

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

4103



FROM: TLMA – Planning Department

SUBMITTAL DATE:
April 17 2014

SUBJECT: PLOT PLAN NO. 25309 - Applicant: Dennis Durfee – Third/Third Supervisorial District – Location: Northerly of Murrieta Hot Springs Road and easterly of Sky Canyon Drive – 4 Acres - Zoning: SP (Winchester Properties Specific Plan No. 213, Planning Area 10 - Commercial) - **REQUEST:** The Plot Plan proposes an approximately 20,000 square foot, single-story church building to be constructed in two phases with 209 parking spaces on approximately 4 acres of vacant land.

RECOMMENDED MOTION: That the Board of Supervisors take one of the following actions:

1. DENY PLOT PLAN NO. 25309, based on the inconsistency determination of the Riverside County Airport Land Use Commission (ALUC),

OR

2. DIRECT Planning staff to prepare draft findings and conclusions regarding consistency with the purposes of the State Aeronautics Act, pursuant to the State of California Public Utilities Code, so as to enable the possibilities of an overrule of the ALUC determination, to circulate such findings to the ALUC and the California Department of Transportation, Division of Aeronautics, for comments, and to schedule and re-advertise this project with its associated Environmental Assessment for a new public hearing before the Board of Supervisors based on the timeframes
(Continued on next page)

Juan C. Perez
Juan C. Perez
TLMA Director/Interim Planning
Director

JCP:hk
D.M.

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (per Exec. Office) |
|-----------------------|----------------------|-------------------|-------------|------------------------|--|
| COST | \$ N/A | \$ N/A | \$ N/A | \$ N/A | Consent <input type="checkbox"/> Policy <input type="checkbox"/> |
| NET COUNTY COST | \$ N/A | \$ N/A | \$ N/A | \$ N/A | |
| SOURCE OF FUNDS: None | | | | Budget Adjustment: N/A | |
| | | | | For Fiscal Year: N/A | |

C.E.O. RECOMMENDATION: N/A

APPROVE

BY: *Tina Grande*

County Executive Office Signature

Tina Grande

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED to override ALUC's inconsistency finding and approve recommendation 2 as recommended with a new public hearing date of September 9, 2014.

Ayes: Jeffries, Tavaglione, Stone and Benoit
Nays: None
Absent: Ashley
Date: May 20, 2014
xc: Planning, Applicant, Co. Col., COB

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

16-1

Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

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FORM 11: PLOT PLAN NO. 25309**

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described in the background section. Any overrule decision requires a two-thirds vote of the Board of Supervisors (a 4/5 vote if all members participate).so the consistency findings and conclusions can be considered by the Board.

BACKGROUND:

Summary

On February 21, 2013, a plot plan application was submitted for an approximately 20,000 square foot, single-story church building to be constructed in two phases with 209 parking spaces on approximately 4 acres of vacant land.

On June 13, 2013, the proposal was heard by Airport Land Use Commission (ALUC). The ALUC found the project to be inconsistent based on the fact that the proposed project exceeded both the average and single-acre non-residential intensity criteria for Compatibility Zone C of the French Valley Airport.

On October 22, 2013, Board of Supervisors authorized a Fast Track status for the Plot Plan in order for the project to move directly to the Board for review.

The Planning Department can only make a "Potentially Significant Impact" determination within the Environmental Assessment under the Hazards/Hazardous Materials – Airport section as a result of ALUC's determination that the project is inconsistent the with the French Valley Airport Land Use Compatibility Plan.

The Board of Supervisors (BOS) has the option to make findings that approval of the project is consistent with the purposes of the State Aeronautics Act, as specified in Section 21670 of the California Public Utilities Code. Under the Public Utilities Code Section 21676.5, a local agency may propose to overrule an ALUC after a hearing, by a two-thirds vote of its governing body, if it makes specific findings and gives ALUC and the Division of Aeronautics a 45-day notice prior to its decision to overrule an ALUC. ALUC and the Division of Aeronautics have 30 days to respond from the date of receipt of the draft findings. If the ALUC and the Division of Aeronautics do not comment within the 30 day, the BOS can act without them; otherwise the BOS must consider ALUC's and the Division of Aeronautics comments prior to making a decision.

Impact on Citizens and Businesses

In the event that the BOS is not able to make consistency findings, the project must be denied based on the ALUC "inconsistency" findings.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS (if needed, in this order):

A. BUDGET ADJUSTMENT

N/A

B. CHANGE ORDER REPORT

N/A

C. PERSONNEL CHANGE and ORDINANCE 440 REPORT

N/A