
LAND USE AND PLANNING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
(a) Physically divide an established community?			X	
(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
(c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

ANALYSIS:

Thresholds (a) and (c): The Compatibility Plan does not propose or entail any new development, construction, or physical changes to existing land uses or the environment. Therefore, the Compatibility Plan would not physically divide an established community or conflict with any applicable habitat conservation plan or natural community conservation plan; as such, the project would not directly impact the environment or result in any direct impacts to land use and planning, with respect to thresholds (a) and (c). Further, the Compatibility Plan would not increase the levels of development in the affected areas of the City of Hemet and unincorporated areas of the County of Riverside above those projected for these areas in the City of Hemet General Plan and the Riverside County General Plan (Harvest Valley/Winchester Area Plan), the environmental effects of which were already adequately analyzed in the certified Hemet EIR and County EIR No. 441.

The Compatibility Plan may indirectly influence future land use development in the vicinity of Hemet-Ryan Airport by facilitating development at some locations and constraining development at other locations. However, any potential indirect effect that may arise is uncertain from a timing and location standpoint, and it is speculative to anticipate the specific characteristics of any development or the types of land use and planning impacts that would be associated with it. One possibility is that land uses in much of the Airport's environs would remain unchanged when compared to existing conditions. Another possibility is that the Compatibility Plan may indirectly result in shifting future housing, facilities, and infrastructure to other locations designated or zoned to allow for such uses. Because such shifts, if they do occur, cannot be accurately predicted, particularly as to rate, timing, location, and extent, it is not considered reasonable to conclude that such shifts, if any, will be significant. Accordingly,

absent information to the contrary, any such shifts are reasonably considered less than significant.

In addition, nothing in the Compatibility Plan would result in indirect impacts like, for example, the construction of housing or other uses, or the extension of roads or other infrastructure, all of which would necessitate an analysis of potentially significant land use and planning impacts. Moreover, the Compatibility Plan would not result in the displacement of existing housing, structures, or people, thereby necessitating the construction of replacement housing, facilities, or infrastructure, which may result in potentially significant land use and planning impacts. Therefore, any further analysis necessarily will occur if future shifts in development or construction result in a “project” subject to further CEQA compliance. All such projects will be required to comply with CEQA, necessitating preparation of a negative declaration, a mitigated negative declaration, or an EIR. This project-level environmental documentation ensures that if future shifts in development/construction indirectly result from the Compatibility Plan, these subsequent actions will not evade further project-level environmental review.

Further, as noted above, because implementation of the Compatibility Plan would not increase the levels of development in the AIA above those projected in the City of Hemet General Plan (including its constituent Specific Plans) and the Riverside County General Plan (Harvest Valley/Winchester Area Plan), and because the environmental effects of such development were already adequately analyzed at the General Plan level, there is no substantial evidence that adoption of the Compatibility Plan would result in any significant indirect impacts on land use and planning.

Threshold (b): The Compatibility Plan does not directly or indirectly conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect, for the reasons discussed above. However, to the extent that the Compatibility Plan conflicts with other General Plan land use plans, policies, or regulations (*i.e.*, those not adopted for the purpose of avoiding or mitigating an environmental effect), it may indirectly influence future land use development in the vicinity of Hemet-Ryan Airport by constraining development at some locations; thus, the Compatibility Plan has the potential to shift future development to areas outside the AIA or to less restrictive zones within the AIA (e.g., Airport Compatibility Zone E). The Compatibility Plan, if adopted, also would constrain the allowable land use designations found in the City and County General Plans, unless the local land use jurisdiction elected to overrule all or portions of the Compatibility Plan pursuant to the State Aeronautics Act as discussed below.

To the extent that such adoption would result in conflicts between the Compatibility Plan and the General Plan of a local land use jurisdiction, such conflict(s) would necessitate either an amendment to the applicable General Plan or an overrule by the local jurisdiction’s governing body (here, either the Hemet City Council or the Riverside County Board of Supervisors). Specifically, the City of Hemet and/or the County of Riverside, as applicable, may, consistent with Government Code section 65302.3, alleviate any perceived land use conflict that exists between the Compatibility Plan and its General Plan, and any applicable Specific Plans, by taking steps necessary to amend such plans, as necessary, within 180 days of the adoption of the Compatibility Plan. Alternatively, if either jurisdiction does not concur with any provision of the

Compatibility Plan, it may take steps to overrule the Commission by adopting findings pursuant to section 21676 of the Public Utilities Code. Such actions are within the responsibility and jurisdiction of the City of Hemet and/or the County of Riverside, and not the Commission.

The following analysis addresses potential inconsistencies between the Compatibility Plan and the existing City of Hemet and Riverside County General Plans with respect to non-residential land uses, and quantifies the potential displacement of non-residential land uses.¹

Based upon an evaluation of the existing General Plan land use designations, within the Airport's AIA, there are inconsistencies between existing General Plan land use designations and the allowable intensities provided under the Compatibility Plan. **Figure 3** depicts the existing General Plan land use designations for the areas lying within the AIA.

Specifically, the Compatibility Plan would conflict with existing land use designations by applying non-residential intensity limitations to properties designated for commercial and industrial development. In Compatibility Zone A, non-residential development would be prohibited. In Compatibility Zone B1, non-residential intensity would be limited to 40 persons per acre; the limit would be 100 persons per acre in Compatibility Zones B2 and C, and 200 persons per acre **(as initially proposed)** in Compatibility Zone D. **(Subsequently, allowable average intensity in those portions of Compatibility Zone D located easterly of Cawston Avenue was raised to 300 persons per acre.)** These limitations serve as new constraints on development located within the AIA that otherwise would be allowed under the land use designations of the City of Hemet and County of Riverside General Plans (and applicable Specific Plans).

Potential Future Non-Residential Displacement Under The Compatibility Plan (With Additional Compatibility Policies 2.1 and 2.2) – City of Hemet:

The methodology described below was used to determine the potential non-residential displacement that may occur in the City of Hemet.

In order to estimate potential future commercial and industrial displacement, it is necessary to make certain assumptions as to how land would be developed if the proposed non-residential intensity limitations were not present, based on the development levels anticipated in the City of Hemet General Plan. Based on the anticipated floor-area ratios identified in the City's General Plan (the "Target Intensity" column of Table 2.1 on page 2-19 of the Land Use Element), staff calculated the maximum square footage that could be accommodated per acre in each existing non-residential land use designation. (The floor-area ratio is calculated by dividing the building area square footage by the net site area square footage.)

Within each of these designations, staff determined the "Affected Acreage" located within each Compatibility Zone by calculating the total area of land within each land use designation and Compatibility Zone, excluding existing rights-of-way/roadways. (Of note, staff did not exclude

¹ For an analysis of the potential displacement of residential uses, please see the analysis under Population and Housing.

any existing development or parcels currently built-out; it was conservatively assumed that all land within the AIA was vacant. In this way, staff identified the highest anticipated potential build-out amount. As a result, the amount of potential displacement is considered significantly overstated in that it does not adjust for existing development located within the AIA, which would not be impacted by implementation of the Compatibility Plan.)

Staff then multiplied the “Affected Acreage” by the “Square Feet/Acre” anticipated under the General Plan (as determined by the floor-area ratio) to determine the “Target Build-Out” permitted under the General Plan. For purposes of this analysis, the floor-area ratios identified in **Table 1** were used by staff, pursuant to Table 2.1 of the City of Hemet General Plan Land Use Element. Based on the floor-area ratios utilized, staff calculated the maximum square feet that could be accommodated per acre in each land use designation, as also shown in **Table 1**.

**Table 1:
Anticipated Build-Out in the City of Hemet Pursuant to its General Plan**

General Plan Land Use Designation	Floor-Area Ratio	Square Feet per Acre Under General Plan
Neighborhood Commercial	0.25	10,890
Community Commercial	0.30	13,068
Business Park	0.35	15,246
Industrial	0.40	17,424
Regional Commercial	0.40	17,424
Office Professional	0.50	21,780
Mixed Use ¹	See Note 1	See Note 1

¹ Table 2-1 of the Land Use Element in the City’s General Plan does not identify a “Target Intensity” for the Mixed Use land use designation. However, the Mixed Use land use designation is limited to areas within Compatibility Zone D. If one were to assume a 0.80 floor-area ratio, there would be no displacement within this designation.

Staff then determined the “Maximum Build-Out” permitted under the Compatibility Plan with Additional Compatibility Policies 2.1 and 2.2 by calculating the maximum square footage allowed per acre within each Compatibility Zone and each land use designation (which is calculated by multiplying the “people per acre” allowable under each Compatibility Zone by the maximum square footage per person allowable for each land use designation) and multiplying the maximum square footage by the “Affected Acreage.”

The difference between the “Target Build-Out” permitted under the General Plan and the “Maximum Build-Out” permitted under the Compatibility Plan is the potential non-residential displacement that may occur with implementation of the Compatibility Plan with Additional Compatibility Policies 2.1 and 2.2 (“Potential Displaced Build-Out”).

As presented in the Compatibility Plan maps released for public review in November, 2016, 40.33 acres designated Community Commercial and 0.95 acre designated Neighborhood Commercial by the City of Hemet would be located in Compatibility Zone C, while 338.49 acres designated Community Commercial and 1.02 acres designated Neighborhood

Commercial would be located in Compatibility Zone D. After consideration of comments from the City and from property owners in favor of excluding areas that are both easterly of Kirby Street and northerly of Acacia Avenue from Compatibility Zone C, the Airport Land Use Commission referred this matter to an ad hoc subcommittee comprised of three of its members. The subcommittee agreed to adjust the boundary of Compatibility Zone C so as to exclude areas easterly of Kirby Street and northerly of Acacia Avenue, and to further roll back the easterly limit of Compatibility Zone B1 by 1,000 feet from its initially depicted easterly terminus. As a result of the first change, 15.78 acres designated Community Commercial and the 0.95 acre designated Neighborhood Commercial were moved from Compatibility Zone C to Compatibility Zone D, reducing the net affected acreage designated Neighborhood Commercial within Compatibility Zone C to zero. The net affected acreage of Community Commercial within Compatibility Zone D increases from 338.49 to 354.27 acres, while the net affected acreage of Neighborhood Commercial within Compatibility Zone D increases from 1.02 to 1.97 acres. As a result of the second change, 14.29 acres designated Community Commercial and 8.68 acres designated Business Park were moved from Compatibility Zone B1 to Compatibility Zone C. The net affected acreage of Community Commercial in Compatibility Zone B1 decreases from 29.91 to 15.62 acres, while the net affected acreage of Business Park in Compatibility Zone B1 decreases from 47.56 to 38.88 acres. The net effect for Compatibility Zone C is a decrease of 1.49 acres designated Community Commercial, a decrease of 0.95 acres designated Neighborhood Commercial, and an increase of 8.68 acres designated Business Park. The ultimate result of these changes is a reduction of 186,240 square feet of potentially displaced square footage of non-residential uses (a 15.5 percent reduction from the originally projected level).

Table 2 presents the potential non-residential displacement that may occur in the AIA under the Compatibility Plan with Additional Compatibility Policies 2.1 and 2.2, **as modified**.

**Table 2:
Potential Non-Residential Displacement Under the Compatibility Plan**

Jurisdiction	General Plan Land Use Designation	Airport Zone ¹	Affected Acreage	Target Build-Out Under General Plan		Maximum Build-Out Under Compatibility Plan		Potential Displaced Build-Out	
				Sq Ft / Acre	Target Build-Out (Sq Ft)	Sq Ft / Acre ²	Maximum Build-Out (Sq Ft)	(Sq Ft)	%
City of Hemet	Community Commercial								
		B1	15.62 29.91	13,068	204,122 390,864	4,600	71,852 137,586	132,270 253,278	65%
		C	38.84 40.33	13,068	507,561 527,032	11,500	446,660 463,795	60,901 63,237	12%
		D	354.27 338.49	13,068	4,629,600 4,423,387	23,000	4,629,600 4,423,387	0	0%
		Total	408.73	13,068	5,341,283	N/A	5,148,112 5,024,768	193,171 316,515	4% 6%
	Neighborhood Commercial								
		C	0.95	10,890	10,346	11,500	10,346	0	0%
		D	1.97 1.02	10,890	21,454 11,108	23,000	21,454 11,108	0	0%
		Total	1.97	10,890	21,454	N/A	21,454	0	0%
	Office Professional								
		D/Total	14.68	21,780	319,730	40,000	319,730	0	0%
	Business Park								
		A	4.27	15,246	65,100	0	0	65,100	100%
		B1	38.88 47.56	15,246	592,764 725,100	8,000	311,040 380,480	281,724 344,620	48%
		B2	11.02	15,246	168,011	20,000	168,011	0	0%
		C	182.78 174.10	15,246	2,786,664 2,654,329	20,000	2,786,664 2,654,329	0	0%
		D	151.53	15,246	2,310,226	40,000	2,310,226	0	0%
		Total	388.48	15,246	5,922,766	N/A	5,575,941 5,513,046	346,824 409,720	6% 7%
	Industrial								
		A	0.62	17,424	10,803	0	0	10,803	100%
		B1	49.06	17,424	854,821	8,000	392,480	462,341	54%
		B2	16.89	17,424	294,291	20,000	294,291	0	0%
		C	337.93	17,424	5,888,092	20,000	5,288,092	0	0%

**Table 2:
Potential Non-Residential Displacement Under the Compatibility Plan**

Jurisdiction	General Plan Land Use Designation	Airport Zone ¹	Affected Acreage	Target Build-Out Under General Plan		Maximum Build-Out Under Compatibility Plan		Potential Displaced Build-Out	
				Sq Ft / Acre	Target Build-Out (Sq Ft)	Sq Ft / Acre ²	Maximum Build-Out (Sq Ft)	(Sq Ft)	%
		D	211.95	17,424	3,693,017	40,000	3,693,017	0	0%
		Total	616.45	17,424	10,741,024	N/A	10,267,880	473,145	5%
	TOTAL - City of Hemet				22,346,257		21,333,117 21,146,878	1,013,140 1,199,380	5%
County of Riverside	Business Park								
		D	151.47	13,068	1,979,410	40,000	1,979,410	0	0%
	TOTAL – County of Riverside				1,979,410		1,979,410	0	0%

¹ Pursuant to Additional Compatibility Policy 2.1, Zone A does not permit any commercial/industrial uses, and is limited to 0 people per acre; Zone B1 is limited to 40 people per acre; Zones B2 and C are limited to 100 people per acre; and Zone D **westerly of Cawston Avenue** is limited to 200 people per acre (**300 persons per acre easterly of Cawston Avenue**).

² Maximum square footage per acre under the Compatibility Plan is calculated by multiplying “people per acre” allowable under each Compatibility Zone times the maximum square footage per person allowable for each General Plan land use designation. (E.g., Pursuant to Additional Compatibility Policy 2.1, Zone B1 is limited to 40 people per acre. Pursuant to Additional Compatibility Policy 2.2, mercantile uses are evaluated on the basis of one person per 115 square feet of gross building area (excluding restaurants, theaters, gymnasiums, and similar places of assembly, which have a higher level of intensity). Therefore, in Zone B1, using these assumptions, building size in such Commercial designations would need to be limited to 4,600 square feet in order to limit occupancy to 40 people.) Pursuant to Additional Compatibility Policy 2.2, one person would be accommodated for each 115 square feet of Community Commercial and Neighborhood Commercial uses.

Under the Compatibility Plan, one person would be accommodated for each 200 square feet of Professional Office uses. In this analysis, it is assumed that business park and industrial buildings would be able to accommodate one person per 200 square feet of floor area.

Summary Of Potential Future Non-Residential Displacement Under The Compatibility Plan With Additional Compatibility Policies 2.1 and 2.2:

As presented in **Table 2**, the total expected build-out for non-residential uses in the portion of the AIA in the City of Hemet, excluding Compatibility Zone E areas, is 22,346,257 square feet. The total potential future non-residential displacement that may result from implementation of the Compatibility Plan with Additional Compatibility Policies 2.1 and 2.2 is **1,013,140** ~~1,199,380~~ square feet or **4.53** ~~5.37~~ percent.

As noted above, these calculations are considered significantly overstated in that they have not accounted for the existing development or land uses that would otherwise qualify as existing uses under the Compatibility Plan. Nevertheless, a potential maximum future displacement of non-residential uses within the AIA of approximately **4.53** ~~5.37~~ percent of the target build-out

anticipated pursuant to the City General Plan is identified. Many of these potentially displaced uses could be accommodated within Airport Compatibility Zone E, or in surrounding areas.

In order to understand the scope and context of potential displacement, it is important to consider the potential displacement in a citywide context. The City of Hemet General Plan (Land Use Element, Table 2.3, page 2-27) indicates that 33,741,000 square feet of non-residential uses would be permitted at build-out. As noted above, the potential non-residential displacement that may result with implementation of the Compatibility Plan with the Additional Compatibility Policies is **1,013,140** ~~1,199,380~~ square feet or **3** ~~3.55~~ percent of the citywide potential build-out.

It should also be noted that the analysis included herein is based on an assumption that industrial and business park areas would be developed with office and manufacturing uses. Other types of uses, such as storage and warehousing, have much lower levels of intensity, so larger amounts of square footage potentially could be built than the constrained levels assumed here.

No non-residential displacement would occur in the unincorporated areas of Riverside County because the anticipated floor area ratio for the Business Park designation in the County area – 0.30, or 13,068 square feet of building area per acre - would accommodate less than 200 persons in an acre (the intensity limit within Compatibility Zone D), assuming office uses.

As discussed above, because the impacts of any such displacement are uncertain from a timing and location standpoint, it is speculative to anticipate the specific characteristics of any development or the types of land use and planning impacts that would be associated with it. Therefore, any potential physical environmental impacts occurring from possible displacement due to implementation of the Compatibility Plan are considered less than significant.

Moreover, although adoption of the Compatibility Plan would constrain development at some locations (and thereby inflate the potential demand at other locations), which may conflict with applicable General Plan land use designations, such designations were not adopted for the purpose of avoiding or mitigating an environmental effect, but rather to facilitate development of a wide range of non-residential uses. As a result, any potential physical environmental impacts associated with the Compatibility Plan's conflict with existing General Plan land use designations are considered less than significant, uncertain, and speculative.

Such conflicts also are considered less than significant under CEQA because state law (Gov. Code, §65302.3) requires that the General Plan, and any applicable Specific Plan, be consistent with an adopted Compatibility Plan, and, in the event of an inconsistency, the General Plan, and any applicable Specific Plan, must be promptly amended (or go through the special process required to overrule the Commission pursuant to section 21676 of the Public Utilities Code). The Commission finds that, even with adoption of the Compatibility Plan, any such land use conflicts can be avoided or substantially lessened by the City of Hemet taking prompt action to amend its General Plan land use designations, so that they are consistent with the adopted Compatibility Plan. The Commission further finds that such amendments are within the responsibility and jurisdiction of the City of Hemet and not the Commission.

Moreover, it is important to note that the Compatibility Plan is being adopted, pursuant to Public Utilities Code section 21670 *et seq.*, to protect public health, safety, and welfare, through the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards and is guided by the Handbook. As required by state law, the Compatibility Plan sets policies and criteria consistent with the State Aeronautics Act and within the parameters identified in the Handbook. Therefore, by its nature and pursuant to state law, adoption of the Compatibility Plan may necessitate restrictions on land uses within the AIA. These factors do not decrease the potential impact that the Compatibility Plan may have on future land uses and development, but they are nonetheless important considerations.

(Sources: City General Plan and related Hemet EIR; County General Plan and related County EIR No. 441.)

PLAN MITIGATION: No mitigation necessary.

OTHER APPLICABLE/ADOPTED MITIGATION MEASURES: None required.