific plans.
- 2.2.2. Subsequent Reviews of Related Land Use Development Proposals: As indicated in Policies 1.5.1(a) and 1.5.1(b), prior to taking action on an amendment of a general plan or specific plan or the addition or approval of a zoning ordinance or building regulation affecting an airport influence area as defined herein, local agencies must submit the proposed plan, ordinance, or regulation to the Commission for review. Subsequent land use development actions that are consistent with applicable, previously re-

- viewed, local plans, ordinances, and regulations are subject to Commission review only under the conditions indicated in Policies 1.5.2 and 2.3.5.
- 2.2.3. Commission Action Choices: When reviewing a general plan, specific plan, zoning ordinance, or building regulation for consistency with the Compatibility Plan, the Airport Land Use Commission has three choices of action:
  - (a) Find the plan, ordinance, or regulation consistent with the *Compatibility Plan*. To make such a finding with regard to a general plan, the conditions identified in Section 3.2 must be met.
  - (b) Find the plan, ordinance, or regulation consistent with the *Compatibility Plan*, subject to conditions and/or modifications that the Commission may require. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed.
  - (c) Find the plan, ordinance, or regulation inconsistent with the *Compatibility Plan*. In making a finding of inconsistency, the Commission shall note the specific conflicts or shortcomings upon which its determination is based.
- 2.2.4. Response Time: The Airport Land Use Commission must respond to a local agency's request for a consistency determination on a general plan, specific plan, zoning ordinance, or building regulation within 60 days from the date of referral (Public Utilities Code Section 21676(d)).
  - (a) The 60-day review period may be extended if agreed upon in writing by the submitting agency or project applicant.
  - (b) The date of referral is deemed to be the date on which all applicable project submittal information is received by the Commission Executive Director.
  - (c) If the Commission fails to make a determination within that period, the proposed action shall be deemed consistent with the *Compatibility Plan*.
  - (d) Regardless of Commission action or failure to act, the proposed action must comply with other applicable local, state, and federal regulations and laws.
  - (e) The referring agency shall be notified of the Commission's action in writing.
- 2.2.5. ALUC Response to Notification of Proposed Overruling: If a local agency proposes to overrule an ALUC action regarding a community land use plan or ordinance, it must provide 45 days notice to both the ALUC and the California Division of Aeronautics and these agencies then have 30 days in which to respond (Public Utilities Code Sections 21676(a) and (b)). The ALUC authorizes the Executive Director to respond as appropriate.

#### 2.3. Review Process for Major Land Use Actions

- 2.3.1. Project Submittal Information: A proposed major land use action submitted to the Commission (or to the ALUC Executive Director) for review shall include:
  - (a) The following information:
    - (1) Property location data (assessor's parcel number, street address, subdivision lot number).

- (2) An accurately scaled map showing the relationship of the project site to the airport boundary and runways.
- (3) A description of the existing and proposed uses of the land in question.
- (4) The type of land use action being sought from the local jurisdiction (e.g., zoning change, building permit, etc.).
- (5) For residential uses, an indication of the potential or proposed number of dwelling units per acre (including any secondary units on a parcel); or, for nonresidential uses, the number of people potentially occupying the total site or portions thereof at any one time.
- (6) If applicable, a detailed site plan showing ground elevations, the location of structures, open spaces, and water bodies, and the heights of structures and trees.
- (7) Identification of any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight.
- (8) Any environmental document (initial study, draft environmental impact report, etc.) that may have been prepared for the project.
- (9) Any staff reports regarding the project that may have been presented to local agency decision makers.
- (10) Other relevant information which the Commission or its staff determine to be necessary to enable a comprehensive review of the proposal.
- (b) Any applicable review fees as established by the Riverside County Airport Land Use Commission.
- 2.3.2. ALUC Executive Director's Choices: When reviewing major land use actions in accordance with Policy 1.5.2(d), the ALUC Executive Director has two choices of action:
  - (a) Find that the proposed project does not contain characteristics likely to result in inconsistencies with the compatibility criteria set forth in this plan. Upon said finding, the Executive Director is authorized to approve such projects on behalf of the Commission
  - (b) Find that the proposed project may be inconsistent with the *Compatibility Plan*. The Executive Director shall forward any such project to the Commission for a consistency determination.
- 2.3.3. Commission Action Choices: When reviewing a major land use project proposal, the Airport Land Use Commission has three choices of action:
  - (a) Find the project consistent with the Compatibility Plan.
  - (b) Find the project consistent with the *Compatibility Plan*, subject to compliance with such conditions as the Commission may specify. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed (e.g., the height of a structure).
  - (c) Find the project inconsistent with the Compatibility Plan. In making a finding of inconsistency, the Commission shall note the specific conflicts upon which the determination is based.

- 2.3.4. Response Time: In responding to major land use actions submitted for review, the policy of the Riverside County Airport Land Use Commission is that:
  - (a) When a major land use action is submitted for review on a mandatory basis as required by Policy 1.5.2.(a):
    - (1) Reviews by the ALUC Executive Director shall be completed within 30 days of when a complete application is submitted.
    - (2) Reviews of projects forwarded to the Commission for a consistency determination shall be completed within 60 days of the date of project referral.
    - (3) The date of referral is deemed to be the date on which all applicable project submittal information as listed in Policy 2.3.1 is received by the Commission Executive Director.
    - (4) If the ALUC Executive Director or the Commission fail to make a determination within the above time periods, the proposed action shall be deemed consistent with the compatibility plan.
  - (b) When a major land use action is submitted on an optional basis in accordance with Policy 1.5.2(b), review by the ALUC Executive Director and/or the Commission should be completed in a timely manner enabling the comments to be considered by decision-making bodies of the submitting agency.
  - (c) Regardless of action or failure to act on the part of the ALUC Executive Director or the Commission, the proposed action still must comply with other applicable local, state, and federal laws and regulations.
  - (d) The referring agency shall be notified of the ALUC Executive Director's and/or the Commission's action in writing.
- 2.3.5. ALUC Response to Notification of Proposed Overruling: If a local agency proposes to overrule an ALUC action regarding a major land use action for which ALUC review is mandatory, it must provide 45 days notice to both the ALUC and the California Division of Aeronautics and these agencies then have 30 days in which to respond (Public Utilities Code Section 21676.5(a)). The ALUC authorizes the Executive Director to respond as appropriate.
- 2.3.6. Subsequent Review: Once a project has been found consistent with the Compatibility Plan, it need not be referred for review at subsequent stages of the planning process (e.g., for a use permit after a zoning change has been reviewed) unless:
  - (a) Insufficient information was available at the time of the ALUC's original review of the project to assess whether the proposal would be fully in compliance with compatibility criteria (e.g., the site layout and structure height might not be known at the time a general plan change or zoning amendment is requested).
  - (b) The design of the project subsequently changes in a manner that reopens previously considered compatibility issues and could raise questions as to the validity of the earlier finding of compatibility. Proposed changes warranting a new review include, but are not limited to, the following:
    - (1) An increase in the number of dwelling units, intensity of use (more people on the site), or other usage characteristics to levels exceeding the criteria set forth in this plan;

- (2) An increase in the height of structures or other design features such that the height limits established herein would be exceeded or exceeded by a greater amount;
- (3) Major site design changes (such as incorporation of clustering or modifications to the configuration of open land areas proposed for the site) to the extent that site design was an issue in the initial project review; and/or
- (4) Any significant change to a proposed project for which a special exception was granted in accordance with Policy 3.3.6.
- (c) The local jurisdiction concludes that further review is warranted.

#### 2.4. Review Process for Airport Master Plans and Development Plans

- 2.4.1. Project Submittal Information: An airport master plan or development plan submitted to the Commission for review shall contain sufficient information to enable the Commission to adequately assess the noise, safety, airspace protection, and overflight impacts of airport activity upon surrounding land uses. A master plan report should be submitted, if available.
  - (a) At a minimum, information to be submitted shall include:
    - (1) A layout plan drawing of the proposed facility showing the location of:
      - > Property boundaries;
      - > Runways or helicopter takeoff and landing areas;
      - > Runway or helipad protection zones;
      - Aircraft or helicopter approach/departure flight routes.
    - (2) Airspace surfaces in accordance with Federal Aviation Regulations, Part 77.
    - (3) Activity forecasts, including the number of operations by each type of aircraft proposed to use the facility, the percentage of day versus night operations, and the distribution of takeoffs and landings for each runway direction.
    - (4) Existing and proposed flight track locations, current and projected noise contours, and other supplementary noise impact data that may be relevant.
    - (5) A map showing existing and planned land uses in the areas affected by aircraft activity associated with implementation of the proposed master plan or development plan.
    - (6) Any environmental document (initial study, draft environmental impact report, etc.) that may have been prepared for the project.
    - (7) Identification and proposed mitigation of impacts on surrounding land uses.
  - (b) Any applicable review fees as established by the Riverside County Airport Land Use Commission shall accompany the application.
- 2.4.2. Commission Action Choices for Plans of Existing Airports: When reviewing airport master plans or expansion plans for existing public-use airports, the Commission has three action choices:
  - (a) Find the airport plan consistent with the Airport Land Use Compatibility Plan.
  - (b) Find the airport plan inconsistent with the Commission's Plan.

- (c) Modify the Airport Land Use Compatibility Plan (after duly noticed public hearing) to reflect the assumptions and proposals in the airport plan.
- 2.4.3. Commission Action Choices for Reviews of New Airports or Heliports: When reviewing proposals for new airports or heliports, the Commission's choices of action are:
  - (a) Approve the proposal as being consistent with the specific review policies listed in Section 5.2 below.
  - (b) Approve the proposal and adopt a *Compatibility Plan* for that facility. State law requires adoption of such a plan if the airport or heliport will be a public-use facility (Public Utilities Code Section 21675(a)).
  - (c) Disapprove the proposal on the basis that the noise, safety, airspace protection, and overflight impacts it would have on surrounding land uses are not adequately mitigated.
- 2.4.4. Response Time: The Airport Land Use Commission must respond to a local agency's submittal of an airport master plan or development plan within 60 days from the date of referral (Public Utilities Code Section 21676(d)).
  - (a) If the Commission fails to make a determination within that period, the proposed action shall be deemed consistent with the *Compatibility Plan*.
  - (b) Regardless of Commission action or failure to act, the proposed action must comply with other applicable local, state, and federal regulations and laws.
  - (c) The referring agency shall be notified of the Commission's action in writing.
- 2.4.5. ALUC Response to Notification of Proposed Overruling: If a local agency proposes to overrule an ALUC action regarding an airport master plan or development plan, it must provide 45 days notice to both the ALUC and the California Division of Aeronautics and these agencies then have 30 days in which to respond (Public Utilities Code Section 21676(c)). The ALUC authorizes the Executive Director to respond as appropriate.

#### 3. COMPATIBILITY CRITERIA FOR LAND USE ACTIONS

#### 3.1. Basic Criteria

- 3.1.1. Basic Land Use Compatibility Criteria: The basic criteria for assessing whether a land use plan, ordinance, or development proposal is to be judged compatible with a nearby airport are set forth in the Basic Compatibility Criteria matrix, Table 2A. These criteria are to be used in conjunction with the compatibility map and policies for each airport as presented in Chapter 3.
- 3.1.2. Function of Supporting Criteria: The Compatibility Criteria matrix represents a compilation of compatibility criteria associated with each of the four types of airport impacts listed in Section 1.4. For the purposes of reviewing proposed amendments to community land use plans and zoning ordinances, as well as in the review of most individual development proposals, the criteria in the matrix are anticipated to suffice.

	Locations	Maximum Densities / Intensities					Additional Criteria		
Zone		Residential (d.u./ac) <sup>1</sup> Aver- Single wage <sup>6</sup> Acre <sup>7</sup> Bon		c) <sup>2</sup> with	Req'd Open Land <sup>3</sup>	Prohibited Uses <sup>4</sup>	Other Development Conditions <sup>5</sup>		
	Runway Protection Zone and within Building Restriction Line	0	0	0	0	All Remain- ing	<ul> <li>All structures except ones with location set by aeronautical function</li> <li>Assemblages of people</li> <li>Objects exceeding FAR Part 77 height limits</li> <li>Storage of hazardous materials</li> <li>Hazards to flight <sup>9</sup></li> </ul>	> Avigation easement dedication	
	Inner Approach/ Departure Zone	0.05 (average parcel size ≥20.0 ac.)	25	50	65	30%	<ul> <li>Children's schools, day care centers, libraries</li> <li>Hospitals, nursing homes</li> <li>Places of worship</li> <li>Bldgs with &gt;2 aboveground habitable floors</li> <li>Highly noise-sensitive outdoor nonresidential uses <sup>10</sup></li> <li>Aboveground bulk storage of hazardous materials <sup>11</sup></li> <li>Critical community infrastructure facilities <sup>12</sup></li> <li>Hazards to flight <sup>9</sup></li> </ul>	Locate structures maximum distance from extended runway centerline     Minimum NLR of 25 dB in residences (including mobile homes) and office buildings <sup>13</sup> Airspace review required for objects > 35 feet tall <sup>14</sup> Avigation easement dedication	
		0.1 (average parcel size ≥10.0 ac.)	100	200	260	No Req't	Same as Zone B1	<ul> <li>Locate structures maximum distance from runway</li> <li>Minimum NLR of 25 dB in residences (including mobile homes) and office buildings <sup>13</sup></li> <li>Airspace review required for objects &gt;35 feet tall <sup>14</sup></li> <li>Avigation easement dedication</li> </ul>	
	Extended Approach/ Departure Zone	0.2 (average parcel size ≥5.0 ac.)	75	150	195	20%	<ul> <li>Children's schools, day care centers, libraries</li> <li>Hospitals, nursing homes</li> <li>Bldgs with &gt;3 aboveground habitable floors</li> <li>Highly noise-sensitive outdoor nonresidential uses 10</li> <li>Hazards to flight 9</li> </ul>	<ul> <li>Minimum NLR of 20 dB in residences (including mobile homes) and office buildings <sup>13</sup></li> <li>Airspace review required for objects &gt;70 feet tall <sup>15</sup></li> <li>Deed notice required</li> </ul>	
	Runway Buffer Area	(1) ≤0.2 (average parcel size ≥5.0 ac.) or <sup>16</sup> (2) ≥5.0 (average parcel size ≤0.2 ac.)	100	300	390	10%	<ul> <li>Highly noise-sensitive outdoor nonresidential uses <sup>10</sup></li> <li>Hazards to flight <sup>9</sup></li> </ul>	<ul> <li>Airspace review required for objects &gt;70 feet tall <sup>15</sup></li> <li>Children's schools, hospitals, nursing homes discouraged <sup>17</sup></li> <li>Deed notice required</li> </ul>	
	Other Airport Environs	No Limit		No Limit	18	No Req't	> Hazards to flight <sup>9</sup>	<ul> <li>Airspace review required for objects &gt; 100 feet tall <sup>15</sup></li> <li>Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath principal flight tracks <sup>18</sup></li> </ul>	
	Height Review Overlay hapter 3 for airpo	Con	npatibi	nderlying lity Zone		Not Applica- ble	Compatibility Zone	<ul> <li>Airspace review required for objects &gt; 35 feet tall <sup>14</sup></li> <li>Avigation easement dedication</li> </ul>	

Table 2A

### **Basic Compatibility Criteria**

#### NOTES:

- <sup>1</sup> Residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre. Clustering of units is encouraged. See Policy 4.2.5 for limitations. Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands. Mixed-use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development. See Policy 3.1.3(d).
- <sup>2</sup> Usage intensity calculations shall include all people (e.g., employees, customers/visitors, etc.) who may be on the property at a single point in time, whether indoors or outside.
- Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large (10 acres or more) development projects. See Policy 4.2.4 for definition of open land.
- <sup>4</sup> The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.
- As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law. See Policy 4.4.2 for details. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required.
- The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.
- Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 4.2.5 for details.
- An intensity bonus may be allowed if the building design includes features intended to reduce risks to occupants in the event of an aircraft collision with the building. See Policy 4.2.6 for details.
- <sup>9</sup> Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is also prohibited. See Policy 4.3.7.
- <sup>10</sup> Examples of highly noise-sensitive outdoor nonresidential uses that should be prohibited include amphitheaters and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.
- Storage of aviation fuel and other aviation-related flammable materials on the airport is exempted from this criterion. Storage of up to 6,000 gallons of nonaviation flammable materials is also exempted. See Policy 4.2.3(c) for details.
- <sup>12</sup> Critical community facilities include power plants, electrical substations, and public communications facilities. See Policy 4.2.3(d) for details.
- <sup>13</sup> NLR = Noise Level Reduction, the outside-to-inside sound level attenuation that the structure provides. See Policy 4.1.6.
- Objects up to 35 feet in height are permitted. However, the Federal Aviation Administration may require marking and lighting of certain objects. See Policy 4.3.6 for details.
- <sup>15</sup> This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not be obstructions. See Policies 4.3.3 and 4.3.4.
- <sup>16</sup> Two options are provided for residential densities in *Compatibility Zone D*. Option (1) has a density limit of 0.2 dwelling units per acre (i.e., an average parcel size of at least 5.0 gross acres). Option (2) requires that the density be *greater than* 5.0 dwelling units per acre (i.e., an average parcel size *less than* 0.2 gross acres). The choice between these two options is at the discretion of the local land use jurisdiction. See Table 2B for explanation of rationale. All other criteria for *Zone D* apply to both options.
- <sup>17</sup> Discouraged uses should generally not be permitted unless no feasible alternative is available.
- Although no explicit upper limit on usage intensity is defined for Zone E, land uses of the types listed—uses that attract very high concentrations of people in confined areas—are discouraged in locations below or near the principal arrival and departure flight tracks. This limitation notwithstanding, no use shall be prohibited in Zone E if its usage intensity is such that it would be permitted in Zone D.

Table 2A, continued

- However, certain complex land use actions may require more intensive review. The Commission may refer to the supporting criteria, as listed in Section 4, to clarify or supplement its review of such actions.
- 3.1.3. Residential Development: The following criteria shall be applied to evaluation of the compatibility of proposed residential development.
  - (a) Any subdivision of land for residential uses within *Compatibility Zones A*, *B1*, *B2*, and *C* shall not result in a density greater than that indicated in the Compatibility Criteria matrix, Table 2A.
    - (1) Secondary units, as defined by state law, shall be excluded from density calculations.
    - (2) Clustering of development shall be limited in accordance with Policy 4.2.5(a)(2).
  - (b) Within *Compatibility Zone D*, local land use jurisdictions have two options. The basic option is to limit densities to no more than 0.2 dwelling units per acre. Additionally, a high-density option is provided. This option requires that densities be *greater than* 5.0 dwelling units per acre (i.e., an average parcel size *less than* 0.2 gross acres). See Table 3A for an explanation of the rationale behind these options.
  - (c) Other development conditions as also listed in Table 2A apply to sites within certain compatibility zones.
  - (d) Mixed use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development. The occupancy of the residential portion shall be added to that of the nonresidential portion and evaluated with respect to the nonresidential usage intensity criteria below.
    - (1) This mixed-use development policy is intended for dense, urban-type developments where the resultant ambient noise levels are relatively high. The policy is not intended to apply to projects in which the residential component is isolated from the nonresidential uses of the site.
    - (2) Noise attenuation and other requirements that may be specifically relevant to residential uses shall still apply.
- 3.1.4. Nonresidential Development: The compatibility of nonresidential development shall be assessed primarily with respect to its usage intensity (the number of people per acre) and the noise-sensitivity of the use. Additional criteria listed in Table 2A shall also apply.
  - (a) The total number of people permitted on a project site at any time, except for rare special events, must not exceed the indicated usage intensity times the gross acreage of the site.
    - (1) Usage intensity calculations shall include all people (e.g., employees, customers/visitors, etc.) who may be on the property at any single point in time, whether indoors or outside.
    - (2) Rare special events are ones (such as an air show at an airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.

- (b) No single acre of a project site shall exceed the number of people per acre indicated in Policy 4.2.5(b) and listed in Table 2A unless special risk reduction building design measures are taken as described in Policy 4.2.6.
- (c) The noise exposure limitations cited in Policy 4.1.4 and listed in Table 2B shall be the basis for assessing the acceptability of proposed nonresidential land uses relative to noise impacts. The ability of buildings to satisfy the interior noise level criteria noted in Policy 4.1.6 shall also be considered.
- 3.1.5. Prohibited Uses: Regardless of usage intensity, certain types of uses are deemed unacceptable within portions of an airport influence area. See Policy 4.2.3 and Table 2A. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.
- 3.1.6. Other Development Conditions: All types of proposed development shall be required to meet the additional conditions listed in Table 2A for the respective compatibility zone where the development is to be located. Among these conditions are the following:
  - (a) Avigation Easement Dedication: See Policy 4.3.5.
  - (b) Deed Notice: See Policy 4.4.3.
  - (c) Real Estate Disclosure: See Policy 4.4.2.
  - (d) Noise Level Reduction: See Policy 4.1.6.
  - (e) Airspace Review: See Policy 4.3.3.

#### 3.2. General Plan Consistency with Compatibility Plan

In order for a general plan to be considered consistent with the *Compatibility Plan*, both of the following must be accomplished (see Appendix F for additional guidance):

- 3.2.1. Elimination of Conflicts: No direct conflicts can exist between the two plans.
  - (a) Direct conflicts primarily involve general plan land use designations that do not meet the density or intensity criteria specified in the *Compatibility Plan* although conflicts with regard to other policies also may exist.
  - (b) Note, however, that a general plan cannot be found inconsistent with the *Compatibility Plan* because of land use designations that reflect existing land uses even if those designations conflict with the ALUC's compatibility criteria. Because ALUCs have no authority over existing land uses, general plan land use designations that merely reflect the existing uses for such parcels are, in effect, excluded from requirements for general plan consistency with the ALUC plan. This exception is applicable only if the general plan includes policies setting limitations on expansion and reconstruction of nonconforming uses consistent with Policies 3.3.2 and 3.3.3.
  - (c) To be consistent with the *Compatibility Plan*, a general plan and/or implementing ordinance also must include provisions ensuring long-term compliance with the compatibility criteria. For example, future reuse of a building must not result in a usage intensity that exceeds the applicable standard or other approved limit.

- 3.2.2. Establishment of Review Process: Provisions must be made for evaluation of proposed land use development situated within an airport influence area relative to the compatibility criteria set forth in the Compatibility Plan.
  - (a) Even if the land use designations in a general plan have been deemed consistent with the *Compatibility Plan*, evaluation of the proposed development relative to the land use designations alone is usually insufficient. General plans typically do not contain the detailed airport land use compatibility criteria necessary for a complete compatibility evaluation of proposed development.
  - (b) Local jurisdictions have the following choices for satisfying this evaluation requirement:
    - (1) Sufficient detail can be included in the general plan and/or referenced implementing ordinances and regulations to enable the local jurisdiction to assess whether a proposed development fully meets the compatibility criteria specified in the applicable compatibility plan (this requires both that the compatibility criteria be identified and that project review procedures be described);
    - (2) The ALUC's compatibility plan can be adopted by reference (in this case, the project review procedure must be described in a separate instrument presented to and approved by the ALUC); and/or
    - (3) The general plan can indicate that all major land use actions, as listed in Policy 1.5.3 or otherwise agreed to by the ALUC, shall be referred to the Commission for review in accordance with the policies of Section 2.3.

#### 3.3. Special Conditions

- 3.3.1. *Infill:* Where development not in conformance with the criteria set forth in this *Compatibility Plan* already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone. This exception does not apply within *Compatibility Zones A* or *B1*.
  - (a) A parcel can be considered for *infill* development if it meets *all* of the following criteria plus the applicable provisions of either Sub-policy (b) or (c) below:
    - (1) The parcel size is no larger than 20.0 acres.
    - (2) At least 65% of the site's perimeter is bounded (disregarding roads) by existing uses similar to, or more intensive than, those proposed.
    - (3) The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.
    - (4) Further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics (e.g., through use permits, density transfers, addition of second units on the same parcel, height variances, or other strategy) are prohibited.
    - (5) The area to be developed cannot previously have been set aside as open land in accordance with policies contained in this *Plan* unless replacement open land is provided within the same compatibility zone.
  - (b) For residential development, the average development density (dwelling units per gross acre) of the site shall not exceed the lesser of:

- (1) The average density represented by all existing lots that lie fully or partially within a distance of 300 feet from the boundary of the parcel to be divided; or
- (2) Double the density permitted in accordance with the criteria for that location as indicated in the Compatibility Criteria matrix, Table 2A.
- (c) For nonresidential development, the average usage intensity (the number of people per gross acre) of the site's proposed use shall not exceed the lesser of:
  - (1) The average intensity of all existing uses that lie fully or partially within a distance of 300 feet from the boundary of the proposed development; or
  - (2) Double the intensity permitted in accordance with the criteria for that location as indicated in the Compatibility Criteria matrix, Table 2A.
- (d) The single-acre and risk-reduction design density and intensity multipliers described in Policies 4.2.5 and 4.2.6 and listed in Table 2A are applicable to infill development.
- (e) Infill development on some parcels should not enable additional parcels to then meet the qualifications for infill. The ALUC's intent is that parcels eligible for infill be determined just once. Thus, in order for the ALUC to consider proposed development under these infill criteria, the entity having land use authority (Riverside County or affected cities) must first identify the qualifying locations in its general plan or other adopted planning document approved by the ALUC. This action may take place in conjunction with the process of amending a general plan for consistency with the ALUC plan or may be submitted by the local agency for consideration by the ALUC at the time of initial adoption of this Compatibility Plan. In either case, the burden for demonstrating that a proposed development qualifies as infill rests with the affected land use jurisdiction and/or project proponent.
- 3.3.2. *Nonconforming Uses:* Existing uses (including a parcel or building) not in conformance with this *Compatibility Plan* may only be expanded as follows:
  - (a) Nonconforming residential uses may be expanded in building size provided that the expansion does not result in more dwelling units than currently exist on the parcel (a bedroom could be added, for example, but a separate dwelling unit could not be built). No ALUC review of such improvements is required.
  - (b) A nonconforming nonresidential development may be continued, leased, or sold and the facilities may be maintained or altered (including potentially enlarged), provided that the portion of the site devoted to the nonconforming use is not expanded and the usage intensity (the number of people per acre) is not increased above the levels existing at the time of adoption of this *Compatibility Plan*. No ALUC review of such changes is required.
  - (c) ALUC review is required for any proposed expansion of a nonconforming use (in terms of the site size or the number of dwelling units or people on the site). Factors to be considered in such reviews include whether the development qualifies as infill (Policy 3.3.1) or warrants approval because of other special conditions (Policy 3.3.6).

- 3.3.3. Reconstruction: An existing nonconforming development that has been fully or partially destroyed as the result of a calamity may be rebuilt only under the following conditions:
  - (a) Nonconforming residential uses may be rebuilt provided that the expansion does not result in more dwelling units than existed on the parcel at the time of the damage.
  - (b) A nonconforming nonresidential development may be rebuilt provided that it has been only partially destroyed and that the reconstruction does not increase the floor area of the previous structure or result in an increased intensity of use (i.e., more people per acre). Partial destruction shall be considered to mean damage that can be repaired at a cost of no more than 75% of the assessor's full cash value of the structure at the time of the damage.
  - (c) Any nonresidential use that has been more than 75% destroyed must comply with all applicable standards herein when reconstructed.
  - (d) Reconstruction under Paragraphs (1) or (2) above must begin within 24 months of the date the damage occurred.
  - (e) The above exceptions do no apply within *Zone A* or where such reconstruction would be in conflict with a county or city general plan or zoning ordinance.
  - (f) Nothing in the above policies is intended to preclude work required for normal maintenance and repair.
- 3.3.4. Development by Right: Nothing in these policies prohibits:
  - (a) Construction of a single-family home, including a second unit as defined by state law, on a legal lot of record if such use is permitted by local land use regulations.
  - (b) Construction of other types of uses if local government approvals qualify the development as effectively existing (see Policy 1.2.10 for definition).
  - (c) Lot line adjustments provided that new developable parcels would not be created and the resulting gross density or intensity of the affected property would not exceed the applicable criteria indicated in the Compatibility Criteria matrix, Table 2A.
- 3.3.5. Parcels Lying within Two or More Compatibility Zones: For the purposes of evaluating consistency with the compatibility criteria set forth herein, any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line. However, the density or intensity of development allowed within the more restricted portion of the parcel can (and is encouraged to) be transferred to the less restricted portion. This transfer of development is permitted even if the resulting density or intensity in the less restricted area would then exceed the limits which would otherwise apply within that compatibility zone.
- 3.3.6. Other Special Conditions: The compatibility criteria set forth in this Plan are intended to be applicable to all locations within each airport's influence area. However, it is recognized that there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location, or other extraordinary factors or circumstances related to the site.

- (a) After due consideration of all the factors involved in such situations, the Commission may find a normally incompatible use to be acceptable.
- (b) In reaching such a decision, the Commission shall make specific findings as to why the exception is being made and that the land use will not create a safety hazard to people on the ground or aircraft in flight nor result in excessive noise exposure for the proposed use. Findings also shall be made as to the nature of the extraordinary circumstances that warrant the policy exception.
- (c) The burden for demonstrating that special conditions apply to a particular development proposal rests with the project proponent and/or the referring agency, not with the ALUC.
- (d) The granting of a special conditions exception shall be considered site specific and shall not be generalized to include other sites.
- (e) Special conditions that warrant general application in all or part of the influence area of one airport, but not at other airports, are set forth in Chapter 3 of this *Compatibility Plan*.

#### 4. SUPPORTING COMPATIBILITY CRITERIA

#### 4.1. Noise

- 4.1.1. *Policy Objective:* The purpose of noise compatibility policies is to avoid establishment of noise-sensitive land uses in the portions of airport environs that are exposed to significant levels of aircraft noise.
- 4.1.2. *Noise Contours:* The evaluation of airport/land use noise compatibility shall consider both the current and future Community Noise Equivalent Level (CNEL) contours of each airport as depicted in Chapter 3 of this *Plan*.
  - (a) At most airports in the county, anticipated growth in aircraft operations results in projected future noise contours being larger than current ones. However, in some instances, factors such as introduction of a quieter aircraft fleet mix, planned changes to the configuration of airport runways, or expected modifications to flight procedures can result in current contours being larger than the future contours in some or all of the airport environs. In these cases, a composite of the contours for the two time frames shall be considered in compatibility analyses.
  - (b) For airport at which aircraft activity has substantial seasonal or weekly characteristics, noise contours associated with the peak operating season or days of the week shall be taken into account in assessing land use compatibility.
  - (c) Projected noise contours included in Chapter 3 are calculated based upon fore-casted aircraft activity as indicated in an airport master plan or that is considered by the Riverside County Airport Land Use Commission to be plausible (refer to activity data in the Background Data volumes). The Airport Land Use Commission or the entities that operate airports in Riverside County should periodically review these projected noise level contours and update them if appropriate.

- 4.1.3. Application of Noise Contours: The locations of CNEL contours are among the factors used to define compatibility zone boundaries and criteria. Because of the inherent variability of flight paths and other factors that influence noise emissions, the depicted contour boundaries are not absolute determinants of the compatibility or incompatibility of a given land use on a specific site or a portion thereof. Noise contours can only quantify noise impacts in a general manner. Except on large parcels or blocks of land (sites large enough to have 3 dB or more of variation in CNELs), they should not be used as site design criteria. (Note, though, that the airport noise contours set forth in this Plan are to be used as the basis for determining compliance with interior noise level criteria as listed in Policy 4.1.6.)
- 4.1.4. Noise Exposure in Residential Areas: Unless otherwise indicated in the airport-specific policies listed in Chapter 3, the maximum CNEL considered normally acceptable for new residential land uses in the vicinity of the airports covered by this Plan is 60 dB for all airports except low-activity outlying airports (Chiriaco Summit and Desert Center) for which the criterion is 55 dB. These standards shall be based upon noise contours calculated as described above.
- 4.1.5. Noise Exposure for Other Land Uses: Noise level compatibility standards for other types of land uses shall be applied in the same manner as the above residential noise level criteria. The extent of outdoor activity associated with a particular land use is an important factor to be considered in evaluating its compatibility with airport noise. Examples of acceptable noise levels for other land uses in an airport's vicinity are presented in Table 2B.
- 4.1.6. *Interior Noise Levels:* Land uses for which interior activities may be easily disrupted by noise shall be required to comply with the following interior noise level criteria.
  - (a) The maximum, aircraft-related, interior noise level that shall be considered acceptable for land uses near airports is 45 dB CNEL in:
    - Any habitable room of single- or multi-family residences;
    - > Hotels and motels;
    - Hospitals and nursing homes;
    - Churches, meeting halls, theaters, and mortuaries;
    - > Office buildings; and
    - > Schools, libraries, and museums.
  - (b) The noise contours depicted in Chapter 3 of this *Plan* shall be used in calculating compliance with these criteria. The calculations should assume that windows are closed.
  - (c) When reviewed as part of a general plan or zoning ordinance amendment or as a major land use action, evidence that proposed structures will be designed to comply with the above criteria shall be submitted to the ALUC under the following circumstances:
    - (1) Any mobile home situated within an airport's 55-dB CNEL contour. [A typical mobile home has an average exterior-to-interior noise level reduction (NLR) of approximately 15 dB with windows closed.]

			CNEL (dB)					
	Land Use Cat	egory	50–55	55–60	60–65	65–70	70–75	
Resid	dential *							
single-family, nursing homes, mobile homes			++	0	1 <del></del> 3			
multi-family, apartments, condominiums			++	+	0			
Publi	C							
schools, libraries, hospitals			+	0	-			
churches, auditoriums, concert halls transportation, parking, cemeteries			+	О	0	· —		
			++	++	++	+	0	
Comi	mercial and Industrial							
offices, retail trade			++	+	0	0	_	
service commercial, wholesale trade,			++	++	+	0	0	
	warehousing, light ind	ustrial						
general manufacturing, utilities,			++	++	++	+	+	
	extractive industry							
Agric	ultural and Recreationa	1						
	opland	++	++	++	++	+		
livestock breeding			++	+	0	0		
parks, playgrounds, zoos			++	+	+	0	-	
golf courses, riding stables, water recreation outdoor spectator sports			++	++	+	0	0	
			++	+	+	0	_	
an	nphitheaters		+	0	_		= =	
La	and Use Acceptability		Inter	pretation/Co	mments			
++	Clearly Acceptable		s associated with the specified land use can be carried out with essentially no from the noise exposure.					
+	Normally Acceptable	Noise is a factor to be considered in that slight interference with outdoor activities may occur. Conventional construction methods will eliminate most noise intrusions upon indoor activities.						
0	Marginally Acceptable	The indicated noise exposure will cause moderate interference with outdoor activities and with indoor activities when windows are open. The land use is acceptable on the conditions that outdoor activities are minimal and construction features which provide sufficient noise attenuation are used (e.g., installation of air conditioning so that windows can be kept closed). Under other circumstances, the land use should be discouraged.						
-0	Normally Unacceptable	Noise will create substantial interference with both outdoor and indoor activities. Noise intrusion upon indoor activities can be mitigated by requiring special noise insulation construction. Land uses which have conventionally constructed structures and/or involve outdoor activities which would be disrupted by noise should generally be avoided.						
	Clearly Unacceptable	Unacceptable noise intrusion upon land use activities will occur. Adequate structural noise insulation is not practical under most circumstances. The indicated land use should be avoided unless strong overriding factors prevail and it should be prohibited if outdoor activities are involved.						

Table 2B

# Supporting Compatibility Criteria: Noise

- (2) Any single- or multi-family residence situated within an airport's 60-dB CNEL contour. [Wood frame buildings constructed to meet 1990s standards for energy efficiency typically have an average NLR of approximately 20 dB with windows closed.]
- (3) Any hotel or motel, hospital or nursing home, church, meeting hall, office building, mortuary, school, library, or museum situated with an airport's 65-dB CNEL contour.
- 4.1.7. Engine Run-Up and Testing Noise: ALUC consideration of noise from aircraft engine run-ups and testing activities shall be limited as follows:
  - (a) Aircraft noise associated with pre-flight engine run-ups, taxiing of aircraft to and from runways, and other operation of aircraft on the ground is considered part of airport operations and therefore is not subject to ALUC authority.
    - (1) Noise from these sources can be, but normally is not, represented in airport noise contours. It is not included in the noise contours prepared for this *Compatibility Plan*. Nevertheless, when reviewing the compatibility of proposed land uses in locations near the airport where such noise may be significant, the Commission may seek additional data and may take into account noise from these ground-based sources.
    - (2) Noise from aircraft ground operations also should be considered by the Commission when reviewing airport master plans or development plans in accordance with Section 2.4 herein.
  - (b) Noise from the testing of aircraft engines on airport property is not deemed an activity inherent in the operation of an airport and thus it is not an airport-related impact addressed by this *Compatibility Plan*. Noise from these sources should be addressed by the noise policies of local agencies in the same manner as noise from other industrial sources. (Engine testing noise is not normally included in the noise contours prepared for an airport. However, aircraft noise modeling programs have the capability of including noise from this source. At airports where engine testing takes place or is proposed, the ALUC may need to ascertain whether the noise was or was not included in the noise contour calculations.)
- 4.1.8. Construction of New or Expanded Airports or Heliports: Any proposed construction of a new airport or heliport or expansion of facilities at an existing airport or heliport which would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less-than-significant level. For the purposes of this plan, a noise increase shall be considered significant if:
  - (a) In locations having an existing ambient noise level of less than 60 dB CNEL, the project would increase the noise level by 5.0 dB or more.
  - (b) In locations having an existing ambient noise level of between 60 and 65 dB CNEL, the project would increase the noise level by 3.0 dB or more.
  - (c) In locations having an existing ambient noise level of more than 65 dB CNEL, the project would increase the noise level by 1.5 dB or more.

## 4.2. Safety

- 4.2.1. *Policy Objective:* The intent of land use safety compatibility criteria is to minimize the risks associated with an off-airport aircraft accident or emergency landing.
  - (a) Risks both to people and property in the vicinity of an airport and to people on board the aircraft shall be considered.
  - (b) The most stringent land use controls shall be applied to the areas with the greatest potential risks.
- 4.2.2. Risks to People on the Ground: The principal means of reducing risks to people on the ground is to restrict land uses so as to limit the number of people who might gather in areas most susceptible to aircraft accidents. The usage intensity criteria cited in Table 2A reflect the risks associated with various locations in the environs of the airports in the county. (Methods for determining the concentration of people for various land uses are provided in Appendix C.)
- 4.2.3. Land Uses of Special Concern: Certain types of land uses represent special safety concerns irrespective of the number of people associated with those uses. Land uses of particular concern include:
  - (a) Uses Having Vulnerable Occupants: Uses in which the occupants have reduced effective mobility or are unable to respond to emergency situations shall be prohibited within all *Compatibility Zones* except *Zone E*. These uses include children's schools and day care centers (with 7 or more children), hospitals, nursing homes, and other uses in which the majority of occupants are children, elderly, and/or handicapped.
    - (1) This general policy may be superseded by airport specific policies (see Chapter 3).
    - (2) Hospitals are medical facilities which include provision for overnight stays by patients. Medical clinics are permitted in *Compatibility Zones C* and *D* provided that these facilities meet the maximum intensity standards listed in the Compatibility Criteria matrix, Table 2A.
  - (b) Multi-story Buildings: In the event of an emergency resulting from an aircraft accident, low-rise buildings can be more readily evacuated than those with more floors. On this basis, the following limitations are established:
    - (1) Within Compatibility Zone A, new occupied structures are not permitted.
    - (2) Within *Compatibility Zones B1* and *B2*, new buildings shall be limited to no more than two occupied floors above ground.
    - (3) Within *Compatibility Zone C*, new buildings shall be limited to no more than three occupied floors above ground.
  - (c) Hazardous Materials Storage: Construction of facilities for the manufacture or storage of fuel, explosives, and other hazardous materials within the airport environs is restricted as follows:
    - (1) Within Compatibility Zone A, manufacture or storage of any such substance is prohibited.
    - (2) Within Compatibility Zones B1 and B2, only the following is permitted:
      - Fuel or hazardous substances stored in underground tanks.

- On-airport storage of aviation fuel and other aviation-related flammable materials.
- Aboveground storage of less than 6,000 gallons of nonaviation flammable materials (this limit coincides with a break-point used in the Uniform Fire Code to distinguish between different classes of tanks).
- (3) Within *Compatibility Zone C*, manufacture or storage of hazardous materials other than the types listed in Sub-policy (2) above is prohibited unless no other feasible alternative site exists and the facility is designed in a manner that minimizes its susceptibility to damage from an aircraft accident.
- (d) Critical Community Infrastructure: Construction of power plants, electrical substations, public communications facilities, and other critical community infrastructure shall be restricted as follows:
  - (1) Within Compatibility Zone A, all such uses are prohibited.
  - (2) Within *Compatibility Zones B1* and *B2*, such uses are prohibited unless no other feasible alternative site exists and the facility is designed in a manner that minimizes its susceptibility to damage from an aircraft accident.
- 4.2.4. Open Land: In the event that a light aircraft is forced to land away from an airport, the risks to the people on board can best be minimized by providing as much open land area as possible within the airport vicinity. This concept is based upon the fact that the majority of light aircraft accidents and incidents occurring away from an airport runway are controlled emergency landings in which the pilot has reasonable opportunity to select the landing site.
  - (a) To qualify as open land, an area should be:
    - (1) Free of most structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
    - (2) Have minimum dimensions of approximately 75 feet by 300 feet.
  - (b) Roads and automobile parking lots are acceptable as open land areas if they meet the above criteria.
  - (c) Open land requirements for each compatibility zone are to be applied with respect to the entire zone. Individual parcels may be too small to accommodate the minimum-size open area requirement. Consequently, the identification of open land areas must initially be accomplished at the general plan or specific plan level or as part of large (10 acres or more) development projects.
  - (d) Clustering of development, subject to the limitations noted below, and providing contiguous landscaped and parking areas is encouraged as a means of increasing the size of open land areas.
  - (e) Building envelopes and the airport compatibility zones should be indicated on all development plans and tentative maps for projects located within the influence area of airports covered by this *Compatibility Plan*. Portraying this information is intended to assure that individual development projects provide the open land areas identified in the applicable general plan, specific plan, or other large-scale plan.

- 4.2.5. *Limitations on Clustering:* Policy 4.2.4(d) notwithstanding, limitations shall be set on the maximum degree of clustering or usage intensity acceptable within a portion of a large project site. These criteria are intended to limit the number of people at risk in a concentrated area.
  - (a) Clustering of new residential development shall be limited as follows:
    - (1) Within Compatibility Zone A, clustering is not applicable.
    - (2) Within *Compatibility Zones B1*, *B2*, and *C*, no more than 4 dwelling units shall be allowed in any individual acre. Buildings shall be located as far as practical from the extended runway centerline and normal aircraft flight paths.
  - (b) Unless special design measures as listed in Policy 4.2.6 are utilized, usage intensity of new nonresidential development shall be limited as follows:
    - (1) Within Compatibility Zone A, clustering is not applicable.
    - (2) Within *Compatibility Zone B1*, uses shall be limited to a maximum of 50 people per any individual acre (i.e., a maximum of double the average intensity criterion set in Table 2A). Theaters, restaurants, most shopping centers, motels, intensive manufacturing or office uses, and other similar uses typically do not comply with this criterion.
    - (3) Within *Compatibility Zone B2*, uses shall be limited to a maximum of 200 people per any individual acre (i.e., a maximum of double the average intensity criterion set in Table 2A). Theaters, major shopping centers (500,000 or more square feet), large motels and hotels with conference facilities, and similar uses typically do not comply with this criterion.
    - (4) Within *Compatibility Zone C*, uses shall be limited to a maximum of 150 people per any individual acre (i.e., a maximum of double the average intensity criterion set in Table 2A). Theaters, fast-food establishments, high-intensity retail stores or shopping centers, motels and hotels with conference facilities, and similar uses typically do not comply with this criterion.
    - (5) Within *Compatibility Zone D*, uses shall be limited to a maximum of 300 people per any individual acre (i.e., a maximum of triple the average intensity criterion set in Table 2A).
  - (c) For the purposes of the above policies, the one-acre areas to be evaluated shall be rectangular (reasonably close to square, not elongated or irregular) in shape.
  - (d) In no case shall a proposed development be designed to accommodate more than the total number of dwelling units per acre (for residential uses) or people per acre (for nonresidential uses) indicated in Table 2A times the gross acreage of the project site. A project site may include multiple parcels. Appendix D lists examples of the types of land uses which are potentially compatible under these criteria and the types of land uses which are considered incompatible.
- 4.2.6. Risk Reduction Through Building Design: The number of people permitted to occupy a single nonresidential building may be increased by a factor of up to 1.3 times the limitations set by the preceding policy on clustering if special measures are taken to reduce the risks to building occupants in the event that the building is struck by an aircraft.

- (a) This intensity bonus is not applicable within *Compatibility Zone A* (no buildings are permitted) or *E* (densities and intensities are not limited) and shall not be applied to buildings situated within *Compatibility Zones B1*, *B2*, or *C* for runways routinely used by large aircraft (aircraft having a maximum certificated takeoff weight of more than 12,500 pounds).
- (b) Building design features which would enable application of an intensity bonus include, but are not limited to, the following:
  - > Using concrete walls;
  - > Limiting the number and size of windows;
  - > Upgrading the strength of the building roof;
  - Avoiding skylights;
  - Enhancing the fire sprinkler system;
  - Limiting buildings to a single story; and
  - Increasing the number of emergency exits.
- (c) Project proponents who wish to request an intensity bonus must include appropriate details of the building design along with their project review application.
- (d) Intensity bonuses shall be considered and approved by affected local jurisdictions on a case-by-case basis. The criteria to be used by each jurisdiction when considering intensity bonus requests shall be reviewed and approved by the ALUC as part of the general plan consistency process or subsequent action.

## 4.3. Airspace Protection

- 4.3.1. Policy Objective: Tall structures, trees, and other objects, particularly when located near airports or on high terrain, may constitute hazards to aircraft in flight. Federal regulations establish the criteria for evaluating potential obstructions. These regulations also require that the Federal Aviation Administration be notified of proposals for creation of certain such objects. The FAA conducts "aeronautical studies" of these objects and determines whether they would be hazards, but it does not have the authority to prevent their creation. The purpose of ALUC airspace protection policies, together with regulations established by local land use jurisdictions and the state government, is to ensure that hazardous obstructions to the navigable airspace do not occur.
- 4.3.2. Basis for Height Limits: The criteria for limiting the height of structures, trees, and other objects in the vicinity of an airport shall be based upon: Part 77, Subpart C, of the Federal Aviation Regulations (FAR); the United States Standard for Terminal Instrument Procedures (TERPS); and applicable airport design standards published by the Federal Aviation Administration. Airspace plans depicting the critical areas for airspace protection around each of the airports covered by this Compatibility Plan are depicted in Chapter 3.
- 4.3.3. ALUC Review of Height of Proposed Objects: Based upon FAA criteria, proposed objects that would exceed the heights indicated below for the respective compatibility zones potentially represent airspace obstructions issues. Development proposals that include any such objects shall be reviewed by the ALUC. Objects of lesser height normally would not have a potential for being airspace obstructions and therefore do

not require ALUC review with respect to airspace protection criteria (noise, safety, and overflight concerns may still be present). Caution should be exercised, however, with regard to any object more than 50 feet high proposed to be located on a site that is substantially higher than surrounding terrain.

- (a) Within *Compatibility Zone A*, the height of any proposed development, including vegetation, requires review.
- (b) Within *Compatibility Zone B1*, ALUC review is required for any proposed object taller than 35 feet unless the airport controls an easement on the land on which the object is to be located and grants a waiver to height restrictions.
- (c) Within *Compatibility Zone B2*, ALUC review is required for any proposed object taller than 35 feet.
- (d) Within *Compatibility Zones C* and *D*, ALUC review is required for any proposed object taller than 70 feet.
- (e) Within Compatibility Zone E, ALUC review is required for any proposed object taller than 100 feet.
- (f) Within the Height Review Overlay Zone, ALUC review is required for any proposed object taller than 35 feet above the ground. The approximate extent of the Height Review Overlay Zone is indicated on the respective Compatibility Map included for each airport in Chapter 3.
- 4.3.4. Height Restriction Criteria: The height of objects within the influence area of each airport shall be reviewed, and restricted if necessary, according to the following criteria. The locations of these zones are depicted on the respective Compatibility Map for each airport.
  - (a) Within *Compatibility Zone A*, the height of all objects shall be limited in accordance with applicable Federal Aviation Administration criteria including FAR Part 77, TERPS, and/or airport design standards.
  - (b) Within Compatibility Zones B1, B2, or Height Review Overlay Zone:
    - (1) Objects up to 35 feet tall are acceptable and do not require ALUC review for the purposes of height factors.
    - (2) ALUC review is required for any proposed object taller than 35 feet.
    - (3) Federal Aviation Administration review may be necessary for proposed objects adjacent to the runway edges and the FAA may require marking and lighting of certain objects (the affected areas are generally on airport property).
  - (c) Within *Compatibility Zones C* and *D*, generally, there is no concern with regard to any object up to 70 feet tall unless it is located on high ground or it is a solitary object (e.g., an antenna) more than 35 feet taller than other nearby objects.
  - (d) Within *Compatibility Zone E*, generally, there is no concern with regard to any object up to 100 feet tall unless it is located on high ground or it is a solitary object (e.g., an antenna) more than 35 feet above the ground.
- 4.3.5. Avigation Easement Dedication: As a condition for development approval, the owner of any property proposed for development within Compatibility Zones A, B1, or B2 or a

Height Review Overlay Zone shall be required to dedicate an avigation easement to the entity owning the affected airport. The avigation easement shall:

- (a) Provide the right of flight in the airspace above the property;
- (b) Allow the generation of noise and other impacts associated with aircraft overflight;
- (c) Restrict the height of structures, trees and other objects;
- (d) Permit access to the property for the removal or aeronautical marking of objects exceeding the established height limit; and
- (e) Prohibit electrical interference, glare, and other potential hazards to flight from being created on the property. An example of an avigation easement is provided in Appendix G.
- 4.3.6. FAA Notification: Proponents of a project involving objects that may exceed a Part 77 surface must notify the Federal Aviation Administration as required by FAR Part 77, Subpart B, and by the Public Utilities Code, Sections 21658 and 21659. (Notification to the Federal Aviation Administration under FAR Part 77, Subpart B, is required even for certain proposed construction that does not exceed the height limits allowed by Subpart C of the regulations. Refer to Appendix B for the specific Federal Aviation Administration notification requirements.)
  - (a) Local jurisdictions shall inform project proponents of the requirements for notification to the Federal Aviation Administration.
  - (b) The requirement for notification to the Federal Aviation Administration shall not necessarily trigger an airport compatibility review of an individual project by the Airport Land Use Commission if the project is otherwise in conformance with the compatibility criteria established herein.
  - (c) FAA review is required for any proposed structure more than 200 feet above the surface level of its site. All such proposals also shall be submitted to the ALUC for review regardless of where in the county they would be located.
  - (d) Any project submitted to the ALUC for airport land use compatibility review for reason of height-limit issues shall include a copy of FAR Part 77 notification to the Federal Aviation Administration and the FAA findings if available.
- 4.3.7. Other Flight Hazards: New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
  - (a) Glare or distracting lights which could be mistaken for airport lights;
  - (b) Sources of dust, steam, or smoke which may impair pilot visibility;
  - (c) Sources of electrical interference with aircraft communications or navigation; and
  - (d) Any proposed use, especially landfills and certain agricultural uses, that creates an increased attraction for large flocks of birds. (Refer to FAA Order 5200.5A, Waste Disposal Sites on or Near Airports and Advisory Circular 150/5200-33A, Hazardous Wildlife Attractants On or Near Airports.)

## 4.4. Overflight

- 4.4.1. *Policy Objective:* Noise from individual operations, especially by comparatively loud aircraft, can be intrusive and annoying in locations beyond the limits of the mapped noise contours. Sensitivity to aircraft overflights varies from one person to another. The purpose of overflight compatibility policies is to help notify people about the presence of overflights near airports so that they can make more informed decisions regarding acquisition or lease of property in the affected areas. Overflight compatibility is particularly important with regard to residential land uses.
- 4.4.2. State Law Requirements Regarding Real Estate Transfer Disclosure: Effective January 1, 2004, California state statutes (Business and Professional Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353) require as part of residential real estate transactions that information be disclosed regarding whether the property is situated within an airport influence area.
  - (a) With certain exceptions, these state requirements apply both to the sale or lease of newly subdivided lands and to the sale of existing residential property.
  - (b) The statutes define an *airport influence area* as "the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission." The *airport influence area* for each of the airports in Riverside County subject to this *Compatibility Plan* is indicated on that airport's *compatibility map* contained in Chapter 3 herein.
  - (c) Where disclosure is required, the following statement shall be provided:
    - NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.
  - (d) For the purposes of this *Compatibility Plan*, the above real estate disclosure provisions of state law shall continue in effect as Airport Land Use Commission policy with respect to new development even if the law is rescinded. Furthermore, each land use jurisdiction affected by this *Compatibility Plan* should adopt a policy designating the airport influence area as the area wherein disclosure of airport influences is required in conjunction with the transfer of residential real estate. Such local jurisdiction policies also should be applied to lease or rental agreements for existing residential property.
- 4.4.3. Deed Notices: In addition to the preceding real estate transfer disclosure requirements, a deed notice shall be recorded for each parcel associated with any discretionary land use action affecting property within an airport influence area. (Note that the avigation easement required by Policy 4.3.5 to be dedicated in conjunction with development in Zones A, B1, B2, and the Height Review Overlay Zone serves as a deed notice in those locations.) The notice shall include the language indicated above with respect to real estate transfer disclosures.

- 4.4.4. Land Use Conversion: The compatibility of uses in the airport influence areas shall be preserved to the maximum feasible extent. Particular emphasis should be placed on preservation of existing agricultural and open space uses.
  - (a) The conversion of land from existing or planned agricultural, open space, industrial, or commercial use to residential uses within *Compatibility Zones A*, *B1*, *B2*, and *C* is strongly discouraged.
  - (b) In *Compatibility Zone D*, general plan amendments (as well as other discretionary actions such as rezoning, subdivision approvals, use permits, etc.) that would convert land to residential use or increase the density of residential uses should be subject to careful consideration of overflight impacts.

## 5. COMPATIBILITY CRITERIA FOR AIRPORT DEVELOPMENT ACTIONS

## 5.1. Criteria for Master or Development Plans of Existing Airports

- 5.1.1. Substance of Review: When reviewing airport master plans or development plans for existing airports, the Commission shall determine whether activity forecasts or proposed facility development identified in the plan differ from the forecasts and development assumed for that airport in this Airport Land Use Compatibility Plan. Attention should specifically focus on:
  - (a) Activity forecasts that are: (1) significantly higher than those in the Airport Land Use Compatibility Plan; or that (2) include a higher proportion of larger or noisier aircraft.
  - (b) Proposals to: (1) construct a new runway or helicopter takeoff and landing area; (2) change the length, width, or landing threshold location of an existing runway; or (3) establish an instrument approach procedure.
- 5.1.2. Noise Impacts of New or Expanded Airports or Heliports: Any proposed construction of a new airport or heliport or expansion of facilities at an existing airport or heliport that would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less-than-significant level. For the purposes of this plan, a noise increase shall be considered significant if:
  - (a) In locations having an existing ambient noise level of less than 55 dB CNEL, the project would increase the noise level by 5.0 dB or more.
  - (b) In locations having an existing ambient noise level of between 55 and 60 dB CNEL, the project would increase the noise level by 3.0 dB or more.
  - (c) In locations having an existing ambient noise level of more than 60 dB CNEL, the project would increase the noise level by 1.5 dB or more.
- 5.1.3. Consistency Determination: The Commission shall determine whether the proposed airport plan or development plan is consistent with the Airport Land Use Compatibility Plan. The Commission shall base its determination of consistency on;

- (a) Findings that the forecasts and development identified in the airport plan would not result in greater noise, overflight, and safety impacts or height restrictions on surrounding land uses than are assumed in the Airport Land Use Compatibility Plan.
- (b) A determination that any nonaviation development proposed for locations within the airport boundary (excluding federal- or state-owned property) will be consistent with the compatibility criteria and policies indicated in this *Compatibility Plan* with respect to that airport (see Policy 1.2.5 for definition of aviation-related use).

## 5.2. Criteria for Proposed New Airports or Heliports

- 5.2.1. Substance of Review: In reviewing proposals for new airports and heliports, the Commission shall focus on the noise, safety, airspace protection, and overflight impacts upon surrounding land uses.
  - (a) Other types of environmental impacts (e.g., air quality, water quality, natural habitats, vehicle traffic, etc.) are not within the scope of Commission review.
  - (b) The Commission shall evaluate the adequacy of the proposed facility design (in terms of federal and state standards) only to the extent that the design affects surrounding land use.
  - (c) The Commission must base its review on the proposed airfield design. The Commission does not have the authority to require alterations to the airfield design.
- 5.2.2. Airport/Land Use Relationships: The review shall examine the relationships between existing and planned land uses in the vicinity of the proposed airport or heliport and the impacts that the proposed facility would have upon these land uses.
  - (a) Questions to be considered should include:
    - (1) Would the existing or planned land uses be considered incompatible with the airport or heliport if the latter were already in existence?
    - (2) What measures are included in the airport or heliport proposal to mitigate the noise, safety, airspace protection, and overflight impacts on surrounding land uses? Such measures might include:
      - Location of flight tracks so as to minimize the impacts;
      - > Other operational procedures to minimize impacts;
      - Installation of noise barriers or structural noise insulation;
      - Acquisition of property interests (fee title or easements) on the impacted land.
  - (b) The noise impact assessment criteria listed in Policy 5.1.2 with respect to airport expansion projects shall also be considered with regard to the review of new airport development.

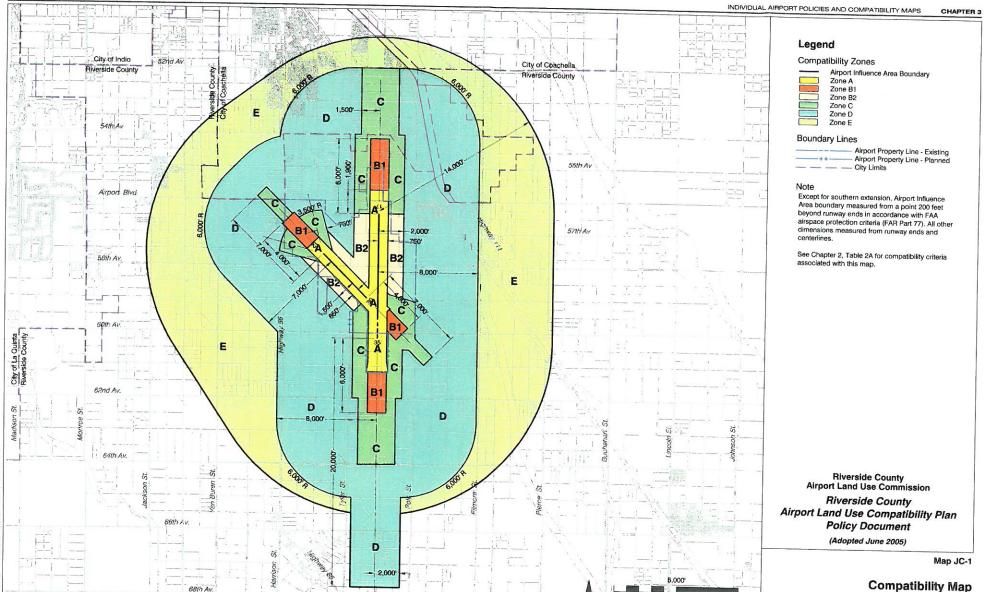
## JC. JACQUELINE COCHRAN REGIONAL AIRPORT

## JC.1 Compatibility Map Delineation

- 1.1 Airport Master Plan Status: The Riverside County Board of Supervisors approved a new master plan for Jacqueline Cochran (formerly Desert Resorts) Regional Airport in December 2004. The Jacqueline Cochran Regional Airport Compatibility Map on the following page is based upon the new master plan.
- 1.2 Airfield Configuration: The new airport master plan carries forward the recommendation from previous plans that the primary runway (17-35) be extended 1,500 feet southward to a total length of 10,000 feet. Establishment of a nonprecision instrument approach procedure to the north end of the runway and a precision instrument approach procedure to the south end are proposed in the master plan and reflected in the compatibility planning. No changes to the northwest/southeast runway are contemplated. Previous plans for a third runway that would have been aligned north/south 4,200 feet west of the existing primary runway have been deleted from the new master plan and are not represented in the Jacqueline Cochran Regional Airport Compatibility Map.
- 1.3 Airport Activity: Compatibility planning for Jacqueline Cochran Regional Airport looks beyond the 20-year activity forecast time horizon of the master plan. An ultimate activity level of 220,000 annual operations, double the 20-year projection in the master plan, is assumed for compatibility planning purposes. Current activity is approximately 65,000 operations per year.
- 1.4 Airport Influence Area: The Jacqueline Cochran Regional Airport influence area boundaries match the outer boundary of the FAR Part 77 conical surface for the airport with an extension to the south encompassing additional lands along the future precision instrument approach path.

## JC.2 Additional Compatibility Policies

- 2.1 Calculation of Residential Densities: Residential densities in Zone D shall be calculated on a "net" rather than "gross" basis. For the purposes of this Compatibility Plan, the net acreage of a project equals the overall developable area of the project site exclusive of permanently dedicated open lands (as defined in Policy 4.2.4) or other open space required for environmental purposes.
- 2.2 Maximum Average Residential Lot Size in Zone D Areas Southerly of Avenue 64: Projects located southerly of Avenue 64 shall be considered to be substantially consistent with the "higher intensity option" for Zone D if the average residential lot size (either the mean or median) is 8,712 square feet (0.2 acre) or less, excluding common area, public facility, drainage basin, recreational, and open space lots.

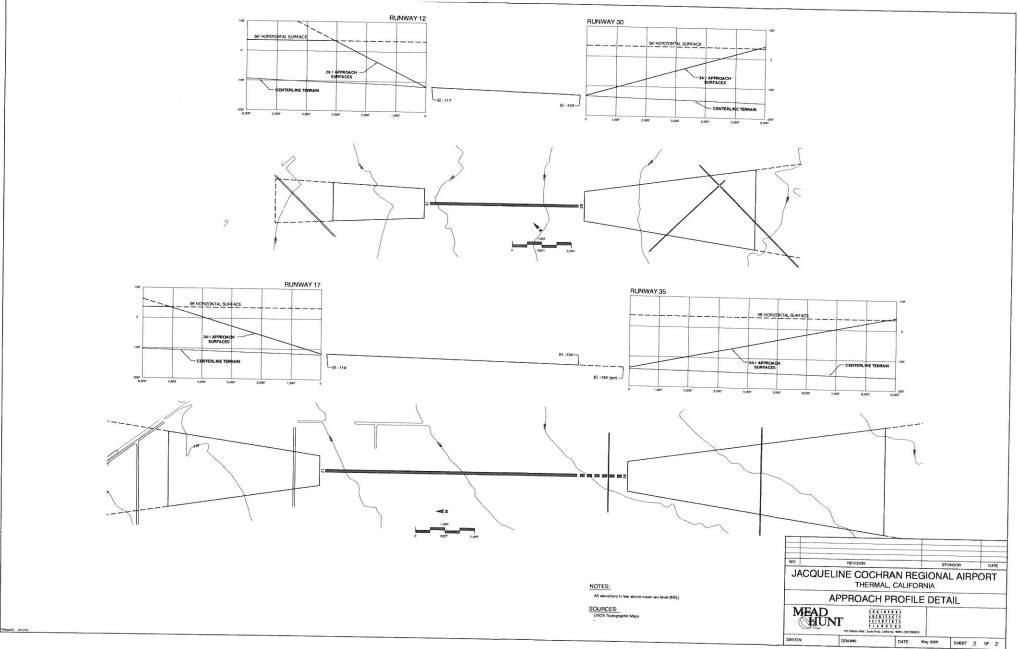


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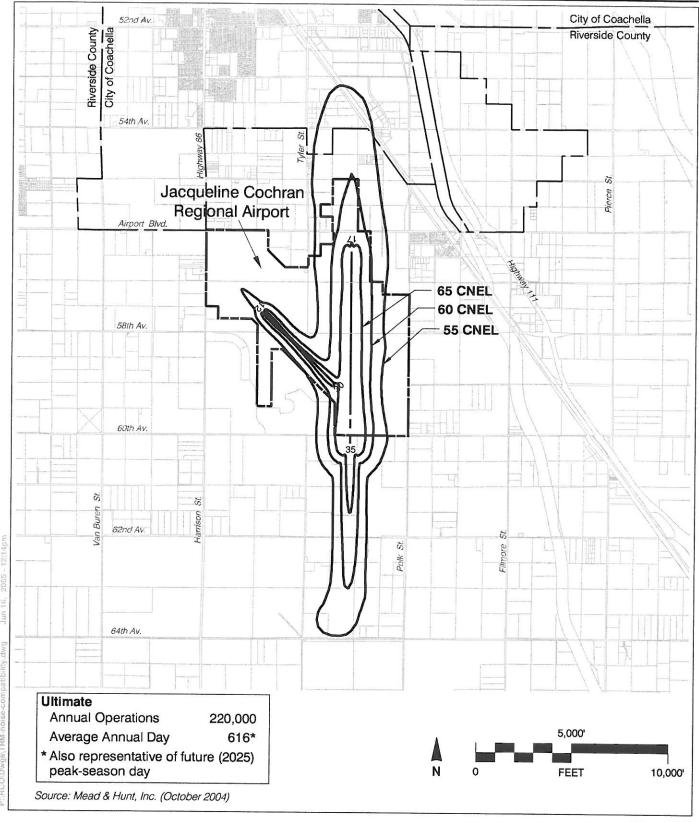
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Map JC-2 continued



Map JC-3

# **Noise Compatibility Contours**

# Background Data: Jacqueline Cochran Regional Airport and Environs

## INTRODUCTION

Built during World War II and used by both the Army and the Navy, Jacqueline Cochran Regional Airport has had several name changes. As a civilian facility, it was called Thermal Airport from 1948 to 1998. To better reflect its regional function, the name was then changed to Desert Resorts Regional Airport. The most recent name change, to honor the pioneering woman pilot, took place in 2004.

The airport is located in the lower Coachella Valley of central Riverside County at an elevation of 114 feet below sea level. The facility has two runways: the primary, north/south runway (17-35) is 8,500 feet in length; and a northwest/southeast runway (12-30) measures 5,000 feet. A new master plan for the airport, completed in 2004, calls for extension of Runway 17-35 southward to a length of 10,000 feet. A future parallel, north/south runway that had been included in previous plans has been deleted from the current master plan. A summary of major existing and planned features of the airport is presented in Exhibit JC–1. Exhibit JC–2 depicts the updated airport layout plan drawing.

Annual aircraft operations at Jacqueline Cochran Regional Airport were estimated at 65,000 in 2002. The master plan projects this activity to reach some 110,000 by 2022 and continue to grow along with the urbanization of the Coachella Valley. Growth in business jet usage of the airport is expected to be particularly strong. For long-range compatibility planning purposes, an "ultimate" activity level of 220,000 annual operations is assumed. Further activity data is detailed in Exhibit JC–3. Noise impacts generated by the current, future, and ultimate activity levels are shown in Exhibits JC–4 through JC–6. The "ultimate" contours are also representative of a peak-season day in 2022. Exhibit JC–7 presents a compilation of the noise, risk, and other factors that form the basis for the compatibility map included in Chapter 3.

Land uses in the vicinity of the airport are in transition. As of 2004, the immediate environs are mostly agriculture or undeveloped. However, urban areas of the city of Coachella are barely a mile north. Coachella, as well as La Quinta to the west, plan to expand their cities southward. Within the unincorporated county area, a major development—Kohl Ranch—is proposed immediately south of the airport. This urbanization will pose challenges for long-term airport/land use compatibility. Exhibits JC–8 and JC–9 present tabular and map summaries of current and planned land uses around the airport. Exhibit JC–10 detail tabular and mapping of significant conflicts between the compatibility plan and local land use plans.

#### **GENERAL INFORMATION**

- ➤ Airport Ownership: County of Riverside
- ➤ Property Size
  - > Fee title: 1,752 acres
  - > Avigation easements: None
- ➤ Airport Classification: Transport
- ➤ Airport Elevation: minus 114 feet MSL

#### RUNWAY/TAXIWAY DESIGN

#### Runway 12-30

- ➤ Critical Aircraft: Medium twin
- ➤ Airport Reference Code: B-II
- ➤ Dimensions: 5,000 ft. long, 100 ft. wide
- ➤ Pavement Strength (main landing gear configuration)
  - > 20,000 lbs (single wheel)
- ➤ Average Gradient: 0.22% (rising to northwest)
- ➤ Runway Lighting:
  - Medium-intensity edge lights (MIRL)
- ➤ Primary Taxiways: Full-length parallel on southwest

#### Runway 17-35

- ➤ Critical Aircraft: Boeing Business Jet 2
- ➤ Airport Reference Code: D-III
- ➤ Dimensions: 8,500 ft. long, 150 ft. wide
- ➤ Pavement Strength (main landing gear configuration)
  - > 174,000 lbs (dual wheel)
- ➤ Average Gradient: 0.24% (rising to north)
- ➤ Runway Lighting:
  - > Medium-intensity edge lights (MIRL)
  - > Runways 17, 35: (Runway End Indicator Lights (REILs)
- > Primary Taxiways: Full-length parallel on west

#### AIRPORT PLANNING DOCUMENTS

- ➤ Airport Master Plan
  - > Approved by Riverside County Board of Supervisors December 2004
- Airport Layout Plan Drawing
  - > Aproved by Riverside County Board of Supervisors December 2004

#### TRAFFIC PATTERNS AND APPROACH PROCEDURES

- ➤ Airplane Traffic Patterns
  - All runways: Left traffic
  - > Pattern altitude: 1,000 ft. AGL
- ➤ Instrument Approach Procedures (lowest minimums)
  - > Runway 30 VOR/DME
    - · Straight-in (1 mi. visibility, 240 ft. descent height)
    - · Circling (1 mi. visibility, 340 ft. descent height)
  - > Runway 30 RNAV (GPS )
    - · Straight-in (1 mi. visibility, 260 ft. descent height)
    - · Circling (1 mi. visibility, 320 ft. descent height)
  - > Runway 35 RNAV (GPS)
    - · Straight-in (1 mi. visibility, 700 ft. descent height)
    - · Circling (1 mi. visibility, 700 ft. descent height)
  - > All runways VOR
    - · Circling (11/4 mi. visibility; 1,100 ft. descent height)
- ➤ Standard Inst. Departure Procedures: None
- Visual Approach Aids
  - › Airport: Rotating beacon
  - > Runway 35: Precision Approach Path Indicator (3.0°)
  - > Runway 17: Visual Approach Slope Indicator (3.0°)
- ➤ Operational Restrictions / Noise Abatement Procedures
  - None

#### APPROACH PROTECTION

- ➤ Runway Protection Zones (RPZs)
  - > Runway 17: 1,700-ft. long; majority on airport property
  - > Runway 35: 1,000-ft. long; 1/2 on airport property
  - Runways 12 and 30: 1,000-ft. long; all on airport
- ➤ Approach Obstacles
  - > Runway 17: Road
  - > Runway 30: Trees 580 ft. beyond runway end

#### **BUILDING AREA**

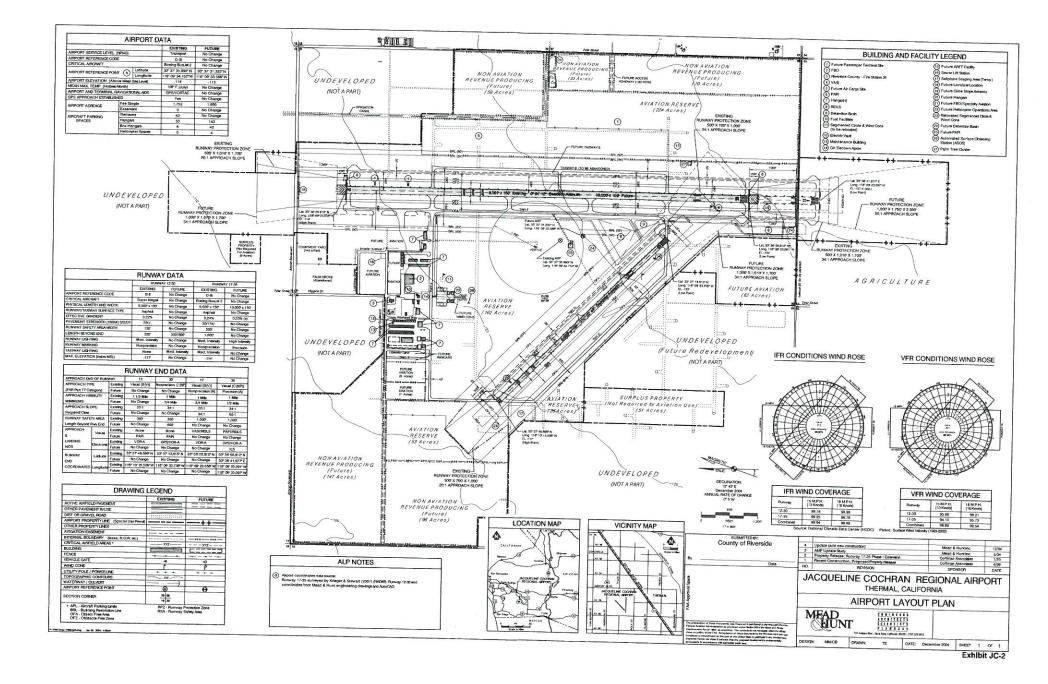
- ▶ Location: North side of airport, between runways
- ➤ Aircraft Parking Capacity
  - > Hangar spaces: 56
  - > Tiedowns: 43
- ➤ Other Major Facilities
  - > Riverside County fire station
- - > Fuel: 100LL, Jet A (24-hour call out)
  - > Other: Aircraft rental, maintenance and storage; seasonal sailplane rides

#### POTENTIAL FACILITY IMPROVEMENTS

- ➤ Airfield
  - > Extend Runway 35 to 10,000-ft.
  - > Establish Runway 35 straight-in precision approach
  - > Establish Runway 17 nonprecision approach
  - > Construct helicopter facility south of Taxiway A
- ➤ Building Area
  - > Add up to 130 hangar spaces
  - > Expand transient apron for large business jets
- > Acquire 128 acres for Runway 35 extension and RPZ
- > Acquire 62 acres for future aviation use west of Runway 35 approach end
- Acquire 8 acres for Runway17 RPZ
- > Release 60 acres on north and south as excess to aviation needs

#### Exhibit JC-1

# **Airport Features Summary**



BASED AIRCRAFT				TIME OF DAY DISTRIBUTION	ON a		
	Current 6		Ultimate		Current	Future &	
	2002 data	2025				Ultimate	
Aircraft Type				Single-Engine			
Single-Engine	51	161		Day	95.0%	no	
Twin-Engine Piston			data	Evening	3.0%	change	
& Turboprop	14	54	not	Night	2.0%	100	
Business Jets	4	34	available	Twin-Engine, Piston			
Helicopters / Others	2	6		Day	96.0%	no	
Total	71	255		Evening	2.5%	change	
		-		Night	1.5%	_	
AIRCRAFT OPERATIONS				Large (Charter) Jets			
	Current <sup>a</sup>	Future a	Ultimate b	Day	90%	no	
	2002 data	2025	Onmate	Evening	5%	change	
Total	ZUUZ GAIA	2020		Night	5%		
Annual	65,000	110,000	220,000	Business Jets & Other Air	craft		
Average Day	178		A TOUR COLUMN STREET OF THE	Day	98.0%	no	
Average Day	170	301	603 °	Evening	1.5%	change	
Distribution by Aircraft Ty				Night	0.5%	3	
Single-Engine		000/	050/				
Twin-Engine Piston			RUNWAY USE DISTRIBUTION a				
Twin-Engine Piston Twin-Engine,	15%	12%	10%		Current	Future &	
Turboprop	000/	000/	0.40/			Ultimate	
Business & Large Je	22% t 26%	23%	24%	Takeoffs & Landings		Onmate	
Helicopters / Other	26%	33%	37%	Single & Twin-Engine, Pis	ton – Dav/Evenin	a/Niaht	
Helicopters / Other	2%	3%	4%	Runway 17	20%	girigin	
Distribution by Tune of C	Ingration			Runway 35	70%	no	
Distribution by Type of Operation  Local (incl. touch-and-goes)				Runway 12	3%	change	
Single-Engine	34%	34%	000/	Runway 30	7%	onango	
Twin-Engine Pisto		34%	33%	Twin-Engine Turboprop& Helicopter - Day/Evening/Nigh			
Turboprop	10%		30%	Runway 17	22%	_,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
All Others		10%	10%	Runway 35	74%	no	
Total	100%	100%	100%	Runway 12	1%	change	
Itinerant	19%	15%	14%	Runway 30	3%	onange	
	000/	000/	070/	Small Business Jets – Day			
Single-Engine	66%	66%	67%	Runway 17	10%		
Twin-Engine Pisto		70%	70%	Runway 35	86%	no	
Turboprop All Others	90%	90%	90%	Runway 12	0%	change	
All Others Total	100%	100%	100%	Runway 30	4%	onlange	
iotai	57%	55%	76%	Medium Business Jets & I		Evenina/Nich	
				Runway 17	5%	no	
				Runway 35	95%	change	

# FLIGHT TRACK USAGE a Current & Future

- ➤ Approaches, Runway 17
  - All: 90% right traffic; 10% straight in
- ➤ Approaches, Runway 35
  - ) Jets: 60% left traffic; 40% straight in
  - > Others: 60% left traffic; 10% right traffic; 30% straight
- ➤ Approaches, Runways 12 & 30
  - All: 100% straight in

- ➤ Departures, Runway 17
  - > Jets: 100% straight out
  - > Others: 60% left turns; 10% right turns; 30% straight
- ➤ Departures, Runway 35
  - > Med & Large Jets: 80% left; 10% right; 10% straight
  - > Others: 80% left turns; 10% right turns; 10% straight
- ➤ Departures, Runways 12 & 30
  - All: 100% straight out

#### Notes

- <sup>a</sup> Source: Jacqueline Cochran Regional Airport Master Plan (December 2004) and Environmental Baseline Data/CEQA Initial Study (December 2004); 2022 Airport Master Plan forecast assumed as 2025 for compatibility planning purposes
- <sup>b</sup> Source: Estimated/projected by Mead & Hunt for compatibility planning purposes; reflects time frame beyond 20 years
- <sup>c</sup> Ultimate annual average day also representative of future peak season average day

Exhibit JC-3

# **Airport Activity Data Summary**

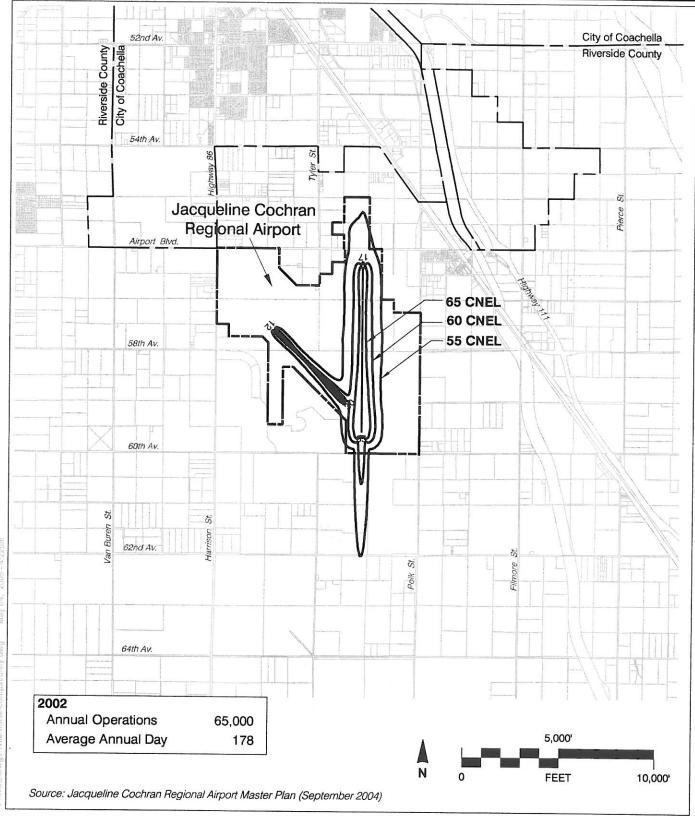
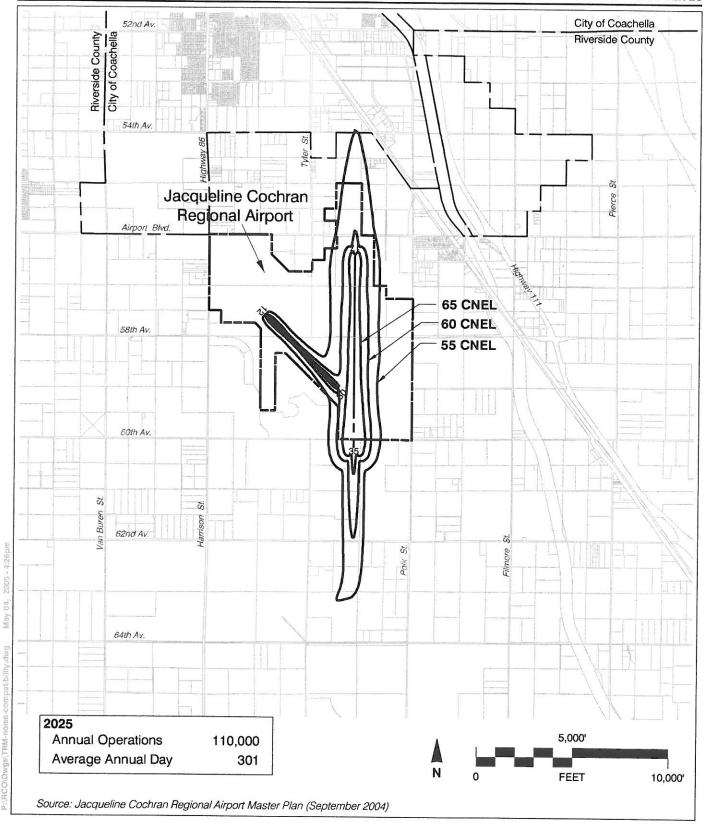


Exhibit JC-4

# **Existing Noise Impacts**



**Exhibit JC-5** 

# **Future Noise Impacts**

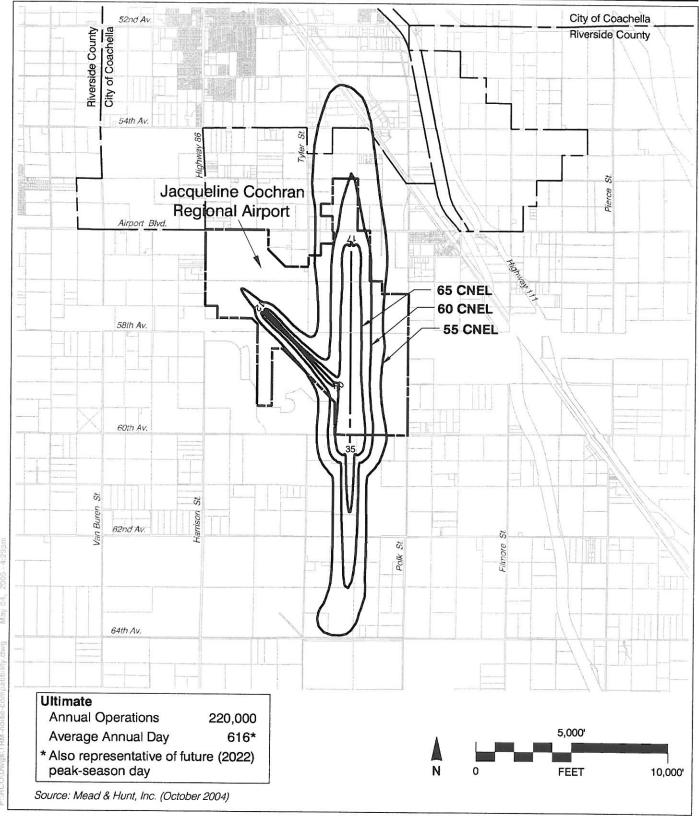
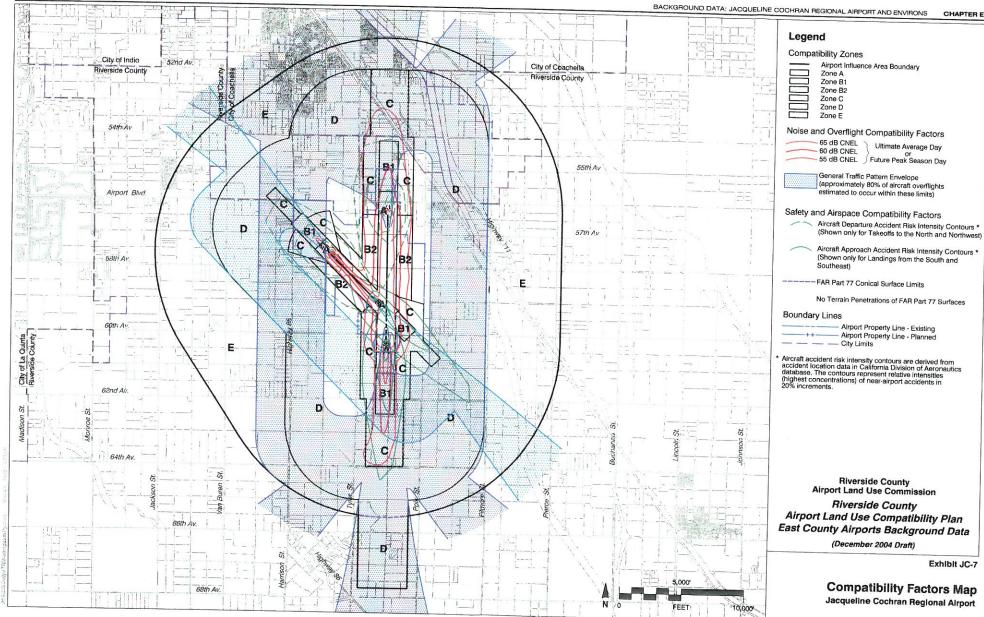


Exhibit JC-6

# **Ultimate Noise Impacts**



#### AIRPORT SITE

- ▶ Location
  - > Central Riverside County
  - > 25 miles southeast of Palm Springs
  - > 10 miles northeast of Salton Sea
- ➤ Nearby Terrain
  - Situated on floor of Coachella Valley at elevation of 114 ft. below sea level; mostly flat terrain nearby
  - Santa Rosa Mountains 10± miles southwest; Toro Peak (elev. 8,716 ft.) 16 miles southwest
  - Mecca Hills 2± miles northeast; Little San Bernardino Mountains 8± miles northeast (peak elevations mostly 5,000-6,000 feet MSL)

#### **AIRPORT ENVIRONS LAND USE JURISDICTIONS**

- County of Riverside
  - Airport within unincorporated county jurisdiction
  - > Community of Thermal at northeast corner of airport
- ➤ City of Coachella
  - City limits touch northwest corner of airport (area is within Augustine Indian Reservation) and within 1 mile north of Runway 17 approach end
  - City sphere including additional area north west of airport
- ▶ City of Indio
  - Nearest point within city limits, 4 miles northwest (outside airport influence area)
- ➤ City of La Quinta
  - > Southern extension of city within 3 miles west

#### STATUS OF COMMUNITY PLANS

- ➤ Riverside County
  - General Plan, a portion of Riverside County Integrated Project, adopted by Board of Supervisors Oct. 2003
  - > Kohl Ranch Specific Plan, amended January 2003
- ➤ City of Coachella
  - > General Plan 2020 adopted October 1998
- City of La Quinta
  - > General Plan adopted early 2002
  - > Land use map updated March 2002

#### **EXISTING AIRPORT AREA LAND USES**

- ➤ General Character
  - Predominantly agriculture or undeveloped desert within 1 mile; urban areas farther north
- ➤ Runway Approaches
  - Northwest (Runway 12): Undeveloped near runway; high school 2.0 miles from runway end
  - > Southeast (Runway 30): Agriculture and undeveloped
  - > North (Runway 17): Undeveloped near runway; Hwy 111, 1½ miles from runway end
  - > South (Runway 35): Agriculture, undeveloped desert
- ➤ Traffic Patterns
  - > Southwest: Agriculture and undeveloped
  - East: Community of Thermal on northeast; agriculture elsewhere

#### PLANNED AIRPORT AREA LAND USES

- ➤ Riverside County
  - > North: Heavy & light industrial within 1 mile of runway
  - East: Additional urban uses (residential, light industrial, commercial) in Thermal; agriculture south of town
  - South: New community (Kohl Ranch) along extended runway centerline; open space & industrial up to 1 mile beyond existing runway end
  - West: Vista Santa Rosa Policy Area to remain agricultural & rural residential
- ➤ City of Coachella
  - > Light industrial north of airport
  - Commercial & low-density residential along Hwy 86 beyond 1 mile from airport
  - Very-low-density residential in West Coachella
- ➤ City of La Quinta
  - > Low-density residential to west outside city sphere
  - New community to south, as in county plan; outside city sphere of influence

Exhibit JC-8

# **Airport Environs Information**

#### **ESTABLISHED AIRPORT COMPATIBILITY MEASURES**

#### **Riverside County**

- ➤ Riverside County General Plan
  - Prohibit new residential uses, except single-family dwellings on legal residential lots of record, within airports' 60 dB CNEL contour as defined by ALUC (Policy N 7.4)
  - Safety compatibility zones and criteria from previous compatibility plan incorporated into General Plan
  - Review all proposed projects and require consistency with any applicable compatibility plan (LU 14.2)
  - Submit proposed actions and projects to ALUC as required by state law (Policy LU 1.9); other actions may be submitted on voluntary and advisory basis (LU 14.8)
- ➤ Kohl Ranch Specific Plan
  - Incorporates safety compatibility guidelines from 1992 ALUC Comprehensive Land Use Plan
  - Sets guidelines for water features to minimize bird attraction
  - > No mention of noise standards noted

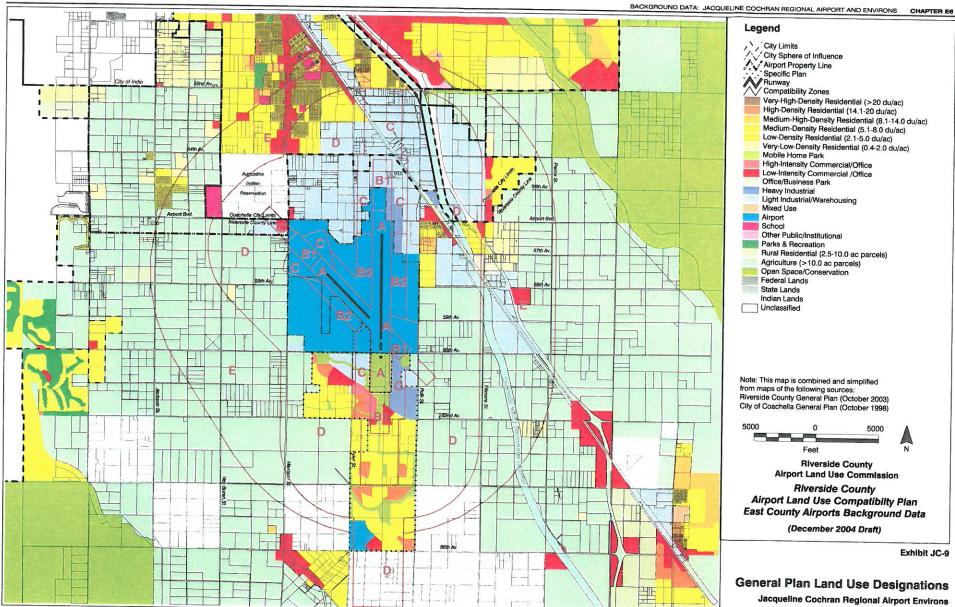
#### City of Coachella

- ➤ City of Coachella General Plan
  - "... designate land use patterns to avoid conflicts between new development and flight approaches to the airport, and to avoid placing conflicting land uses adjacent to airport property" (pg 18)
  - "Within the Thermal Airport Master Plan boundary, the Thermal Airport Master Plan is the official General Plan land use diagram, except where specific land uses have been assigned. The Master Plan should be consulted for a detailed understanding of allowable land uses and maximum densities or intensities." (Land Use Element)

#### City of La Quinta

- ➤ General Plan Land Use Element
  - "City shall consider airport Master Plans in all development proposals adjacent to ... airport" (Policy 4)
  - "Coordinate and cooperate with Riverside County Airport [Land Use?] Commission ..." to assure that the airport continues to meet the city's existing and future transportation, commercial, and emergency needs (Policy 9)

Exhibit JC-8, continued



#### COUNTY OF RIVERSIDE: GENERAL PLAN (2003)

#### Residential Land Use

- ➤ Compatibility Zone B1
  - Medium-Density Residential (2.1 to 5.0 dwelling units per acre) designation south of 62<sup>nd</sup> Avenue [R1] conflicts with Zone B1 compatibility criteria
- ➤ Compatibility Zone C
  - Medium-Density Residential (2.1 to 5.0 dwelling units per acre), Medium-High Density Residential (5.1 to 8.0 dwelling units per acre), and Very-High Density Residential (14.1 to 20.0 dwelling units per acre) designations south of airport [R2] conflict with Zone C compatibility criteria
- ➤ Compatibility Zone D
  - Low-Density, Very-Low Density, and Estate Density Residential (0.4 to 2.0 dwelling units per acre) designations west of airport [R3] potentially conflict with the high- and- low options for Zone D
  - Medium Density Residential (2.1 to 5.0 dwelling units per acre), Medium-High Density Residential (5.1 to 8.0 dwelling units per acre), and High-Density Residential (8.1 to 14.0 dwelling units per acre) designations east of airport [R4] potentially conflict with the high- and -low density options for Zone D
  - Medium Density Residential (2.1 to 5.0 dwelling units per acre), Medium-High Density Residential (5.1 to 8.0 dwelling units per acre), and Highest Density Residential (>20 dwelling units per acre) designations south of airport [R5] potentially conflict with the highand -low density options for Zone D
- ➤ Compatibility Zone E
  - > No inconsistencies noted

#### **Other Policies**

- ➤ General Plan
  - > Acknowledgement of ALUC policies-no conflict
  - Established ALUC 60 dB CNEL noise contour policy for new residential development-no conflict
- ➤ Zoning Codes
  - > No height limit zoning established

#### Non-Residential Land Use

- ➤ Compatibility Zone A
  - A potential conflict exists in Zone A; a portion of the northeast corner of Zone A (north of Airport Boulevard) is designated as Heavy Industrial/ Warehousing [R6]; no structures are allowed in Zone A; site proposed for airport acquisition
- ➤ Compatibility Zone B1
  - Potential Conflict: Zone B1 intensity limits (25 people/acre) apply to areas designated as Heavy Industrial and Light Industrial/Warehousing (north and south of airport) and Low and High Intensity Commercial/Office south of the airport [R7]
- Compatibility Zone B2
  - Potential Conflict: Zone B2 intensity limits (100 people/acre) apply to areas designated as Heavy Industrial and Light Industrial/Warehousing east of airport [R8]
- ➤ Compatibility Zone C
  - > Potential Conflict: Zone C intensity limits (75 people/acre) apply to areas designated as Heavy Industrial and Light Industrial/Warehousing north and south of airport [R9], High Intensity Commercial/Office south of airport [R10], and Light Industrial/Warehousing and Low-Intensity Commercial/Office west of the airport [R11]
- ➤ Compatibility Zone D
  - Potential Conflict: Zone D intensity limits (100 people/acre) apply to areas designated as Heavy Industrial, Light Industrial/Warehousing, and Low-Intensity Commercial north, south, and east of airport [R12]
- ➤ Compatibility Zone E
  - > No inconsistencies noted

#### **AUGUSTINE INDIAN RESERVATION**

- ➤ Compatibility Zone C
  - Potential Conflict: Zone C intensity limits (75 people/acre) apply to Indian lands northwest of airport [A1]
- ➤ Compatibility Zone D
  - Potential Conflict: Zone D intensity limits (100 people/acre) apply to Indian lands northwest of airport [A2]

Note: This is an initial land use consistency review prepared for the purpose of identifying areas where a conflict exists or potentially exists with ALUC compatibility zone criteria. This review is based upon available general plan documents and does not take into account existing land use. When a conflict between the general plan and compatibility criteria exists, it is not deemed inconsistent when the general plan is merely representing existing development. A more comprehensive analysis is necessary at the time a general plan land modification is presented to the ALUC for review.

Exhibit JC-10

# **General Plan Consistency Review (Preliminary)**

Jacqueline Cochran Regional Airport Environs

#### CITY OF COACHELLA:

#### GENERAL PLAN (1998), AND ZONING CODES

#### Residential Land Use

- ➤ Compatibility Zone D
  - Residential land use designations with densities ranging from 5.1 to 8.0 dwelling units per acre north of the airport [C1] potentially conflict with the highand-low options for Zone D
- ➤ Compatibility Zone E
  - > No inconsistencies noted

#### Other Policies

- ➤ General Plan
  - The Circulation Element "encourages implementation of the Thermal Airport Master Plan as it relates to safety, land use, and noise."
  - > No acknowledgment of ALUC coordination
  - The General Plan should be amended to incorporate the current ALUC Compatibility Plan with respect to Jacqueline Cochran Regional Airport
  - Noise policy conditionally allows residential development up to 70 dB CNEL conflicts with Compatibility Plan limit of 60 dB CNEL
- Zoning Codes
  - > Airport height limit zoning not established

#### Non-Residential Land Use

- ➤ Compatibility Zone C
  - Potential Conflict: Zone C intensity limits (75 people/acre) apply to area designated as Light Industrial/Warehousing north of airport [C2]
- ➤ Compatibility Zone D
  - Potential Conflict: Zone D intensity limits (100 people/acre) apply to areas designated as Light Industrial/Warehousing and Low-Intensity Commercial/Office northwest and northeast of airport [C3]
- ➤ Compatibility Zone E
  - > No inconsistencies noted

Note: This is an initial land use consistency review prepared for the purpose of identifying areas where a conflict exists or potentially exists with ALUC compatibility zone criteria. This review is based upon available general plan documents and does not take into account existing land use. When a conflict between the general plan and compatibility criteria exists, it is not deemed inconsistent when the general plan is merely representing existing development. A more comprehensive analysis is necessary at the time a general plan land modification is presented to the ALUC for review.

Exhibit JC-10, continued

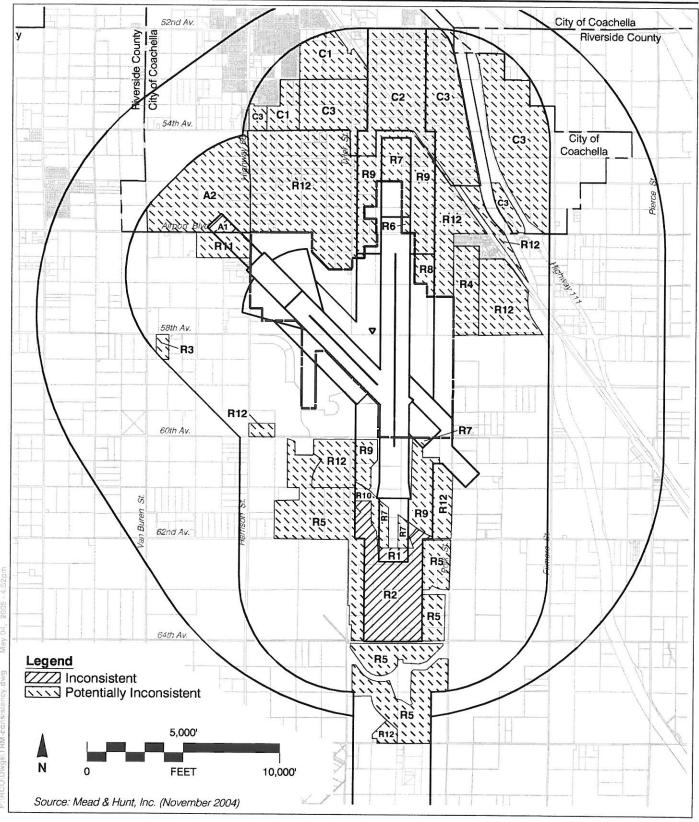


Exhibit JC-10, continued



# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

April 14, 2008 CHAIR

Simon Housman Rancho Mirage

VICE CHAIRMAN

Mr. Jerry Jolliffe, Deputy Planning Director County of Riverside Planning Department 4080 Lemon Street, 9th Floor

Rod Ballance Riverside Riverside CA 92501

COMMISSIONERS

**Arthur Butler** Riverside

AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW RE:

File No.:

HAND DELIVERY

Not Applicable

Related File No.:

Vista Santa Rosa Concept Plan

On April 10, 2008, the Vista Santa Rosa Concept Plan was brought before the Riverside County

Airport Land Use Commission (ALUC) on an informal (non-vote) basis. As proposed on that

date, the Commission expressed its conceptual support for the Plan, provided that the following amendments are made so as to allow the Plan to be eligible for a finding of consistency with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, pursuant to Section 3.3.6 of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility

John Lyon Riverside

Robin Lowe

Hemet

Dear Mr. Jolliffe:

Glen Holmes Hemet

**Melanie Fesmire** 

STAFF

Plan:

Director

John Guerin Brenda Ramirez Sophia Nolasco Barbara Santos

County Administrative Center 4080 Lemon St., 9th Floor. Riverside, CA 92501 (951) 955-5132

Ed Cooper

## RECOMMENDED AMENDMENTS:

The Airport Land Use Commission recommends that the County of Riverside incorporate the amendments specified herein (or substantively similar text as acceptable to the ALUC Director) into the Vista Santa Rosa Concept Plan and submit the revised text to ALUC staff for concurrence prior to final adoption by the County.

1. The Concept Plan shall be amended to add the boundaries of Airport Zones B1, C, D, and E.

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- Table 2A of the Countywide Policies of the Riverside County Airport Land Use 2. Compatibility Plan shall be incorporated into the Vista Santa Rosa Concept Plan as an Appendix.
- A statement shall be added in the discussion of Policy Area 1 stating that residential 3. densities in the portion of Planning Area 1 in Airport Zone D shall be not less than five dwelling units per acre.
- Policy Areas 3 and 4 shall include policies that require new residential units (other than 4. individual dwelling units on existing legal lots and second units) in Airport Zone D to either comply with the density criteria of Table 2A (which allows clustered development

envelopes of five or more dwelling units per acre, but otherwise restricts density to a maximum of one dwelling unit per five acres, in accordance with Option A below), or with the specifications of Option B or Option C, as stated below.

- 5. The Plan shall include a statement that all legislative actions in the Airport Influence Area shall be submitted to the Airport Land Use Commission for mandatory review and that all major land use actions as defined in the Riverside County Airport Land Use Compatibility Plan within that area shall be submitted to the Airport Land Use Commission for advisory review.
- 6. The Plan shall include a statement that all projects ten acres or larger within Airport Zone D shall set aside ten percent of land area in qualified open areas not less than 300 feet in length and 75 feet in width and free from obstructions, unless the project is located in a development area within which a 50-acre contiguous open space area has been established or is being concurrently established. The qualified open areas may include pastures, polo and soccer fields, golf course fairways, drainage easements, and roadways. Trees, light poles exceeding four feet in height, and trash enclosures are not permitted in such open areas.
- 7. At the time of the adoption of the Vista Santa Rosa Concept Plan or sooner, the County must agree to amend the Eastern Coachella Valley Area Plan to incorporate current compatibility criteria for Jacqueline Cochran Regional Airport in its Policy Areas text and tables.
- 8. The discussion of Lifestyle Corridors should include a statement that schools, lakes, streams, and water features (other than existing water features) will not be located in the portion of the east-west corridor located in Airport Zone D, and that commercial and public-use structures and uses therein would be required to comply with person intensity limits.
- 9. A statement shall be added in the discussion of Other Land Use Types stating that, if the property at the northwest corner of 60<sup>th</sup> Avenue and Harrison Street is developed pursuant to the Community Center Overlay, residential densities in that area shall not be less than five dwelling units per acre.
- 10. The section addressing "Compatibility with Jacqueline Cochran Regional Airport" shall be rewritten to delete the reference to "the portions of the parcels proposed for designation as High Density Residential along Harrison Street," since the Plan no longer proposes any residential designations for land in Airport Zones B1 and C. The reference to "the portion of the parcel proposed as Commercial Tourist that is located at the southwest corner of Harrison Street and Airport Boulevard" should be replaced with a reference to "Commercial Tourist and Business Park uses," and should simply state that the intensity of uses shall comply with the person intensity limits of the applicable Airport Zone, as specified in Table 2A.
- 11. Section D should include a separate paragraph describing "qualified open areas in Airport Zones," as defined in the Airport Land Use Compatibility Plan.

The designations of the portions of Policy Areas 3 and 4 within Airport Zone D for residential development at densities of 0.5 to 3.0 dwelling units per acre is inconsistent with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, in that Airport Zone D prohibits intermediate residential densities greater than 0.2 dwelling units per acre and less than 5.0 dwelling units per net acre, unless special findings are made pursuant to Section 3.3.6 of the 2004 Riverside County Airport Land Use Compatibility Plan. However, the community's overall vision of open space, agriculture, and roadways with wide setbacks to preserve vistas is compatible with appropriate design for residential communities in the vicinity of airports.

There are several factors that are unique to the Vista Santa Rosa community as it relates to the Jacqueline Cochran Regional Airport:

- a. The Vista Santa Rosa Concept Plan is built around the concept of "open spaceoriented community amenities" and requires minimum proportions of project average that must be allocated to such amenities in order for a project with a density greater than one dwelling unit per acre to be approved.
- b. The Plan was initiated in response to citizen action by residents of Vista Santa Rosa interested in maintaining the rural atmosphere of the community.
- c. The entire Vista Santa Rosa area lies outside the 55 dB(A) CNEL contour on maps depicting noise contours based on the ultimate activity levels for Jacqueline Cochran Regional Airport.
- d. The inclusion of Vista Santa Rosa in Airport Zone D (with the exception of the easterly 500 feet) is attributable to Runway 12-30. The standard lateral distance from Runway 17-35 used in demarcating Zones D and E at this airport is 8,000 feet, and only the easterly 500 feet is located within this 8,000-foot lateral distance.
- e. According to the Airport Activity Data Summary of the adopted Airport Land Use Compatibility Plan, Runway 12-30 is expected to account for not more than 10% of annual activity by single engine and twin-engine piston aircraft and not more than 4% of annual activity by twin-engine turboprop aircraft, helicopters, and small business jets.
- f. The maximum pavement strength of Runway 12-30 is 20,000 pounds, compared with a maximum pavement strength of 174,000 pounds for Runway 17-35. Therefore, it is unlikely that Runway 12-30 would be utilized for air cargo service in the future.
- g. The Concept Plan offers an opportunity for the community to be designed in a manner that improves safety in the long term by assuring that, as the community transitions from agricultural to suburban estate residential uses, provision will be made for either a larger proportion of land area available for emergency landing or one large emergency landing area that would be clearly visible to aircraft pilots.

In light of all of these factors, the Airport Land Use Commission agreed that there is reasonable justification for consideration of special criteria to be applied when evaluating the proposed intermediate densities within the Vista Santa Rosa community. These special criteria would allow for development at an overall density of 0.2 to 2.5 dwelling units per acre provided that an avigation easement is conveyed to the County Economic Development Agency as owner-operator of Jacqueline Cochran Regional Airport and that a substantially larger proportion or area of open space is provided.

The alternatives for residential development in the Airport Zone D area are as follows:

#### OPTION A

Development at a density of one dwelling unit per five acres, development at an overall density of five or more dwelling units per acre within residential areas, or development within clustered pods of five or more dwelling units per acre (net density of residential planning areas including roads less than 74 feet in width). Such development is subject to recordation of a deed notice and, if the project is 10 acres or larger in area, the required 10% of project acreage in qualified ALUC open area. (Option A is consistent with Table 2A density criteria.)

#### **OPTION B**

Development at an overall density of 0.2 to 1.5 dwelling units per acre may be found consistent pursuant to Section 3.3.6, provided that an avigation easement is recorded and that not less than 15% of project acreage is dedicated to qualified open areas not less than 75 feet in width and not less than 600 feet in length.

Development at an overall density of 1.5 to 2.5 dwelling units per acre may be found consistent pursuant to Section 3.3.6, provided that an avigation easement is recorded and that not less than 20% of project acreage is dedicated to qualified open areas not less than 75 feet in width and not less than 600 feet in length.

#### OPTION C

Development at an overall density of 0.2 to 2.5 dwelling units per acre may be found consistent pursuant to Section 3.3.6, provided that an avigation easement is recorded. In lieu of dedicating the percentages of open areas specified in OPTION B above, the development may choose to set aside an area of 50 contiguous acres of qualified open area with no linear dimension less than 600 feet, with such qualified open area to be dedicated as open area in perpetuity. Once such an area is set aside for this purpose, this area will meet the open area requirement for up to 450 acres of development area (excluding that open area) within the portion of Airport Zone D located northerly of 60<sup>th</sup> Avenue.

If you have any questions, please contact John Guerin, Airport Land Use Commission Principal Planner, at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRBORT-LAND USE COMMISSION

Edward C. Cooper, Director

JGG:bks

cc: ALUC Staff

Michael Gialdini, Office of Fourth District Supervisor Roy Wilson

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The sole purpose for ALUC adoption of a policy such as this is to help to ensure that information regarding airport impacts will be disclosed as a normal part of real estate transactions. ALUCs have no authority to mandate disclosure of airport-related information. This status applies not only to individual sellers of real property, but to local land use jurisdictions.

Although achievement of buyer awareness objectives are less certain with real estate disclosure policies than with recorded deed notices, an advantage of disclosure is that it is more all-encompassing. Real estate disclosure policies are the only form of buyer awareness measure available to ALUCs that apply to previously existing land uses as well as to new development.

Summary Table 4D summarizes the concepts and issues involved with establishing overflight compatibility criteria, and present sample policies based on the concepts discussed above. The sample policies are intended as *examples only*, and should be tailored to fit the needs of a specific airport or community.

#### TABLE 4D: OVERFLIGHT COMPATIBILITY SUMMARY

Objective:	Notify people near airports of the presence of overflights in order to minimize or avoid annoyance associated with these conditions.	
Measurement:	Recorded flight tracks; information on standard operations and traffic patterns of the airport (see Chapter 3, pg.3-12).	
Strategies:	Buyer awareness measures.	
Basis:	Experience and information from airport proprietors and ALUCs on the noise concerns of the community; state law.	
Sample Policies:	Policy 1: California state statutes require that, as part of many residential real estate transactions, information be disclosed regarding whether the property is situated within an AIA. When disclosure is required, state law dictates that the following statement be provided:	
	NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as the airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.	
	Policy 2: As a condition for agency approval of residential land use development, an overflight notification shall be recorded.	
	<ul> <li>The notification shall contain language as dictated by state law with regard to real estate transfer disclosure (see Policy 1).</li> </ul>	
	<ul> <li>The notification shall be evident to prospective buyers or renters of a property.</li> </ul>	
	<ul> <li>A separate recorded overflight notification is not required where an avigation easement is required.</li> </ul>	
	d. An overflight notification is not required for nonresidential development.	

#### **4.4 SAFETY**

Ideally, to minimize the risk that aircraft accidents pose to people and property on the ground near airports, no development would be allowed in the airport vicinity. For most airports, however, this is clearly not a practical approach to land use compatibility planning. The question thus becomes one of deciding which land uses are acceptable and which are unacceptable in

various portions of airport environs. The resulting policies are normally portrayed in the form of a set of compatibility criteria applicable within each of the previously defined safety zones.

A point to again emphasize is that delineation of safety compatibility zones and definition of criteria applicable within those zones are closely intertwined. The process is usually an iterative one: initial zones and criteria are drafted and then each is fine tuned as necessary in recognition of the peculiarities of the specific airport and its environs. (This process is particularly applicable when compatibility zones and criteria are formulated to take into account a combination of noise and safety compatibility concerns.)

While the material presented here is intended to represent Caltrans guidance, it is not the intent or expectation that the methodologies or examples constitute the only acceptable approaches to the issue of airport land use safety compatibility. In development of policies for a specific airport, careful attention must be made to the characteristics of that airport's design and use. Characteristics of the airport environs are potentially factors as well. The safety zones and/or compatibility criteria appropriate at one airport may be inappropriate at a different airport. This process is no different from that necessary in calculation of noise contours and establishment of noise compatibility policies.

## 4.4.1 General Approach

Three components of physical risks—spatial distribution, potential consequences, and frequency—provide the conceptual basis for setting safety compatibility policies. Each of these components needs to be considered either in the delineation of safety compatibility zones or in the definition of the criteria applicable within the zones.

- The spatial distribution component is accounted for by the shape and size of safety compatibility zones.
- Potential consequences are addressed through the compatibility criteria— the limitations on usage intensity and other land use characteristics that affect the potential severity of an accident.
- ◆ The frequency component can be accounted for either way—through adjustment of zone sizes or the criteria applicable within each zone. Frequency is primarily a factor at airports (or on r unways) with very low activity. For most airports, the potential consequences component dominates the overall risk.

The choice of safety criteria appropriate for a particular zone is largely a function of risk acceptability. Land uses that result in intolerable risks usually must be prohibited. Where the risks of a particular land use are considered significant but tolerable, establishment of restrictions may reduce the risk to an acceptable level. Uses that are intrinsically acceptable generally require no limitations.

One of the important goals of an ALUC is to try to minimize the exposure of persons to the potential risk of aviation accidents. The most common way of doing this is to encourage low density development in critical safety zones, namely zones 1, 2, 3 and 4. When reviewing local actions, ALUCs consider if the proposed numbers of persons living or working in critical safety zones is reasonable for a given airport's operation. ALUCs consider the appropriateness of

high-density residential, as well as industrial and commercial developments using higher number of people, in relation to the safety zones.

Finally, to reiterate the point, it is the potentially severe consequences of aircraft accidents that are the driving concern in setting safety compatibility policies. Only where the likelihood of an accident occurrence is so infrequent as to be considered extraordinary does the acceptability of potentially severe consequences reach a level that usually does not warrant some type of compatibility action.

## 4.4.2 Basic Safety Compatibility Criteria

By emphasizing adjustments to the shape and size of safety zones as necessary to reflect the geographic pattern of aircraft accident risks, the compatibility criteria applicable to each zone can be held relatively constant among most airports within an ALUC's jurisdiction. The types of variables not fully accounted for in the safety zones, though, are ones involving existing land use characteristics of the airport environs. These variables are best addressed via the safety compatibility criteria.

Several factors make it reasonable and even appropriate to set safety compatibility criteria differently for urban areas than for rural locations.

- ♦ A basic distinction is that urban areas are, by definition, more heavily developed than rural communities. Because ALUCs do not have authority over existing land uses, the opportunity to achieve an ideal level of safety compatibility is less in urban locations.
- The comparatively higher land values in urban areas are also worthy of recognition in setting safety compatibility criteria. Allowing only agricultural or other very-low-intensity uses near airports may be quite feasible in rural areas, but not in urban areas.
- ♦ The established character of land uses in urban places may limit the options for future development. Sometimes all that can be achieved is to hold new development to intensities similar to those that exist. This concept falls under the heading of "infill" (see page 4-44).
- From the perspective of potential risk consequences, rural areas may be less equipped to deal with an aircraft accident than urban places. Compared to city units, rural emergency response units probably have farther to travel and would have a longer response time to reach an accident site. Treating injuries or fighting fires would be delayed.
- Finally, a greater societal tolerance for risks—or at least different types of risks—seems to accompany the typically faster pace and higher intensity of life in urban places compared to that of outlying locations.

Note that this urban versus rural distinction is not limited just to differences between one airport and another, it may also be true between various portions of individual airport's environs. Consequently, it may be reasonable for compatibility criteria to allow comparatively intensive development and/or infill development in one part of an airport's vicinity, but not in another. If an ALUC chooses to take this approach, however, sufficient reasoning should be provided.

Figures 4B through 4G outline some of the qualitative differences in compatibility criteria suitable for each safety zone that was identified in Chapter 3. The basic compatibility criteria for each safety zone are delineated in the following ways:

- Normally Allow—Typical examples of the use are acceptable.
- Limit—Use is acceptable with limitations on density or intensity.
- Avoid—Use generally should be permitted only if an alternative site outside the zone would not serve intended public function.
- Prohibit—Use should not be permitted under any circumstances.

As discussed above, the suitability of certain densities and intensities may vary by the level of development. The following development characteristics are used in Figures 4B through 4G:

- Rural—Areas where the predominant land uses are natural or agricultural; buildings are widely scattered.
- Suburban—Areas characterized by low-rise (1-2 story) development and surface parking lots.
- Urban—Areas characterized by mid-rise (up to 5 stories) development; generally surface vehicle parking, but potentially some parking structures.
- Dense Urban—City core areas characterized by extensive mid- and high-rise buildings, often with 100 percent lot coverage and limited surface parking.

Recommended intensities for each zone are minimum standards that are not intended to take precedence over specific criteria in currently adopted ALUCPs.

Other terms used in Figures 4B through 4G are defined as follows:

- Children's Schools—Kindergarten through Grade 12. It should be remembered that school
  districts and community college districts are local agencies subject to Article 3.5 of the
  State Aeronautics Act.
- ◆ Large Day Care Centers—A facility licensed by the State of California to provide non-medical care and supervision for infant to school age children. Family Child Care Homes are allowed residential uses and do not fall under this category.
- ♦ Aboveground Bulk Fuel Storage—Tank size greater than 6,000 g allons (this suggested criterion is based on Uniform Fire Code criteria).

## Relationship of Compatibility Policies to Local Zoning

While the *Handbook* categorizes land use uses into four compatibility headings (discussed on the previous page and used in Figures 4b through 4G), local zoning usually relies on only three categories: allowed (or allowed by right), conditionally allowed (through a conditional use permit), and not allowed. "Normally Allow" corresponds with uses allowed by right in a particular zoning district, while "prohibit" includes those uses not allowed in a particular zoning district.

"Limit" and "Avoid" are more nuanced than "allowed" and "prohibited" in terms of potential zoning consistency. "Limit" refers to density and intensity, and may be allowed by right if they

fall within a particular range, or may be controlled by conditional use permit. Two examples: (1) for a given safety zone, the *Handbook* recommends a range of 1 unit per 1 to 2 acres, and the local zoning is rural residential, 1-acre minimum lot, therefore the zoning would be consistent with the compatibility criteria; (2) the *Handbook* recommends low-intensity light industrial with a range of 25 to 40, the local zoning allows all industrial uses except hazardous or explosive materials by right, therefore the zoning is potentially inconsistent as there is no way to control the intensity of the allowed use.

Uses identified as "avoid" should either be identified as conditional in a zoning district (with very strict criteria identified), or identified as not allowed (if the local agency has identified suitable alternative sites and is willing to prohibit such uses within that area).

The issue of local plan and zoning consistency is explored further in Chapter 5.

## Establishing Nonresidential Compatibility Standards

The primary focus when establishing nonresidential compatibility criteria should be on determining the types of land uses that are and are not acceptable within each safety zone. Among planners and others involved with airport land use compatibility, there is general agreement as to certain types of land uses that are or are not compatible with airports from a safety standpoint: a school near the end of a runway is incompatible, but a typical single-story office or light industrial use is normally fine. It is among the myriad of uses that lie between these two ends of the spectrum that a judgment of compatibility or incompatibility may be less obvious. To set the line between compatible and incompatible, planners have turned to the concept of usage intensity—the number of people per acre— as the best common denominator by which to compare the safety compatibility of most land use types.

Table 4E indicates typical ranges of intensities for a variety of nonresidential uses. The numbers are based upon a relatively small survey sample and thus may differ from community to community. A major factor is the manner in which parking is accommodated: surface lots; multilevel garage; or underground or off-site.

Note that these numbers represent typical busy period usage, not necessarily the absolute maximum. For compatibility planning purposes, this is typically the measure used. Also, it is consistent with the way requirements for numbers of automobile parking spaces are normally set. However, the resulting numbers are generally lower than are produced by using the occupancy level standards found in building and fire codes, which are based upon the absolute peak usage.

TABLE 4E: AVERAGE INTENSITIES FOR NONRESIDENTIAL USES

Type of Use	Typical Intensity
0 11 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	(people/acre)
Small retail shops (not shopping center)	20 – 30
Local retail centers (grocery/drug store anchor)	65 – 85
"Big Box" centers (single story, surface parking)	90 – 120
Major retail centers / malls (1-2 stories)	150 – 250
Fast food dining	120 – 150
Restaurants	90 – 120
Offices / banks (1-2 stories)	60 – 120
Motels	40 – 60
Light Industrial	20 – 50
Warehouses	10 – 20

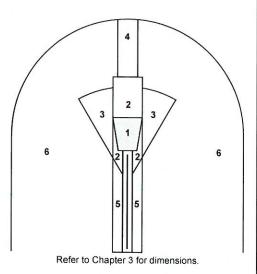
- Normal Maneuvers:
  - Aircraft on very close final approach or departure very high risk
- Altitude
  - Less than 200 feet above runway
- Common Accident Types
  - · Arrival: Downdrafts and wind gusts. Low glide paths
  - Departure: Runway overruns, aborted takeoffs and engine failures
- Risk Level
  - Very high
- Percentage of near-runway accidents in this zone: 20% 21%



SHORT FINAL

## **Basic Compatibility Policies**

- Normally Allow
  - None
- Limit
  - None
- Avoid
  - Nonresidential uses except if very low intensity in character and confined to the outer sides
  - Parking lots, streets, roads
- Prohibit
  - All new structures and residential land uses
- Other Factors
  - Airport ownership of property encouraged
  - Uses on airport property subject to FAA standards



	Maximum Residential Densities	Maximum Nonresidential Intensities	Maximum Single Acre
	Average number of dwelling units per gross acre	Average number of people per gross acre	2x the Average number of people per gross acre
Rural	0	0 – See Note A	0
Suburban	0	0 – See Note A	0
Urban	0	0 – See Note A	0
Dense Urban	0	0 – See Note A	0

Note A: Exceptions can be permitted for agricultural activities, roads, and automobile parking provided that FAA criteria are satisfied.

FIGURE 4B

# Safety Zone 1 - Runway Protection Zone

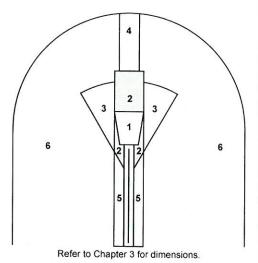
- Normal Maneuvers
  - Aircraft overflying at low altitudes on final approach and straight-out departures
- Altitude
  - Between 200 and 400 feet above runway
- Common Accident Types
  - Arrival: Similar to Zone 1, aircraft under-shooting approaches, forced short landings
  - Departure: Similar to Zone 1, emergency landing on straight-out departure
- Risk Level
  - High
  - Percentage of near-runway accidents in this zone. 8% 22%



FINAL APPROACH

#### **Basic Compatibility Policies**

- Normally Allow
  - Agriculture; non-group recreational uses
  - Low-hazard materials storage, warehouses
  - Low-intensity light industrial uses; auto, aircraft, marine repair services
- Limit
  - Single-story office buildings
  - Nonresidential uses to activities that attract few people
- Avoid
  - · All residential uses except as infill in developed areas
  - Multi-story uses; uses with high density or intensity
  - Shopping centers, most eating establishments
- Prohibit
  - Theaters, meeting halls and other assembly uses
  - Office buildings greater than 3 stories
  - Labor-intensive industrial uses
  - Children's schools, large daycare centers, hospitals, nursing homes
  - Stadiums, group recreational uses
  - Hazardous uses (e.g. aboveground bulk fuel storage)



	Maximum Residential Densities	Maximum Nonresidential Intensities	Maximum Single Acre
	Average number of dwelling units per gross acre	Average number of people per gross acre	2x the Average number of people per gross acre
Rural	See Note A	10 – 40	50 – 80
Suburban	1 per 10 - 20 ac.	40 – 60	80 – 120
Urban	0	60 – 80	120 – 160
Dense Urban	0	See Note B	See Note B

Note A: Maintain current zoning if less than density criteria for suburban setting. Note B: Allow infill at up to average intensity of comparable surrounding uses.

FIGURE 4C

# Safety Zone 2 – Inner Approach/Departure Zone

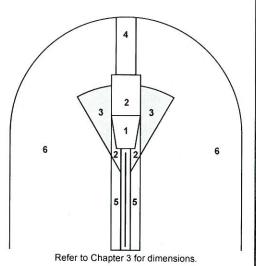
- Normal Maneuvers
  - Aircraft—especially smaller, piston-powered aircraft—turning base to final on landing approach or initiating turn to en route direction on departure
- Altitude
  - Less than 500 feet above runway, particularly on landing
- Common Accident Types
  - Arrival: Pilot overshoots turn to final and inappropriately cross controls the airplane rudder and ailerons while attempting to return to the runway alignment causing stall, spin, and uncontrolled crash
  - Departure: Mechanical failure on takeoff; low altitude gives pilot few options on emergency landing site; or, pilot attempts to return to airport and loses control during tight turn
- Risk Level
  - Moderate to high
  - Percentage of near-runway accidents in this zone: 4% 8%

#### **Basic Compatibility Policies**

- Normally Allow
  - Uses allowed in Zone 2
  - Greenhouses, low-hazard materials storage, mini-storage, warehouses
  - · Light industrial, vehicle repair services
- Limit
  - · Residential uses to very low densities
  - Office and other commercial uses to low intensities
- Avoid
  - Commercial and other nonresidential uses having higher usage intensities
  - Building with more than 3 aboveground habitable floors
  - Hazardous uses (e.g., aboveground bulk fuel storage)
- Prohibit
  - Major shopping centers, theaters, meeting halls and other assembly facilities
  - Children's schools, large daycare centers, hospitals, nursing homes
  - Stadiums, group recreational uses



TURNING TO FINAL



	Maximum Residential Densities	Maximum Nonresidential Intensities	Maximum Single Acre
	Average number of dwelling units per gross acre	Average number of people per gross acre	3x the Average number of people per gross acre
Rural	See Note A	50 – 70	150 – 210
Suburban	1 per 2 - 5 ac.	70 – 100	210 – 300
Urban	See Note B	100 – 150	300 – 450
Dense Urban	See Note B	See Note B	See Note B

Note A: Maintain current zoning if less than density criteria for suburban setting.

Note B: Allow infill at up the average of surrounding residential area.

FIGURE 4D

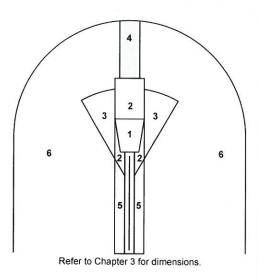
# Safety Zone 3 - Inner Turning Zone

- Normal Maneuvers
  - Approaching aircraft usually at less than traffic pattern altitude.
     Particularly applicable for busy general aviation runways (because of elongated traffic pattern), runways with straight-in instrument approach procedures, and other runways where straight-in or straight-out flight paths are common
- Altitude
  - Less than 1,000 feet above runway
- Common Accident Types
  - Arrival: Pilot undershoots runway during an instrument approach, aircraft loses engine on approach, forced landing
  - · Departure: Mechanical failure on takeoff
- Risk Level
  - Moderate
  - Percentage of near-runway accidents in this zone: 2% 6%

LONG FINAL

#### **Basic Compatibility Policies**

- Normally Allow
  - Uses allowed in Zone 3
  - · Restaurants, retail, industrial
- Limit
  - · Residential uses to low density
- Avoid
  - · High-intensity retail or office buildings
- Prohibit
  - Children's schools, large daycare centers, hospitals, nursing homes
  - Stadiums, group recreational uses
- Other Factors
  - Most low to moderate intensity uses are acceptable.
     Restrict assemblages of people
  - Consider potential airspace protection hazards of certain energy/industrial projects



	Maximum Residential Densities	Maximum Nonresidential Intensities	Maximum Single Acre
	Average number of dwelling units per gross acre	Average number of people per gross acre	3x the Average number of people per gross acre
Rural	See Note A	70 – 100	210 – 300
Suburban	1 per 2 - 5 ac.	100 – 150	300 – 450
Urban	See Note B	150 – 200	450 – 600
Dense Urban	See Note B	See Note B	See Note B

Note A: Maintain current zoning if less than density criteria for suburban setting. Note B: Allow infill at up average density/intensity of comparable surrounding users.

FIGURE 4E

Safety Zone 4 - Outer Approach/Departure Zone

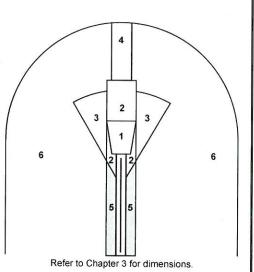
- Normal Maneuvers
  - Area not normally overflown; primary risk is with aircraft (especially twins) losing directional control on takeoff, excessive crosswind gusts or engine torque
- Altitude
  - Runway elevation
- Common accident types
  - Arrival and Departure: Aircraft losing directional control and veering off the side of the runway
- Risk Level
  - Low to moderate
  - Percentage of near-runway accidents in this zone: 3% 5%



INITIAL LIFT-OFF OR LANDING
TOUCHDOWN

### **Basic Compatibility Policies**

- Normally Allow
  - Uses allowed in Zone 4 (subject to height limitations for airspace protection)
  - All common aviation-related activities provided that FAA height-limit criteria are met
- Limit
  - Nonresidential uses similarly to Zone 3
- Avoid
  - Residential uses unless airport related (noise usually also a factor)
  - High-intensity nonresidential uses
- Prohibit
  - Stadiums, group recreational uses
  - Children's schools, large daycare centers, hospitals, nursing homes



	Maximum Residential Densities	Maximum Nonresidential Intensities	Maximum Single Acre
	Average number of dwelling units per gross acre	Average number of people per gross acre	3x the Average number of people per gross acre
Rural	See Note A	50 – 70	150 – 210
Suburban	1 per 1 - 2 ac.	70 – 100	210 – 300
Urban	See Note B	100 – 150	300 – 450
Dense Urban	See Note B	See Note B	See Note B

Note A: Maintain current zoning if less than density criteria for suburban setting.

Note B: Allow infill at up the average of surrounding residential area.

FIGURE 4F

# Safety Zone 5 - Sideline Zone

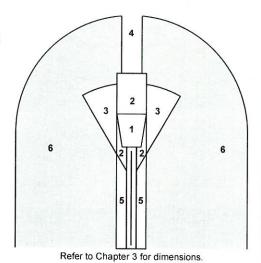
- Normal Maneuvers
  - Aircraft within a regular traffic pattern and pattern entry routes
- Altitude
  - Ranging from 1,000 to 1,500 feet above runway
- Common Accident Types
  - Arrival: Pattern accidents in proximity of airport
  - Departure: Emergency landings
- Risk Level
  - Low
  - Percentage of near-runway accidents in this zone: 18% 29% (percentage is high because of large area encompassed)



IN TRAFFIC PATTERN

#### **Basic Compatibility Policies**

- Normally Allow
  - Residential uses (however, noise and overflight impacts should be considered where ambient noise levels are low)
- Limit
  - Children's schools, large day care centers, hospitals, and nursing homes
  - Processing and storage of bulk quantities of highly hazardous materials
- Avoid
  - Outdoor stadiums and similar uses with very high intensities
- Prohibit
  - None



	Maximum Residential Densities	Maximum Nonresidential Intensities	Maximum Single Acre
	Average number of dwelling units per gross acre	Average number of people per gross acre	4x the Average number of people per gross acre
Rural	No Limit – See Note A	150 – 200	600 – 800
Suburban	No Limit – See Note A	200 – 300	800 – 1,200
Urban	No Limit – See Note A	No Limit – See Note B	No Limit – See Note B
Dense Urban	No Limit – See Note A	No Limit – See Note B	No Limit – See Note B

Note A: Noise and overflight should be considered.

Note B: Large stadiums and similar uses should be avoided.

FIGURE 4G

Safety Zone 6 - Traffic Pattern Zone

When picking a specific intensity limit, it is important to look back to the qualitative evaluations of whether a particular use is or is not compatible in a given part of the airport environs. For example, if single-story offices are judged to be an acceptable use in a certain safety zone, but Big Box and major retail is not, then the intensity limit should be set at approximately 80 to 90 people per acre.

## Determining Usage Intensities for Specific Land Uses

Table 4E serves as a general guide regarding the usage intensities that can be expected to be found with these common land uses. They are presented here as an aid in setting the safety criteria within an ALUCP. As individual projects come forward for ALUC review, more exact numbers may be required for a thorough consistency analysis. There are several methods by which intensity numbers can be calculated. These methods are briefly described below and discussed in more detail in Appendix G. The appendix also includes specific numbers related to each calculation method and various land use types.

- Building and Fire Codes: These sources indicate the number of square feet per person (occupancy level) that each person in a building will occupy when the space is filled to its maximum capacity. Except for uses having fixed seating, the occupancy levels used for code purposes do not represent what would be considered a comfortable or normal amount of space per person. Even doubling the square footage (halving the intensity) results in intensities somewhat higher than typical. Nevertheless, reviewing a proposed project relative to this data source is worthwhile for determining the upper limit of expected intensities.
- Facility Management Industry: More realistic numbers for building occupancy levels can be found in various facility management industry sources. These are the numbers used when a particular business is looking for building space and needs an estimate of how much total space will be required given the type of business and staff size.
- ♦ Local Parking Standards: Most communities have a fairly comprehensive list of land use types and the number of parking spaces that need to be provided for each type of development. By coupling these numbers with estimates of the number of persons per vehicle for each use, the total number of occupants and the usage intensity can be calculated. In using this method, consideration needs to be given to urban areas and other uses where many persons arrive by means other than personal automobile (i.e., transit, dropoff, bicycle, and walk). The resulting intensity numbers are usually lower than found by using building and fire codes, even when the latter numbers are cut in half, but they represent a good estimate for compatibility planning purposes.
- Survey of Comparable Uses: This method is similar to and effectively underlies the facility management industry data. However, by conducting surveys of similar uses in the same or nearby community, more refined numbers can be derived for use in safety compatibility evaluations.

## 4.4.3 Other Intensity Calculation Issues

Beyond the matter of setting basic intensity criteria numbers and determining how to measure compliance, several nuances often arise with respect to both processes. The discussion below provides some guidance on these topics.

## Gross versus Net Acreage

The basic difference between these two terms is that gross acreage includes roadway and other public facilities, while net acreage does not. For calculating the density of proposed development projects, gross acreage is commonly used in the planning field, and is appropriate for airport compatibility planning purposes. Local jurisdictions may differ in how gross acreage is applied (for example, are schools and parks subtracted from the gross acreage to determine the net acreage). For developed or partially developed areas, particularly smaller parcels, net acreage may be a more useful number. This is because parcel size is the data readily available and adding a portion of adjacent public streets may cause confusion. Whatever method an ALUC uses, they should apply it consistently in their plan and in subsequent project reviews.

#### Roads

Except in the case of major thoroughfares running through runway protection zones and inner safety zones, the number of people in vehicles can generally be ignored in usage intensity calculations. Roads where traffic is frequently stopped in locations immediately beyond runway ends deserve attention. Note, however, that current FAA stance with regard to runway protection zones is that new roads should not run through these areas and any changes to the runway configuration should be designed so that existing roads do not remain. Regardless of these considerations, unless the road is newly planned, ALUCs are unlikely to have the opportunity to review these conditions.

## Average versus Peak Usage Intensities

Limitations on the numbers of people per acre sometimes are stated as a never-to-exceed maximum and sometimes as an average measured over an indicated period (typically 2, 8, or even 24 hours). A combination of the two also is possible (e.g., an average of "x" people per acre over an 8-hour period, not to exceed two times at any time).

It is recommended that usage intensities be calculated based upon the normal maximum use of a site or building. This concept recognizes that higher occupancies may occasionally occur, but not under normal circumstances. This differs from the building and fire code methodology and is more parallel to how parking space standards are set. Nevertheless, if a particular use has a high occupancy during a shift change for example and this activity occurs every day, then the intensities should be calculated on this basis. Averaging the occupancy numbers over an 8 or 24-hour period is not recommended.

## Clustering Versus Spreading of Development

Rarely is the usage intensity of a development spread equally throughout the site. Buildings, for example, normally will have more occupants than the adjacent parking lots. Also, for large developments, most of the buildings and other facilities are sometimes concentrated in one portion of the site, leaving other areas as open space because of terrain, environmental, or other considerations. The latter practice is often referred to as clustering. The issues for ALUCs are whether to place limits on clustering or to encourage the practice. Some of the tradeoffs between clustered and spread-out development are as follows.

- Clustered Development—The premise behind the concept of clustering is that, in a significant percentage of off-airport mishaps, the aircraft are under some degree of control when forced to land. (The reference here to mishaps is intentional—if a forced landing succeeds with no serious injuries or major damage to the aircraft, it would be categorized as an incident and thus not appear in accident records.) If the area remaining undeveloped is relatively level and free of large obstacles, clustering potentially allows a greater amount of open land toward which a pilot can aim. In situations where a parcel is split by two or more safety zones, clustering development can also be an effective means by which to avoid development in a higher risk safety zone. The disadvantage of clustering is that it allows an increased number of people to be in the potential impact area of an uncontrolled crash.
- Spread-Out Development—By comparison, a uniform spreading of development may provide fewer emergency landing spots and increase the chance of someone on the ground being injured. On the plus side, a uniform distribution of development limits the maximum number of people who could possibly be in an impact area.

A compromise between these two strategies represents the optimum approach in most cases. This approach entails limiting the maximum occupancy level of a small area, but otherwise clustering development so as to provide the greatest amount of large open areas. For a small area (one acre is a good guideline), a limitation of two or three times the overall criterion is typical with the lower number applying in safety zones closest to the runway ends.

The nonresidential intensity criteria listed in Figures 4B through 4G indicate maximums both averaged over an entire site and for any single acre.

#### Uses in Structures versus Uses Not in Structures

Some ALUCPs make a distinction between the acceptable number of people per acre in land uses where people are outdoors versus those where the people are in a building or other enclosed area.

Outdoor Uses—One theory is that people outdoors have more of a chance to see a plane coming as well as more directions in which they can move to vacate the impact area. A greater concentration of people thus is sometimes considered acceptable for such land uses. An important exception, however, is for open stadiums and other similar uses where a large number of people are confined in a small area with limited exits. Such facilities can represent equal or higher risks than similar uses in buildings.

Taking both of these factors into account, the suggested strategy is to set the acceptable number of people in a given area equal for uses either outdoors or in structures. Additionally, restrictions on stadiums and other open facilities occupied by large numbers of people are appropriate.

♦ Uses in Buildings—Buildings provide substantial protection from the crash of a small airplane, particularly when the aircraft is still under control as it descends. If a building fire subsequently ensues—historically, a relatively infrequent occurrence—it is unlikely to engulf the entire building instantly.

## 4.4.4 Safety Criteria for Other Types of Land Uses

While usage intensity (people per acre) measures provide the best overall criteria by which to evaluate the safety compatibility of various land uses, certain uses involve risks which either cannot be measured on this scale or it would be inappropriate to do so. Different criteria need to be established for these types of uses. Primary examples are outlined here.

#### Residential Uses

Among land uses for which intensity is not a valid measure of safety compatibility, residential land uses are no doubt the most important. The usage intensity of residential uses clearly can be calculated if data on the number of occupants per dwelling is available or an estimate can be made. Potentially, some allowance can even be made for guests. The resulting numbers, though, would almost always be much lower than for most nonresidential uses, especially if the residential uses are single-family dwellings.

Disregarding noise factors for the moment, this sort of analysis would suggest that residential uses should be considered more acceptable than nonresidential uses in areas at most risk of aircraft accidents. However, society does not generally look at residential uses in this manner. We generally want our homes to be safer than other places. The usage intensities of residential uses thus cannot be directly equated to those of nonresidential uses. Significantly greater protection should be afforded to residential uses with a preference towards low density structures near airports. To clearly reflect these differences, residential uses should be evaluated on a dwelling-unit-per-acre (density) basis. This methodology has the added advantage of being consistent with how residential uses are normally measured. For a discussion of mixed-use development, and calculating density/intensity, see Section 4.6, later in this Chapter.

## Uses with Vulnerable Occupants

Other types of land uses also tend to be given special deference by the community. These are uses for which risk acceptability cannot be measured simply in terms of the number of occupants. The vulnerability of the occupants to the risks of aircraft accidents must also be considered. In many instances, the appropriate policy may be outright prohibition of new instances of these uses and expansion of existing facilities.

Perhaps the most significant uses on this list are schools. This status is reflected in building codes and other regulations that set higher standards for school buildings. Even with respect to aviation-related impacts, the California Education Code (Section 17215(a)) requires special attention be given to new school sites, dictating that Caltrans review and approve sites within two miles of an airport runway. In general, the community gives special attention to protection of children. Similarly, special consideration should also be given, when formulating safety policies, to other facilities that cater to children such as recreation/after-school centers and sports facilities.

Two other segments of the population whom are often afforded special consideration and protection are the elderly and disabled. As with children, both groups include individuals who may not know how to respond to an emergency or maybe physically unable to do so.

Hospitals, nursing homes, assisted living facilities, and other such uses are ones that usually should be avoided in locations near runways.

## Other High-Risk Uses

Two other categories of high-risk uses may not have many occupants, but the consequences of an aircraft accident at the site could nonetheless be elevated. Of particular concern is that these consequences may extend beyond the immediate location of the accident.

Manufacturing, storage, or use of hazardous materials may warrant special consideration depending upon the specific materials and quantities. The concern is whether an aircraft accident could cause an explosion or release of toxic materials, thus posing dangers to the nearby population. Uses that involve the storage of hazardous materials (e.g., gas stations) should be avoided in locations where aircraft may be operating at low altitudes, or where data has shown the risk of accidents to be greater. Specifically, locations where the manufacturing or bulk storage of hazardous materials should be avoided include safety zones one through five.

Public infrastructure represents the other category of uses for which the consequences of damage may extend beyond an accident location. Loss or disruption of facilities, such as power plants, fire or police stations, and emergency communications facilities, can effect wide areas and put many people in jeopardy. Avoiding these uses near runways, providing redundancy at other locations, or designing the facilities to reduce their vulnerability are all appropriate compatibility measures.

## 4.4.5 Minimizing Injury to Aircraft Occupants

The preceding discussion primarily addresses risks that aircraft accidents pose for people and property on the ground. Obviously, aircraft accidents also put the occupants of aircraft at risk. To some extent, especially for small aircraft, the characteristics of the terrain and land uses into which an aircraft descends can play a part in the survivability of an accident for those on board. This is particularly true when the aircraft is under the pilot's control while descending—in other words, gliding downward without power. Small aircraft can glide a considerable distance under these circumstances—as much as 10 feet per foot of altitude when going straight ahead, but much less if turning. When their aircraft is in distress, pilots will naturally aim for a relatively flat, open piece of land if such areas are available. This tendency also benefits people and property on the ground by reducing the likelihood that occupied buildings will be struck.

Although terrain is a critical factor in the survivability of emergency landings, it is not a factor over which ALUCs have any influence. At airports in mountainous or densely forested locations, little open land useful for an emergency landing may exist even if no development is present. For such airports, policies to preserve open land may be pointless. Similarly, open space policies for airports located in densely urbanized locations might be less helpful for compatibility planning purposes. The discussion here is thus directed at airports in less developed, flat, or moderately hilly environs.

## Characteristics of Open Land

Ideal emergency landing sites are ones which are long, level, and free of obstacles, much like a runway. Certainly, the closer that open land areas around airports can fit these criteria the better. For small aircraft, however, successful (meaning survivable irrespective of the damage to the aircraft) emergency landings can be accomplished in much less space. Data from the general aviation aircraft accident database indicates that the median swath length for accidents in which the aircraft was under at least some control is less than 150 feet.

As a general guideline, open land sites should be at least 300 feet long by 75 feet wide (about 0.5 acre or the size of a football field) to be considered useful. This is a minimum size and presumes that tall objects do not exist along the approach to the site, thus precluding an aircraft from reaching it. Open land sites should be relatively level and free of objects such as structures, overhead lines, and large trees and poles that can send the plane out of control at the last moment. Parking lots or recreation areas, while not ideal, also can be considered as acceptable open lands in urbanized settings.

## Guidelines for Extent of Open Land Near Airports

Determining the desirable number of open land sites or the percentage of open land in an airport's vicinity is a complex proposition. To assist in this decision, the following three observations are offered:

- ♦ The accident location patterns illustrated in Appendix E reveal that accidents in which aircraft are under control are bunched relatively close to the runway ends—mostly within about 3,000 feet—both for arrivals and departures.
- ♦ The number of takeoff accident sites located a short distance laterally from the departure (climb-out) end of the runway may indicate that pilots have either headed for an open spot in that location or have attempted to turn around and land on the runway from the opposite direction, but not quite succeeded.
- A pilot's discretion in selecting an emergency landing site is reduced when the aircraft is at low altitude. Particularly at low altitude, the chance of a pilot seeing and successfully landing in a small open area is increased if there are more such spots from which to choose. At traffic pattern altitude (800 to 1,000 feet above the runway), a small airplane should, in the event of engine failure, normally be able to reach the runway from anywhere within the pattern. On takeoff, a small plane generally must have reached an altitude of at least 400 to 500 feet above the runway for a return to the runway to be narrowly possible following engine failure.

Each of these observations speaks to the need for preserving more and preferably larger open areas in locations near runways than in other portions of airport environs. On this basis, the following guidelines are suggested.

 Runway Protection Zones—Maintain all undeveloped land clear of objects in accordance with FAA standards.

- ♦ Inner Approach/Departure Zones—Seek to preserve 25% to 30% of the overall zone as usable open land. Particular emphasis should be given to preserving as much open land as possible in locations close to the extended runway centerline.
- ♦ Inner Turning Zone—At least 15% to 20% of the zone should remain as open land.
- Outer Approach/Departure Zones—Maintain approximately 15% to 20% open land within the overall zone, again with emphasis on areas along the extended runway centerline.
- Sideline Zone—Adjacent to the runway ends and runway protection zones, 25% to 30% usable open land is a desirable objective.
- ♦ Traffic Pattern Zone—Elsewhere within the airport environment, approximately 10% usable open land or an open area approximately every 1/4 to 1/2 mile should be provided.

Open land areas need to meet minimum size criteria to be of value. Therefore, the See the discussion of above guidelines are only practical when applied with respect to land use patterns inverse condemnation in proposed in general plans, specific plans, or large developments (generally 20 Chapter 3 on page 3-57. acres or more), not to individual smaller parcels. Both public and private lands should be counted. If the indicated amount of open land can be provided totally on public property, individual private parcels may not need to have any.

## 4.4.6 Summary

Table 4F summarizes the concepts and issues involved with establishing safety compatibility criteria, and presents sample policies based on the concepts discussed above. The sample policies are intended as *examples only*, and should be tailored to fit the needs of a specific airport or community.

#### TABLE 4F: SAFETY COMPATIBILITY SUMMARY

TABLE 41: SAFETT COMPATIBILITY SUMMARY		
Minimize the risks associated with potential aircraft accidents by providing for the safety of people and property on the ground and enhancing the chances of survival of the occupants of aircraft involved in an accident.		
Measuring the degree of safety concerns around an airport involves determining the potential for an accident to occur. To do this, the variables of <i>where</i> and <i>when</i> must be considered.		
Spatial Element: The spatial element describes where aircraft accidents can be expected to occur. Of all the accidents which occur in the vicinity of airports, what percentage occurs in any given area?		
Time Element: the time element adds a when variable to the assessment of accident frequency. In any given location around a particular airport, what is the chance that an accident will occur in a specified period of time?		
Safety compatibility strategies focus on the consequences of risk assessment. In essence, land use planning measures should be utilized to try and reduce the severity of an aircraft accident for both people on the ground and in an aircraft. The primary strategy to achieve this goal is to limit the intensity of the use (the number of people concentrated on a site) in locations most susceptible to an off-airport aircraft accident. This can be accomplished by:		
Density and Intensity Limitations: Establishment of criteria limiting the maximum number of dwellings or people in areas close to the airport is the most direct method of reducing the potential severity of an aircraft accident.		
Highly Risk-Sensitive Uses: Certain critical types of land uses—particularly schools, hospitals, and other uses in which the mobility of occupants is effectively limited—should be avoided near the ends of runways regardless of the number of people involved. Critical public infrastructure should be avoided. Aboveground storage of large quantities of highly flammable or hazardous materials also should be avoided near airports.		

### **TABLE 4F: SAFETY COMPATIBILITY SUMMARY**

Open Land Requirements: Creation of requirements for open land near an airport addresses the objective of enhancing safety for the occupants of an aircraft forced to make an emergency landing away from a runway.

Basis:

Setting safety compatibility criteria presents the fundamental question of "what is safe." Expressed in another way: what is an *acceptable risk*? In one respect, it may seem ideal to reduce risks to a minimum by prohibiting most types of land use development from areas near airports. However, there are usually costs associated with such high degrees of restrictiveness. In practice, safety criteria are set on a progressive scale with the greatest restrictions established in locations with the greatest potential for aircraft accidents.

Established Guidance: Little established guidance is available to ALUCs regarding how restrictive to make safety criteria for various parts of an airport's environs. Unlike the case with noise, there are no formal federal or state laws or regulations which set safety criteria for airport area land uses for civilian airports except within runway protection zones (and with regard to airspace obstructions as described in the next section). FAA safety criteria primarily are focused on the runway and its immediate environment. Runway protection zones—then called clear zones—were originally established mostly for the purpose or protecting the occupants of aircraft which overrun or land short of a runway. Now, they are defined by the FAA as intended to enhance the protection of people and property on the ground.

Research: Extensive research into the distribution of general aviation aircraft accident locations was conducted in conjunction with the 2002 edition of this *Handbook*. Research was performed in preparation of this edition to determine if the conclusions reached in the research for the 2002 *Handbook* is still valid. The results of the 2002 analysis, and the conclusions for the research associated with this edition are contained in Appendix E.

Sample Policies:

Policy 1: Mixed-Use Development – For projects involving a mix of residential and nonresidential uses, the following should apply.

- a. In cases where residential and nonresidential uses are proposed to be situated on separate parts of the same project site, the project should be evaluated as separate developments. The residential density should be calculated with respect to the area(s) to be devoted to this type of land use, and the nonresidential intensity calculated with respect to the area(s) proposed for nonresidential use. If multiple nonresidential uses are proposed, each shall be calculated as occupying a proportion of the total project, with respective allowed intensities. As such, the residential density cannot be averaged over the entire project site when nonresidential uses will occupy some of the area. The same limitation applies to nonresidential uses as well.
- b. Development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or nearby buildings on the same site must meet both residential density and nonresidential intensity criteria. The number of dwelling units shall not exceed the density limits established for each safety zone. Furthermore, the normal occupancy of the residential portion shall be added to the nonresidential portion, and the total shall be evaluated with respect to the nonresidential usage intensity criteria for this airport.

Policy 2: Clustering – For clustering (concentrating development into a portion of a project site), the following should act as a guide.

- a. Clustering of new residential uses in the airport's AIA is limited as follows:
  - Clustering is not allowed in zones where new residential uses are usually prohibited typically zones 1, 2, or 5.
  - In zones where the risk of an aircraft accident is considered high—typically zones 2 or 3—the density of clustered new residential uses should be kept low, relative to the jurisdiction (e.g., 1 dwelling unit per 1 to 5 acres).
  - In zone 4, where the risk of an aircraft accident is lessened but still substantial given its location relative to the runway centerline, the density of clustered new residential uses should be in the mid to mid-low range, relative to the jurisdiction (e.g., 3 to 5 dwelling units per acre).
  - Zone 6 typically has no limitations on site wide or single-acre new residential development density.
- b. Clustering of nonresidential uses on a single 1.0-acre site should not exceed single-acre intensity limits defined for the particular safety zone the development would be located in. Clustering is discouraged in zones 1, 2, and 3.

Policy 3: Parcels Located Within Two or More Safety Zones – shall be considered as if it were multiple parcels divided at the safety zone boundary line.

 If no part of the building(s) proposed on the parcel fall within the more restrictive safety zone, the criteria for the safety zone where the proposed building(s) are located shall apply

#### TABLE 4F: SAFETY COMPATIBILITY SUMMARY

for the purposes of evaluation.

b. If the building(s) proposed on the parcel fall within multiple safety zones, the criteria for the most restrictive safety zone where the building(s) proposed are located shall apply for the purposes of evaluation.

Policy 4: Infill – Where land uses not in conformance with the criteria set forth in the ALUCP exist at the time of the plan's adoption, infill of similar land uses may be allowed to occur in that area even if the proposed new land use is otherwise incompatible with respect to the compatibility criteria for that location.

- a. Infill development should not be allowed in the following locations:
  - Any safety zone where residential development has been deemed incompatible (e.g., Safety Zone 1 – Runway Protection Zone).
  - Residential infill should not be allowed where the dwelling units would be exposed to noise levels higher than the 65 dB CNEL associated with the airport.
- b. In other locations within the AIA, a site can be considered for infill development as long as it is located in an area identified by the local agency as suitable for infill development, and the area meets the following conditions.
  - Identify the appropriate maximum size of the project site considered for infill—relative to jurisdiction (e.g., no larger than 5, 10, 15, or 20 acres).
  - At least 65% of the infill area, together with lands lying within 1,000 feet of the perimeter of the infill area, was developed prior to adoption of the ALUCP with uses not in conformance with the plan.
  - Development of the infill area would not extend the perimeter of the area defined by the existing, incompatible land uses.
  - Land uses proposed for the infill area are consistent with the local agency general plan and zoning regulations.
- c. A not-to-exceed limit should be established for residential or nonresidential infill projects. Development of the site should not exceed the lesser of:
  - The median density/intensity represented by all existing residential/nonresidential lots that lie within 1,000 feet from the boundary of the infill area; or
  - Double the density/intensity permitted within the safety zone in which the proposed infill project is located.

## 4.5 AIRSPACE PROTECTION

Compatibility strategies for the protection of airport airspace are relatively simple and are directly associated with the individual types of hazards:

- Airspace Obstructions: Buildings, antennas, other types of structures, and trees should be limited in height so as not to pose a potential hazard to flight.
- Wildlife and other Hazards to Flight: Land uses that may create other types of hazards to flight near an airport should be avoided or modified so as not to include the offending characteristic.

# 4.5.1 Hazards to Flight

Unlike the preceding discussion, which addressed how different land use characteristics can affect the severity of an aircraft accident (for better or worse), hazards to flight can be the cause of an accident. Hazards to flight fall into three basic categories:

 ${f S}$ ee Chapter 3 for a summary of established federal regulations regarding these types of hazards.