
Introduction

OVERVIEW OF THE PLAN

The basic function of airport land use compatibility plans is to promote compatibility between airports and the land uses that surround them. Compatibility plans serve as a tool for use by airport land use commissions in fulfilling their duty to review proposed development plans for airports and surrounding land uses. Additionally, compatibility plans set compatibility criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and to landowners (including special district and other local government entities as well as private parties) in their design of new development.

General Applicability

As adopted by the Riverside County Airport Land Use Commission (ALUC), this *Riverside County Airport Land Use Compatibility Plan Policy Document* establishes policies applicable to land use compatibility planning in the vicinity of airports throughout Riverside County. Included are compatibility criteria and maps for the influence areas of individual airports. Also spelled out in the plan are the procedural requirements associated with the compatibility review of development proposals.

This plan replaces compatibility plans for individual airports adopted by the ALUC at various times from 1974 through 1998. The specific airports covered by this document and the date when the present plan was adopted with respect to each airport are listed in Table 1A. If a new adoption date is not indicated in the table, the earlier compatibility plan remains in effect for that airport. As required by state law, either this plan or an earlier one has been adopted for all of the public-use and military airports in the county. Preparation of compatibility plans for private-use airports is at the option of the ALUC. Note that Chino Airport situated in San Bernardino County is among the airports included in Table 1A. This *Compatibility Plan* pertains only to the portion of that airport's influence area which extends into Riverside County.

Along with the airport names and plan adoption dates, Table 1A lists the names of the local government entities—the County of Riverside and/or cities within the county—whose jurisdictions extend into the adopted or potential influence area of the respective airport. The parts of each jurisdiction affected by the plan are depicted in the compatibility maps included in Chapter 3.

AIRPORT / OWNERSHIP	ADOPTION DATE	JURISDICTIONS AFFECTED*	
Public-Use Airports in Riverside County			
Banning Municipal City of Banning	October 14, 2004	City of Banning	County of Riverside
Bermuda Dunes Private	December 9, 2004	City of Indio City of La Quinta	City of Palm Desert County of Riverside
Blythe City/County of Riverside	October 14, 2004	City of Blythe	County of Riverside
Chiriaco Summit County of Riverside	October 14, 2004	County of Riverside	
Corona Municipal City of Corona	October 14, 2004	City of Corona City of Norco	County of Riverside
Desert Center County of Riverside	October 14, 2004	County of Riverside	
Jacqueline Cochran Regional (formerly Desert Resorts Regional) County of Riverside		City of Coachella	County of Riverside
Flabob Private	December 9, 2004	City of Riverside	County of Riverside
French Valley County of Riverside	December 9, 2004	City of Murrieta City of Temecula	County of Riverside
Hemet-Ryan County of Riverside		City of Hemet	County of Riverside
Palm Springs International City of Palm Springs	March 10, 2005	City of Palm Springs City of Cathedral City	City of Rancho Mirage
Riverside Municipal City of Riverside	March 10, 2005	City of Riverside	County of Riverside
Military Airports in Riverside County			
March Air Reserve Base U.S. Air Force		City of Moreno Valley City of Perris	City of Riverside County of Riverside March JPA
Private-Use Airports Riverside County			
Perris Valley Private		City of Perris	County of Riverside
Skylark Private		City of Lake Elsinore	County of Riverside
Public-Use Airports in Nearby Areas of Adjacent Counties			
Chino County of San Bernardino		County of Riverside	
* Riverside County jurisdictions within adopted airport influence area (approximately 2 miles of small general aviation airports or 3 miles of major general aviation, airline, and military airports); not listed, but also subject to this <i>Compatibility Plan</i> , are any special districts or school districts within an airport influence area.			

Table 1A

Compatibility Plan Adoption Status

Additional details regarding the purpose, scope, and applicability of the *Compatibility Plan* are set forth in the countywide policies chapter that follows.

Statutory Requirements

Powers and Duties

Requirements for creation of airport land use commissions (ALUCs) were first established under the California State Aeronautics Act (Public Utility Code Sections 21670 et seq.) in 1967. (See Appendix A herein for a copy of the statutes). Although the law has been amended numerous times since then, the fundamental purpose of ALUCs to promote land use compatibility around airports has remained unchanged. As expressed in the present statutes, this purpose is:

“...to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.”

The statutes give ALUCs two principal powers by which to accomplish this objective. First, ALUCs must prepare and adopt an airport land use compatibility plan. Secondly, they must review the plans, regulations, and other actions of local agencies and airport operators for consistency with that plan.

Limitations

This fundamental objective notwithstanding, airport land use commissions are limited in their powers to achieve it. Two limitations are explicitly written into the law: ALUCs have no authority over either existing land uses (Section 21674(a)) or the operation of airports (Section 21674(e)). Neither of these terms is defined within the statutes, but the interpretation of their meaning is fairly standard throughout the state.

- ▶ **Existing Land Uses**—The precise wording of the Aeronautics Act is that the authority of ALUCs extends only to land in the vicinity of airports that is “not already devoted to incompatible uses.” The working interpretation of this language is that ALUCs have no state-empowered authority over existing land uses. The question then becomes one of determining what conditions qualify a land use as existing.

For airport land use planning purposes, a land use can generally be considered existing once the local agency has completed all discretionary actions on the project and only ministerial approvals remain. A vacant property thus can be considered “devoted to” a particular use, even if the activity has not begun, once local government commitments along with substantial construction investments by the property owner make it infeasible for the property to be used for anything other than its proposed use. Local government commitment to a proposal can usually be considered firm once a vesting tentative map, development agreement, or other land use entitlement has been approved. (See Chapter 2 for the definition of *existing land use* as adopted by the Riverside County Airport Land Use Commission).

- ▶ **Operation of Airports**—Any actions pertaining to how and where aircraft operate on the ground or in the air around an airport are clearly not within the jurisdiction of ALUCs to regulate. ALUC involvement with aircraft operations is limited to taking the operational characteristics into account in the development of land use compatibility plans. This limitation on the jurisdiction of ALUCs can-

not, however, be taken to mean that they have no authority with respect to new development on airport property. For example, the law specifically requires ALUCs to review proposed airport master plans for consistency with the commission's plans. ALUCs also have authority to review proposals for nonaviation development on airport property.

A third, less absolute, limitation concerns the types of land use actions that are subject to ALUC review. The law emphasizes local general plans as the primary mechanism for implementing the compatibility policies set forth in an ALUC's plan. Thus, Riverside County and each city affected by an airport land use compatibility plan is required to make its general plan consistent with the ALUC plan (or to overrule the commission). Once a local agency has taken this action to the satisfaction of the Airport Land Use Commission, the ALUC's authority to review projects within that jurisdiction is narrowly limited. The only actions for which review remains mandatory are proposed adoption or amendment of general plans, specific plans, zoning ordinances, and building regulations affecting land within an airport influence area. For an ALUC to review individual projects, the local agency must agree to submit them.

One final limitation worth noting is that ALUCs have no jurisdiction over federal lands such as lands controlled by the U.S. Forest Service, Bureau of Land Management, or Indian tribes. ALUCs can merely inform these agencies about the ALUC policies and seek their cooperation.

Riverside County Airport Land Use Commission

State law provides two basic options regarding the structure of airport land use commissions: a standard format or designation of an existing body to serve as the ALUC. Among California's 58 counties, these two formats are used in roughly equal proportions.

Membership on ALUCs structured in the standard manner is specified to be as follows:

- › Two members appointed by the county board of supervisors;
- › Two members appointed by a selection committee of mayors of the county's cities;
- › Two members appointed by airport managers; and
- › A seventh member, representing the general public, appointed by the other six.

The designated body format has several possibilities. Most common is for a single- or multi-county council of governments or similar entity to be designated as the ALUC. Other types of bodies that serve as ALUCs in some counties include the county planning commission, the county airport commission, or the county board of supervisors.

The Riverside County Airport Land Use Commission first met in 1971 with the Riverside County Airport Commission designated to serve the ALUC function. Two city representatives were later added, then, beginning in 1998, the Commission assumed the standard format that continues today. The county agency assigned to provide support staff to the ALUC has also varied over the years. Since 1998, this responsibility has rested with the Riverside County Economic Development Agency (EDA). This agency also functions as management for the county-owned airports. A member of the EDA staff serves as the ALUC Executive Director.

Relationship of the ALUC to County and City Governments

The fundamental relationship between the Riverside County Airport Land Use Commission and the governments of Riverside County and the affected cities in the county is set by the State Aeronautics Act. The ALUC is not simply an advisory body for the Riverside County Board of Supervisors or city councils in the manner that their respective planning commissions are. Rather, it is more equivalent to a Local Agency Formation Commission (LAFCo). Within the bounds defined by state law, the decisions of the ALUC are final and are independent of the Board or city councils. The ALUC does not need county or city approval in order to adopt this *Compatibility Plan* or to carry out ALUC land use project review responsibilities.

Another aspect of the relationship between the ALUC and county and city governments concerns implementation of the *Compatibility Plan*. As noted earlier, although the ALUC has the sole authority to adopt this plan and to conduct compatibility reviews, the authority and responsibility for implementing the compatibility policies rests with the local governments. Actions that Riverside County and the affected cities can take to implement the *Compatibility Plan* are outlined later in this chapter.

POLICY FRAMEWORK

The policies in Chapter 2 and 3 of this *Compatibility Plan Policies Document* are based upon two primary sources: state laws and guidelines; and master plans for the respective airports.

State Laws and Guidelines

Many of the procedures that govern how ALUCs operate are defined by state law. Statutory provisions in the Public Utilities Code establish the requirements for ALUC adoption of compatibility plans, including which airports should or can be included and some of the steps involved in the plan adoption. The law also dictates the requirements for airport land use compatibility reviews by the ALUC. The types of actions that local jurisdictions must submit for review are specified, for example.

With respect to airport land use compatibility criteria, the statutes say little, however. Instead, a section of the law enacted in 1994 refers to another document, the *Airport Land Use Planning Handbook* published by the California Division of Aeronautics. Specifically, the statutes say that, when preparing compatibility plans for individual airports, ALUCs shall “be guided by” the information contained in the *Handbook*. The *Handbook* is not regulatory in nature, however, and it does not constitute formal state policy except to the extent that it explicitly refers to state laws. Rather, its guidance is intended to serve as the starting point for compatibility planning around individual airports. The policies in this *Compatibility Plan*, including the individual airport compatibility maps, take into account the guidance provided by the current edition of the *Airport Land Use Planning Handbook*, dated January 2002.

An additional function of the *Airport Land Use Planning Handbook* is established elsewhere in California state law. The Public Resources Code creates a tie between the *Handbook* and California Environmental Quality Act (CEQA) documents. Specifically, Section 21096 requires that lead agencies must use the *Handbook* as “a technical resource” when assessing airport-related noise and safety impacts of projects located in the vicinity of airports.

The most recent edition of the *Handbook* was completed in January 2002 and is available for downloading from the Division of Aeronautics web site (www.dot.ca.gov/hq/planning/aeronaut).

Relationship to Airport Master Plans

Airport land use compatibility plans are distinct from airport master plans in function and content. In simple terms, the issues addressed by airport master plans are primarily on-airport whereas those of concern in a compatibility plan are mostly off-airport. The purpose of airport master plans is to assess the demand for airport facilities and to guide the development necessary to meet those demands. An airport master plan is prepared for and adopted by the agency that owns and/or operates the airport. In contrast, the major purpose of a compatibility plan is to ensure that incompatible development does not occur on lands surrounding the airports. The responsibility for preparation and adoption of compatibility plans lies with each county's airport land use commission.

This distinction notwithstanding, the relationship between the two types of plans is close. Specifically, Public Utilities Code Section 21675(a) requires that ALUC plans be based upon a long-range airport master plan adopted by the airport owner/proprietor. If such a plan does not exist for a particular airport, an airport layout plan may be used subject to approval by the California Division of Aeronautics.

The compatibility plan for each of the airports within the jurisdiction of the Riverside County Airport Land Use Commission is based upon the respective airport master plan or, as allowed by the statutes, a state-approved airport layout plan. The status of the master plan and layout plan for each airport is indicated in the background data volumes of this *Compatibility Plan*.

PLAN IMPLEMENTATION

General Plan Consistency

As noted above, state law requires each local agency having jurisdiction over land uses within an ALUC's planning area to modify its general plan and any affected specific plans to be consistent with the compatibility plan. The law says that the local agency must take this action within 180 days of when the ALUC adopts or amends its plan. The only other course of action available to local agencies is to overrule the ALUC by a two-thirds vote of its governing body after making findings that the agency's plans are consistent with the intent of state airport land use planning statutes. Additionally, the local agency must notify both the ALUC and the California Division of Aeronautics at least 45 days in advance of its decision to overrule and must hold a public hearing on the proposed overruling (Public Utilities Code Section 21676(a) and (b)). Note that similar requirements apply to local agency overruling of ALUC actions concerning individual development proposals for which ALUC review is mandatory (Section 21676.5(a)) and airport master plans (Section 21676(c)).

A general plan does not need to be identical with the ALUC plan in order to be consistent with it. To meet the consistency test, a general plan must do two things:

- › It must specifically address compatibility planning issues, either directly or through reference to a zoning ordinance or other policy document; and
- › It must avoid direct conflicts with compatibility planning criteria.

Many community general plans pay little attention to the noise and safety factors associated with airport land use compatibility. Also, some of the designated land uses of property near an airport frequently are contrary to good compatibility planning. It is anticipated that each of the land use jurisdictions

affected by this *Compatibility Plan* will need to make some modification to its general plan and/or other land use policy documents in order to meet the plan consistency requirements.

[An initial assessment of the consistency between the current local general plans and the compatibility criteria and other policies set forth in this ALUC *Compatibility Plan* is contained in the background data chapter for each airport.]

Compatibility planning issues can be reflected in a general plan in several ways:

- ▶ **Incorporate Policies into Existing General Plan Elements**—One method of achieving the necessary planning consistency is to modify existing general plan elements. For example, airport land use noise policies could be inserted into the noise element, safety policies could be placed into a safety element, and the primary compatibility criteria and associated maps plus the procedural policies might fit into the land use element. With this approach, direct conflicts would be eliminated and the majority of the mechanisms and procedures necessary to ensure compliance with compatibility criteria could be fully incorporated into a local jurisdiction’s general plan.
- ▶ **Adopt a General Plan Airport Element**—Another approach is to prepare a separate airport element of the general plan. Such a format may be advantageous when a community’s general plan also needs to address on-airport development and operational issues. Modification of other plan elements to provide cross-referencing and eliminate conflicts would still be necessary.
- ▶ **Adopt Compatibility Plan as Stand-Alone Document**—Jurisdictions selecting this option would simply adopt as a local policy document the relevant portions of the *Compatibility Plan Policy Document*—specifically, Chapter 2 plus the policies and maps for the relevant airports from Chapter 3. Applicable background information from Volumes 2 and 3 could be included as well if desired. Changes to the community’s existing general plan would be minimal. Policy reference to the ALUC plan would need to be added and any direct land use or other conflicts with compatibility planning criteria would have to be removed. Limited discussion of compatibility planning issues could be included in the general plan, but the substance of most compatibility policies would appear only in the stand-alone document.
- ▶ **Adopt Airport Combining District or Overlay Zoning Ordinance**—This approach is similar to the stand-alone document except that the local jurisdiction would not explicitly adopt the *Compatibility Plan* as policy. Instead, the compatibility policies would be restructured as an airport combining or overlay zoning ordinance. A combining zone serves as an overlay of standard community-wide land use zones and modifies or limits the uses permitted by the underlying zone. Flood hazard combining zoning is a common example. An airport combining zone ordinance can serve as a convenient means of bringing various airport compatibility criteria into one place. The airport-related height-limit zoning that many jurisdictions have adopted as a means of protecting airport airspace is a form of combining district zoning. Noise and safety compatibility criteria, together with procedural policies, would need to be added to create a complete airport compatibility zoning ordinance. Other than where direct conflicts need to be eliminated from the local plans, implementation of the compatibility policies would be accomplished solely through the zoning ordinance. Policy reference to airport compatibility in the general plan could be as simple as mentioning support for the airport land use commission and stating that policy implementation is by means of the combining zone. (An outline of topics which could be addressed in an airport combining zone is included in Appendix G.)

Project Referrals

In addition to the types of land use actions for which referral to the ALUC is mandatory in accordance with state law, the *Compatibility Plan* specifies other land use projects that either must or should be submitted for review. These *major land use actions* are defined in Chapter 2. Beginning with when this plan, as it pertains to each specific airport, is adopted by the Airport Land Use Commission and continuing until such time as local jurisdictions have made the necessary modifications to their general plans, all of these major land use actions are to be submitted to the commission for review. After local agencies have made their general plans consistent with the *Compatibility Plan*, the ALUC requests that these major actions continue to be submitted on a voluntary basis.

PLAN CONTENTS

The *Riverside County Airport Land Use Compatibility Plan* is organized into three volumes.

This first volume contains the policies by which the ALUC operates and conducts compatibility reviews of proposed land use and airport development actions. The present introductory chapter serves to set the overall context of airport land use compatibility planning in general and for airports in Riverside County in particular. The most important components of the plan are found in Chapters 2 and 3. Chapter 2 outlines the policies, including airport land use compatibility criteria, applicable around all airports in the county. Additionally, the policies define the types of actions to be submitted for ALUC review and the procedures that the ALUC will follow in making compatibility determinations. Chapter 3 presents the compatibility maps for each airport together with any policies applicable only to that airport. Also included in this volume are a set of appendices containing a copy of state statutes concerning airport land use commissions and other general information pertaining to airport land use compatibility planning.

Volumes 2 and 3 present various background data regarding each airport and its environs. Data for airports in western Riverside County is included in Volume 2; data regarding eastern county airports is found in Volume 3. In addition to serving as a convenient information reference for each airport, the material in Volumes 2 and 3 serves to document the data and assumptions upon which the compatibility map for each airport was based.