

**AIRPORT LAND USE COMMISSION
MINUTE ORDER JANUARY 9, 2014
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on January 9, 2014 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Vice Chairman
Arthur Butler
Glen Holmes
John Lyon
Richard Stewart
Greg Pettis

COMMISSIONERS ABSENT:

STAFF PRESENT: Ed Cooper, ALUC Director
John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Secretary
Anna Wang, ALUC Counsel

OTHERS PRESENT: Deanna Elliano, City of Hemet
Ingeborg E. Graves, Other Interested Person
Jeff Ray, Other Interested Person

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- I. **AGENDA ITEM 2.1:** ZAP1052BD13 – Continental East Fund IX, LLC – (Representative: Jei Kim, Pacific Coast Land Consultants, Inc.) – City of Indio Case Nos. CUP 13-7-363 (Conditional Use Permit) and PM 36580 (Parcel Map). CUP 13-7-363 (“Renaissance Village of Indio”) is a proposal to develop an assisted living (State licensed community care) and memory care facility comprised of up to four buildings with a total of 143 living units on a 9.95-acre portion of a 20-acre (gross area) lot located westerly of Jefferson Street and southerly of 40th Avenue in the City of Indio. Parcel Map No. 36580 would divide the 20-acre property into four lots, one of which would be the 9.95-acre facility site. (Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area).

II. **MAJOR ISSUES**

The Tentative Parcel Map proposes division of a parcel with a gross acreage of 20.12 acres, while the Conditional Use Permit area consists of 9.95 gross acres. Per Policy 4.2.4(c), open space requirements are applicable to developments of 10 acres or greater. Since the proposed Tentative Parcel Map would divide the property into lots smaller than 10 acres in area, there would be no further opportunities to assure compliance with the open space requirement once these proposals have been approved. Staff suggested that some of the open space required could be incorporated within the Conditional Use Permit site, with the remaining open space area included in the other proposed parcels via easements, street right-of-way, other guarantee of open space, or some combination thereof. Staff requested an exhibit depicting on-site open areas from the applicant, but the applicant is requesting that the Commission consider nearby open space area to the east of the project site within a golf course as adequate to meet emergency landing needs and find this project conditionally consistent pursuant to Countywide Policy 3.3.6. Additionally, the proposed land use – an assisted living facility including memory care units – is characterized by vulnerable occupants and, therefore, bears some similarities to nursing homes, which are discouraged uses within Compatibility Zone D.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission CONTINUE this matter without discussion to its February hearing, at the request of the applicant.

IV. **PROJECT DESCRIPTION**

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.

No one spoke in favor, neutral or opposition to the project

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 6.0 CONTINUED the project WITHOUT DISCUSSION to February 13, 2014. Commissioner Glen Holmes absent for Item 2.1

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.1: TIME IS 9:00 A.M.

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- I. **AGENDA ITEM 3.1:** ZAP1015BA13 – City of Banning (Representative: Zai Abu Bakar) – City Case Nos. 13-2505 (General Plan Amendment) and 13-3503 (Zone Change). The City of Banning proposes to amend the General Plan land use designation and zoning classification of 9.28 acres located northerly of Charles Street and easterly of Hargrave Street from Industrial to Very Low Density Residential (0-2 Dwelling Units Per Acre). The area proposed for amendment consists of Assessor's Parcel Numbers 543-090-003 (963 Charles Street), 543-090-004 (981 Charles Street), 543-090-014 (941 Charles Street), 543-090-016 (911 Charles Street), and 543-090-017 (vacant land including the northeast corner of Charles and Hargrave Streets). (Zone E of the Banning Municipal Airport Influence Area).
- II. **MAJOR ISSUES**
None.
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the zone change and general plan amendment.
- IV. **PROJECT DESCRIPTION**
General Plan Amendment 13-2505 and Zone Change 13-3503 are proposals by the City of Banning to change the existing General Plan land use designation and zoning classification of 9.28 acres from Industrial to Very Low Density Residential (0-2 dwelling units per acre).
- No conditions are proposed or required, as general plan amendments and changes of zone are not subject to conditions.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.
- The following spoke in favor of the project:
Ingeborg E. Graves, Other Interested Person, 981 E. Charles Street, Banning, CA 92220
Jeff Ray, Other Interested Person, 981 E. Charles Street, Banning, CA 92220
- No one spoke in neutral or opposition to the project.
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission by a vote of 6-0 found the project CONSISTENT. Recused: Chairman Housman
- VII. **CD**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.
- ITEM 3.1: TIME IS 9:01 A.M.

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I. **AGENDA ITEM 3.2:** ZAP1092MA13 – Dauchy Villa Development, LLC (Representative: EGL Associates, Inc. – City of Riverside Case Nos. P12-0601 (Tentative Tract Map), P12-0697 (Rezoning), and P12-0698 (General Plan Amendment). P12-0601 (Tentative Tract Map No. 36370) is a proposal to divide an area of approximately 9 acres consisting of two contiguous Assessor's parcels located westerly of Dauchy Avenue, northerly of Ferrari Drive, and southerly of Cactus Avenue into 10 lots, including two westerly lots at least 2 acres in area and eight easterly lots at least one-half acre in area. P12-0697 is a proposal to amend the zoning of approximately 0.24 acres of the site from R-1-½ acre (Single-Family Residential, ½ acre minimum lot size) to RC (Residential Conservation). P12-0698 is a proposal to amend the General Plan land use designation of that same 0.24 acre area from VLDR (Very Low Density Residential) to HR (Hillside Residential). (Area III of March Air Reserve Base Airport Influence Area).

II. **MAJOR ISSUES**

None.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the General Plan Amendment and Rezoning, and a finding of CONSISTENCY for the Tentative Tract Map, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

Tentative Tract Map No. 36370 (City of Riverside Case No. P12-0601) is a proposal to divide an area of approximately nine acres consisting of two contiguous Assessor's parcels into ten lots, including two westerly lots at least two acres in area and eight easterly lots at least one-half acre in area. Rezoning Case No. P12-0697 is a proposal to amend the zoning of approximately 0.24 acres of the site from R-1- ½ Acre (Single-family Residential, ½ acre minimum lot size) to RC (Residential Conservation). General Plan Amendment Case No. P12-0698 is a proposal to amend the General Plan land use designation of that same 0.24-acre area from VLDR (Very Low Density Residential) to HR (Hillside Residential).

CONDITIONS:

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent 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 landscaping utilizing water features, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes,

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construction and demolition debris facilities, and incinerators.

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 3. Prior to the recordation of a final map or issuance of any building permits, whichever comes first, 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 provided to all prospective purchasers and/or tenants of the property.
- 5. Any new retention basin(s) 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.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT**.

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.2: TIME IS 9:05 A.M.

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- I. **AGENDA ITEM 3.3:** ZAP1029HR13 – City of Hemet – Case Nos. ZOA 13-004, ZOA 13-011, and ZC 13-003. ZOA 13-004 proposes the establishment of a Specific Plan (SP) zone and includes policies and procedures for the preparation, processing, and review of specific plans. The SP zone would or could be applied to areas within adopted specific plans and to areas where the adoption of a specific plan would be required prior to development. ZOA 13-011 amends the Manufacturing Zones section of the City’s zoning ordinance by establishing the Business Park (BP) zoning classification (corresponding to the Business Park General Plan land use designation and potentially applicable within areas so designated) and by comprehensively revising the list of permitted land uses and development standards in the M-1 (Limited Manufacturing) and M-2 (Heavy Manufacturing) zones. Additionally, development standards for mini-warehouses/personal storage are transferred to Article III, Special Uses and Conditions, and definitions are added to Article I. ZC 13-003 proposes pre-zoning of 940.63 acres of unincorporated areas located easterly of California Avenue, northerly of Domenigoni Parkway, westerly and southwesterly of the Hemet city limits within the City’s sphere of influence. The zones that would be applicable upon annexation include SP-LDR (Specific Plan-Low Density Residential), SP-MU (Specific Plan-Mixed Use), R1-7.2 (Single-Family Residential, minimum lot size 7,200 square feet), BP (Business Park), M-1 (Limited Manufacturing), and OS (Open Space). (Citywide, including Areas I, II, Transition Area, and III of the Hemet-Ryan Airport Influence Area).

II. **MAJOR ISSUES**

This proposal includes two ordinance amendments and a zone change. There are no issues with the establishment of the Specific Plan (SP) and Business Park (BP) zones. The Business Park, Limited Manufacturing, and Heavy Manufacturing zones could potentially allow for uses that may not be consistent with the Compatibility Plan, but such determinations would need to be made at the project level, as it would not be appropriate to prohibit such uses on a citywide basis.

ZC 13-003 is more problematic, as it would designate areas currently within Area II for medium density residential uses and mixed use, albeit with a requirement for the adoption of a Specific Plan prior to development. Area II is restricted to a maximum density of one dwelling unit per 2½ acres pursuant to the adopted 1992 Hemet-Ryan Airport Land Use Compatibility Plan. The requirement for a Specific Plan assures the opportunity for ALUC review, but staff’s concern is that the City’s specification allowing for such density may be interpreted by the landowners as an indication that such densities would definitively be permissible pursuant to a future Compatibility Plan.

While the text of Ordinance Amendment No. 13-004 establishing the Specific Plan zone is unobjectionable and consistent when considered separately, the resolution of staff’s concern regarding ZC 13-003 may require insertion of additional text within the Specific Plan zone section of the City’s ordinance addressing portions of specific plans within airport influence areas.

III. **STAFF RECOMMENDATION**

Staff recommends that Zoning Ordinance Amendment (ZOA) No. 13-011 be found CONSISTENT with the 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP). Staff recommends that the Commission open the public hearing, consider testimony, and CONTINUE consideration of Zoning Ordinance Amendment No. 13-004 and Zone Change No. 13-003 to its February 13, 2014 public hearing agenda. The continuance recommendation is subject to change if ALUC staff is able to use the additional time between the date of this staff report and the hearing date to work out additional details with City staff in the quest to find a path to consistency.

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IV. PROJECT DESCRIPTION:

ZOA 13-004 proposes the establishment of a Specific Plan (SP) zone and includes policies and procedures for the preparation, processing, and review of specific plans. The SP zone would or could be applied to areas within adopted specific plans and to areas where the adoption of a specific plan would be required prior to development.

ZOA 13-011 amends the Manufacturing Zones section of the City's zoning ordinance by establishing the Business Park (BP) zoning classification (corresponding to the Business Park General Plan land use designation and potentially applicable within areas so designated) and by comprehensively revising the list of permitted land uses and development standards in the M-1 (Limited Manufacturing) and M-2 (Heavy Manufacturing) zones. Additionally, development standards for mini-warehouses/personal storage are transferred to Article III, Special Uses and Conditions, and definitions are added to Article I.

ZC 13-003 proposes pre-zoning of presently unincorporated lands. The zones that would be applicable upon annexation include SP-LDR (Specific Plan – Low Density Residential), SP-MU (Specific Plan – Mixed Use), R1-7.2 (Single-Family Residential, minimum lot size 7,200 square feet), BP (Business Park), M-1 (Limited Manufacturing), and OS (Open Space).

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Deanna Elliano, Community Development Director, City of Hemet, 445 E. Florida Avenue, Hemet, CA 92543

No one spoke in neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT** for (ZOA 13-011, ZOA 13-004 and ZC 13-003).

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.3: TIME IS 9:09 A.M.

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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 **Director's Approvals** – Information Only

4.2 **Report from the Ad Hoc Hemet-Ryan Airport Land Use Compatibility Plan Subcommittee**

John Guerin, ALUC staff, reported that EDA officials have advised that the Federal Aviation Administration has increased the complexity of the Airport Layout Plan process by requiring additional items on its checklist. EDA officials will be meeting with Cal Fire representatives later in January and will then need to study their options before proceeding. Commissioner Holmes expressed concerns that the layout had not yet been finalized and asked about the subcommittee's next meeting. Mr. Guerin advised that it would not occur prior to EDA's meeting with Cal Fire.

4.3 **Compatibility Plan Status Update**

John Guerin, ALUC staff, reported on the status of the Compatibility Plan for March Air Reserve Base and the amendment for Banning Municipal Airport. As for the March ARB, at this point, it is believed that the initial schedule unveiled at the Plan workshop this past summer has slipped about 60 days, such that the Commission's first hearing on this matter probably will not occur before April. For Banning, it is hoped that work on this amendment will be able to commence in February as soon as the agreement is signed by representatives of the City of Banning and approved by the Board of Supervisors.

II. **5.0 APPROVAL OF MINUTES**

The December 12, 2013 minutes will be available at the next Commission meeting on February 13, 2014.

III. **6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

Commissioner Richard Stewart requested an oral report regarding the Commission's visit to the Thermal Motorsports project held on December 12, 2013, since he was unable to attend.

IV. **7.0 COMMISSIONER'S COMMENTS**

Chairman Housman and Commissioner Lyon advised Commissioner Stewart that the racing facility itself is very impressive - a top notch extraordinary project. The visit gave the Commissioners who attended (and staff) a better understanding of the nature and scope of the project.

Commissioner Ballance commented that he attended an open house with the Chairman of the Assembly Jobs, Economic Development and Economy Committee. He also shared some economic development numbers that were presented by the new Commander at the March Air Reserve Base: 8,500 employees, annual payroll \$255 million, local expenditures \$150 million, 3,000 indirect jobs – additional \$114 million.

V. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 9:46 a.m.

VI. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rcitlma.org.

ITEM 4.0: TIME IS 9:35 A.M.