



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., September 13, 2007

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

Robin Lowe
Hemet

John Lyon
Riverside

Glen Holmes
Hemet

Melanie Fesmire
Indio

STAFF

Interim
Executive Director
Ed Cooper

John Guerin
Cecilia Lara
Sophia Nolasco
Barbara Santos

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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). Also please be aware that the indicated staff recommendation shown below may differ from that presented to the Commission during the public hearing.

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. 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 **PUBLIC HEARING: 9:00 A.M.**
OLD BUSINESS – SOUTH COUNTY

HEMET RYAN AIRPORT

2.1 **ZAP1002HR07 – Sanderson Associates, LLC/Sunshine Real Estate, LLC – City Case Nos. SP 05-3 and GPA 05-1 (Sanderson Square).** Proposal to establish a Specific Plan for 23 acres of retail commercial uses and 17 acres of business park uses on a 40-acre site located easterly of Sanderson Avenue, northerly of Wentworth Drive and the rail line, and southerly of Acacia Avenue in the City of Hemet, and to amend the site's General Plan designation from Industrial to Specific Plan. Airport Areas I and II. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: INCONSISTENT

OLD BUSINESS – EAST COUNTY

BERMUDA DUNES AIRPORT

- 2.2 ZAP1017BD07 - ADI Properties, LLC/Gimel Properties – City Case No. CUP 07-4-888. (“Jefferson Crossroads Centre”) A revised proposal to establish a retail commercial and office center with a total gross floor area up to 180,700 square feet (including up to 72,650 square feet of retail uses, 88,050 square feet of office uses, and 20,000 square feet of restaurant uses) on 17.67-18.68 acres located westerly of Jefferson Street and southerly of Avenue 40 in the City of Indio. Airport Zone D. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONDITIONAL CONSISTENCY

3.0 **PUBLIC HEARING: NEW BUSINESS**

ITEMS FOR WHICH STAFF RECOMMENDS CONSISTENCY UNDER ONE MOTION UNLESS A COMMISSION MEMBER OR MEMBER OF THE PUBLIC DESIRES TO DISCUSS THE MATTER.

FLABOB AIRPORT/COUNTYWIDE

- 3.1 ZAP1003FL07 – Flabob Development, Inc./Loring Ranch 31503LP – County Case No. GPA 00858 (General Plan Amendment) - A proposal to amend the Housing Element and the Noise Element of the Riverside County General Plan so as to allow approval of new residential land uses within the adopted 60db CNEL contours of airports, provided that the Airport Land Use Commission, after consultation with the affected Airport Manager, has granted a special conditions exception as provided in Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan and that interior noise level criteria are met. (Applicable to unincorporated areas Countywide). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT

CHINO AIRPORT

- 3.2 ZAP1006CH07 – Silveira Dairy Investment, LLC/Stratham Cloverdale, Inc. – County Case Nos. CZ07073 and TR32821 (Amended). Change the zoning of 38.45 - 39.69 acres located northerly of Limonite (formerly Cloverdale) Avenue and westerly of Cleveland Avenue in the Eastvale community of unincorporated Riverside County from A-2-10 to R-3, divide the property into 22 residential lots for condominium purposes and 6 open space lots, and establish 316 condominium dwelling units/lots. Airport Area III (Zone D on Draft Plan). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT

RIVERSIDE MUNICIPAL AIRPORT

- 3.3 ZAP1022RI07 – Mike Baltierra and Greg Estrada – City Case No. P07-0647- Proposal to change the zoning of a 0.61–acre parcel located northerly of Arlington Avenue, westerly of Phoenix Avenue and easterly of Malibu Drive in the City of Riverside from R-1-65 (Residential, 7000 square foot minimum lot size) to RO (Restricted Office). Airport Zone C. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: CONSISTENT

- 3.4 ZAP1025RI07 - Cindy Burdett c/o Hans Imhof/ Michael Swain

This case has been moved to Agenda Item 4.3.

BERMUDA DUNES AIRPORT

- 3.5 ZAP1018BD07 – Palm Desert 53 Investors, LLC/RGP Planning and Development Services – County Case Nos. SP00360 and Tract Map No. 34651 – A proposal to establish a Specific Plan for the development of up to 475 single-family residences (241 detached and 234 attached) on 53.42 – 55.13 acres located northeasterly of Varner Road and Interstate 10 and southerly of 38th Avenue (Avenue 38), easterly of Thousand Palms and westerly of Bermuda Dunes in unincorporated Riverside County, and to divide the site into 427 lots for condominium purposes. Airport Zone E. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: CONSISTENT

- 3.6 ZAP1019BD07 – Delfino Development, LLC/Robert H. Ricciardi, Architect – County Case Nos. GPA00876, CZ07529, PP22845. A proposal to amend the designation of 4.51 acres located northerly of 41st Avenue (Avenue 41) and easterly of Washington Street in the unincorporated Riverside County community of Bermuda Dunes from Very Low Density Residential within the Community Development Foundation Component (one dwelling unit per acre) to Commercial Office, change the zoning on the site from R-1-20,000 (One-family dwellings, 20,000 square foot minimum lot size) to C-O (Commercial Office), and develop two office buildings with a combined gross floor area of 55,320 square feet on the site. Airport Zone C. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT

4.0 PUBLIC HEARING: NEW BUSINESS

FLABOB AIRPORT

- 4.1 ZAP1004FL07 – ELBA, Inc./Hill View Development/Charles Joseph Associates – County Case No. GPA00810, CZ07343, TR34795, PP22701 - A proposal to amend the designation of 7.72 – 7.76 acres located northeasterly of 46th Street and southeasterly of Riverview Drive in the unincorporated Riverside County community of Rubidoux from Estate Density Residential (1 dwelling unit per two acres) within the Community Development Foundation Component to Medium High Density Residential (5-8 dwelling units per acre), to change the zoning on the site from R-1-100 and A-1 to R-3, to divide the property for the establishment of 42 condominium units, and to develop 14 triplex (3-unit) buildings containing 42 dwelling units. Airport Zone D. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: CONTINUANCE to October 11, 2007 pending determination of need for FAA review.

RIVERSIDE MUNICIPAL AIRPORT

- 4.2 ZAP1023RI07 – Magnolia Avenue Baptist Church - City Case Nos. P07-0810 (Conditional Use Permit), P07-0811 (Design Review). A proposal to construct and operate a 22,838 square foot children’s educational facility and a 40,000 square foot church sanctuary, and to remodel the existing church sanctuary to be used as a multi-purpose building. The 10.28-acre site is located at 8351 Magnolia Avenue, westerly of Adams Street, in the City of Riverside. Airport Zone D. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: CONTINUANCE to October 11, 2007, at the request of the applicant.

- 4.3 ZAP1025RI07 - Cindy Burdett c/o Hans Imhof/ Michael Swain - City Case No. P07-0872 (Design Review) - Proposal to construct a new 22,935 square foot single story building on a 1.74 acre property located northerly of Central Avenue and westerly of Fremont Street, in the City of Riverside. Airport Zone B2. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: CONDITIONALLY CONSISTENT

5.0 ADMINISTRATIVE ITEMS

- 5.1 Meeting Per Diem for Commissioners
5.2 Announcement of Director for the Airport Land Use Commission

- 6.0 **APPROVAL OF MINUTES:** August 13, 2007

7.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

8.0 COMMISSIONER’S COMMENTS

- 9.0 **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).

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 2.1 ~~3.2~~

HEARING DATE: September 13, 2007 (originally heard on March 8, 2007)

CASE SUMMARY

CASE NUMBER: ZAP1002HR07 Sanderson Associates, LLC/Sunshine Real Estate, LLC

APPROVING JURISDICTION: City of Hemet

JURISDICTION CASE NO.: SP 05-3 and GPA 05-1

MAJOR ISSUES: Places of assembly as defined in the Hemet-Ryan Airport Comprehensive Airport Land Use Plan of 1992 include “any structure with a capacity for occupancy of over 50 persons”, and they are prohibited in Areas I and II. Therefore, pursuant to that Plan, most commercial uses would be found inconsistent.

RECOMMENDATION: While some types of commercial development may be allowable in Areas I and II, it is clear from the conceptual site plan that the applicant intends to develop a major complex consisting predominantly of structures with capacities for occupancy of more than 50 persons. Therefore, staff must recommend that the project be found Inconsistent, as it is located entirely within Areas I and II; however, staff would not object to a continuance in conjunction with a proposal by the City to amend the provisions of the existing 1992 Hemet-Ryan Airport Land Use Compatibility Plan to modify the definition of “places of assembly”.

UPDATE:

This project was previously considered by the Airport Land Use Commission at the March hearing and was continued off-calendar at the request of the applicant. On August 16, the applicant requested to be returned to the calendar at the next available hearing. There are no known changes to the project. However, the City has issued a Notice of Preparation for an Environmental Impact Report.

PROJECT DESCRIPTION:

SP 05-3 proposes the establishment of a 40-acre Specific Plan (“Sanderson Square”) providing for 23 acres of retail commercial uses and 17 acres of business park uses. GPA 05-1 proposes to amend the General Plan designation of the property from Industrial to Specific Plan.

PROJECT LOCATION:

The 40-acre site is located easterly of Sanderson Avenue, northerly of Wentworth Drive and the rail line, and southerly of Acacia Avenue, approximately 2,900 feet easterly of Hemet-Ryan Airport.

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

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Area I and Area II, but mostly in Area II
- c. Noise Levels: From below 55 CNEL to below 60 CNEL (site is crossed by 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. This property lies partially within the area of extreme risk, and the larger portion of the property lies within the area of high risk. No portion of the property is within the Transition Area.

A previous project design on this site was reviewed pursuant to ALUC Case No. HR-04-102. That project had included a residential component (condominiums), as well as commercial and industrial uses, and, as a result was found inconsistent. Copies of the minutes, final letter, and staff report are attached hereto. The conditions clearly stated that “places of assembly” were prohibited, but did not specify the definition of the term.

Land Use Intensity: A small portion of the site is located within Area I, areas of extreme risk. Area I is centered on the extended runway centerline, with its boundaries defined by the FAR Part 77 imaginary approach surfaces. This area was designated as the highest relative risk area in the HRACALUP “due to the convergence of flight paths and the resultant high volume of aircraft. Aircraft are descending or ascending, changing power settings, and performing critical turns; thus, the possibility of an aircraft related incident occurring is higher in these areas.” (HRACALUP page 15) Policies for Area I prohibit residential uses, places of assembly, institutional uses, critical facilities, and hazardous material facilities. However, it should be noted that the definition of “places of assembly” in the HRACALUP is broader than in some other ALUCPs. It includes “any structure, public or private, or premise, or portion thereof with a capacity for occupancy of over 50 persons which is designed or used for entertainment, amusement, instruction, education, worship, deliberation, display, meeting, awaiting transportation or for the consumption of food and drink.” The examples given include shopping malls, major retail outlets, restaurants, motels, banks, bowling alleys, and even professional office buildings and funeral homes, as well as auditoriums, theaters, recreation/entertainment facilities, churches, clubhouses, arenas, and stadiums.

The rest of the property is located in Area II. Area II is an area of high risk, which together with Area I consists of the area of greatest safety concerns. Exhibit 2 on page 18 of the HRACALUP depicts the boundaries of Area II. The boundaries of Area II were “established to coincide as much as possible to areas where aircraft would be in the landing – takeoff generalized pattern and would be turning and applying or reducing power...” (HRACALUP page 17) Policies for Area II permit industrial uses, indicate that commercial uses are “discretionary”, and prohibit schools, institutional uses, places of assembly, and hazardous material facilities. Residential development is limited to a maximum density of one dwelling unit per 2½ acres.

According to Figure 1, Generalized Aircraft Flight Tracks, in Appendix C of the **HRACALUP** (“Final Report: Preparation of Airport Noise Contours” prepared by Brown-Buntin Associates of Visalia CA for the Riverside County Department of Aviation), the property underlies a generalized flight track for turning aircraft not using a straight-in approach or departure pattern.

The conceptual site plan provided by the applicant indicates that only a small portion of one building directly easterly of the “main access drive” from Whittier Avenue (a new street that would be located along the northerly boundary of the property) would be in Area I. However, the rest of the property would be entirely in Area II. Major stores such as Wal-Mart, Home Depot, or even a supermarket would be inconsistent with the limitations of Area II. There may be some commercial uses that would not qualify as places of assembly as defined above, but they would be exceptions to the norm. In particular, a 3,000 square foot retail facility would have an occupancy of 50 persons based on 50% of Uniform Building Code occupancy limits, so any larger retail facility would be inconsistent with the 1992 **HRACALUP**.

The site plan provides for three “anchor tenants”, six “major tenants”, four “multiple tenant” buildings, and seven freestanding pads (five for restaurants and two for financial services) within the commercial area – clearly a regional or major community shopping center. Figure 4.5 on page 95 of the Specific Plan indicates that the commercial area of the project may include 207,100 square feet of retail space, not counting the 28,500 square feet of restaurants and 10,000 square feet in the other two freestanding pads. Breaking this down into retail, restaurant, and office areas, use of Uniform Building Code criteria (including the 50% reduction) would indicate an occupancy level of 4,452 persons in the 23-acre commercial area, for an average of 194 persons per acre. The business park provides for thirteen buildings, four of which would be “mezzanine” two-story buildings, with a possible gross floor area of 186,705 square feet. Assuming a split of 50% office and 50% manufacturing or fabrication, use of Uniform Building Code criteria would indicate an occupancy level of 700 in this 17-acre area, for an average of 41 persons per acre. The applicant estimates that a total of 2,700 people could be on-site at any given time, or approximately 60 people per acre, based on parking.

Furthermore, it must be stated that the general plan amendment and specific plan continue the trend of moving the direction of development in this area in a direction that is not advisable from an airport land use planning perspective. From the point of view of minimizing risk to the public health, safety, and welfare, it would be preferable to maintain the Industrial designation and zoning on this property. If commercial development is to occur here, from the safety perspective, it would be preferable for such development to be located in the portion of the site farthest from the airport, rather than in the portion closest to the airport. (Of course, the easterly portion is less accessible from major roads and, therefore, a less desirable commercial location.)

Since the adoption of the HRACALUP, the State of California Department of Transportation, Division of Aeronautics has issued the 2002 California Airport Land Use Planning Handbook. Staff analysis indicates that, if the **ultimate primary main** runway length of **5,300 4,314** feet is utilized as the critical factor, the standard safety compatibility zone example would be that of a Medium General Aviation Runway. Use of this standard example would place the westerly (proposed commercial) portion of this property in Zones 2 (Inner Approach/Departure Zone) and 3 (Inner Turning Zone). The easterly portion of the property would be partially in the Inner Turning Zone,

but largely in Zone 6 (Traffic pattern Zone). Criteria guidelines for the Inner Approach/Departure Zone recommend average intensity criteria of 25-40 persons per acre, with a maximum single-acre intensity of 50-80 for rural-suburban areas. Criteria guidelines for the Inner Turning Zone recommend average intensity criteria of 60-80 persons per acre, with a maximum single-acre intensity of 120-160 for rural/suburban areas. Both of these zones, as noted above, would be potentially less restrictive than the **HRACALUP** Area I and Area II standards prohibiting places of assembly. The Traffic Pattern Zone is the least restrictive, with a recommended average intensity of 150 persons per acre and a maximum single-acre intensity of 450.

Presently, the airport owner-operator, the Riverside County Economic Development Agency – Aviation Division, is preparing a new Master Plan that would provide for the extension of the primary runway to a length of 6,000 feet. If this proposed runway length is utilized as the critical factor, the standard safety compatibility zone example would be that of a Long General Aviation Runway (6,000 feet or greater in length). In this situation, the Runway Protection Zone extends 2,500 feet from the end of the runway, the Inner Approach/Departure Zone extends 6,000 feet from the end of the runway, and the Outer Approach/Departure Zone extends 10,000 feet from the end of the runway.

It should be noted that, in conjunction with an application submitted for the property directly north of this site (ALUC Case No. HR-06-101), Aviation Systems, Inc. prepared a study which recommended that special safety zones be utilized for Hemet-Ryan Airport based on the Short General Aviation Runway example, but modified to reflect high visibility minimums. The Aviation Systems study recommended safety zones (Figure 5 of April 2005 “Hemet-Kaufman” report) that would depict this property as being partially in Zone 4 (Outer Approach/Departure Zone), but mainly in Zone 6, the Traffic Pattern Zone. Criteria guidelines for the Outer Approach/Departure Zone recommend average intensity criteria of 60-80 persons per acre, with a maximum single-acre intensity of 180-240 for rural/suburban areas.

The bottom line here is that the project – at least the retail portion - is clearly inconsistent with the 1992 **HRACALUP**, as all of the commercial buildings would have occupancy levels greater than 50 and, therefore, qualify as places of assembly, which are prohibited in Area II as well as Area I. Some of the industrial buildings could also fall in this category, depending on the internal split of each building between office, manufacturing, and storage or warehousing uses.

While it would appear that a consistency finding is not possible given the text of the 1992 **HRACALUP**, the Commission may wish to consider whether the standard defining “places of assembly” is outmoded in light of the provisions of the 2002 Handbook. If that is the opinion of the Commission, it may choose to consider whether to “Decline to Act”.

Noise: The **HRACALUP** includes six CNEL contour maps based on various scenarios. Exhibit 5 (Average Annual Day – 2005) is the one that is intended to be utilized for planning purposes under most circumstances. Interpretation of this exhibit (which does not depict parcel boundaries) indicates that the northwesterly portion of this property is crossed by the 55 CNEL contour, suggesting that average noise levels would be between 50 and 55 CNEL in most portions of the site and between 55 and 60 CNEL in the northwesterly portion of the site. Noise levels are expected to be higher during the fire season, with more of the site within the 55 CNEL contour on such days.

On the worst case fire day, the site would be almost entirely within the 55 CNEL contour, with a significant portion within the 60 CNEL contour. The site underlies a primary approach and departure flight track, so future employees and patrons would experience noise from overflying aircraft.

Part 77: According to Figure 4.3 of the Specific Plan, “Existing Topography Exhibit”, the elevation on the site varies from 1,522 to 1,530 feet above mean sea level (AMSL). No structures would be authorized by the Specific Plan itself, but the application indicates that structures may be as high as 33 feet and the proposed development standards would allow heights up to 35 feet. Thus, it is expected that the top of any structure will not exceed 1,565 feet AMSL. The elevation of the runway at its easterly terminus is **1,517** ~~1,508~~ feet AMSL. At a distance of 2,900 feet from the runway, any structure with a top elevation greater than **1,546** ~~1,537~~ feet AMSL would require FAA review. However, no structures are proposed at this time.

~~In the event that the Commission finds this project consistent, or in the event that a Commission finding of inconsistency is overruled by the City of Hemet, staff would recommend that the following conditions be applied:~~

In the event that the City of Hemet chooses to overrule a determination of inconsistency, the City should require the following as conditions of its approval. Implementation of Conditions 1 through 6 without Conditions 7 and 8 would NOT render the project consistent with the Hemet-Ryan Airport Comprehensive Airport Land Use Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

CONDITIONS:

1. Prior to final adoption of the specific plan, the landowner shall record Avigation 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. Unless otherwise determined inapplicable by Airport Land Use Commission staff, all structures at this location with an elevation above **1,546** ~~1,537~~ 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 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.
5. The attached notice shall be given to all prospective buyers and tenants.
6. All future structures at the site shall be limited to thirty-five (35) feet in height or two stories, whichever is less.

The following conditions shall be applied specifically due to the definition of “places of assembly” in the 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan.

- 7. All proposals for discretionary review of development of structures 3,000 square feet or greater in floor area shall be referred to the Airport Land Use Commission for review.
- 8. No structure shall be designed with a capacity greater than 100 persons, pursuant to the Uniform Building Code, unless the Hemet-Ryan Airport Comprehensive Land Use Plan is first amended in accordance with the 2002 California Airport Land Use Planning Handbook or superseded by a new Airport Land Use Compatibility Plan. .

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 2.2 ~~6.1~~

HEARING DATE: September 13 (continued from August 13), 2007

CASE SUMMARY:

CASE NUMBER: ZAP1017BD07 – ADI Properties, LLC/Gimel Properties

APPROVING JURISDICTION: City of Indio

JURISDICTION CASE NO: Conditional Use Permit: CUP07-4-888

MAJOR ISSUES: ~~Use of the Building Code Method with concentrations of people determined in accordance with Appendix C indicates an average intensity of approximately 111-114 persons per acre and single-acre intensities of up to 415 persons per acre in some portions of the site. If parking areas are landscaped and shaded, as would be desirable in this desert climate, the project may not meet the 10% open area requirement of Airport Zone D. As presently designed, the project exceeds the allowable maximum intensity pursuant to the 2004 Bermuda Dunes Airport Land Use Compatibility Plan.~~

RECOMMENDATION: *Staff recommends that the project, as revised, be found CONDITIONALLY CONSISTENT with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan (pending receipt of a determination that the project is not a hazard to air navigation, subject to the conditions included herein and such additional conditions as may be necessary to reflect the terms of the Federal Aviation Administration determination).*

~~Staff recommends a finding of INCONSISTENCY with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan due to average and single-acre intensities (as calculated pursuant to the Building Code Method) exceeding allowable levels. Staff would note that the average intensity of the project may be found consistent as designed if the Commission chooses to use the Parking Space Method; however, the single-acre intensity remains inconsistent in two discrete square acres of the property unless some of the retail buildings change use or square footages are reduced.~~

PROJECT DESCRIPTION: Conditional Use Permit No. 07-4-888 proposes to establish a retail commercial and office center (“Jefferson Crossroads Centre”) with a total gross floor area of up to **180,700** ~~188,220~~ square feet (including up to **72,650** ~~105,020~~ square feet of retail uses, **88,050** ~~74,200~~ square feet of office uses, and **20,000** ~~9,000~~ square feet of restaurant uses on a 17.67-18.68 acre site.

PROJECT LOCATION: The site is located westerly of Jefferson Street and southerly of Avenue 40 in the City of Indio, approximately 2,514 feet north/northeasterly of Runway 10-28 at Bermuda Dunes Airport. (The site is actually directly northerly of the runway, but its closest point

is determined by using a line perpendicular to the runway, which is oriented in a northwest-southeast direction.) This area was annexed to the City of Indio this year.

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 Zone D
- c. Noise Levels: Below 55 CNEL (The site lies outside the 55 CNEL contour.)

BACKGROUND:

Nonresidential Average Intensity: The site is located in Airport Zone D. Nonresidential intensity in Airport Zone D is restricted to an average of 100 persons per acre and a maximum of 300 persons in any given acre. (A risk-reduction design bonus is available, which would allow a single-acre intensity up to 390 persons.) Pursuant to Appendix C, Table C-1 of the Riverside County Airport Land Use Compatibility Plan, the intensity of retail stores has been determined to be one person per 30 square feet, the intensity of offices has been determined to be one person per 100 square feet, and the intensity of restaurant serving area has been determined to be one person per 15 square feet. Application of the 50% factor converts these intensity numbers to one person per 60, 200, and 30 square feet, respectively. **However, not all of the restaurant areas would be serving areas. If we assume that 60% of restaurant square footage is serving area and 40% is food preparation area (with an intensity of one person per 200 square feet),** Using this procedure, the total intensity of the site is calculated as follows: ~~(105020 divided by 60) + (74200 divided by 200) + (9000 divided by 30) = 1750 + 371 + 300 = 2,421 persons.~~ **(72650 divided by 60) + (88050 divided by 200) + (12000 divided by 30) + (8000 divided by 200) = 1211 + 440 + 400 + 40 = 2,091 persons.** To determine the average intensity, we divide by the gross acreage, which equals the property area, plus the area included in the half-widths of adjoining streets. The recorded lot size of the parcel is 18.66 acres, and the half-widths of adjoining streets add 2.6 acres, for a total gross area of 21.26 acres. The average intensity, then, is ~~(2091 2421 divided by 21.26), or 98 114 (113.875) persons per acre.~~ **Reducing the total retail area to 101,520 square feet and the restaurant area to 8,850 square feet reduces the average intensity to 111 persons per acre. This is consistent with average intensity criteria for Airport Zone D.**

~~This still exceeds the 100 person per acre average intensity standard. Redesign or revision of planned uses would be required to reduce average intensity below the 100 person per acre threshold. Possible means of achieving this would include converting Shop Buildings A and D to office uses and limiting the restaurant serving area on the two "pads" to one half the total square footage, with the rest used as commercial kitchen, if the buildings are to be used as restaurants. These changes together would reduce average intensity to 99 persons per acre.~~

As with other large retail projects, there is a real dichotomy in results if one compares the Building Code method with the Parking Space Method to determine total intensity. The applicant proposes to

provide ~~782~~ 844 parking spaces. Application of the standard 1.5 persons per vehicle factor results in a total occupancy of ~~1,173~~ 1,217 persons and an average intensity of ~~63~~ 65 persons per net acre (~~55~~ 57 persons per gross acre), which would **also** be consistent with Airport Zone D. The Airport Land Use Commission has previously been willing to utilize the Parking Space Method to determine consistency of commercial retail projects within the Bermuda Dunes Airport Influence Area, in situations where the vast majority of customers would arrive and depart by private automobile.

~~An additional factor for the Commission's consideration is that the property would be considered to be within the Traffic Pattern Zone pursuant to the standard geometric safety zones for general aviation airports with runways 4,000 to 6,000 feet in length, as depicted on Figure 9K in Chapter 9 of the California Airport Land Use Planning Handbook. State Handbook criteria in Table 9C of the same chapter recommend average intensities not exceeding 150 persons per gross acre in the Traffic Pattern Zone of general aviation airports in rural or suburban areas. The project as designed would meet this standard.~~

Nonresidential Single-Acre Intensity: Nonresidential single-acre intensity is restricted to 300 persons in any given acre within Airport Zone D. This level may be increased to up to 390 with use of risk-reduction design features, 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. The site plan indicates that all buildings will be fully sprinklered, and none of the retail buildings exceed a single story.

Staff review indicates that, **pursuant to the amended plan**, single-acre intensity **does not exceed** ~~exceeds~~ 300 persons (using the Building Code method) in **any given square acre of the property**, **provided that the applicant strictly complies with the provisions that not more than 50% of floor area in Buildings C and P is utilized for activities with higher intensities than offices.**

~~at least two distinct square acres of the property proposed for retail use. A square acre that includes the "dogleg" area of Shop Building 2 includes approximately 22,456 square feet of floor area, which could accommodate up to 374 persons. A square acre including Shop Buildings 1 and D, and a portion of Shop Building C, includes approximately 24,912 square feet of retail space, which could accommodate up to 415 persons. In the former case, the use of risk reduction design features could potentially resolve the inconsistency; in the latter case, either a change in building use, reduction in square footage, or site redesign would be needed provided that standard retail occupancy criteria are utilized.~~

The single-acre intensity, then, is **consistent** ~~inconsistent~~ with the 2004 BDALUCP and Countywide Policies limit of 300 persons per acre in Airport Zone D.

~~(It is not inconsistent with the allowance of 450 persons per acre in the Traffic Pattern Zone in the California Airport Land Use Planning Handbook. The City of Indio could potentially request that the Airport Land Use Commission amend its Compatibility Plan policies relative to development~~

~~densities and intensities in the Zone D area surrounding Bermuda Dunes Airport. However, if Commission staff must conduct an environmental review, such an amendment may take several months to evaluate.)~~

Open Area: Countywide land use compatibility criteria require that a minimum of 10% of land area in Airport Zone D 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. While lot coverage by buildings is only **23.5%** ~~25.1%~~ of site area, and there are a number of areas utilized as driveways and parking areas that are linear and oriented on an east-west direction, landscaped islands, trees, trash enclosures, and other features would detract from the potential to serve as an emergency landing area. **However, it may also be noted that Jefferson Street is a wide thoroughfare (projected 69 foot pavement width) that could serve this purpose.**

Noise: The site is located entirely outside the area subject to average aircraft noise levels greater than 55 CNEL; therefore, no special aircraft noise attenuation measures are required.

PART 77: No grading plans indicating finished floor elevations were submitted with the ALUC application. The maximum elevation of the site, according to the Riverside County Land Information System, is 62 feet above mean sea level (AMSL). The structure height may be as high as forty-five (45) feet. This would appear to indicate a top elevation as high as 107 feet AMSL. The elevation at the easterly end of the runway is 49.1 feet AMSL. At a distance of 2,514 feet from the runway, any building with an elevation at top of roof exceeding 74.2 feet AMSL would require FAA review. **The applicant has submitted Form 7460-1 to the Federal Aviation Administration for aeronautical obstruction evaluation.**

~~**In the event that the City of Indio chooses to overrule a determination of inconsistency, the City should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the Bermuda Dunes Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.**~~

CONDITIONS:

1. Prior to issuance of building permits, the applicant shall ~~submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation exceeding 74.2 feet above mean sea level and shall have received a determination of “Not a Hazard to Air Navigation” from the FAA~~ **Federal Aviation Administration for all buildings whose elevation at top of roof exceeds “X” feet, where “X” equals 49 + (distance from closest point of the runway to the building, divided by 100).** Copies of the FAA determination shall be provided to the City of Indio Planning Department and the Riverside County Airport Land Use Commission.

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 (“**fully shielded**” as defined in the City of Indio Municipal Code)..
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, 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.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. 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 conditional use permit, except for Pads E and F:~~ **Buildings A, B, C, F, G, H, J, K, M, N, P, and R:**

Auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, swimming pools, skating rinks, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per occupant less than 30) pursuant to California Building Code (1998) Table 10-A.
5. The attached notice shall be provided to all potential purchasers and tenants.
6. **Not more than 50% of gross floor area within Building C and Building P shall be utilized for retail sales facilities (uses which derive more than 50% of their income from the sale of goods or merchandise or the provision of services subject to payment of sales taxes to the State of California Franchise Tax Board or Board of Equalization). Not less than 7,250 square feet of office area shall be located within**

the northerly 210 feet of Building P. Not less than 6,000 square feet of office area shall be located within the northerly 135 feet of Building C. No food service establishments (facilities requiring retail food sales inspections by the Riverside County Environmental Health Department) shall be located within these two buildings.

- 7. Not more than 60% of the gross square footage of restaurant/food service Buildings D, E, L, and Q shall constitute serving area, with the remaining area (other than restrooms) to constitute employee-only commercial kitchen, food preparation, office, and utility areas.**

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**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.1

HEARING DATE: September 13, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1003FL07 – Flabob Development, Inc./Loring Ranch
31503 LP

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: General Plan Amendment No. 858 (GPA00858)

MAJOR ISSUES: None.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the proposed general plan amendment.

PROJECT DESCRIPTION: General Plan Amendment No. 858 (GPA00858) proposes to amend the Housing Element and the Noise Element of the Riverside County General Plan so as to allow approval of new residential land uses within the adopted 60 dB CNEL contours of airports, provided that the Airport Land Use Commission, after consultation with the affected Airport Manager, has granted a special conditions exception as provided in Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan and that interior noise level criteria are met. (See attached text.)

PROJECT LOCATION: The amendment is applicable to unincorporated areas Countywide. The need for the amendment was spurred by Tentative Tract Map No. 31503, the subdivision adjacent to Flabob Airport approved by the Commission in June 2006 through the use of the special conditions exception.

LAND USE PLAN: 2004 Riverside County Airport Land Use Compatibility Plan (all unincorporated areas in the vicinity of airports included in the Plan program, including Jacqueline Cochran Plan adopted in 2005).

BACKGROUND:

In June, 2006, the Airport Land Use Commission granted a finding of conditional consistency to Tentative Tract Map No. 31503, a proposal to divide 40.74 acres into 85 residential lots, one park site, and two additional lots, one of which would be conveyed to the owner-operator of adjoining Flabob Airport for the construction of aircraft hangars. A general plan amendment and change of zone were associated with this tract map. The general plan amendment (GPA No. 688) proposed to change the designation on 18.7 acres from Estate Density Residential within the Community Development Foundation Component (one dwelling unit per two to five acres) to Medium Density

Residential (2 to 5 dwelling units per acre) on 6.3 acres and Public Facilities on 12.4 acres.

A major issue that arose is that more than half of the residences would be located within the 60 dB CNEL contour. Both the Noise Element and the Housing Element of the Riverside County General Plan prohibited new residential development within this contour, with the restriction in the latter case directly attributable to an ALUC recommendation. However, in this case, the applicant and the airport had reached an agreement whereby some of the property would be conveyed to the airport and future residents would be able to walk to airplane hangars. Both parties agreed that the homes would be marketed to the aviation community. Acquisition of land by Flabob Airport would reduce the potential for establishment of incompatible uses in the vicinity of the airport.

Staff worked with representatives of the applicant and airport management to craft an amendment to the Housing and Noise Elements that was supposed to be included with the land use designation amendment as the project proceeded to public hearings before the Riverside County Planning Commission and Board of Supervisors. The text amendment was included in the resolution (copy attached) by which the Airport Land Use Commission granted its Special Conditions Exception, and the Exception was subject to a condition that the amendment be adopted. Unfortunately, ALUC staff did not monitor the progress of the text amendment, which was not addressed in the notices of public hearings before the Planning Commission and the Board of Supervisors. Consequently, the text amendment was not adopted as part of GPA No. 688, and the applicant was required to file this text amendment separately.

As drafted, the amendment would be able to be applied to areas within the 60 dB CNEL contour (but outside the 65 dB CNEL contour) of any public-use or military airport, but it would not apply to either Hemet-Ryan Airport or March Air Reserve Base at this time since those Plans do not provide for a Special Conditions Exception and do not include a Section 3.3.6. It would not apply to Perris Valley or Skylark/Mentor since they are not subject to adopted Plans other than the 1984 Plan. There are no unincorporated areas of Riverside County within the 60 dB CNEL contours of Chino Airport, Corona Municipal Airport, Palm Springs International Airport, and Riverside Municipal Airport, and there are no areas expected to be subject to noise exceeding 60 dB CNEL at Chiriaco Summit and Desert Center Airports. The 60 dB CNEL contour for Blythe Airport is entirely within the airport grounds as they presently exist, and the only unincorporated area within the 60 dB CNEL contour for Banning Municipal Airport is Tribal land under the sovereignty of the Morongo Band of Mission Indians. Therefore, the only airports that could potentially be affected are Bermuda Dunes, Flabob, French Valley, and Jacqueline Cochran.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.2

HEARING DATE: September 13, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1006CH07 – Silveira Dairy Investment, LLC/Stratham
Cloverdale Inc.

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: Change of Zone Case No. 7073 (Amended) and Tentative
Tract Map No. 32821 (Amended)

MAJOR ISSUES:

As previously noted when the Commission considered an earlier version of this project, the project is consistent with the proposed density criteria of the Draft Chino Airport Land Use Compatibility Plan, but the project is deficient in its provision of open areas that would be required in Airport Zone D if the Chino Plan were adopted. However, it has not been adopted due to the requirement for environmental review, which will be initiated following the completion of the CEQA process for the French Valley ALUCP. Ideally, the project would be amended to provide a minimum of 10% (4 acres) in qualified open areas as defined in Section 4.2.4 of the Riverside County Airport Land Use Compatibility Plan Countywide Policies. However, the project is not inconsistent with the 1991 Comprehensive Land Use Plan for Chino Airport adopted by San Bernardino County or with the 1984 Riverside County Airport Land Use Plan.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY with the 1984 Riverside County Airport Land Use Plan, subject to the conditions included herein.

PROJECT DESCRIPTION:

Change of Zone Case No. 7073, as amended, proposes to change the zoning of 38.45-39.69 acres from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to R-3 (General Residential). Tentative Tract Map No. 32821, as amended, proposes to divide the property into 22 residential lots for condominium purposes and six open space lots, and to establish 316 condominium dwelling units/lots.

PROJECT LOCATION:

The site is located northerly of Limonite (formerly Cloverdale) Avenue and westerly of Cleveland Avenue in the community of Eastvale in unincorporated Riverside County, approximately 16,400

feet easterly of Runway 8R-26L at Chino Airport.

LAND USE PLAN: 1984 Riverside County Airport Land Use Plan

- Adjacent Airport: Chino Airport (County of San Bernardino)
- a. Airport Influence Area: Within Adopted Study Area
- b. Land Use Policy: Airport Zone D on Draft Plan; outside Area of Influence on 1991 San Bernardino County Plan (outside conical surface and Referral Areas “A”, “B”, and “C”); outside Area B on maps on file at ALUC
- c. Noise Levels: Outside 65 CNEL contour on 1991 Plan and outside ultimate 55 CNEL contour on Draft Plan.

BACKGROUND:

Analysis Relative to 1984 Riverside County Airport Land Use Plan

An Airport Influence Area has been established for the portions of Riverside County in the vicinity of Chino Airport, but Riverside County Airport Land Use Commission never officially adopted a Comprehensive Land Use Plan (CLUP) for Chino Airport. This may have been due to the fact that this portion of Riverside County was almost exclusively in agricultural use until the late 1990s, when land values and housing demand led to the dairy and other agricultural lands being sold to make way for housing development. To a certain extent, Riverside County has relied on the Plan prepared by San Bernardino County to determine areas that would be the equivalent of Area I or Area II areas as defined by the 1984 Riverside County Airport Land Use Plan. As noted below, this site was not included within the Area of Influence on the 1991 San Bernardino County Plan, so staff has no reason to believe that this property should be considered to be within Area I or Area II. Area I would not be recommended for residential use, while Area II restricts residential development to one dwelling unit per 2½ acres. Area III requires avigation easements for all uses. The height of avigation easements will be from 150 feet above runway ground level elevation. The 1984 Plan also addresses noise attenuation; however, special attenuation for aircraft noise is not required in this case because the site is located outside the 55 CNEL contour and normal construction is generally sufficient to reduce exterior noise by at least 10 dB. A condition requiring an avigation easement to Chino Airport is included herein.

Analysis Relative to Draft Chino Airport Land Use Compatibility Plan

Residential Density: The site is located entirely in proposed Airport Zone D. Residential density in Airport Zone D is restricted to either a rural density not exceeding one dwelling unit per five acres or an urban density of not less than five dwelling units per net acre. Intermediate densities (less than five dwelling units per acre net and more than one dwelling unit per five acres gross) are prohibited in Airport Zone D. The density of this project is an urban density greater than seven dwelling units per acre, which is clearly consistent with Draft Chino Airport Land Use Compatibility Policies.

Prohibited and Discouraged Uses: The applicant does not propose any prohibited uses (highly noise-sensitive outdoor nonresidential uses and hazards to flight) or discouraged uses (children's schools, hospitals, and nursing homes) within the project.

Open Area: Airport Zone D requires that 10% of major projects (ten acres or larger in area) be set aside as open land that could potentially serve as emergency landing areas. The proposed project does not meet this criteria. The total amount of land in open space lots (3.07 acres) is approximately 7.76% of the land area in the project, and most of this area would not meet the ALUC definition of "open area". However, the adjacent half-streets of Limonite Avenue, Cleveland Avenue, and 58th Street together account for 4.58 acres, which is 10% or more of the project land area.

Noise: The site underlies traffic patterns. Future residents will experience some annoyance from over flying aircraft, but the site is outside the ultimate 55 CNEL contour for the airport (the area that would be subject to average exterior noise levels of 55 CNEL or greater under ultimate airport development conditions). Therefore, it is not expected that there will be any difficulty in assuring that interior noise levels from aircraft operations will be at or below 45 CNEL.

Part 77: The maximum preliminary pad elevation is 675.8 feet above mean sea level (675.8feet AMSL). The elevation of the nearest runway at its low point is 636 feet AMSL. At a distance of 16,400 feet from the runway, FAA review would be required for any structures with top of roof exceeding 800 feet AMSL. At this time, no structures are expected to exceed 33 feet in height (height to top of roof not exceeding 708.8 feet AMSL). Therefore, FAA notice and review is not required at this time.

Analysis Relative to 1991 Chino Airport Comprehensive Land Use Plan

The project site is located outside Safety Zone III, Referral Area "C", and the Conical Surface as depicted on Figures I-4 and III-7 of the Chino Airport Comprehensive Land Use Plan and, thus, would not be subject to restrictions included therein. However, the project is subject to ALUC review due to its location within the Interim Area of Influence established by the ALUC in 2000.

CONDITIONS:

1. The project shall not provide for the location of schools, hospitals, nursing homes, or highly noise-sensitive nonresidential uses within its boundaries.
2. Any 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.
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. Additional Airport Land Use Commission staff review shall be required at the tentative map, plot plan, or use permit stage for any structure greater than 70 feet in height.
 5. The attached notice shall be provided to all potential purchasers and tenants.
 6. 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 Chino Airport. (Contact San Bernardino County Department of Airports at (909) 387-7801 for additional information.)
 7. Bio-swales and detention basins shall be designed to remain totally dry between rainfalls and shall not be designed to provide a maximum detention period exceeding 48 hours. Vegetation in and around such swales or basins 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: 3.3

HEARING DATE: September 13, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1022RI07-Mike Baltierra/Greg Estrada

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: P07-0647 (Change of Zone)

MAJOR ISSUES: NONE

RECOMMENDATION: Staff recommends a finding of Consistency for the Change of Zone.

PROJECT DESCRIPTION:

Proposal to change the zoning of a 0.61-acre parcel from R-1-65 (Residential, 7000 square foot minimum lot size) to RO (Restricted Office).

PROJECT LOCATION:

The site is located northerly of Arlington Avenue, westerly of Phoenix Avenue and easterly of Malibu Drive, approximately 2,640 feet from the runway 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: 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 per single-acre. The applicant is not proposing any structures through this application.

PART 77: The maximum elevation at this site is 768 feet above mean sea level (AMSL). The runway elevation at its easterly end is 815.6 AMSL. There are no structures proposed through this application; however, any future development with a top of roof elevation exceeding 842 feet AMSL would require FAA review.

Noise: The site is crossed by the 60 CNEL contour. A noise level reduction of 20dB in residences and office buildings would be required, but there are no structures being proposed through this application.

At the time of future development the following conditions would be likely.

CONDITIONS:

1. The attached notice shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
2. Noise attenuation measures shall be incorporated into office buildings and residences 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.

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

AGENDA ITEM: 3.5

HEARING DATE: September 13, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1018BD07-Palm Desert 53 Investors,
LLC/RGP Planning and Development Services

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: SP00360 (Specific Plan) & TR34651 (Tract Map)

MAJOR ISSUES: NONE

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

PROJECT DESCRIPTION:

A proposal to establish a Specific Plan for the development of up to 475 single-family residences (241 detached and 234 attached) on 53.42 – 55.13 acres, and to divide the site into 427 lots for condominium purposes.

PROJECT LOCATION:

The site is located northeasterly of Varner Road and Interstate 10 and southerly of 38th Avenue (Avenue 38), easterly of Thousand Palms and westerly of Bermuda Dunes, approximately 13,400 feet northwesterly of the westerly terminus of Runway 10-28 at Bermuda Dunes Airport, in unincorporated Riverside County.

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

Adjacent Airport:

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use Policy: mostly in Airport Zone E (small portion outside AIA)
- c. Noise Policy: Outside the 55 CNEL Contour

BACKGROUND:

Land Use/Density: The project proposes an urban density (overall density exceeding 7 dwelling units per acre, with net densities as high as 30 units per acre in specific areas of the site). The site is located in Airport Zone E. ALUCP compatibility criteria for Zone E place no limits on residential density.

Noise: The site lies outside the ultimate 55 CNEL contour for Bermuda Dunes Airport; consequently, no special mitigation for aircraft noise is required.

PART 77: The maximum elevation at this site is 154 feet above mean sea level. The proposed structures will not exceed a height of 40 feet. The runway elevation at its westerly end is 74 feet above mean sea level. At a distance of 13,400 feet from the runway, FAA review would be required for any structures with top of roof exceeding 208 feet above mean sea level. FAA notice and review are not required, based on the proposal as submitted.

CONDITIONS:

1. Any 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 and shall comply with applicable provisions of Ordinance No. 655.
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.
 - (e) Production of cereal grains, sunflower, and row crops, aquaculture, livestock operations, artificial marshes, landscaping utilizing water features, and wastewater management facilities, unless a Wildlife Hazard

Management Plan is first approved by the United States Department of Agriculture.

3. Additional Airport Land Use Commission review shall be required for any structure exceeding fifty-four (54) feet in height or an elevation at top point exceeding 208 feet above mean sea level.
4. Any detention basins, retention basins, bio-swales, or other aboveground drainage or flood control facility shall not be designed so as to provide for a detention period for the design storm exceeding a maximum of 48 hours and shall be designed to remain totally dry between rainfalls. Vegetation in and around such basins 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 attached notice shall be provided to all potential purchasers and tenants.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.6

HEARING DATE: September 13, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1019BD07 – Delfino Development, LLC/Robert Ricciardi, Architect

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: GPA00876 (General Plan Amendment), CZ07529 (Change of Zone) and PP22845 (Plot Plan).

MAJOR ISSUES: None.

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

PROJECT DESCRIPTION: General Plan Amendment No. 876 (GPA00876) proposes to amend the General Plan designation on 4.51 acres from Very Low Density Residential within the Community Development Foundation Component (one dwelling unit per acre) to Commercial Office. Change of Zone Case No. 7529 (CZ07529) proposes to change the zoning on the amendment site from R-1-20,000 (One-family Dwellings, 20,000 square foot lot size) to C-O (Commercial Office). Plot Plan No. 22845 (PP22845) proposes to develop two office buildings on the site, with a combined gross floor area of 55,320 square feet.

PROJECT LOCATION: The site is located northerly of 41st Avenue and easterly of Washington Street in the unincorporated Riverside County community of Bermuda Dunes, approximately 5,841 feet westerly of the westerly terminus 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 Zone C
- c. Noise Levels: Outside 55 CNEL contour

BACKGROUND:

Nonresidential Average Intensity: The site is located in Airport Zone C. Nonresidential intensity in Airport Zone C is restricted to an average of 75 persons per acre and a maximum of 150 persons in

any given acre. The project consists of two office buildings with a total gross floor area of 55,320 square feet. Office buildings are considered to have an intensity of one person per 200 square feet, with the 50% reduction. Therefore, the total number of persons at this site would be expected to be 277 persons, and the average intensity would be 61 persons per acre, which is consistent.

In this case, the Parking Space Method would appear to indicate a higher intensity on the site. The applicant proposes to provide 279 parking spaces. Application of the standard 1.5 persons per vehicle factor results in a total occupancy of 419 persons and an average intensity of 93 persons per acre. However, available information indicates that vehicle occupancy levels for offices are generally lower than 1.5. A vehicle occupancy level of 1.2 persons per vehicle would result in a total occupancy of 335 persons and an average intensity of 74 persons per acre.

In past hearings, the Airport Land Use Commission has indicated that it does not wish to penalize applicants for providing a greater number of parking spaces than is necessary, provided that all parties understand that the establishment of more intensive uses would require additional review, as specified in Condition No. 3 herein.

Nonresidential Single-Acre Intensity: Nonresidential single-acre intensity is restricted to 150 persons in any given acre in Airport Zone C. Using the Building Code method and based on office use, no single acre of the site would exceed an intensity of 138 persons. Therefore, the project is consistent with nonresidential single-acre intensity criteria.

Noise: The site underlies traffic patterns and will experience some annoyance from over flying aircraft, but it is outside the area subject to average noise levels of 55 CNEL or greater. Consequently, no special noise mitigation is required.

PART 77: The proposed pad elevation of the buildings is 99 feet above mean sea level (AMSL). The proposed buildings will be 32 feet in height. Therefore, the elevation at top of roof will not exceed 131 feet AMSL. The elevation of the nearest runway is 73 feet AMSL. At a distance of 5,841 feet from the runway to the area proposed for amendment, FAA review would be required for any structures with top of roof exceeding 131 feet AMSL. Therefore, FAA notice and review are not required, provided that the elevation at top point does not exceed 131 feet AMSL..

CONDITIONS (Plot Plan):

1. The elevation of each structure at top of roof or top point shall not exceed one hundred thirty-one (131) feet above mean sea level (131 feet AMSL). Notice to, and review by, the Federal Aviation Administration through the Form 7460-1 process shall be required if this limit is exceeded.
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.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, and highly noise-sensitive outdoor uses.
3. The County of Riverside shall require additional review by the Airport Land Use Commission or its staff prior to the establishment of any of the following uses in any of the structures proposed through this plot plan:

Retail sales, auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding 50 persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, exercise rooms, locker rooms, swimming pools, skating rinks, 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.

4. The attached notice shall be provided to all potential purchasers and tenants.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 4.1

HEARING DATE: September 13, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1004FL07-Hill View
Development/Charles Joseph Associates

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: General Plan Amendment No. 810
(GPA00810), Change of Zone Case No.
7343 (CZ07343), and Tentative Tract Map
No. 34795 (TR34795)

MAJOR ISSUES: One of the proposed multi-unit structures may require FAA review.

RECOMMENDATION: The proposed general plan amendment and change of zone are consistent with the Flabob ALUCP, but staff must recommend Continuance to October 11, 2007 for the tract map, pending determination of need for FAA review.

PROJECT DESCRIPTION:

General Plan Amendment No. 810 (GPA 00810) proposes to amend the current General Plan (Jurupa Area Plan) land use designation of 7.72-7.76 acres from Estate Density Residential (EDR) (1 dwelling unit per two acres) within the Community Development Foundation Component to Medium High Density Residential (MHDR) (5-8 dwelling units per acre). Change of Zone Case No. 7343 (CZ07343) proposes to change the zoning on the site from R-1-100 (One-family Dwellings, 100 foot minimum lot frontage) and A-1 (Light Agriculture) to R-3 (General Residential). Tentative Tract Map No. 34795 proposes to divide the property for the establishment of 42 condominium units, and to develop 14 triplex (3 unit) buildings containing 42 dwelling units.

PROJECT LOCATION:

The property in question is located northeasterly of 46th Street and southeasterly of Riverview Drive, approximately 1,568 feet northwesterly of the westerly terminus of Runway 6-24 at the Flabob Airport, in the unincorporated Riverside County community of Rubidoux.

LAND USE PLAN: 2004 Flabob Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Flabob Airport
- b. Land Use Policy: Airport Zone D
- c. Noise Policy: Parcels are split by the 55 CNEL Contour

BACKGROUND:

Land Use/Density: The site is located in Airport Zone D. Land use compatibility criteria for Airport Zone D allows for a density of five or more dwelling units per acre. The applicant is proposing 42 units on 7.72-7.76 acres. Given the acreage and proposed number of dwelling units, the density is 5.41 dwelling units per acre. The proposed General Plan Amendment and Change of Zone are consistent with the 2004 Plan.

PART77: The maximum proposed finished floor elevation at this site is 764 feet above mean sea level (AMSL), and the proposed maximum structure height is 26 1/2 feet. The maximum elevation at top of roof is 790.5 feet AMSL. The runway elevation at its westerly end is 750 feet AMSL. Due to the short runway, the relevant slope is 50:1. At a distance of 1,568 feet from the runway to the nearest point of the site, any structure above 782 feet top elevation would require FAA review. However, the westerly boundary of the site is an additional 915 feet from the runway, allowing an additional 18 feet of elevation at that location. Staff has determined that one of the structures probably requires FAA notice and review, but is willing to consider additional evidence regarding the distance of each structure from the runway. At this time, the applicant has not submitted to FAA for review.

Noise: The site is crossed by the 55 CNEL contour. Portions of the site would be subject to noise levels exceeding 55 dB(A) CNEL from aircraft operations.

CONDITIONS (Tract Map):

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 off or toward an aircraft engaged in a straight final approach toward a landing aircraft engaged in an initial straight climb following take 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, and highly noise-sensitive outdoor nonresidential uses.
2. Noise attenuation measures shall be incorporated into the building design and construction to ensure such noise level reduction as may be necessary so as to reduce interior noise levels within each unit to 45 CNEL or below.
 3. The attached notice shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
 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. Prior to recordation of a final map, the applicant shall file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration for any structure whose elevation in feet above mean sea level at top of roof or top point exceeds "Y", where "Y" = $750 + (\text{distance from top point to the westerly terminus of the runway at Flabob Airport, divided by } 50)$.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 4.2

HEARING DATE: September 13, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1023RI07- Magnolia Avenue Baptist Church

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: P07-0810 (Revised Conditional Use Permit) and
P07-0811 (Design Review)

MAJOR ISSUES: The intensity of use on-site, especially the single-acre intensity, would be well above the maximum allowable intensity in Airport Zone D, even if use of existing on-site buildings is not included in the calculation. The applicant's representative has been advised that the project intensity is inconsistent with Airport Zone D policies.

RECOMMENDATION: Staff recommends CONTINUANCE to October 11, 2007, at the request of the applicant's representative. [The applicant will need this additional time to prepare documentation in support of a request for consideration pursuant to Sections 3.3.1 (Infill) and/or 3.3.6 (Other Special Conditions).]

PROJECT DESCRIPTION:

The applicant proposes to construct and operate a 22,838 square foot children's educational facility and a 40,000 square foot church sanctuary, and to remodel the existing church sanctuary to be used as a multi-purpose building. The project area includes 10.28 acres. Existing buildings on the property include the existing church sanctuary building (31,542 square feet) located on Adams Street and three other buildings with a combined square footage of 50,535 square feet.

PROJECT LOCATION:

The site is located at the northwest corner of Magnolia Avenue and Adams Street in the City of Riverside, approximately 6,468 feet southeasterly of Runway 9/27 at Riverside Municipal Airport.

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 D
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

This project was initially submitted for “staff review” as a project in Zone D without a legislative action. However, it was scheduled for consideration on this agenda due to staff’s inability to make a finding of consistency pursuant to adopted compatibility criteria. Staff met with the applicant’s representatives on August 29 to advise that the proposed project was inconsistent with ALUCP nonresidential intensity criteria for Zone D. Due to the project having been received as a “staff review”, at this time, there are no reduced-size copies of the elevations and floor plans available for inclusion in this staff report package.

Land Use/Intensity: The site is in Airport Zone D. Children’s schools are discouraged in Airport Zone D. The compatibility criteria for Airport Zone D permit 100 people per acre (average) and a maximum of 300 people in any given acre. Even with use of all risk-reduction design measures, the single-acre intensity cannot exceed 390. Both the new sanctuary and the new school building are designed to allow for occupancy by over 390 persons within a single acre. The sanctuary would include fixed seating for 1500 persons. ALUC staff has no information regarding the number of students who would be attending the school, but the 22,838 square foot facility could potentially accommodate over 500 persons. The land use could be accommodated in Airport Zone E, but not in Airport Zone D

Given the proposed sanctuary seating, unless ALUC were to make a special finding based upon the number of hours that the building is in use on a weekly basis, the infill provisions would not be sufficient to enable a finding of consistency for that structure.

In the long term, ALUC may wish to consider whether Riverside Municipal Airport should be considered as an urban, rather than a suburban/rural, airport. The California Airport Land Use Planning Handbook guidelines for safety zones recommend average intensity criteria of 150 persons per acre and single-acre intensity maxima of 450 persons per acre for the Traffic Pattern Zone of suburban/rural airports (prior to application of risk-reduction design bonuses), but no limits for the Traffic Pattern Zone for urban airports, where the airport is surrounded by predominantly developed areas. Such a determination would need to be addressed through an amendment to the additional compatibility policies for this airport, which would need to be coordinated with the City of Riverside, its Airport Commission, and Airport Manager.

Part 77: The maximum elevation at this site is 791 feet above mean sea level (AMSL), and the proposed maximum structure height is 36 feet and 10 inches. The runway elevation at its easterly end is 815.6 feet AMSL. At a distance of 6,468 feet from the runway, any structure above 880 feet top elevation would require FAA review. (While the closest point of the site is 6,063 feet from the runway, this area is a proposed parking lot; the closest structure would be the existing church/proposed multi-purpose building at a distance of 6,468 feet from the runway.) FAA review is not required.

Noise: The site is outside the 55 CNEL contour. Noise mitigation is not required.

The following conditions are necessary to prevent the establishment of uses that are hazards to flight and to provide notification in accordance with State law. Implementation of these conditions does NOT render the project consistent with the Riverside Municipal Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards (as they would affect the worshippers, students, teachers, and other occupants of these buildings) to below a level of significance pursuant to the California Environmental Quality Act.

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.
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.

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

AGENDA ITEM: 4.3

HEARING DATE: September 13, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1025RI07-Cindy Burdett c/o Hans Imhof/Michael Swain

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: P07-0872 (Design Review)

MAJOR ISSUES: FAA review is required for this project

RECOMMENDATION: Staff recommends a finding of Conditional Consistency pending FAA determination, subject to the conditions specified herein and such additional conditions as may be required pursuant to the terms of the FAA determination.

PROJECT DESCRIPTION:

The design review is for a new single-story building consisting of 16,455 square feet of manufacturing space, and 6,480 square foot of office space for a total of 22,935 square feet.

PROJECT LOCATION:

The site is located westerly of the intersection at Central Avenue and Fremont Street, approximately 825 feet northerly of Runway 9-27 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 B2
- c. Noise Policy: Between 60-65 CNEL Contour

BACKGROUND:

Land Use/Intensity: The site is located in Airport Zone B2. Land use compatibility criteria for Airport Zone B2 permit an average of 100 people per acre and a maximum of 200 people per single-acre. The applicant is proposing a total building area of 22,935 square feet on 1.66-1.74 acres. Given the square footage of the office and manufacturing space, the project will result in total occupancy of 74 persons on site.

If the building were to be utilized as total office space, the maximum total occupancy would be 115 persons (60-69 persons per acre).

PART 77: The maximum elevation at this site is 830 feet above mean sea level (AMSL), and the proposed maximum structure height is 25 feet. The project as proposed shows the expected highest point of the building to be 855 feet AMSL. The runway elevation at its easterly end is 815 feet AMSL. At a distance of 825 feet from the runway, any structure over 823 feet top elevation would require FAA review. FAA review is required for this project.

Noise: The site lies between the 60 CNEL and 65 CNEL contours. A noise level reduction of 25dB 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, churches and chapels, 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. Noise attenuation measures shall be incorporated into the office areas of the buildings to ensure a minimum noise level reduction of 25 dB.
 5. Prior to issuance of building permits, the landowner shall record an aviation easement to Riverside Municipal Airport.
 6. The City of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following facilities on this property:

Retail sales facilities, dormitories, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, 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, unless it can be demonstrated that other portions of the structure are occupied at a level less intense than the level assumed in this staff report.

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 5.1** In conjunction with the County's adoption of ALUC's budget for FY08, and effective today, a Meeting Per Diem of \$150 will now be paid to Commissioners, or their Designated Alternates, who are in attendance at ALUC meetings. This will include any special sessions of the full Commission that need to be scheduled, but does not include attendance at sub-committee meetings formed ad-hoc, which Commissioners who volunteer are still expected to attend pro-bono. Commissioners on the Riverside County Planning Commission currently receive \$300 per-diem for meetings lasting 8-12 hours in length.

- 5.2** Notification that Edward C. Cooper, Interim Executive Director to the Airport Land Use Commission, will now serve as Director, Airport Land Use Commission.