



**PLANNING COMMISSION HEARING DATE: NOVEMBER 30, 2017**

**AGENDA ITEM NO.: 2**

**PROPOSED PROJECT**

<i>Case Numbers</i>	<b>P15-1010</b> (General Plan Amendment), <b>P17-0124</b> (Zoning Code Text Amendment), and <b>P17-0838</b> (Zoning Map Amendment)
<i>Request</i>	Proposal to amend the City's General Plan, Zoning Code, and Zoning Map to create consistency with the March Air Reserve Base/March Inland Port Airport Land Use Compatibility Plan. The General Plan amendment includes changes to the Land Use & Urban Design, Public Safety, Noise, and Circulation & Community Mobility Elements. Amendments to the Zoning Code include the creation of Chapter 19.149 – Airport Land Use Compatibility, and the associated elimination of Chapter 19.170 – Airport Protection (AP) Overlay Zone, as well as minor amendments throughout the Zoning Code to reference these changes. The Zoning Map amendment would remove Airport Protection (AP) Overlay designations from 14 properties.
<i>Applicant</i>	City of Riverside – Community & Economic Development Department
<i>Staff Planner</i>	<i>Doug Darnell, AICP, Senior Planner; 951-826-5219; <a href="mailto:ddarnell@riversideca.gov">ddarnell@riversideca.gov</a></i>

**RECOMMENDATIONS**

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that Planning Cases P15-1010 (General Plan Amendment), P17-0124 (Zoning Code Text Amendment), and P17-0838 (Zoning Map Amendment) are not subject to further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183, because the proposed amendments only serve to implement the provisions of the March Airport Land Use Compatibility Plan (March ALUCP), for which the Riverside County Airport Land Use Commission (ALUC) certified a Final Environmental Impact Report (State Clearinghouse #2013071042) on November 13, 2014; and
2. **RECOMMEND that the City Council APPROVE** Planning Case Numbers: P15-1010 (General Plan Amendment), P17-0124 (Zoning Code Text Amendment), and P17-0838 (Zoning Map Amendment) based on the information and findings provided in the staff report.

## BACKGROUND

An Airport Land Use Compatibility Plan (ALUCP) is a State-required, long-range plan that reflects the anticipated growth of an airport over a twenty-year time period. A local jurisdiction's general plan and specific plans must be consistent with an adopted ALUCP. The purpose of ALUCPs is to protect public health, safety, and welfare by ensuring the orderly expansion of airports, and the adoption of land use measures that minimize noise and safety hazards in airport influence areas.

The Riverside County Airport Land Use Compatibility Plan (RCALUCP) designates zones of airport influence areas within Riverside County, and provides policies and compatibility criteria to ensure that aviation uses and surrounding areas remain compatible. The current RCALUCP was adopted by the Riverside County Airport Land Use Commission (ALUC) in 2004, establishing compatibility criteria and maps for influence areas of the Riverside Municipal and Flabob Airports.

In 2014 the ALUC adopted the current March Air Reserve Base/Inland Port Airport Compatibility Plan (March ALUCP), and incorporated it into the RCALUCP. The March ALUCP is based on the 2005 Air Installation Compatible Use Zone Study for the March Air Reserve Base, which was initiated to replace the criteria that existed prior to the base's realignment in 1996. The current compatibility zones and criteria for the March ALUCP provide noise and safety compatibility protection equivalent to or greater than the criteria recommended by the Air Force.

The City of Riverside General Plan was adopted in 2007, and was consistent with the RCALUCP in effect at that time. However, the ALUC's adoption of the March ALUCP in 2014 rendered the City's General Plan inconsistent with the RCALUCP. Because the City's General Plan 2025 is inconsistent with the March ALUCP, any project proposed within the March Airport Influence Area requires applicant's to submit a request to Riverside County ALUC to determine consistency. The Planning Division's proposed amendments are intended to resolve this inconsistency.

The Planning Commission initially reviewed and recommended City Council approval of the General Plan Amendment component of this proposal on March 17, 2016. Subsequently, on May 12, 2016, ALUC reviewed the General Plan Amendment for consistency with airport compatibility plans and determined the amendment could not be determined consistent until the City amend its Zoning Code, which is not fully consistent with the RCALUCP.

On August 10, 2017 the ALUC reviewed both the proposed General Plan and Zoning Code Text Amendments, and determined that the current proposal is consistent with the RCALUCP.

## PROPOSAL

The proposed amendments to General Plan 2025, Zoning Code, and Zoning Map are summarized below:

1. To bring the General Plan 2025 into compliance with the March ALUCP, modifications to the Land Use and Urban Design, Public Safety, Noise, and Circulation & Community Mobility Elements were necessary. Each of these elements currently include references to the outdated March ALUCP. Additionally, several of the figures and policies also reference the outdated March ALUCP. The proposed General Plan amendment will update and clarify existing references. In particular, one figure within the Noise Element and one figure within the Public Safety Element would be replaced with an updated figure as reflected in the current March ALUCP (See Exhibit 2).

2. The proposed Zoning Code text amendment creates *Chapter 19.149 – Airport Land Use Compatibility* and eliminates *Chapter 19.170 – Airport Protection (AP) Overlay Zone*. Currently there are very few properties within the City that are zoned with the “AP” overlay zone, although there are thousands of properties within RCALUCP influence areas. Because Chapter 19.170 (Airport Overlay) has not been applied on a comprehensive basis, and reflects outdated language and standards, the City is proposing to replace Chapter 19.170 with Chapter 19.149, which will ensure airport-land use consistency with the March, Riverside Municipal and Flabob Influence Areas. This new chapter clarifies that new uses and development must comply with the criteria of the applicable Airport Land Use Compatibility Plans. Additionally, text amendments are proposed to other Chapters of the Municipal Code to clarify that all development must be compatible with the RCALUCP, and to reference the specific criteria outlined in Chapter 19.149. The amendments are provided as Exhibit 3 to this report.
3. A Zoning Map amendment is proposed to remove the AP - Airport Protection Overlay Zone from fourteen (14) properties (Exhibit 4).

## ANALYSIS AND FINDINGS

The proposed General Plan Amendment, Zoning Code Text Amendment, and Zoning Map Amendment would make the City’s regulations consistent with the March ALUCP. With these changes, the majority of future development projects within the March Airport Influence Area will be reviewed by City staff for compliance with the ALUCP, no longer requiring review by the ALUC. This change in review authority will save significant time and money for applicants wishing to invest in Riverside. Certain legislative cases, such as Zone Changes and General Plan Amendments will continue to require ALUC review, as well as any project City or ALUC staff determine to be inconsistent with the RCALUCP.

The approval of a General Plan Amendment does not require the City Council to make any specific findings, as the General Plan is a policy document that reflects the independent judgement of the City.

However, pursuant to Riverside Municipal Code Section 19.810.040, the approval of a Zoning Code text or map amendment requires the City Council to make the following findings:

- A. That the proposed Zoning Code Text or Map Amendment is generally consistent with the goals, policies, and objectives of the General Plan;
- B. That the proposed Zoning Code Text or Map Amendment will not adversely affect surrounding properties; and
- C. That the proposed Zoning Code Text or Map Amendment promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

The proposed actions will bring the General Plan, Zoning Code, and Zoning Map into alignment with the Riverside County Airport Land Use Compatibility Plan (RCALUCP). The purpose of the amendments are to address the safety and well-being of those persons and properties within airport influence areas, thereby promoting the public’s health, safety, and general welfare. Exhibit 1 outlines specific finding language for the Commission’s consideration.

## ENVIRONMENTAL REVIEW

The proposal does not have the potential to cause a significant effect on the environment because the proposed changes to General Plan 2025, the Zoning Code, and the Zoning Map only serve to implement the provisions of the existing March Airport Land Use Compatibility Plan (March ALUCP), which was adopted by the Riverside County Airport Land Use Commission (ALUC) on November 13, 2014 (Resolution No. 2014-01). The ALUC's adoption included the certification of a Final Environmental Impact Report (State Clearinghouse #2013071042); therefore pursuant to CEQA Guidelines Section 15183, no further environmental review is required by the City.

Furthermore, the proposed General Plan Amendment implements the March ALUCP's Final EIR mitigation measures, including "Mitigation Measure LU-1: Amendment of General and Specific Plans." This measure states that, "pursuant to Government Code 65302.3 and in accordance with the provisions of the State Aeronautics Act, following adoption of the March Air Reserve Base and Inland Port Authority ALUCP; Riverside County, March Joint Powers Authority, and the cities of Moreno Valley, Perris, and Riverside can and should prepare amendments to their affected general plans and specific plans in order to make these documents consistent with the policies and standards of the March ALUCP."

## PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners of properties with Overlay Zones and published in the Press Enterprise. As of the writing of this report, no responses regarding this project have been received by Planning Staff.

## APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

## EXHIBITS LIST

1. Recommended Findings
2. General Plan 2025 Amendments
3. Zoning Code Text Amendments
4. Maps of Rezoned Properties

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Prepared by: Doug Darnell, AICP, Senior Planner

Reviewed by: Ted White, Deputy Director

Approved by: Rafael Guzman, Community & Economic Development Director



**EXHIBIT 1 – STAFF RECOMMENDED FINDINGS**

**PLANNING CASES:** P15-1010 (General Plan Amendment), P17-0124 (Zoning Code Amendment), and P17-0838 (Zoning Map Amendment)

***Zoning Code Text/Map Amendment Findings pursuant to Chapter 19.810.040***

- a. The proposed Zoning Code Text Amendment is consistent with the goals, policies, and objectives of General Plan 2025. The general plan includes Public Safety Element Policy PS-4.7, which strives to “ensure compatible land uses near March Air Reserve Base/March Inland Port through participation of staff and elected officials in the adoption of the March Joint Land Use Study and the Riverside County Airport Land Use Compatibility Plan.” An update to the March ALUCP took place in 2014, and this effort would bring General Plan 2025 and the Riverside Municipal Code into compliance with the plan;
- b. The proposed Zoning Code Text Amendment will not adversely affect surrounding properties, as the proposed amendments serve to maintain consistency with the March ALUCP approved in 2014; and
- c. The proposed Zoning Code Text Amendment promotes public health, safety, and general welfare and serves the goals and purposes of General Plan 2025 and Zoning Code. This is further clarified through Policy N-2.2 which serves to avoid placing noise-sensitive land uses within high noise impact areas. The updates to General Plan 2025 and Zoning Code would further this effort.

Additionally, the proposed Zoning Code Text Amendment would generally further Objective LU-22 which identifies the avoidance of land use decisions which would create adverse impacts to any of the three airports (March ALUCP, Riverside Municipal, and Flabob Airports). These text amendments would align the Zoning Code with the March ALUCP, and requires compatibility with each airport plan. This is further emphasized through the proposed Land Use Policy LU-22.10 which speaks to the City of Riverside’s review of all proposed projects within the March ALUCP.