



# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administration Center  
4080 Lemon St., Hearing Room (1st Floor)  
Riverside, California

Thursday, 9:00 a.m., June 14, 2007

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Rancho Mirage

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County Administrative Center  
4080 Lemon St., 9<sup>th</sup> Floor.  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the Plan. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s).

In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Barbara Santos at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org). Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

1.0 **INTRODUCTIONS**

1.1 **CALL TO ORDER**

1.2 **SALUTE TO FLAG**

1.3 **ROLL CALL**

2.0 **EXECUTIVE SESSION:** Conference with legal counsel with respect to every item of business to be discussed in closed session pursuant to Government Code Section 54956.9: Silverhawk Land & Acquisitions, LLC v. Riverside County Airport Land Use Commission et al. (Riverside Superior Court case no. RIC 431176).

3.0 **PUBLIC HEARING: 9:00 A.M.**  
**ITEMS FOR WHICH STAFF RECOMMENDS CONSISTENCY UNDER ONE MOTION UNLESS A COMMISSION MEMBER OR MEMBER OF THE PUBLIC DESIRES TO DISCUSS THE MATTER.**

**MARCH AIR RESERVE BASE**

3.1 ZAP1028MA07 – Tiffany Coach/Limos by Tiffany – County Case No. PP22532 (Plot Plan). A proposal to develop a limousine and boat manufacturing facility with a gross floor area of 91,600 square feet (including 8,000 square feet of office space) on a 6.98-acre site located southerly of Cajalco Road (Old Cajalco Road), easterly of Seaton Avenue, and westerly of Patterson Avenue in the Mead Valley/North Perris area of unincorporated Riverside County. Airport Area II. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

**MARCH AIR RESERVE BASE (CONTINUED)**

- 3.2 ZAP1029MA07 - The Magnon Companies/Sycamore III – Design Review Case No. P06-0471 - A proposal to develop a 464,000 square foot industrial warehouse building on 19.70 acres located northerly of Eastridge Avenue and westerly of Sycamore Canyon Boulevard, in the City of Riverside. Airport Areas I and II. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

**BANNING MUNICIPAL AIRPORT**

- 3.3 ZAP1002BA07 – MIC Holdings, LLC/Jeffrey Gordon – City Case No. TPM 34335 (Parcel Map No. 34335). A proposal to divide 58.79 – 64.35 acres located southerly of Interstate 10, easterly of Hathaway Street, and northerly of the runway at Banning Municipal Airport in the City of Banning into four lots for industrial development. Airport Zones B1, B2, and D. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org)

Staff Recommendation: CONSISTENT

**BERMUDA DUNES AIRPORT**

- 3.4 ZAP1016BD07 – BLP Desert and Polk Meadows/The Damone Group – County Case Nos. General Plan Amendment No. 853 (GPA 00853), Change of Zone Case No. 7472 (CZ 07472), and Conditional Use Permit Case No. 3550 (CUP 03550). A proposal to amend the designation of a 5.06-acre property located northerly of 42<sup>nd</sup> Avenue and easterly of Washington Street in the unincorporated Riverside County community of Bermuda Dunes from Light Industrial and Commercial Retail to Commercial Retail, to change the zoning of the property from C-P-S (Scenic Highway Commercial) and I-P (Industrial Park) to C-P-S and C-1/C-P (General Commercial), and to develop a retail commercial building and self-storage facility. Airport Zones D and E. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

**HEMET-RYAN AIRPORT**

- 3.5 ZAP1007HR07 - DBJ Development Corporation – City of Hemet Case Nos. SP06-4 (Florida Promenade Specific Plan) and Tentative Parcel Map No. 35350. Proposal to develop a community shopping center with a total of 200,000 square feet of floor area (including major tenants, retail shops, and 5 freestanding pads – some for restaurants) on 19.08 acres located northerly of Florida Avenue (State Highway Route 74) and easterly of Myers Street in the City of Hemet. Parcel Map No. 35350 proposes division of the commercial project site into 7 lots, with a remainder parcel to the north. Airport Area III. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

**RIVERSIDE MUNICIPAL AIRPORT**

- 3.6 ZAP1018RI07 - The William Fox Group/Mario Ornelas - City Case No. P07-0522 (Design Review) – Development of two (2) industrial buildings with a combined total floor area of 88,382 square feet, including 8,000 square feet of office space, on 4.23 acres, located northerly of Jurupa Avenue and easterly of Payton Avenue, in the City of Riverside. Airport Zone C. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

4.0 **PUBLIC HEARING: 9:30 A.M.**

**FRENCH VALLEY AIRPORT**

- 4.1 ZAPEA01FV06 - Environmental Assessment (E.A.) – Airport Land Use Commission Initiative – PROPOSAL: Adopt a Land Use Compatibility Plan for French Valley Airport. The project proposal is the adoption of the French Valley Airport Land Use Compatibility Plan as adopted by the Commission in December 2004 and amended in December 2005; however, the Commission will also consider Additional Compatibility Policies (amendments) proposed by ALUC staff, the County of Riverside, and the City of Murrieta. The ALUC will determine whether to adopt a De Minimis Finding and a Negative Declaration. (Continued from October 26, 2006, December 14, 2006, January 11, 2007, February 8, 2007, March 8, 2007, April 12, 2007 and May 10, 2007). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: DISCUSS and consider whether to continue to July 12 or schedule a new hearing date.

- 4.2 ZAP1011FV07 - VPI Murrieta Office, LLC/Trip Hord Associates – County Case No. Plot Plan No. 22493 (PP22493) - Development of 8 office buildings ranging from 5,600 square feet to 11,200 square feet for a combined building square footage of 62,500 square feet on a 4.96-acre lot located northerly of Technology Drive, easterly of State Highway 79/Winchester Road and westerly of Sky Canyon Drive in the French Valley area of unincorporated Riverside County. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: TAKE NO ACTION

5.0 **PUBLIC HEARING: 10:00 A.M.**

**BERMUDA DUNES AIRPORT**

- 5.1 ZAP1015BD07 – CB Indio Properties, LLC/Industrial West – City Case Nos. GPA 07-4-86, CZ 07-4-655, and DR 07-4-260. Proposal to amend the General Plan designation from Community Commercial (CC) to Industrial Park (IP), change zoning from Business Park (BP) to Industrial Park (IP), and develop 18 industrial buildings with a total gross floor area of 166,130 square feet on 16.65 net acres (22.1 gross acres) located northerly of Indio Boulevard, southerly of Interstate 10, and easterly of Bermuda Dunes Airport in the City of Indio. Airport Zones B1 and A. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONSISTENT (General Plan Amendment and Change of Zone); CONDITIONALLY CONSISTENT (Design Review).

**PERRIS VALLEY AIRPORT**

5.2 ZAP1001PV07 – Ion Communities/Palomar 10 Group/FORMA – City Case Nos. PDO 07-0037 (Planned Development Overlay), DPR 07-0038 (Development Plan Review), and Tentative Tract Map No. 34317. Proposal for a mixed use development (“Case Road Promenade”), including 187 residential units, 30 live/work units, and 11,590 square feet of commercial uses (including 8,290 square feet of general retail space and 3,300 square feet of restaurant space) on 10.53 – 12.47 acres located southeasterly of Case Road, northerly of Ellis Avenue, and easterly of Goetz Road in the City of Perris. Add a Planned Development Overlay to the site’s Community Commercial zoning and Perris Downtown Specific Plan land use designation, and divide the site into 10 lots, including 8 condominium lots. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org), and Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: That the Commission recommend that the City of Perris either require redesign in conformance with Federal Aviation Administration requirements and State Airport Land Use Planning Handbook guidelines, or deny the project.

6.0 **ADMINISTRATIVE ITEMS**

6.1 ALUC Commission Election of Officers

6.2 Executive Director’s Approvals

6.3 Report from Counsel – Request from City of Riverside and Friends of Riverside Airport, LLC for Reconsideration of ALUC Action on RI-05-130 and Other Matters Subject to Development Agreement in 2003.

6.4 Update to the County FY08 Budget Process

7.0 **APPROVAL OF MINUTES:** May 4, 2007 and May 10, 2007

8.0 **SCHEDULED PUBLIC PRESENTATION:** Jon Dunlevie (10 minutes)

9.0 **ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

**COMMISSIONER’S COMMENTS**

10.  
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**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 3.1

**HEARING DATE:** June 14, 2007

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1028MA07-Tiffany Coach/ Limos by Tiffany

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** PP22532 (Plot Plan 22532)

**MAJOR ISSUES:** NONE

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY, subject to the conditions specified herein.

**PROJECT DESCRIPTION:**

The Plot Plan is a proposal to construct an 8,000 square foot office with an 83,600 square foot manufacturing facility on a 6.98-acre lot.

**PROJECT LOCATION:**

The site is located southerly of Cajalco Road, easterly of Seaton Road, and westerly of Patterson Road, approximately 10,160 feet southwesterly of the southerly terminus of the runway at March Air Reserve Base, in the County of Riverside.

**LAND USE PLAN:** 1984 Riverside County Airport Land Use Plan, applied to March Air Reserve Base:

Adjacent Airport: March Air Reserve Base/March Inland Port

a. Airport Influence Area: March Air Reserve Base/March Inland Port

b. Land Use Policy: Airport Area II

c. Noise Levels: Outside the 60 CNEL Contour

## **BACKGROUND:**

Land Use- Density/Intensity: The proposed land use is for a limo manufacturing facility consisting of 91,600 square feet of total building area, on 6.98 acres. The site is in Airport Area II as depicted on the map at [www.rcaluc.org](http://www.rcaluc.org). Airport Area II allows commercial and industrial development with no restrictions on nonresidential land use intensities for most areas. The property is not in an AICUZ Accident Potential Zone.

**Draft March Joint Land Use Study (November 2005):** The DRAFT March Joint Land Use Study prepared by Mead & Hunt depicts this property as being within Airport Zone C2, which would limit average intensity to 150 persons per acre and single-acre intensity to 375 persons per acre. Utilizing the Building Code Method, staff estimates a total occupancy of 249 persons, an average intensity of 36 persons per acre, and single-acre intensity of 129 persons or less.

Part 77: The maximum elevation at this site is 1,535 feet above mean sea level (AMSL), and the proposed maximum structure height is 39 feet. Thus, the expected highest point of the building would be 1,574 feet AMSL. The runway elevation at its southerly end is 1,488 feet AMSL. At a distance of 10,160 feet from the runway, any structure above 1,590 feet top elevation would require FAA aeronautical review. FAA review is not required for this project.

Noise: The site lies outside the 60 CNEL Contour. The proposed use is not noise-sensitive.

## **CONDITIONS:**

1. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane.
3. The following uses shall be prohibited:
  - 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.
4. The attached notice shall be given to all prospective buyers and tenants.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 3.2

**HEARING DATE:** June 14, 2007

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1029MA07-The Magnon Companies/Sycamore III

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO.:** P06-0471 (Design Review)

**MAJOR ISSUES:** None.

**RECOMMENDATION:**

Staff recommends a finding of CONSISTENCY, subject to the conditions specified herein.

**PROJECT DESCRIPTION:**

Develop a 464,000 square foot industrial warehouse building on 19.70 acres.

**PROJECT LOCATION:**

The project site is located northerly of Eastridge Avenue and westerly of Sycamore Canyon Boulevard, approximately 16,880 feet northwesterly of the northerly terminus of the runway at March Air Reserve Base, in the City of Riverside.

**LAND USE PLAN:** 1984 Riverside County Airport Land Use Plan, as applied to March Air Reserve Base.

Adjacent Airport:

- |                            |  |
|----------------------------|--|
| a. Airport Influence Area: | March Air Reserve Base/March Inland Port |
| b. Land Use Policy:        | Airport Area I                           |
| c. Noise Levels:           | Between 55 and 65 CNEL                   |



**BACKGROUND:**

Land Use – Safety Considerations: The proposed project site is located within Airport Area I, as depicted on the map illustrated at [www.rcaluc.org](http://www.rcaluc.org). The 1984 Riverside County Airport Land Use Plan (1984 RCALUP) states that the boundaries of Area I are based on the “imaginary approach surface defined by FAR Part 77, Objects Affecting Navigable Airspace, as the approach surface for the size and type of runways at each airport. These areas are always centered on the runway centerlines extended.”

Policy 1 in Chapter III of the 1984 RCALUP states that Area I shall be kept free of all “high risk land uses.” This policy is based on the following analysis included therein:

“The approach surfaces are specifically defined by Federal Aviation Regulations. These areas carry the highest volume of air traffic due to the fact that all aircraft have to align with these areas to land or take-off on the runways. Aircraft have a higher tendency to have problems within these zones due to changing power settings to take-off or land. The convergence of all aircraft landing and taking-off within these narrow zones also means that the noise levels are highest in these zones. Due to these factors and the accepted Federal definition of the boundary of these surfaces, the area was deemed inappropriate for housing and high risk land uses.”

High risk land uses are conceptually defined in Appendix B of the 1984 RCALUP titled HIGH RISK LAND USE EXAMPLES. Appendix B (a copy of which is attached) states that high risk land uses have one or more of the following characteristics:

- (1) high concentration of people,
- (2) critical facilities, and
- (3) flammable or explosive materials.

Type (1) includes “high patronage services”. These uses are listed as including “bowling alleys, restaurants, theaters, motels, banks, etc.”

The 1984 Riverside County Airport Land Use Plan allows commercial and industrial development, other than high risk land uses, in Area I.

While the site is located in Airport Area I, it is not located in an Accident Potential Zone as mapped in the 1998 and 2005 March Air Reserve Base Air Installation Compatible Use Zone (AICUZ) studies.

**Draft March Joint Land Use Study (November 2005):** The DRAFT March Joint Land Use Study prepared by Mead & Hunt depicts this property as being within Airport Zone C1, which would limit average intensity to 100 persons per average acre and single-acre intensity to 250 persons per acre. Utilizing the Building Code Method, the result would yield an estimated average intensity of 60 persons per acre and single-acre intensity of 124 persons.

Prohibited and Discouraged Uses: The applicant does not propose any of the uses specifically listed in Appendix B as prohibited uses in Area I.

Part 77: The maximum elevation at this site is 1581 feet above mean sea level (AMSL), and the proposed maximum structure height is 43 feet at top of parapet. The runway elevation at its northerly end is 1535 feet AMSL. At a distance of 16,880 feet from the northerly end of the runway, any structure exceeding 1,703 feet AMSL would require FAA review. FAA review is not required in this case.

Noise: The site lies between the 55 and 65 dB. Noise attenuation is required for portions of the building devoted to office use.

### **CONDITIONS:**

1. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane.
3. The following uses shall be prohibited:
  - 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.
  - e. Children's schools, hospitals, nursing homes, churches and chapels, auditoriums, restaurants, theaters, bowling alleys, motels, banks, department stores, supermarkets, drug stores, service stations, and public assembly uses.
4. The attached notice shall be given to all prospective buyers and tenants.
5. The uses specified in the attached Appendix B of the Riverside County Airport Land Use Plan shall be prohibited, except as modified by condition No. 8 below.
6. Noise attenuation measures shall be incorporated into office areas of the building construction as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL in office areas.
7. Until such time as an Airport Protection Overlay Zone is applied to the property by the City of Riverside, proposed uses of space within the structure, other than offices and industrial uses, including but not limited to manufacturing, fabrication, assembly, storage, and warehousing, shall be submitted to Airport Land Use Commission staff for consistency review. Where the use would not require any discretionary action by the City, the staff consistency review shall be at the building permit review fee level.
8. The above ground storage of explosive or flammable materials is prohibited, except in accordance with quantities permitted in Airport Zone B1 pursuant to the provisions of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan (shall be less than 6,000 gallons). Such storage shall only be in conjunction with a permitted use.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 3.3  
**HEARING DATE:** June 14, 2007

**CASE SUMMARY**

**CASE NUMBER:** ZAP1002BA07 – MIC Holdings, LLC/Jeffrey Gordon  
**APPROVING JURISDICTION:** City of Banning  
**JURISDICTION CASE NO.:** Parcel Map No. 34335

**MAJOR ISSUES:** None.

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY with the 2004 Banning Airport Land Use Compatibility Plan, subject to the conditions included herein.

**PROJECT DESCRIPTION:**

Parcel Map No. 34335 proposes to divide 58.79-64.35 acres into four lots for industrial development.

**PROJECT LOCATION:**

The site includes three Assessor's parcels located southerly of Interstate 10, easterly of Hathaway Street, northerly of the runway at Banning Municipal Airport, and westerly of the Morongo Tribal lands in the City of Banning, approximately 280 feet northerly of Runway 8/26 at Banning Municipal Airport.

**LAND USE PLAN:** 2004 Banning Airport Land Use Compatibility Plan

- a. Airport Influence Area: Banning Municipal Airport
- b. Land Use Policy: Airport Zones B1, B2, and D
- c. Noise Levels: From below 55 CNEL on north to above 65 CNEL on south.

**BACKGROUND:**

Land Use Intensity: The site is located within Airport Zones B1, B2, and D. Nonresidential development intensity in Airport Zone B1 is restricted to an average of 25 persons per acre, with a maximum of 50 persons within any given acre of the property. Nonresidential development intensity in Airport Zone B2 is restricted to an average of 100 persons per acre, with a maximum of 200 persons within any given acre of the property. Nonresidential development intensity in Airport Zone D is restricted to an average of 100 persons per acre, with a maximum of 300 persons within any given acre of the property. At this time, no buildings are proposed, so it is unknown whether future development would be in compliance. However, given that industrial uses are proposed,

compliance would appear to be possible in any of these zones.

In order to provide for compliance, staff is recommending conditions that would provide for Airport Land Use Commission review (or staff review, as appropriate) of all discretionary permits proposing development of structures 5,000 square feet or larger in gross floor area.

Open Area: The site is located in Airport Zones B1, B2, and D. Countywide compatibility criteria require that a minimum of 30% of land in Airport Zone B1 and 10% of land in Airport Zone D be maintained as open space. (Airport Zone B2 does not have an open area requirement.) With no buildings proposed at this time, compliance cannot be verified until a development project is proposed.

Noise: The site is located adjacent to the airport. Average noise levels from aircraft operations range from over 65 CNEL at the southerly boundary of the site to below 55 CNEL in the northerly portion of the site. Given the location of the site between the airport runway and the freeway, industrial use is most appropriate at this location. Office uses would require noise attenuation.

Part 77: The elevation on the site varies from 2,096 to 2,178 feet above mean sea level (AMSL). The applicant projects pad elevations not exceeding 2,145 feet AMSL. No structures are proposed at this time. The elevation of Runway 8/26 at its easterly terminus (its low point) is 2,110 feet AMSL. At a distance of 280 feet from the runway, any structure with a top elevation greater than 2,112 feet AMSL would require FAA review. At a distance of 710 feet from the runway, any structure with a top elevation greater than 2,117 feet AMSL would require FAA review. Staff anticipates that FAA review will be required for all on-site structures. However, no structures are proposed at this time.

#### **CONDITIONS:**

1. Prior to recordation of a final map, the land divider shall convey an Avigation Easement covering the entire property to the City of Banning as owner-operator of Banning Municipal Airport.
2. All new structures at this location shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
3. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. All lighting plans shall be reviewed and approved by the airport manager prior to approval.
4. The following uses shall be prohibited:
  - 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, including landfills, trash transfer stations that are open on one or more sides, composting operations, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features..
  - 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.
5. The following uses shall be prohibited within those portions of the site located in Airport Zones B1 and B2 as depicted on the 2004 Banning Municipal Airport Land Use Compatibility Plan (a copy of which is attached hereto):
- Children’s schools, day care centers, libraries, hospitals, nursing homes, places of worship, aboveground bulk storage of hazardous materials, and multi-story buildings (more than two aboveground habitable floors).
6. The attached notice shall be given to all prospective buyers and tenants.
  7. All proposals for discretionary review of development of structures 5,000 square feet or greater in floor area shall be referred to the Airport Land Use Commission for review.
  8. A minimum of thirty percent (30%) of the portion of the site within Airport Zone B1 and a minimum of ten percent (10%) of the portion of the site within Airport Zone D shall be “open land” as defined in Policy 4.2.4 of the 2004 Riverside County Airport Land Use Compatibility Plan. (Maintenance of existing natural surface conditions is preferred, but driveway areas and parking areas may also qualify.)
  9. The detention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm, and to remain totally dry between rainfalls. Vegetation in and around the detention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping..

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 3.4

**HEARING DATE:** June 14, 2007

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1016BD07-BLP Desert and Polk Meadows/  
The Damone Group

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** GPA00853, CZ07472, CUP03550

**MAJOR ISSUES:**

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY for the above-referenced project, subject to the conditions specified herein.

**PROJECT DESCRIPTION:**

Amend the General Plan designation from Light Industrial and Commercial Retail to Commercial Retail, change zoning from C-P-S (Scenic Highway Commercial) and I-P (Industrial Park) to C-P-S and C-1/C-P (General Commercial), and develop a retail commercial building and self-storage facility.

**PROJECT LOCATION:**

The 5.06-acre project site is located northerly of 42<sup>nd</sup> Avenue, southerly of 41<sup>st</sup> Avenue, easterly of Washington Street, and westerly of Yucca Lane, in the unincorporated Riverside County community of Bermuda Dunes, approximately 6,270 feet southwesterly of Runway 10-29 at Bermuda Dunes Airport.

**LAND USE PLAN:** Bermuda Dunes Airport Land Use Compatibility Plan (Dec. 2004)

Adjacent Airport:

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use policy: Airport Zones D and E
- c. Noise Levels: Outside the 55 CNEL Contour

**BACKGROUND:**

**A finding of consistency for the proposed facility, originally proposed through Plot Plan Case No. 22079, had previously been granted through case number ZAP1005BD06. Since receiving an ALUC finding of consistency, the applicant has had to resubmit to the ALUC for review of a proposed General Plan Amendment, amended Change of Zone, and a Conditional Use Permit, since the proposed self-storage facility requires a Conditional Use Permit in commercial zones.**

Land Use-Intensity: The project site is located in Zone D and Zone E. Zone E places no limit on intensity. Zone D allows for an average of 100 people per acre and a maximum of 300 people in any single acre. Use of standard methodology, with the self-storage buildings treated as warehouses, indicates a total occupancy of 469 persons on site, for an average of 93 persons per acre. The maximum single-acre intensity is estimated at 256 persons.

Part 77: The highest elevation of any object or terrain is 112 feet above mean sea level (AMSL). The runway elevation at its closest point to the project site is 73.4 feet AMSL. At a distance of 6,270 feet from the runway, FAA review would be required for any structures with top of roof exceeding 136 feet AMSL. FAA review is not required in this situation, provided that structure height does not exceed 24 feet with 10 inches, and elevation at top of structure does not exceed 136 feet.

Noise: The site is clearly outside the 55 CNEL Contour. No special noise mitigation required.

**CONDITIONS:**

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, and shall comply with Riverside County Ordinance No. 655 (if applicable).
2. The following uses shall be prohibited:
  - (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 maximum height of any structure shall not exceed twenty-four (24) feet, ten (10) inches, and the maximum elevation at the top point of structure shall not exceed 136 feet above mean sea level. FAA aeronautical review through the Form 7460-1 review process shall be required for any structure with a top point exceeding 136 feet above mean sea level.
- 4. The attached notice shall be provided to all potential purchasers and tenants.

**County of Riverside**  
**Airport Land Use Commission**  
**STAFF REPORT**

**AGENDA ITEM:** 3.5

**HEARING DATE:** June 14, 2007

**CASE NUMBER:** ZAP1007HR07-DBJ Development Corporation

**APPROVING JURISDICTION:** City of Hemet

**JURISDICTION CASE NO:** SP06-4 (Florida Promenade Specific Plan)  
Parcel Map 35350

**MAJOR ISSUES:** None

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY, subject to the conditions specified herein.

**PROJECT DESCRIPTION:**

A proposal to develop a community shopping center with a total of 200,000 square feet of floor area, including major tenants, retail shops, and 5 freestanding pads- some for restaurants, located on 19.08 acres.

**PROJECT LOCATION:**

The site is located northerly of Florida Avenue (State Highway Route 74) and easterly of Myers Street, approximately 3,150 feet northerly of Runway 4-22 at the Hemet-Ryan Airport, in the City of Hemet.

**LAND USE PLAN:** 1992 Hemet Ryan Airport Comprehensive Airport Land Use Plan

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Area III
- c. Noise Levels: Outside the 55 CNEL contour

**BACKGROUND:**

The Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) was adopted in 1992. The Plan defines areas of extreme risk (Area I), high risk (Area II), and moderate risk (Area III), as well as a Transition Area between areas of high and moderate risk. The Transition Area includes the outer 330 feet of Area II and the inner 660 feet of Area III, adjacent to the outer boundary of Area II.

Land Use-Intensity: It has been determined that the site is in Area III: Area of Moderate Risk, of the Hemet-Ryan Airport Influence Area. Land Use Compatibility Policies for the Hemet-Ryan Airport Influence Area include a wide range of uses. Discretionary uses include structures over 35 feet or 2 stories, whichever is greater, institutional uses, places of assembly, and structures with 50 or more persons.

Part 77: The maximum elevation on site is 1,503 feet above mean sea level (AMSL). The runway elevation is 1,513 feet AMSL. At a distance of 3,150 feet from the runway, any structure with a top elevation greater than 1,545 feet AMSL would require FAA review. FAA review is not required if finish floor elevations do not exceed 1503 feet and building heights do not exceed 40 feet

Noise: The site is outside the 55 CNEL contour. No special acoustical mitigation measures for aircraft noise are required.

**CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall record Aviation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)
2. All structures at this location with an elevation above 1,545 feet above mean sea level at top of structure shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
3. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. All lighting plans should be reviewed and approved by the airport manager prior to approval.
4. The attached notice shall be given to all prospective buyers and tenants.

5. The following uses shall be prohibited:
  - 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.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT**

**AGENDA ITEM:** 3.6

**HEARING DATE:** June 14, 2007

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1018RI-The William Fox Group/Mario Ornelas

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO.:** P07-0522 (Design Review)

**MAJOR ISSUES:** NONE

**RECOMMENDATION:** Staff recommends a finding of Consistency, subject to the conditions specified herein.

**PROJECT DESCRIPTION:**

The design review is for infill development of two (2) industrial concrete buildings. Building A consists of 47,159 square feet in gross floor area and building B consists of 38,901 square feet in gross floor area for a combined total of 86,060 square feet and a proposed building height of 38 feet on 4.22 acres.

**PROJECT LOCATION:**

The site is located northerly of Jurupa Avenue, easterly of Payton Avenue, southerly of the Santa Ana River, and westerly of Wilderness Avenue, approximately 1,914 feet northerly of the northerly terminus of runway 16-34 at Riverside Municipal Airport, in the City of Riverside.

**LAND USE PLAN:** 2005 Riverside Municipal Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Policy: Airport Zone C
- c. Noise Policy: Between 55-60 CNEL Contour

**BACKGROUND:**

Land Use/Intensity: The site is located in Airport Zone C. Land use compatibility criteria for Airport Zone C permit an average of 75 people per acre and a maximum of 150 people per single- acre. The applicant is proposing a total building area of 82,060 square feet on 4.23 acres. Given the square footage of the office and warehouse space, the project will result in a total occupancy of 118 persons on site with 28 persons per acre and a single-acre intensity of 56.

PART 77: The maximum elevation at this site is 764 feet above mean sea level (AMSL), and the proposed maximum structure height is 38 feet. The project as proposed shows the expected highest point of the building to be 802 feet AMSL. The runway elevation at its northerly end is 771.8 feet AMSL. At a distance of 1,914 feet from the runway, any structure above 791 feet top elevation would require FAA review.

The Federal Aviation Administration has completed aeronautical studies for both structures and has determined that they do not exceed obstruction standards and would not constitute a hazard to air navigation.

Noise: The site lies between the 55 CNEL and 60 CNEL contours. A noise level reduction of 20dB in the office portions of the building is required.

**CONDITIONS:**

1. The following uses shall be prohibited:
  - (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.
  - (e) Children's schools, hospitals, nursing homes, day care centers, libraries, and highly noise-sensitive outdoor nonresidential uses.
2. 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.
  3. The attached notice shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
  4. Until such time as an Airport Protection Overlay Zone is applied to the property by the City of Riverside, additional review by the Airport Land Use Commission shall be required prior to the establishment of any of the following facilities on this property: Retail sales facilities, dormitories, churches, chapels, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 21 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, lounges, stages, gaming, bowling alleys, swimming pools, classrooms, locker rooms, exercising rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.
  5. Noise attenuation measures shall be incorporated into the office areas of the buildings to ensure a minimum noise level reduction of 20 dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
  6. The height of the proposed structures shall not exceed 38 feet above ground level, and the elevation at the top of structures shall not exceed 796 feet above mean sea level.
  7. The Federal Aviation Administration has completed aeronautical studies regarding the proposed project and has determined that the structures would not be a hazard to air navigation and that marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, such marking and/or lighting shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 K Change 2.

8. The specific coordinates and heights of the buildings shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in height shall not require further review by the Airport Land Use Commission.
9. Temporary construction equipment used during actual construction of the structure shall not exceed the height of the proposed structure, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
10. This review provides for up to 8,000 square feet of office use, with the remaining portions of the structure limited to industrial uses such as manufacturing, fabrication, assembly, storage, and warehousing.



**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.1

**HEARING DATE:** June 14, 2007 (continued from May 10, April 12, March 8, February 8, and January 11, 2007, and December 14 and October 26, 2006.)

**CASE SUMMARY:**

**CASE NUMBER:** ZAPEA01FV06 – Airport Land Use Commission  
**LEAD AGENCY:** Riverside County Airport Land Use Commission (ALUC)  
**JURISDICTION CASE NO:** Not Applicable

**MAJOR ISSUES:** Whether to approve the 2004 French Valley Airport Land Use Compatibility Plan as originally adopted in 2004 and amended in 2005 or with additional amendments, including all or portions of the amendments proposed jointly by the County of Riverside and City of Murrieta in 2006.

**RECOMMENDATION:**

**DISCUSS** and consider whether to continue to July 12 or advertise and conduct a special public hearing in late July or August regarding the Environmental Assessment for the French Valley ALUCP. The Environmental Assessment will require re-circulation through the State Clearinghouse, so it would not be able to be adopted on July 12. Staff has made some progress toward calculations of potential “displacement” in residential dwelling units in affected Zones C and D and in commercial and industrial square footage, and has now received data from the City of Murrieta that should allow completion of these tasks in the near future. The basic questions for the Commission to consider remain the same: whether or not to allow increased nonresidential intensities in Airport Zones B1 and C, increased residential densities in a portion of Airport Zone C, and intermediate residential densities in Airport Zone D. Some additional possibilities for addressing nonresidential intensity have been raised recently, including increasing the allowable single-acre intensity in Airport Zones B1 and C from 2.0 to 2.5 or 3.0 times the average intensity and assessing intensity of commercial uses utilizing more realistic square foot per occupant ratios.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.2

**HEARING DATE:** June 14, 2007

**CASE NUMBER:** ZAP1011FV07-VPI Murrieta Office, LLC/Trip  
Hord Associates

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO:** PP22493 (Plot Plan)

**MAJOR ISSUES:** The use of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended pursuant to Court action; as a result, there is no Plan against which projects may be evaluated for consistency. There is a possibility of reinstatement in the near future once an environmental document is adopted. Until such time as such a document is adopted, the Commission is legally unable to make a determination of consistency or inconsistency.

**RECOMMENDATION:** Staff recommends that the Commission authorize staff to send the attached letter to the applicant stating that it will TAKE NO ACTION on this matter at this time because of the ruling of the Riverside Superior Court in Silverhawk Land and Acquisitions LLC v. Riverside County Airport Land Use Commission suspending any and all land use review activity under the 2004 French Valley Airport Land Use Compatibility Plan until the ALUC has taken necessary action to bring its approval of the 2004 Airport Land Use Compatibility Plan into compliance with the California Environmental Quality Act. The project is reported back to the County of Riverside for appropriate action.

**PROJECT DESCRIPTION:**

The Plot Plan is for the development of 8 office buildings with a combined building square footage of 62,500 square feet on a 4.96 acre lot. The buildings range from 5,600 to 11,200 square feet in gross floor area.

**PROJECT LOCATION:**

The site is located northerly of Technology Drive, easterly of State Highway 79/Winchester Road, and westerly of Sky Canyon Drive in the French Valley area of unincorporated Riverside County.

**LAND USE PLAN: Suspended** French Valley Airport Land Use Compatibility Plan (FVALUCP)

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: **Suspended**
- c. Noise Levels: Partially inside the 55 CNEL contour.

**BACKGROUND:**

Land Use/Density: Plot Plan 22493 proposes to construct 8 office buildings consisting of a total building square footage of 62,500 square feet. The potential intensity is estimated at 313 persons total. The average intensity is 63 people per acre. The single-acre intensity is estimated at 156 persons.

Noise: The site is located partially inside the 55 CNEL contour. The County may wish to consider noise attenuation.

PART 77: The maximum elevation on site is 1,302 feet above mean sea level (AMSL). The runway elevation at its closest point is 1,330 feet AMSL. At a distance of 1,841 feet from the runway, FAA notice and review would be required for new structures exceeding a maximum elevation of 1,348 feet AMSL at top of roof. FAA review is not required, provided that pad elevations do not exceed 1,311 feet AMSL (as per the grading plan submitted to the County Planning Department) and that structures do not exceed 33 feet in height.

Attachment: Regardless of the status of the Compatibility Plan, State law requires notification that the property is located in an Airport Influence Area in the course of real estate transactions. A sample notice is attached for the applicant's use.

Summary: If the 2004 French Valley Land Use Compatibility Plan were in effect, staff would recommend a finding of consistency, given the land use and intensity would be acceptable in Zone D.

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

AGENDA ITEM: 5.1

HEARING DATE: June 14 (continued from May 10, 2007)

CASE SUMMARY:

CASE NUMBER: ZAP1015BD07 – CB Indio Properties, LLC/Industrial West

APPROVING JURISDICTION: City of Indio

JURISDICTION CASE NO: General Plan Amendment: GPA 07-4-86

Change of Zone: CZ 07-4-655

Design Review: DR 07-4-260

**MAJOR ISSUES:** ~~The most westerly building appears to encroach into Airport Zone A, as mapped.~~ The property directly underlies the extended runway centerline for Bermuda Dunes Airport and is the first privately-owned non-airport property crossed by the extended runway centerline. Conformance with ALUCP intensity criteria is dependent upon occupancy assumptions, as floor plans are undifferentiated as to office, manufacturing, and warehouse areas. Use of the Parking Space Method with an assumption of 1.5 persons per vehicle would indicate a net average intensity of up to ~~40~~ 36 persons per acre *and an average intensity of 27 persons per gross acre*. Use of the Building Code method indicates consistency, provided that the 40/60 split of office and warehousing uses occurs. *The reduction in parking spaces to the level required by City ordinance based on this split is favorable toward maintenance of this split in the long term.* Using the 40/60 ratio above, only one area could conceivably have a single-acre intensity greater than 50 persons, at 52, necessitating the use of risk-reduction design measures. *The applicant is requesting that a 10% risk-reduction bonus be granted based on the exclusive use of single-story buildings, concrete tilt-up construction, multiple doors in buildings, and limited use of windows. Even with the risk-reduction design bonus, the intensity would be consistent with California Airport Land Use Planning Handbook criteria for development in the Inner Approach/Departure Zone prior to application of the Handbook bonus.* While lot coverage, at 23% of site area, is low, conformance with the open land standard may be impeded by requirements for landscaping and shading of parking areas. ~~FAA review may be required for the structures within 1500 feet of the runway, unless they are shielded by the road overcrossing directly west of this property.~~ *The applicant has provided a cross-section demonstrating that the proposed structures are shielded from the runway by the elevated Indio Boulevard/Jefferson Street freeway overcrossing structure.* The general plan amendment and zone change are clearly consistent.

**RECOMMENDATION:** Staff recommends CONTINUANCE ~~to June 14, 2007, in accordance with the applicant's letter requesting postponement of consideration.~~ *a finding of CONSISTENCY for the proposed general plan amendment and change of zone, and a finding of CONDITIONAL CONSISTENCY for the design review case, subject to the conditions specified*

*herein.*

**JUNE UPDATE:**

*The applicant has made a number of changes to the site plan to bring this project into conditional consistency with the Bermuda Dunes Airport Land Use Compatibility Plan. Foremost among these changes was the redesign of the layout in the westerly portion of the site to eliminate all structural encroachments into Airport Zone A and maintain a minimum distance of 1,188 feet from the easterly terminus of Runway 10 to the nearest building (Building Q) on-site. Additionally, the number of parking spaces was reduced from 443 to 397. This is the minimum number of parking spaces to meet the City requirements based on the proposed office/warehouse split, such that additional parking spaces would be required for more intensive uses.*

**PROJECT DESCRIPTION:** General Plan Amendment No. GPA 07-4-86 proposes to amend the General Plan designation of an area of 16.65 net acres from Community Commercial (CC) to Industrial Park (IP). Change of Zone No. CZ 07-4-655 proposes to change the zoning of that same area from Business Park (BP) to Industrial Park (IP). Design Review Case No. DR-07-4-260 proposes development of ~~17~~ 18 industrial buildings with a total gross floor area of ~~159,790~~ 166,130 square feet on the property.

**PROJECT LOCATION:** The site is located northerly of Indio Boulevard, southerly of Interstate 10 and the rail line, and easterly of Bermuda Dunes Airport and the Jefferson Street/Indio Boulevard overcrossing in the City of Indio. The nearest point of the property is approximately 990 feet easterly of Runway 10-28 at Bermuda Dunes Airport.

**LAND USE PLAN:** 2004 Bermuda Dunes Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use Policy: Airport Zones B1 and A
- c. Noise Levels: 60-70 CNEL (The site is crossed by the 65 CNEL contour.)

**BACKGROUND:**

Nonresidential Average Intensity: The site is located largely in Airport Zone B1 and partially in Airport Zone A. Nonresidential intensity in Airport Zone B1 is restricted to an average of 25 persons per acre and a maximum of 50 persons in any given acre. No new structures are permitted in Airport Zone A. According to the Background Data – Bermuda Dunes Airport section of the Riverside County Airport Land Use Compatibility Plan, the Runway Protection Zone for Bermuda Dunes Airport is 1,000 feet long, and the applicant has been careful to avoid proposing structures in the Runway Protection Zone. However, Airport Zone A as mapped extends approximately 1,188 feet easterly of the easterly end of the runway. ~~and the most westerly proposed building (Building Q) appears to extend into Airport Zone A.~~ (It should be noted that the standard safety zone diagram

for medium general aviation runways in the CALTRANS Division of Aeronautics Airport Land Use Planning Handbook— Figure 9K in Chapter 9 – recommends a 1,700 foot long runway protection zone for such runways.) Only a portion (1.34 acres) of the most westerly parcel (Assessor’s Parcel Number 691-190-027) is located in Zone A, with the rest of the property (2.18 acres) in Zone B1.

**The westerly portion of the site plan has been redesigned to assure that none of the proposed buildings encroach into Airport Zone A.**

The architect has indicated on the site plan that the buildings on the site will consist of **159,790 square feet, including** 66,452 square feet of office space ~~and 99,678 square feet of warehouse space~~. He has also indicated that the total acreage of the site, including the half-width of adjacent existing Indio Boulevard, is 22.1 acres. If these figures are correct, then, subtracting the net area in Airport Zone A (1.34 acres), the average intensity for this project would be **25** ~~26~~ persons per **gross** acre without the 50% correction for warehousing (**519** ~~534~~ total persons) and 21 persons per acre (432 total persons) with the 50% correction for warehousing.

In this case, the Parking Space Method would appear to indicate a higher intensity on the site. The applicant proposes to provide ~~443~~ **397** parking spaces. Application of the standard 1.5 persons per vehicle factor results in a total occupancy of ~~665~~ **596** persons and an average intensity of ~~32~~ **36** persons per **net** acre (**27 persons per gross acre**). While this is not less than 25 persons per acre, **the gross density** ~~it~~ is still within range if the applicant can demonstrate that risk-reduction design measures are being implemented. **The applicant is requesting a 10% risk-reduction design bonus (which would allow an average intensity of 27.5 persons per acre and a single-acre intensity of 55 persons per acre) based on exclusive use of single-story buildings and concrete tilt-up construction, along with use of multiple doors on buildings and limited use of windows.**

The real concern here, as with so many other projects of this type, is that there are no internal floor plans available and no known users. Speculative or “shell” buildings pose the potential for increased occupancy as individual occupants move their businesses into these units or spaces. The Airport Land Use Commission has no guarantee that the proportions of office and warehouse use of any building or unit will remain stable over time. It is suggested that the City of Indio monitor tenant improvement plans to ensure that the proportion of each building devoted to warehousing of goods does not fall below 60%.

**Reducing the number of parking spaces to the level required by City ordinance provides greater assurance of maintenance of the office/warehouse split in that more intense occupancies would require additional parking.**

Nonresidential Single-Acre Intensity: The site is located partially in Airport Zone B1 and partially in Airport Zone A. Nonresidential single-acre intensity is restricted to 50 persons per acre in Zone B1, and no structures for human occupancy are authorized in Airport Zone A. Using the Building Code method, and based on an evenly distributed 40% office/60% warehouse split in all buildings, the on-site placement of the buildings allows the 50-person single-acre limitation to be clearly met

everywhere except possibly within the single-acre area including Building F and portions of Buildings G and J, where staff estimates a single-acre intensity not exceeding 52 persons. While this level exceeds the allowable intensity standard, the levels are not greater than 10% above the standard, so this can be mitigated through the use of risk-reduction design features **as specified above**. ~~including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls.~~

Open Area: Countywide land use compatibility criteria require that a minimum of 30% of land area in Airport Zone B1 consist of open land as defined in Policy 4.2.4 of the ALUCP. Notes for this Policy state that “open land requirements are intended to be applied with respect to an entire zone”. While this standard is “typically accomplished as part of a community general plan or specific plan”, it is also applicable to development projects covering 10 acres or more. **The building coverage on this site is only 23% of the site’s net area, with more than 50% of the site in “hardscape” or paved area.** The project does provide open area at its westerly and easterly margins, and additionally provides for driveways and parking areas that are linear and oriented parallel to the extended runway centerline. Unfortunately, from the aviation safety standpoint, it appears that this area will include landscaped islands, trees, trash enclosures, and other features that would detract from the potential to serve as an emergency landing area. **However, it should be noted that the property is bordered by a major roadway (Indio Boulevard) to the south and Interstate 10 and the rail line to the north. These adjacent rights-of-way offer additional potential locations for emergency landings.**

Extended Runway Centerline: Countywide land use compatibility criteria require that structures located in Airport Zone B1 be located a maximum distance from the extended runway centerline. In this case, the extended runway centerline overlies the site. While there are buildings underlying the extended centerline, as noted above, the applicant proposes a corridor with no structures between the northerly and southerly rows of buildings. This corridor also serves to minimize the single-acre intensity. (The only acre where single-acre intensities ~~are not clearly consistent~~ **may exceed 50 persons per acre** is the acre where the distance between the two rows of buildings is the least.) Given these circumstances, staff believes that a redesign that would move structures away from the extended runway centerline but result in an increased intensity within building areas may be counterproductive.

Noise: The site is located entirely within the area subject to aircraft noise levels greater than 60 CNEL, and partially within the area subject to aircraft noise levels greater than 65 CNEL. As a property adjacent to the freeway, rail line, and a major roadway, there are a number of heavy noise sources impacting the ambient environment at this location. Staff recommends a condition requiring mitigation of aircraft noise levels so as to provide for interior noise levels from aircraft operations not exceeding 45 CNEL within office areas of the proposed buildings.

PART 77: The maximum elevation of the site is 36 feet above mean sea level (AMSL). The

structure height may be as high as twenty-six (26) feet. While no grading plans were submitted with the application, the applicant has indicated a top elevation of 63 feet AMSL. The elevation at the easterly end of the runway is 49.1 feet AMSL. Assuming that no building has an elevation at top of roof exceeding 63 feet AMSL, FAA review would ~~only~~ **normally** be required for those buildings within 1500 feet from the runway – Buildings A, P, Q, and R **on the originally submitted site plan. (Building R has since been eliminated, leaving only three buildings in question.)** However, **based on the additional information in the cross-section on the revised site plan that there is a possibility that these buildings would be shielded from the runway by the existing Indio Boulevard/Jefferson Street overcrossing is 69 feet above mean sea level, it is staff's opinion that the proposed buildings would, in fact, be shielded from the runway by the overcrossing.**

**Wildlife Hazards:** The site plan proposes retention basins at both the westerly and easterly ends of this elongated project site. In order to minimize the potential for attraction of wildlife (particularly birds), the retention basins shall be designed to provide for a maximum 48-hour detention period for the design storm and to remain totally dry between rainfalls. Any landscaping or vegetation shall be designed so as not to provide food or cover for species that may present a wildlife hazard.

**CONDITIONS (Design Review case):**

1. Prior to issuance of building permits, the landowner shall record an avigation easement to Bermuda Dunes Airport. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and to the City of Indio.
2. Noise attenuation measures shall be incorporated into the office areas of the building to ensure a minimum noise level reduction of 25 dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below. (Such noise attenuation will also assist in reducing noise from railroad operations.)
3. 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. All outdoor lighting plans shall be subject to review by airport management.
4. The following uses shall be prohibited:
  - (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, visual approach slope indicator, or such red light obstruction marking as may be permitted by the Federal Aviation Administration.
  - (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, **including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, wastewater management facilities, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, and landscaping utilizing water features.** .
  - (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, nursing homes, places of worship, highly noise-sensitive outdoor uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
  - (f) **Composting operations within 1200 feet of the airport runway.**
5. Subsequent Airport Land Use Commission review shall be required for any structure with a height exceeding twenty-six (26) feet.
6. The City of Indio shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures proposed through this design review:
- Retail sales, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 28 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, swimming pools, skating rinks, locker rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.
7. The attached notice shall be provided to all potential purchasers and tenants.
8. Not more than 40 percent of the floor area of each unit or suite shall be utilized for office space, with the remaining area used for warehousing of goods.
9. **The retention basins shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain**

**totally dry between rainfalls. Vegetation in and around the retention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.**

- 10. The maximum elevation above sea level at the top point of any structure within 1500 feet of the runway (Buildings A, P, and Q) shall not exceed the maximum elevation above sea level of the Indio Boulevard/Jefferson Street overcrossing or 69 feet above mean sea level, whichever is less.**
- 11. Building Q shall maintain a minimum distance of 1,188 feet from the easterly terminus of the runway at Bermuda Dunes Airport.**

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 5.2

**HEARING DATE:** June 14, 2007

**CASE SUMMARY**

**CASE NUMBER:** ZAP1001PV07 – Ion Communities/Palomar 10  
Group/FORMA

**APPROVING JURISDICTION:** City of Perris

**JURISDICTION CASE NO.:** PDO (Planned Development Overlay) 07-0037, DPR (Development Plan Review) 07-0038, and Tentative Tract Map No. 34317.

**MAJOR ISSUES:** There is no adopted Land Use Compatibility Plan for Perris Valley Airport, but, with full use of the existing runway, most of the proposed structures would be within the Runway Protection Zone where structures should not be built.

**RECOMMENDATION:** Staff recommends that the Airport Land Use Commission recommend that the project, as designed, be denied by the City of Perris or that the City require redesign in conformance with Federal Aviation Administration requirements and State Airport Land Use Planning Handbook guidelines, based on the assumption of full use of runway facilities at Perris Valley Airport.

**PROJECT DESCRIPTION:**

Establishment of a mixed-use development (“Case Road Promenade”), including 187 residential units, 30 live/work units, and 11,590 square feet of commercial uses (including 8,290 square feet of general retail space and 3,300 square feet of restaurant space) on 10.53-12.47 acres. The Planned Development Overlay would be added to the site’s Community Commercial zoning and Perris Downtown Specific Plan land use designation. Tentative Tract Map No. 34317 would divide the site into 10 lots, including 8 lots for condominium purposes.

**PROJECT LOCATION:**

The site is located southeasterly of Case Road, northerly of Ellis Avenue, and easterly of Goetz Road in the City of Perris, across the street (Ellis Avenue) from the northerly boundary of Perris Valley Airport. The runway at Perris Valley Airport extends northerly to within approximately 150 feet of the street, such that portions of the site would be less than 250 feet from the northerly terminus of the runway.

**LAND USE PLAN:** None applicable; no Airport Land Use Compatibility Plan has been prepared

for Perris Valley Airport.

Adjacent Airport:

- a. Airport Influence Area: Perris Valley Airport

## **BACKGROUND:**

### Land Use – Safety Considerations:

As there is no adopted Land Use Compatibility Plan for Perris Valley Airport, staff relied on the standard diagrams of the State of California Airport Land Use Planning Handbook in reviewing the project. The critical factor here is the location of the northerly terminus of the runway. Runway 15/33 is 5,100 feet in length. There is a displaced threshold 1,900 feet southerly of the northerly terminus of the runway, and the condition of the pavement surface of the runway northerly of this displaced threshold is less than ideal, but the northerly portion of the runway is open and could conceivably be utilized for takeoffs. In any event, the runway exists and is available for use. The full runway scenario (Example 2: Medium General Aviation Runway, with runway end at the current location) results in the majority of the project site being within the Runway Protection Zone, where buildings should not be permitted. The westerly portion of the site would be within the Inner Turning Zone, which could potentially allow one dwelling unit per two to five acres.

An alternate scenario would be for the airport to limit takeoffs and landings to the portion of the runway southerly of the existing displaced threshold location. In such a scenario, the runway would have a length of 3,200 feet and be classified as a Short General Aviation Runway. The development potential of the project site would be increased because the site would then be 2,000 feet from the usable portion of the runway. In this scenario, the Runway Protection Zone would be entirely on airport property, as would be the Inner Turning Zone and Inner Approach/Departure Zone. The most affected portions of the project site would be within the Outer Approach/Departure Zone, which could potentially allow one dwelling unit per two to five acres and nonresidential uses with intensities of up to 60 to 100 persons per acre. However, this alternate scenario is not likely, especially now that Perris Valley Airport maintains an on-site transport-category DC-9 twinjet capable of carrying up to 88 passengers for skydiving.

Part 77: The highest existing elevation on the site according to Riverside County's Geographic Information System is 1,421 feet above mean sea level (AMSL). Building heights could be up to 42 feet, one inch as depicted on project elevations prepared by the architect. Thus, the highest point would be expected to be approximately 1,464 feet AMSL unless substantial fill is being imported to the site to raise building pads. The elevation of the runway at Perris Valley Airport is 1,413 feet AMSL. Most, if not all, buildings on this site will require FAA review.

**The proposed project is not consistent with the full utilization of existing facilities at Perris Valley Airport. In the event that the Perris City Council approves this project, the following conditions (at a minimum) should be applied. Use of these conditions does not mitigate the impact of this development (as designed) on the future options for use of existing facilities at Perris Valley Airport.**

## **CONDITIONS:**

1. Prior to recordation of a final map, issuance of a building permit for any structures, or sale to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey aviation easements (in the form and manner approved by the City Attorney) to the City of Perris and Perris Valley Airport and shall provide evidence (to the City and Airport) of recordation in the Office of the County Recorder.
2. Noise attenuation measures shall be incorporated into residential building construction as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL in residential (including live/work) buildings.
3. The following uses shall be prohibited:
  - (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.
4. 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.
5. The attached notice shall be provided to all potential purchasers and tenants.
6. FAA review (through the Form 7460-1 process) shall be required for all new structures on the project site.

# **RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION**

## **STAFF REPORT**

### **ADMINISTRATIVE ITEMS**

- 6.1** This time is scheduled for the Airport Land Use Commission to elect its officers.
- 6.2** Executive Director's Approvals. Copies of administrative "staff review" approvals are included for your Commission's information.
- 6.3** The City of Riverside and project applicant Friends of Riverside Airport LLC have requested that the Airport Land Use Commission reconsider its actions taken on ALUC Case No. RI-05-130 and other matters subject to a Development Agreement entered into among these and other parties in 2003, on the basis that such project should have been determined to be exempt from ALUC review as an "existing land use" pursuant to the definition in Section 1.2.10(c) of the 2004 Riverside County Airport Land Use Compatibility Plan. Background materials are attached.
- 6.4** Interim Executive Director Edward C. Cooper will provide an oral update regarding the County's FY08 Budget Process.

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