



**AIRPORT LAND USE COMMISSION
MINUTE ORDER JUNE 13, 2019
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on June 13, 2019 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Steve Manos, Chair
Russell Betts, Vice Chair
Arthur Butler
John Lyon
Steven Stewart
Richard Stewart
Gary Youmans

COMMISSIONERS ABSENT: None

STAFF PRESENT: John Guerin, Principal Planner
Paul Rull, Principal Planner
Barbara Santos, ALUC Commission Secretary
Raymond Mistica, ALUC Counsel

OTHERS PRESENT: Richard Clark, RCE Consultants
Scott Hildebrandt, Albert A. Webb Associates

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I. **AGENDA ITEM 3.1:** ZAP1366MA19 – T-Mobile (Representative: Coastal Business Group) – County of Riverside Case No. PPT180010 (Plot Plan). A proposal to construct a 50 foot tall mono-tree wireless communication facility with a 400 square foot equipment shelter area on 1.98 acres located on the northwest corner of Haines Street and Oleander Avenue in the unincorporated community of Mead Valley (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed Plot Plan CONDITIONALLY CONSISTENT, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

IV. **PROJECT DESCRIPTION**

The applicant proposes to construct a 50 foot tall mono-tree wireless communication facility with a 400 square foot equipment shelter on 1.98 acres.

CONDITIONS: (New conditions, as added pursuant to FAA letter subsequent to hearing, shown in **bold type**).

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site: in accordance with Note A on Table 4 of the Mead Valley Area Plan.
 - (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.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The following uses/activities are specifically prohibited at this location: 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; wastewater management facilities; incinerators; noise-sensitive outdoor nonresidential uses; and hazards to flight. Children's schools are discouraged.

4. The following uses/activities are not included in the proposed project, but, if they were to be proposed through a subsequent use permit or plot plan, would require subsequent Airport Land Use Commission review:

Restaurants and other eating establishments; day care centers; health and exercise centers; churches, temples, or other uses primarily for religious worship; theaters.

5. The attached notice shall be given to all prospective purchasers of the property and lessees of the facility, and shall be recorded as a deed notice.
6. Any proposed detention basins on the site (including water quality management basins) 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
7. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

The following conditions were added subsequent to the June 13, 2019 ALUC hearing.

8. **The Federal Aviation Administration has conducted an aeronautical study of the proposed project (Aeronautical Study No. 2019-AWP-5172-OE) and has determined that neither marking nor lighting of the structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 2 and shall be maintained in accordance therewith for the life of the project.**
9. **The proposed structure shall not exceed a height of 50 feet above ground level and a maximum elevation at top point of 1,734 feet above mean sea level.**
10. **The maximum height and top point elevation specified above shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.**
11. **Temporary construction equipment used during actual construction of the structure shall not exceed 50 feet in height and a maximum elevation of 1,734 feet above mean sea level,**

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unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

12. Within five (5) days after construction of the structure reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

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

VI. **ALUC COMMISSION ACTION**

The ALUC by a unanimous vote of 7-0 found the project CONDITIONALLY CONSISTENT, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

VII. **VIDEO**

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.1: TIME: 9:31 A.M.

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I. **AGENDA ITEM 3.2:** ZAP1364MA19 – RD Moval, LLC (Representative: Jonathan Zane) – City of Moreno Valley Case No. PEN19-0052 (Conditional Use Permit). A proposal to establish a commercial cannabis dispensary within an existing 2,379 square foot building with an address of 21820 Alessandro Boulevard, located on the north side of Alessandro Boulevard, westerly of Day Street, and easterly of Old 215 Frontage Road and I-215. The proposed cannabis dispensary will occupy one of three existing buildings on the 0.9-acre property (Assessor’s Parcel Number 263-220-015), with the other two buildings being not part of the project scope. No new building construction is proposed (Airport Compatibility Zone B1-APZ-II of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends that the Commission find the proposed Conditional Use Permit CONSISTENT, based on the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**
A proposal to establish a commercial cannabis dispensary within an existing 2,379 square foot building on a 0.9-acre property (Assessor’s Parcel Number 263-220-015). The proposed cannabis dispensary will occupy one of three existing buildings on-site, with the other two buildings not being part of the project scope. No new building construction is proposed.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - (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. (Such uses include landscaping utilizing water features, aquaculture, production of

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cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, restaurants, places of assembly (including churches and theaters), buildings with more than 3 aboveground habitable floors, noise sensitive outdoor nonresidential uses, critical community infrastructure facilities and hazards to flight.
 - (f) Any other uses not permitted in Accident Potential Zone II pursuant to DoDI 4165.57.
3. Prior to issuance of any building permits, the landowner shall convey and have recorded an aviation 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 given to all prospective purchasers of the property and tenants of the buildings.
 5. Any proposed detention basins on the site (including water quality management basins) 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees that produce seeds, fruits, or berries.
 6. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
 7. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.
 8. Any increase in building area or change in use will require review by the Airport Land Use Commission. In addition, this project shall not store, process or manufacture hazardous materials without review and approval by the Airport Land Use Commission.

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V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

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

VI. ALUC COMMISSION ACTION

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

VII. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.2: TIME: 9:35 A.M.

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I. **AGENDA ITEM 3.3:** ZAP1073PS19 – Tower Energy (Representative: RCE Consultants) – City of Cathedral City Case Nos. SPA87-26C (Specific Plan Amendment), CUP19-002 (Conditional Use Permit). A proposal to establish a gas station facility with a 5,056 square foot convenience store and 12 fueling stations on 1.74 acres, located on the northwest corner of Date Palm Drive and Ortega Road. The applicant also proposes amending Specific Plan No. 87-26B text deleting ‘convenience market’ use from the list of prohibited uses within the Specific Plan (Airport Compatibility Zone D of the Palm Springs International Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed Specific Plan Amendment CONSISTENT with the 2005 Palm Springs International Airport Land Use Compatibility Plan, and find the proposed Conditional Use Permit CONSISTENT, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

A proposal to establish a gas station facility with a 5,056 square foot convenience store and 12 fueling stations on 1.74 acres. The property is located within Specific Plan No. 87-26B, which lists “convenience market” as a prohibited use. Therefore, the applicant also proposes amending the text of Specific Plan No. 87-26B by deleting “convenience market” use from the list of prohibited uses within the Specific Plan boundary.

CONDITIONS:

1. Any new outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - (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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction

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and demolition debris facilities, fly ash disposal, and incinerators.)

(d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

(e) Highly noise-sensitive outdoor nonresidential uses.

3. The attached notice shall be given to all prospective purchasers, lessees, and/or tenants of the property, and shall be recorded as a deed notice.

4. Any new detention 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 detention 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.

5. The evaluated project consists of a 5,056 square foot convenience store building and 12 fueling pumps. Any increase in building area or change in use to assembly occupancies will require an amended review by the Airport Land Use Commission.

V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

The following spoke in favor of the project:

Richard Clark, RCE Consultants, Laguna Hills, CA 92653

No one spoke in neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

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

VII. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.3: TIME: 9:39 A.M.

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I. **AGENDA ITEM 3.4:** ZAP1075PS19 – Desert Hot Springs Wind, LLC/Terra-Gen Development Company, LLC (Representative: Armand Anselmo) – City Planning Case Nos. CUP 01-18 (Conditional Use Permit) and VAR 01-18 (Variance). “Desert Hot Springs Wind Repowering Project”: A proposal to decommission and remove 69 existing commercial wind turbines and install 4 new commercial wind turbines with a maximum height of 499 feet above ground level on 161.61 acres (the southwest quarter of Section 31, Township 2 South, Range 4 East, also identifiable as Assessor’s Parcel Number 667-160-001) of mountainous terrain located northerly of the unincorporated community of Painted Hills, westerly of State Highway Route 62, northerly of Avenue 16, and easterly of Windhaven Road. Each turbine would have a generating capacity between 2.0 megawatts (MW) and 4.2 MW. A laydown yard, new temporary and permanent internal roads, and connection to 12-kilovolt (kV) electrical collection lines are also anticipated. ALUC review is required due to the proposed turbines being greater than 200 feet in height. (Not in an Airport Influence Area. Closest airport: Palm Springs International Airport).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed Conditional Use Permit and Variance be found CONSISTENT with the 2004 Riverside County Airport Land Use Compatibility Plan.

IV. **PROJECT DESCRIPTION**

The applicant proposes to decommission and remove 69 existing commercial wind turbines (wind energy conversion systems, abbreviated as “WECS”) and install 4 new commercial wind turbines with a maximum height of 499 feet above ground level with a per turbine energy generating capacity between 2.0 megawatts (MW) and 4.2 MW on 161.61 acres. Also proposed are associated equipment such as a laydown yard, construction of new temporary and permanent internal roads, and connection to 12-kilovolt (kV) underground/overhead electrical collection lines. A variance is also requested in order to allow for structures greater than 200 feet in height. Wind turbine heights are measured at top of blade in the “twelve o’clock position”.

CONDITIONS:

1. The proposed wind turbines (“WECS”) shall not generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. Rotor blades shall utilize a flat or matte (non-glossy) finish so as to minimize the reflection of sunlight towards an aircraft engaged in an initial straight climb during takeoff or towards an aircraft engaged in a straight final approach toward a landing at an airport.
3. The WECS and any accessory uses shall not generate smoke or water vapor and shall be designed so as not to attract large concentrations of birds.
4. The combined height of each WECS and its foundation shall not exceed 499 feet above ground level (AGL).

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5. This project has been evaluated by Airport Land Use Commission (ALUC) and the Federal Aviation Administration (FAA) for four (4) wind turbines only (T-1 through T-4). Any increase in number, height, or change in location of the turbines, or any proposal for new structures taller than 200 feet from ground level, will require subsequent submittal to, and review by, the ALUC and FAA. No meteorological towers 200 feet or greater in height are included in this determination.
6. The Federal Aviation Administration has conducted aeronautical studies of each proposed wind turbine (Aeronautical Study Nos. 2018-WTW-12513-OE through 2018-WTW-12516-OE) and has specified that each of these structures shall be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights – Chapters 4, 12, & 13 (Turbines), unless superseded by subsequent FAA determination(s) in writing.
7. In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of a least one light at each level. The use of NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.
8. Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as normal operation is restored, notify the same number.
9. The maximum top point elevations specified below shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.

Turbine Number	Maximum Feet Above Mean Sea Level (AMSL)
Turbine 1	2,307
Turbine 2	2,307
Turbine 3	2,323
Turbine 4	2,285
10. Temporary construction equipment used during actual construction of the structures shall not exceed 499 feet in height and a maximum elevation (above mean sea level) not to exceed the above turbine table above, unless separate notice is provided to the Federal Aviation

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Administration through the Form 7460-1 process.

11. Within five (5) days after construction reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structure.
12. To the maximum extent possible, in compliance with FAA guidelines regarding lighting, mitigation measures shall be incorporated into the project that would minimize light pollution to the people on the ground.

V. MEETING SUMMARY

The following staff presented the subject proposal:

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

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

VI. ALUC COMMISSION ACTION

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

VII. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.4 TIME: 9:47 A.M.

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I. **AGENDA ITEM 3.5:** ZAP1079BD19 – La Paloma Homes (Representative: Egan Civil, Inc.) – County of Riverside Case Nos. CZ1900007 (Change of Zone), TTM37735 (Tentative Tract Map). A proposal to divide 3.70 gross acres into 17 single family residential lots, and change the zoning of the site from Controlled Development Areas (W-2) to General Residential (R-3-6,000), located westerly of Hopewell Avenue, northerly of Port Royal Avenue, easterly of Hermitage Drive, and southerly of Aerodrome Avenue (Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area).

II. **MAJOR ISSUES**

The proposed project results in a density of 4.6 dwelling units per gross acre. However, if the project's density is calculated by net acreage (excluding dedication for the right-of-way of Hopewell Avenue), pursuant to Resolution No. 05-104 (approved by the Commission in December, 2005), the resulting density is 5.1 dwelling units per acre, which is consistent with the Compatibility Zone D density criteria.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed Change of Zone CONSISTENT with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, and find the proposed Tentative Tract Map CONDITIONALLY CONSISTENT, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

IV. **PROJECT DESCRIPTION**

The applicant proposes to divide 3.70 gross acres (3.31 net acres) into 17 single family residential lots, and change the zoning of the site from Controlled Development Areas (W-2) to General Residential (R-3-6,000).

CONDITIONS: (Final conditions await FAA approval)

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/activities are not included in the proposed project and shall be prohibited at this site:
 - (a) Any use or activity 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 or activity 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 or activity which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within

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the area. (Such uses include landscaping utilizing water features, aquaculture, composting operations, production of cereal grains, sunflower, and row crops, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Highly noise-sensitive outdoor nonresidential uses.
3. The attached notice shall be given to all prospective purchasers of the proposed lots and tenants of the homes built thereon, and shall be recorded as a deed notice.
 4. Any ground-level or aboveground water detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.
 5. Noise attenuation measures shall be incorporated into the design of the single family residences, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.

V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

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

VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 6-0 found the project CONSISTENT (Change of Zone; CONDITIONALLY CONSISTENT (Tract Map), subject to the conditions included herein, and such additional conditions as may be required by the FAA OES. Recuse: Commissioner Youmans

VII. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.5: TIME: 9:57 A.M.

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I. **AGENDA ITEM 3.6:** ZAP1090FV19 – AVA Property Investments, LLC (Representative: Benjamin J. Stables, PEC West, Inc.) – County of Riverside Case Nos. PP26346 (Plot Plan) and PM37398 (Tentative Parcel Map). PP26346 is a proposal to construct a five-building commercial retail center with a combined gross floor area of 56,700 square feet on approximately 7.3 acres located on the easterly side of Winchester Road (State Highway Route 79), westerly of Sky Canyon Road (extended southerly) and northerly of Willows Avenue in the unincorporated community of French Valley. The development would include a 31,900 square foot grocery store, a 10,000 square foot retail building, a 7,500 square foot tire shop/service center, a 3,000 square foot restaurant with drive-through, and a 4,300 square foot car wash structure. PM37398 is a proposal to divide the site into five parcels, so that each building would be located on a separate parcel. (Compatibility Zone D of the French Valley Airport Influence Area).

II. **MAJOR ISSUES**

If the restaurant building consists entirely of dining area, the allowable total intensity for the lot on which it is situated could be exceeded. However, if the dining area is limited to 60 percent of this building, with 40 percent kitchen space, the project will comply with applicable nonresidential intensity criteria.

The project includes a bioretention area that is greater than 100 feet in length and greater than 50 feet in width. Bioretention areas are not recommended in the vicinity of airports due to the potential that such areas could provide food, water, and shelter for hazardous wildlife. Pursuant to the brochure titled “Airports, Wildlife and Stormwater Management” prepared by Mead & Hunt at the direction of ALUC staff, such basins are potentially suitable in Compatibility Zone D only if less than 30 feet in length and width and if “vegetation is selected to discourage hazardous wildlife and reviewed by a qualified biologist.”

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed Plot Plan and Tentative Parcel Map be found CONSISTENT with the 2007 French Valley Airport Land Use Compatibility Plan, as amended in 2011, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

Plot Plan No. 26346 is a proposal to construct a five-building commercial retail center with a combined gross floor area of 56,700 square feet on approximately 7.3 acres (Assessor’s Parcel Numbers 920-120-034 and 920-120-035). The development would include a 31,900 square foot grocery store, a 10,000 square foot retail building, a 7,500 square foot tire shop/service center, a 3,000 square foot restaurant with drive-through, and a 4,300 square foot car wash structure. Tentative Parcel Map No. 37398 proposes to divide the site into five parcels, so that each building would be located on a separate parcel.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with the requirements of Riverside County Ordinance No. 655, as applicable. Outdoor lighting shall be downward facing.

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2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - (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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, hospitals, skilled nursing and care facilities, highly noise sensitive outdoor nonresidential uses, and hazards to flight.
3. The attached notice shall be provided to all prospective purchasers of the proposed parcels and tenants or lessees of the buildings, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final parcel map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final parcel map, if an ECS is otherwise required.
4. Any ground-level or aboveground water detention basin or facilities shall be designed and maintained for a maximum 48-hour detention period after the design storm and remain totally dry between rainfalls. Vegetation around such facilities that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries.

Landscaping in the detention basin, if not rip-rap, should be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

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5. The dining/seating area within Building 4 (restaurant) shall be limited to 2,400 square feet (maximum 80 percent of gross floor area).
6. Any dining/seating area of eating and drinking places in Buildings 1 and 2 shall be limited to a maximum of 1,500 square feet per building.
7. No restaurant uses shall be permitted in Building 3.
8. Building 1 shall be limited to general retail (including food-related retail) uses, along with accessory office and storage activities. Use of more than 1,500 square feet within Building 1 for assembly uses (such as churches, theaters, gymnasiums, fitness centers, and auditoriums) or any use where the Building Code permits occupancy at levels greater than one person per 30 square feet is prohibited.

V. MEETING SUMMARY

The following staff presented the subject proposal:

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

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

VI. ALUC COMMISSION ACTION

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

VII. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.6: TIME: 10:04 A.M.

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I. **AGENDA ITEM 3.7** ZAP1083FV18 – Pierer Immoreal North America, LLC (Representative: CASC Engineering and Consulting) – County of Riverside Case No. PPT180022 (Plot Plan). A proposal to revise the original KTM project that was accepted by the Commission on November 8, 2018, the new proposal is to construct a two-story 47,675 square foot KTM headquarters office building, a 60,860 square foot motorsport research building, a 17,917 square foot warehouse building, a 20,696 square foot outdoor semi-truck parking area, and an outdoor 8,602 square foot maintenance area, on 19.57 acres (development footprint) of a 56.95-acre site, located northerly of Borel Road, easterly of Winchester Road Highway 79, westerly of Sky Canyon Road, and southerly of Sparkman Way (Airport Compatibility Zones B2 and D of the French Valley Airport Influence Area).

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends that the Commission find the Plot Plan **CONDITIONALLY CONSISTENT**, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

IV. **PROJECT DESCRIPTION**
The applicant proposes to revise the original KTM project that was accepted by the Commission on November 8, 2018. The new proposal is to construct a two-story 47,675 square foot KTM headquarters office building, a 60,860 square foot motorsport research building, a 17,917 square foot warehouse building, a 20,696 square foot outdoor semi-truck parking area, and an outdoor 8,602 square foot maintenance area, on 19.57 acres (development footprint) of a 56.95-acre site

CONDITIONS: (Final conditions await FAA approval)

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky and shall comply with the requirements of Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the French Valley Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
2. The review of this Plot Plan is based on the proposed uses and activities noted in the project description. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note A on Table 4 of the Southwest Area Plan.
 - (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

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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.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. Prior to issuance of building permits, the landowner shall convey an aviation easement to the County of Riverside as owner of French Valley Airport, or provide evidence that such easement (applicable to all of the properties in the project) has been previously conveyed. Contact the Riverside County Economic Development Agency – Aviation Division at (951) 955-9722 for additional information.
 4. The attached notice shall be provided to all prospective purchasers of the property and future tenants of the buildings thereon.
 5. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators; children’s schools; day care centers; libraries; hospitals; nursing homes and other skilled nursing and care facilities; places of worship or assemblies of people; noise-sensitive outdoor nonresidential uses; and hazards to flight.
 6. Any proposed detention basins or facilities 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees that produce seeds, fruits, or berries.
 7. Any subsequent Conditional Use Permit, Plot Plan, or other permitting that would alter the use and occupancy of the currently proposed project shall require ALUC review.
 8. Noise attenuation measures shall be incorporated into the design of the buildings, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.
 9. The ALUC open areas as shown on the site plan shall be devoid of obstacles/obstructions greater than 4 feet in height that are at least 4 inches in diameter, which includes parking light poles, walls, trash enclosures, and tall landscaping.
 10. Prior to issuance of building permits for any building on this site, the permittee shall provide copies of a “Determination of No Hazard to Air Navigation” letter from the Federal Aviation Administration Obstruction Evaluation Service relating to that specific building or group of

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buildings to the Department of Building and Safety and to the Riverside County Airport Land Use Commission. The permittee shall comply with all requirements of such letter.

11. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and Riverside County Economic Development Agency as owner and operator of French Valley Airport. In the event of any reasonable complaint about glare related to aircraft operations, the applicant shall agree to such specific mitigation measures as determined or requested by Riverside County Economic Development Agency.

V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

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

VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 7-0 found the project CONDITIONALLY CONSISTENT, subject to the conditions included herein, and such additional conditions as may be required by the FAA OES.

VII. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.7: TIME: 10:20 A.M.

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I. **AGENDA ITEM 3.8:** ZAP1046TH19 – Kohl Ranch Company, LLC “Thermal Beach Club” (Representative: Melissa Perez, Albert A. Webb Associates) – County of Riverside Planning Case Nos. TTM 37269 (Tentative Tract Map) and PP 180037 (Plot Plan). Tentative Tract Map No. 37269 is a proposal to divide 239 acres within two existing parcels with a total area of 307.12 acres located southerly of 64th Avenue, easterly of Tyler Street, northerly of 66th Avenue, and westerly of Polk Street into 210 residential lots that will accommodate 326 dwelling units. All of the lots will have a net area not exceeding 8,712 square feet (0.2 acre). 128 lots will accommodate individual single-family residences. 65 lots will accommodate duplexes (two unit structures). 17 lots will accommodate four-unit structures (four-plexes). Additional lots will accommodate a surf lagoon, village area with clubhouse buildings, reservoir, and drainage areas. Plot Plan No. 180037 is a proposal to establish a surf lagoon with wave making capabilities on 21 acres and to develop a clubhouse village area consisting of four buildings with a combined gross floor area of 42,000 square feet. Anticipated uses of the clubhouse buildings include a restaurant, kitchen facilities, bar, spa, exercise facilities, swimming pool, deck, retail uses, and administration. The project is proposed under the name “Thermal Beach Club” (Compatibility Zones D and E of the Jacqueline Cochran Regional Airport Influence Area).

II. **MAJOR ISSUES**

The applicant is proposing a 21-acre surf lagoon and a reservoir, both of which would be permanent water bodies within an Airport Influence Area. In order to address the concern of bird attraction, a qualified wildlife hazard biologist has prepared a report addressing potential measures to minimize this potential hazard to flight.

The overall density of the project is less than five dwelling units per acre. However, all of the proposed residential lots are less than 8,712 square feet (0.2 acre) in area. Pursuant to Additional Compatibility Policy 2.2 of the Jacqueline Cochran Regional Airport Land Use Compatibility Plan, projects located southerly of Avenue 64 are substantially consistent... with Zone D if the average residential lot size is 8,712 square feet (0.2 acre) or less, excluding common area, public facility, drainage basin, recreational, and open space lots.

As of the writing of this staff report, the applicant has not indicated locations that will be maintained as perpetual open areas to meet the Compatibility Zone D criterion requiring 10 percent open area.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission open the public hearing, consider public testimony, discuss the proposal, and CONTINUE its consideration of the proposed Tentative Tract Map and Plot Plan to its July 11, 2019 meeting, unless the project is amended to depict perpetually maintained open area at least equal to ten percent of the portion of the property in Compatibility Zone D. Should that occur prior to the hearing, staff may recommend a finding of CONSISTENCY with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, as amended in 2006, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

Tentative Tract Map No. 37269 is a proposal to divide 239 acres within two existing parcels with a total area of 307.12 acres into 210 residential lots that will accommodate 326 dwelling units. All of the residential lots will have a net area not exceeding 8,712 square feet (0.2 acre). 128 lots will accommodate individual single-family residences. 65 lots will accommodate duplexes (two unit

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structures). 17 lots will accommodate four-unit structures (four-plexes). (The applicant envisions maintaining the lots with two-unit and four-unit structures for rental or vacation rental purposes.) Additional lots will accommodate a surf lagoon, village area with clubhouse buildings, reservoir, and drainage areas.

Plot Plan No. 180037 is a proposal to establish a surf lagoon with wave making capabilities on 21 acres and to develop a clubhouse village area consisting of four buildings with a combined gross floor area of 42,000 square feet. Anticipated uses of the clubhouse buildings include a restaurant, kitchen facilities, bar, spa, exercise facilities, swimming pool, deck, retail uses, and administration.

The project is proposed under the name “Thermal Beach Club.”

V. MEETING SUMMARY

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Scott Hildebrandt, Albert A. Webb Associates, 3788 McCray Street, Riverside, CA 92506

No one spoke in neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 7-0 will DISCUSS and CONTINUE project to July 11, 2019.

VII. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.8: TIME: 10:28 A.M.

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I. **AGENDA ITEM 3.9:** ZAP1035RG19 – City of Riverside (Representative: Jarrod Coleman) – City Planning Case Nos. P19-0054 (General Plan Amendment) and P19-0057 (Zoning Ordinance Amendment). P19-0054 is a proposal to amend the Land Use and Urban Design Element of the City’s General Plan so as to broaden the range of zoning classifications considered to be consistent with the various General Plan land use designations, involving amendments to Table LU-5 Consistency Matrix, inclusion of two new tables (Table LU-6 Consistency Quick Check and Table LU-7 Consistency Criteria), and amendments to the descriptions of various land use designations and of the process for determination of General Plan consistency. Among nonresidential zones, Commercial Retail (CR) and Commercial General (CG) zoning would be considered consistent with the Commercial Regional Center, Office, Business/Office Park, Industrial, Mixed Use-Village, and Mixed Use-Urban designations, as well as the Commercial designation. The Commercial Retail zone would also be considered consistent with the Mixed Use-Neighborhood designation. The Office (O) zone would be considered consistent with the Business/Office Park and Public Facilities and Institutional Uses designations, as well as the Office designation. P19-0057 would amend Chapter 19.090 of the City’s Zoning Code by identifying the steps to determine General Plan consistency utilizing Tables LU-5, LU-6, and LU-7. (Citywide).

II. **MAJOR ISSUES**

ALUC staff had a number of concerns with the initial proposal, but these have been resolved to staff’s satisfaction.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission open the public hearing, consider testimony, and find the proposed City of Riverside General Plan Amendment, as fully set forth in Attachment 1, and the accompanying proposed Zoning Code Amendment, CONSISTENT with the 2005 Riverside Municipal Airport Land Use Compatibility Plan, the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and the 2004 Flabob Airport Land Use Compatibility Plan.

IV. **PROJECT DESCRIPTION**

The City of Riverside proposes to amend the Land Use and Urban Design Element of the City’s General Plan so as to broaden the range of zoning classifications considered to be consistent with the various General Plan land use designations, involving amendments to Table LU-5 Consistency Matrix, inclusion of two new tables (Table LU-6 Consistency Quick Check and Table LU-7 Consistency Criteria), and amendments to the descriptions of various land use designations and of the process for determination of General Plan consistency. Among nonresidential zones, Commercial Retail (CR) and Commercial General (CG) zoning would be considered consistent with the Commercial Regional Center, Office, Business/Office Park, Industrial, Mixed Use – Village, and Mixed Use – Urban designations, as well as the Commercial designation. The Commercial Retail zone would also be considered consistent with the Mixed Use – Neighborhood designation. The Office (O) zone would be considered consistent with the Business/Office Park and Public Facilities and Institutional Uses designations, as well as the Office designation.

The City also proposes to amend Chapter 19.090 of the City’s Zoning Code by identifying the steps to determine General Plan consistency utilizing Tables LU-5, LU-6, and LU-7.

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V. MEETING SUMMARY

The following staff presented the subject proposal:

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

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

VI. ALUC COMMISSION ACTION

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

VII. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.9: TIME: 11:27 A.M.

**AIRPORT LAND USE COMMISSION
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I. 4.0 ADMINISTRATIVE ITEMS

4.1 Director's Approvals – Information Only

4.2 Notification: Upcoming Election of Commission Officers

John Guerin, ALUC staff informed the Commission that the upcoming election for Chair and Vice Chair will be held on July 11 at the next ALUC Commission Hearing.

4.3 Off-Field landing: March Air Reserve Base/Inland Port Airport Influence Area, May 16, 2019

Commissioner Richard Stewart commented if there is a way to have staff contact them on any information or news regarding off-field landings.

II. 5.0 APPROVAL OF MINUTES

The ALUC by a unanimous vote of 7-0 approved the May 9, 2019 minutes.

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

None

IV. 7.0 COMMISSIONER'S COMMENTS

None

V. 8.0 ADJOURNMENT

Steve Manos, Chairman adjourned the meeting at 11:51 a.m.

VI. VIDEO

The entire discussion of this agenda item is on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 4.0: TIME: 11:45 A.M.