



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 12, 2008

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
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Riverside

COMMISSIONERS

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Robin Lowe
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Riverside, CA 92501
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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.

Non-exempt materials related to an item on this agenda submitted to the (Airport Land Use Commission or its staff) after distribution of the agenda packet are available for public inspection in the Airport Land Use Commissions office located at 4080 Lemon Street, 9th Floor, Riverside, CA 92501 during normal business hours.

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: 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

- 2.1 ZAP1008FL08 – Greenland Joint Venture and Adeel and Farooq Bhattha (Representative: Adkan Engineers) – County Case Nos. TR35801 (Tract Map) and CZ07606 (Change of Zone). A proposal to change the zoning of an 8.46-acre parcel located northeasterly of Peralta Place, southerly of Vista Del Caballero, and westerly of Ave. Juan Bautista, within the unincorporated Riverside County community of Rubidoux, from R-1-100 (One Family Dwellings, 100 foot minimum lot frontage) and R-A (Residential Agricultural) to R-1 (One-Family Dwellings), and to divide the parcel into six residential lots. Airport Zone E. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

MARCH AIR RESERVE BASE

- 2.2 ZAP1050MA08 – Davis Patterson Partners (Representative: Urban Environs, Patrick J. Meyer) – County Case Nos. PP23342 (Plot Plan) and CZ07648 (Change of Zone). A proposal to change the zoning of five parcels totaling approximately 11.26-11.4 acres in an area located northerly of Rider Street, easterly of Patterson Avenue, and westerly of Interstate 215 in the unincorporated Riverside County community of Mead Valley from M-H (Manufacturing-Heavy) and M-SC (Manufacturing-Service Commercial) to I-P (Industrial Park) and M-SC, and to develop a multi use industrial park consisting of four freestanding buildings totaling approximately 180,551 square feet in floor area on the site. Airport Area II. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

RIVERSIDE MUNICIPAL AIRPORT

- 2.3 ZAP1040RI08 – TR Design Group, Inc/ Thomas E. Jimenez – City Case No. P08-0300 (Change of Zone). A proposal to change the zoning of one 0.42-acre parcel with an address of 7179 Magnolia Avenue, located on the northerly side of Magnolia Avenue, easterly of its intersection with El Hijo Street and westerly of its intersection with Arlington Avenue, within the City of Riverside, from R-1-7000 (Single Family Residential) to O (Office). Airport Zone D. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

3.0 **PUBLIC HEARING:**
OLD BUSINESS

FRENCH VALLEY AIRPORT

- 3.1 ZAP1008FV07 – Wilshire Greeneway I, LLC (Representative: Ebru Ozdil/Advanced Development Solutions) – County Case Nos. SP00284A3 (Specific Plan Amendment), CZ07596 (Change of Zone), PP23146 (Plot Plan), and PM29509 (Parcel Map No. 29509, Amended No. 2). Plot Plan No. 23146 proposes to establish a mixed use commercial/office/industrial project consisting of 13 buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres) located westerly of Leon Road, southerly of Benton Road, and northerly of Auld Road in the unincorporated Riverside County community of French Valley. SP00284A3 proposes to change the Specific Plan designation of the site from Office/Industrial Park to Commercial/Office/Industrial Park, and from Industrial Park to Commercial/Industrial Park, CZ07596 proposes to amend the zoning ordinance for Specific Plan No. 284 to allow commercial uses in Planning Areas 1 and 2. PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel. Airport Zones C, B1, and D. (Continued from March 13, 2008 and May 8, 2008). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONDITIONALLY CONSISTENT (Plot Plan); other applications CONSISTENT

MARCH AIR RESERVE BASE

- 3.2 ZAP1049MA08 – Oakmont Ramona Expressway, LLC/Oakmont Industrial Group, LLC (Representative: Kurt Schlyer) – City Case No. DPR 07-0029 – Development of five industrial buildings with a total building area of up to 1,611,000 square feet (including 90,907 square feet of office area) and 1,417 parking spaces on 81.92 – 87 acres located northerly of Ramona Expressway, southerly of Markham Street, easterly of Brennan Avenue, and westerly of Barrett Avenue in the City of Perris. Most of the project site is located westerly of Indian Street. Airport Area I (Accident Potential Zones I and II). (Continued from May 8, 2008). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to July 10, 2008

JACQUELINE COCHRAN REGIONAL AIRPORT

- 3.3 ZAP1006TH07 – Christ is Salvation Church (Representative: Gabriel Lujan and Associates) – County Case No. PP22980 (Plot Plan) – A proposal to establish a 42,250 square foot, two-story church building, with a 6,400 square foot maintenance/storage building and a 1,440-1,500 square foot caretaker's quarters, on 5 acres located on the west side of Olive Street, southerly of Church Street and northerly of 57th Avenue, in the unincorporated Riverside County community of Thermal. The church building is proposed to include sixteen classrooms, two multi-purpose rooms, and a 649 seat sanctuary. **This project has been revised. The Commission may consider whether to find the revised project consistent pursuant to Countywide Policy 3.3.6.** Airport Zone D. (Continued from April 10, 2008 and May 8, 2008). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: INCONSISTENT

4.0 **PUBLIC HEARING:**
NEW BUSINESS

FRENCH VALLEY AIRPORT

- 4.1 ZAP1024FV08 – French Valley Business Park I, L.P. and Pacific Realty Partners, L.P. (Representative: SW Engineering, Inc.). County Case Nos. PP23404 (Plot Plan) and PM30790 R1 (Revised Parcel Map). A proposal to develop an eight-building mixed-use business park, including retail, office, and industrial uses, with a combined gross floor area of up to 140,000 square feet, on approximately 10.5 acres of a 17.45-18.7 acre property located at the northeasterly corner of Auld Road and Leon Road (extending almost ¼ mile northerly of the intersection along the easterly side of Leon Road and 600 feet easterly of the intersection along the northerly side of Auld Road), in the unincorporated Riverside County community of French Valley, and to divide the property into two commercial/industrial parcels for condominium purposes. The proposed buildings would be subdivided into condominium airspace units. Airport Zones C and D. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONDITIONALLY CONSISTENT (Plot Plan); CONSISTENT (Parcel Map)

FRENCH VALLEY AIRPORT

- 4.2 ZAP1025FV08 – Cole and Tracy Burr/Heliport Consultants (Representative: Ricarda Bennett) – County Case No. CUP 03551 (Conditional Use Permit). A proposal to develop a private use, ground level helistop for the take off and landing of a helicopter on 28.58-29.34 acres of contiguously owned property located at 35550 and 35560 De Portola Road, on the northerly side of De Portola Road, easterly of Anza Road and westerly of Pauba Road in the “Valle De Los Caballos” Policy Area of unincorporated Riverside County. The County anticipates limiting usage to a maximum of two round trips per day, and to the hours of 7:00 a.m. to 7:00 p.m. daily. Not located within an existing Airport Influence Area. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT

5.0 **ADMINISTRATIVE ITEMS**

5.1 Chino Airport Land Use Compatibility Plan Schedule

5.2 Report from Frequency of Use Subcommittee: Calculation of Intensity for Meeting Places and Intermittent Uses

5.3 Notice of Intent to Overrule – Harvest Landing (City of Perris) – ZAP1048MA08

5.4 Director’s Approvals

6.0 **APPROVAL OF MINUTES**

May 8, 2008

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

8.0 **COMMISSIONER’S COMMENTS**

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 2.1

HEARING DATE: June 12, 2008

CASE NUMBER: ZAP1008FL08 – Adkan Engineers/ Greenland Joint Venture/ Adeel and Farooq Bhattha

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: TR35801 (Tract Map) and CZ07606 (Change of Zone)

MAJOR ISSUES: None

RECOMMENDATION: Staff recommends a finding of **CONSISTENCY** for the change of zone and the tentative tract map, subject to the conditions specified herein for the tract map.

PROJECT DESCRIPTION:

The applicant proposes a change of zone from One Family Dwellings, 100 foot minimum lot frontage (R-1-100) and Residential Agriculture (R-A) to One Family Dwellings (R-1), and a subdivision of approximately 9.37 gross acres into six lots, with no structures being proposed at this time.

PROJECT LOCATION:

The site is located northerly of Peralta Place, southerly of Vista Del Caballero, and westerly of Avenue Juan Bautista, approximately 6,092 feet southwesterly 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

- a. Airport Influence Area: Flabob Airport
- b. Land Use Policy: Zone E
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The site is located in Airport Zone E. Given the acreage and proposed number of residential lots, the density is 0.64 dwellings per acre. As the land use compatibility criteria for Airport Zone E has no residential density limits, the change of zone and tentative tract map are consistent with the 2004 Plan.

Part 77: The applicant's maximum proposed pad elevation on site is 857 feet above mean sea level (AMSL). The proposed R-1 (Single Family Dwellings) zone change would allow a maximum structure height of 40 feet. The runway elevation at its westerly end is 750.3 feet AMSL. At an approximate distance of 6,092 feet and relevant slope of 50:1, due to the short runway, any structure above 872 feet AMSL would require FAA review.

Noise: The site is outside the 55 CNEL contour; therefore, no noise mitigation 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.
2. The attached notice shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
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.
4. Prior to issuance of building permits, the applicant shall file a Notice of Proposed

Staff Report

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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 872 and shall have received a determination of “No Hazard to Air Navigation.”

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

AGENDA ITEM: 2.2

HEARING DATE: June 12, 2008

CASE NUMBER: ZAP1050MA08-Davis Patterson Partners/Urban
Environs, Patrick J. Meyer

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: PP23342 (Plot Plan) and CZ07648 (Change of
Zone)

MAJOR ISSUES: None

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

PROJECT DESCRIPTION:

A proposal to change the zone from Manufacturing-Heavy (M-H) Zone and Manufacturing-Service Commercial (M-SC) Zone to Industrial Park (I-P) Zone and Manufacturing-Service Commercial (M-SC) Zone, and to develop a multi use industrial park consisting of four freestanding buildings totaling approximately 180,551 square feet, on five parcels approximately 11.39 acres in total.

PROJECT LOCATION:

The project site is located northerly of Rider Street, easterly of Patterson Avenue, and westerly of W. Frontage Road, in unincorporated Riverside County, approximately 11,840 feet southerly of the southerly end of the runway at March Air Reserve Base.

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

- a. Airport Influence Area: March Air Reserve Base/March Inland Port
- b. Land Use Policy: Area II
- c. Noise Levels: Outside the 60 CNEL contour line

BACKGROUND:

Land Use/Intensity: The site is located in Airport Area II. Policy II in chapter II of the 1984 RCALUCP states that Area II is an acceptable area for such uses as agriculture, industrial, and commercial.

The 2005 Airport Installation Compatibility Use Zone report for March Air Reserve Base, a U.S. Air Force publication, identifies Accident Potential Zones (APZ) in the airport vicinity. This property is not located within an APZ.

The Draft March Land Use Study (Draft JLUS) prepared by Mead and Hunt depicts this property as being within Airport Zone C2, which is a compatible zone for industrial uses such as manufacturing and warehousing. Airport Zone C2 limits nonresidential intensity to 150 persons per average acre, with a maximum of 375 persons in any given acre.

Staff has analyzed the proposed project, using the California Building Code, and has determined that the total occupancy of the project, with incorporation of 50% reduction, is 457 persons. Therefore, the average intensity is 40 persons per acre, and the highest single acre intensity is 123 persons.

Based on the Parking Calculation Method total occupancy would be estimated at 563 persons (1.5 persons per parking space), for an average intensity of 49 persons per acre for the 11.39-acre site.

Part 77: The proposed finished floor elevations range from 1506-1521 feet above mean sea level (AMSL), and the maximum building height will not exceed 39 feet. At a distance of 11,840 feet southerly of the runway, with a runway elevation of 1,488 feet AMSL, any structure exceeding a top elevation of 1,606 feet AMSL will require FAA review. FAA review is not required.

Noise: The site is outside the 60 CNEL contour. Noise mitigation is required only for office areas, as manufacturing and warehousing are not considered noise sensitive uses.

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. Prior to issuance of building permits, the landowner shall convey an aviation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
 3. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plan. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)
 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
 5. Noise attenuation measures shall be incorporated into office areas of the proposed structures, as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.

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

AGENDA ITEM: 2.3

HEARING DATE: June 12, 2008

CASE NUMBER: ZAP1040RI08 – TR Design Group, Inc/ Thomas E. Jimenez

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: CZ P08-0300 (Change of Zone)

MAJOR ISSUES: None.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the change of zone.

PROJECT DESCRIPTION:

A proposal to change the existing zone from Residential (R-1-7000) to Office (Office) and convert existing structures, totaling approximately 2,718 square feet, into office space, on an approximately 0.41 acre parcel.

PROJECT LOCATION:

The project site is located southerly of Arlington Avenue, northerly of Magnolia Avenue, and easterly of El Hijo Street, in the City of Riverside, approximately 9,400 feet southeasterly of the easterly terminus of Runway 9-27 at the Riverside Municipal Airport.

LAND USE PLAN: 2005 Riverside Municipal Airport Land Use Compatibility Plan (RMALUCP)

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Policy: Airport Zone D
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The site is located in Airport Zone D of the Riverside Municipal Airport. Land use compatibility criteria for Airport Zone D permit an average of 100 people per acre and a maximum of 300 people per single-acre. The applicant's proposed change of zone would be consistent with the RMALUCP Zone D criteria.

The applicant is proposing to convert an existing two-story 2,356 square foot residential home and accessory building, approximately 362 square feet, into offices on a 0.41 acre site. The total occupancy on site, based on the California Building Code, will be approximately 30 people. Based on the Parking Calculation Method the total occupancy on site would be 16.5 people. Therefore, the project is consistent.

Part 77: The site elevation is approximately 827 feet above mean sea level (AMSL) and the highest object above ground is 75 feet. Therefore, the highest elevation on site is 902 feet AMSL. The elevation of the easterly runway terminus is 815.6 feet AMSL. At a distance of approximately 9,400 feet, any structure above 909 feet AMSL would require FAA review. FAA review is not required for this project.

Noise: The project area is located outside the 55 CNEL contour. No noise mitigation is required.

General plan amendments and rezoning are not subject to conditions.

Attachment: State law requires notification that the property is located in an Airport Influence Area in the course of real estate transactions. The landowner shall notify potential purchasers and tenants.

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**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.1 ~~2.2~~ 3.4 3.3 4.3

HEARING DATE: ~~JUNE 12, 2008~~ ~~MAY 8, 2008~~ ~~March 13, 2008~~ ~~February 14, 2008~~ ~~January 10, 2008~~ (continued from MAY 8, 2008, MARCH 13, 2008, February 14, 2008, January 10, 2008 and December 13, 2007)

CASE SUMMARY:

CASE NUMBER: ZAP1008FV07 – Wilshire Greeneway I, LLC

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: SP00284A3 (Specific Plan Amendment), CZ07596 (Change of Zone), PP23146 (Plot Plan), PM29509 (Parcel Map)

MAJOR ISSUES: Single-acre intensities exceed Zone C criteria in portions of the site, most notably in the area of the two-story office buildings K and L. These intensities are up to 195 ~~224~~ persons per acre. The problems appear to be surmountable through redesign or reallocation of land uses and structures and/or demonstration of eligibility for risk-reduction and/or open land bonuses. The applicant is requesting risk-reduction design bonuses of up to 30% for single-story buildings and up to 20% for two-story buildings. The project does meet the average intensity standard. FAA review is required for at least some of the structures at this location.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the specific plan amendment, change of zone, and parcel map.

In the event that the Commission is willing to grant the requested risk-reduction design bonuses, staff recommend a finding of CONDITIONAL CONSISTENCY for the plot plan, subject to the conditions included herein and such additional conditions as may be required to be added pursuant to the terms of the FAA determination. In the event that the Commission is not willing to grant the requested risk-reduction design bonuses, staff recommends that consideration of the plot plan be continued an additional month to allow for further redesign or reallocation of land uses.

~~CONTINUANCE to~~ ~~JUNE 12, 2008~~ ~~APRIL 10, 2008~~ ~~March 13, 2008~~ ~~February 14, 2008~~ ~~January 10, 2008~~ to allow for submittal to the Federal Aviation Administration and to allow for further design modifications and submittal of additional information from the applicant.

~~study and possible redesign or reallocation of land use in portions of the site.~~

~~Staff's recommendation may change in the event that the necessary information is submitted prior to the hearing.~~

UPDATE: This item was continued without discussion from the December 13 agenda in order to allow for redesign or reallocation of uses or structures in the vicinity of Buildings K and L, and to allow for FAA review. Staff met with two project representatives on December 18 to discuss these concerns. Staff is awaiting further information from the applicant as of January 2, 2008. Staff has recommended the preparation of a site plan that depicts airport zone boundaries on the site.

UPDATE II: On January 24, 2008, staff met again with the two project representatives, the project architect, the applicant, and representatives of the County Planning Department and Economic Development Agency. It was indicated at that meeting that ALUC staff would be provided with (1) documentation regarding each building corner's maximum elevation and distance of from runway (or, alternatively, verification of FAA submittal); (2) more precise information regarding building square footage within the single-acre areas of greatest concern; and (3) a request for use of the risk-reduction design bonus with appropriate documentation. As of January 30, this information has not been received.

UPDATE III: The additional information has not been received as of February 28, 2008. The applicant's representative is attempting to satisfy County Planning staff concerns, as well as ALUC staff concerns regarding single-acre intensities, and has indicated that these changes may affect the locations of Buildings K and L, as well as building heights. Both the site plan and elevations may be modified as a result..

UPDATE IV: THE APPLICANT HAS REQUESTED AN ADDITIONAL ONE-MONTH CONTINUANCE.

UPDATE V: A NEW PACKET OF MATERIALS WAS SUBMITTED ON MAY 29, 2008. THE APPLICANT HAS MADE SOME CHANGES TO BUILDING LAYOUT AND LAND USES AND HAS SUBMITTED TO FAA FOR AERONAUTICAL REVIEW WHERE REQUIRED.

PROJECT DESCRIPTION: Plot Plan No. 23146 proposes to establish a mixed use commercial, office, and industrial project consisting of 12 43 buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres). SP00284A3 proposes to change the Specific Plan designation of the site from Office/Industrial Park to Commercial/Office/Industrial Park, and from Industrial Park to Commercial/Industrial Park. CZ07596 proposes to amend the zoning ordinance for Specific Plan No. 284 to allow commercial uses in Planning Areas 1 and 2. PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel.

PROJECT LOCATION: The site is located westerly of Leon Road, southerly of Benton Road, and northerly of Auld Road in the unincorporated Riverside County community of French Valley, approximately 1,762 feet northeasterly of Runway 18-36 at French Valley Airport.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zones C, B1, and D (predominantly in Airport Zone C)
- c. Noise Levels: From below 55 CNEL to 60 CNEL (The site is crossed by the 55 CNEL contour.)

BACKGROUND:

Nonresidential Average Intensity: The site is located predominantly in Airport Zone C, but includes small areas in Airport Zones B1 and D. In net acreage, the site includes 32.84 acres in Airport Zone C, 0.93 acre in Airport Zone D, and 0.21 acre in Airport Zone B1. Nonresidential intensity in Airport Zone C is restricted to an average of 80 persons per acre and a maximum of 160 persons in any given acre. (A risk-reduction design bonus may be applied, which, if granted, would allow a single-acre intensity up to 208 persons.) The total allowable intensity for this site, based on net acreage, would be 2,774 persons.

The applicant is proposing 102,200 square feet of office space, 73,500 square feet of retail space, two additional retail or restaurant pads totaling 5,700 square feet, and 146,300 square feet of industrial space. Using this information, and assuming for this calculation only that all of the industrial space could be used as offices, a total site occupancy of 2,072 persons is projected, for an average intensity of 63 persons per net acre.

The applicant proposes to provide 1,241 parking spaces. Application of the standard 1.5 persons per vehicle factor results in a total occupancy of 1,862 persons and an average intensity of 57 persons per net acre, which is consistent with Airport Zone C.

UPDATE V: The applicant is now proposing to include a “sales area” in Building E. Provided that the “sales area” within this building does not exceed 21,840 square feet in area, total site occupancy would not exceed 2,262 persons, for an average intensity of 67 persons per acre, which remains consistent with Airport Zone C.

Nonresidential Single-Acre Intensity: Nonresidential single-acre intensity is restricted to 160 persons in any given acre within Airport Zone C. This level may be increased to up to 208 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 project architect has advised that he will prepare a letter requesting a risk-reduction design bonus and specifying the design features warranting the bonus.*

Staff review indicates *Staff's initial review indicated* that single-acre intensity exceeds 220 persons (using the Building Code method, as modified by the French Valley Additional Compatibility Policies) in the southerly portion of the property, which features two two-story office buildings and a retail building. Additionally, single-acre intensities could exceed 180 persons in the retail areas in the northerly portion of the property.

A square acre that includes portions of Buildings K and L (both two-story buildings) includes up to 44,730 square feet of office space, which would have a projected occupancy of 224 persons. Additionally, a square acre that includes a portion of Buildings L and M includes up to 33,600 square feet of office space and 4,000 square feet of retail space, for a projected occupancy of 203 persons. *The project representatives have indicated that their AUTOCAD program indicates that there will be less office square footage within the single-acre area than staff had assumed, and that this documentation will be provided.*

UPDATE V: The applicant has provided revised exhibits for the areas in question. Based on these revised exhibits and staff's analysis, single-acre intensities have been reduced to levels not exceeding 195 persons per acre. They are now within the range where the use of risk-reduction design measures could potentially allow for a finding of consistency.

The area of highest intensity continues to be the acre that includes the westerly 210 feet of Building L (a two-story office building) and the northerly 4,000 square feet of Building M (a retail building). This single-acre area has an intensity of approximately 195 persons, as calculated by the applicant's representative's Autocad system.

Additional single-acre areas of concern include: (1) the single-acre area including the westerly 210 feet of Building L and a portion of Building K (also a two-story office building); (2) the single-acre area including a majority of Building K; (3) portions of Buildings E and D; and (4) portions of Buildings E and G. The applicant's representative's system has calculated the intensities of these areas as 185, 179, 198, and 189, respectively. Staff estimates the latter two as 162 or less. (The representative's system had calculated the "sales area" in Building E based on the standard retail calculation rather than the special calculation applicable in French Valley.)

In any event, the single-acre intensities exceed the French Valley Zone C standard of 160 and require a finding of inconsistency in the absence of risk-reduction design measures. The applicant's architect is requesting that the Commission consider the following risk-reduction measures integrated into project design:

Industrial Building D: The building is limited to one story and will be only 26 feet, 6 inches in height. (The mezzanine areas depicted on earlier plans have been eliminated.) The walls of this building will be concrete tilt-up design. The roof system has been upgraded to a metal truss system. The window openings have been limited to eight feet in height and kept to a minimum.

Office Buildings K and L: Each of these buildings has four entrance/exits. Fire suppression has been enhanced from code minimum of .25 to .33 coverage. Skylights have been eliminated. The walls of these buildings will be concrete tilt-up design. The roof structure has been upgraded to a metal truss system. The average panel opening amount has been limited to 26% per panel, except at corners.

Retail Building M: The building is limited to one story. Fire suppression has been enhanced from code minimum of .25 to .33 coverage. Skylights and other similar roof openings have been eliminated. The roof structure has been upgraded to a metal truss system. Windows are limited to the front and sides of the building.

In addition to compliance with these risk-reduction design measures, the applicant will be required to comply with restrictions on the use of the various buildings in accordance with the assumptions utilized to determine the single-acre intensity levels.

Noise: The site is located entirely outside the area subject to average aircraft noise levels greater than 60 dB(A) CNEL, but is crossed by the 55 CNEL contour. A minimum 20 dB exterior-to-interior noise level reduction will be required for office buildings at this location.

PART 77: Proposed finished floor elevations on the site range from 1,346 to 1,354.5 feet above mean sea level. Structures may be as high as forty-five (45) feet. This would appear to indicate a top elevation as high as 1,399.5 feet AMSL. The elevation at the northerly end of the runway is 1,347 feet AMSL. At a distance of 1,762 feet from the runway, any building with an elevation at top of roof exceeding 1,364 feet AMSL would require FAA review. **The site extends 2,586 feet from north to south, so some of the structures may not require FAA review. The applicant's representative has been asked to either (a) submit Form 7460-1 for each building or (b)**

provide a table demonstrating why specific structures would not require such a review.

UPDATE V: The applicant's representative has been in contact with FAA and has utilized the Notice Criteria Tool at www.oiaa.faa.gov to determine that Buildings A, D, F, G, I, and J do not require review. Buildings C, E, K, L, and M require review at one or more points. Applications have been submitted for each structure requiring review.

In the event that the County of Riverside chooses to overrule a determination of inconsistency, the County should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the French Valley 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 at top point exceeding 1,364 feet above mean sea level **and exceeding Notice Criteria** and shall have received a determination of "Not a Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the County of Riverside 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.
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 County of Riverside 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~~, ***plot plan***, except for the two freestanding pads:
- 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 *of the real property and the proposed buildings*, **AND SHALL BE RECORDED AS A DEED NOTICE.**
6. **Building D shall be limited to a maximum of 5% office area, with the remainder utilized for warehousing.**
7. **Retail sales areas in Building E shall be limited to the easterly 42 feet of the building, and shall be confined to the first floor. Office areas in Building E shall be confined to the second floor, and shall be limited to the easterly 33 feet of the building. The westerly 40 feet of the building shall be limited to storage and stock rooms, and/or warehousing.**
8. **Building G shall be limited to warehousing uses.**

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 3.2 4-1

HEARING DATE: June 12, 2008 (continued from May 8, 2008)

CASE SUMMARY:

CASE NUMBER: ZAP1049MA08 – Oakmont Ramona Expressway,
LLC/Oakmont Industrial Group, LLC

APPROVING JURISDICTION: City of Perris

JURISDICTION CASE NO: DPR07-0029

MAJOR ISSUES: One major issue is whether the Commission has the authority to make its determination of consistency based on the U.S. Air Force Air Installation Compatible Use Zone (AICUZ) studies, or whether it must confine its determination to consistency with the 1984 Riverside County Airport Land Use Plan. A corollary issue is the intent of the lot coverage maximum in the AICUZ Appendix. Lot coverage is 45.98% of net site area. The property is located largely within Accident Potential Zone I (APZ I), with the remaining area in Accident Potential Zone II (APZ II). The 1998 and 2005 AICUZ studies state “For most nonresidential usage [in Accident Potential Zones], buildings should be limited to one story and the lot coverage should not exceed 20 percent.” Staff has interpreted this as being applicable to both APZ I and APZ II. The applicant has submitted a statement that the context of this criterion within the AICUZ is intended to apply to land uses permissible in APZ II, but not in APZ I. The applicant notes that industrial and warehousing uses are listed as being among the permissible uses in APZ I. The site is located within Airport Area I on the March Air Reserve Base Airport Influence Area map. The 1984 Riverside County Airport Land Use Plan does not restrict commercial or industrial land use intensities in Area I, other than by prohibiting “high risk” land uses, including those characterized by “high concentrations of people”. The Draft March Joint Land Use Study proposes to apply the 20% coverage limit in APZ I and a 40% coverage limit in APZ II, in addition to person-intensity limits. The City of Perris Planning Director has advised that the City is willing to accept the person-intensity limits, but that the lot coverage limitations on warehousing and distribution would render such projects economically infeasible.

RECOMMENDATION: Staff recommends that *this item be CONTINUED to July 10, 2008, to allow time for the March Joint Powers Authority to receive a reply from the United States Air Force to its request for a clarification of the intent of the lot coverage reference in the AICUZ Appendix. If the Commission open the public hearing, consider testimony, and determine whether, in consideration of its overall mission, it wishes to make its determination based on staff’s interpretation of the provisions of the AICUZ study. If so, a determination of INCONSISTENCY should be made, on the basis of the lot coverage exceeding 20 percent of lot area. (In the event that the Commission wishes to act solely pursuant to the 1984 Riverside*

County Airport Land Use Plan, staff would note that the project is consistent with that Plan, considered alone. The project is not consistent with the Draft March Joint Land Use Study criteria, as presently proposed.)

UPDATE: Since the May 8 public hearing, Michael Johnson, Vice President of Oakmont Industrial Group, has submitted an e-mail with attached memorandum to staff and the members of the Commission in support of the position that: (a) the 20% lot coverage limit should only apply to buildings with high densities of people in APZ II; (b) the land use compatibility guidelines are intended to be “sufficiently flexible to allow reasonable economic use of the land, such as industrial/manufacturing...[and]...wholesale trade”; and (c) the 20% lot coverage limit would render light industrial and manufacturing uses infeasible, thereby either prohibiting the economic use of the land or resulting in the establishment of higher occupancy buildings within a concentrated area. Mr. Johnson also notes in his e-mail that the AICUZ study does not reference the words “emergency landing.” Mr. Johnson concludes that the proposed project is “exactly what is called for in the AICUZ document” and “completely compatible...with the intent of the AICUZ study when properly interpreted.” This is consistent with previous oral and written communications from the applicant’s consultant, Kurt Schlyer of Golder Associates, Inc.

In order to attempt to resolve this issue, which has been an ongoing point of contention both in the review of individual development projects and in the crafting of the March Joint Land Use Study, March Joint Powers Authority submitted a letter to Lynn Engelman, Air Force Civil Engineer, requesting assistance in the interpretation of the land use compatibility provisions identified in Table 3-1 and Appendix A of the AICUZ.

ALUC staff supports the course of action taken by the March Joint Powers Authority requesting that the interpretation of AICUZ be made by the entity responsible for its preparation. Unless the applicant insists on final action at this meeting, it may be prudent for the Commission to continue this matter pending receipt of the clarification/interpretation by the author.

PROJECT DESCRIPTION:

City Case No. DPR07-0029 proposes the development of five industrial buildings with a total building area of up to 1,611,000 square feet (including 90,907 square feet of office area) and 1,417 parking spaces on 81.92-87 acres.

PROJECT LOCATION:

The site is located northerly of Ramona Expressway, southerly of Markham Street, easterly of Brennan Avenue, and westerly of Barrett Avenue in the City of Perris, approximately 5,600 feet southeasterly of the southerly terminus of Runway 14-32 at March Air Reserve Base/Inland Port Airport. (Most of the project site is located westerly of Indian Street.)

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

Adjacent Airport:

- a. Airport Influence Area: March Air Reserve Base/Inland Port Airport
- b. Land Use Policy: Airport Area I
- c. Noise Levels: 65-over 75 CNEL (from 2005 AICUZ Noise Contours)

ADDITIONAL DOCUMENTS REVIEWED:

Airport Installation Compatibility Use Zone Report, U.S. Air Force, 2005.
DRAFT March Air Reserve Base/Inland Port Airport Joint Land Use Study

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, and is located largely within Accident Potential Zone I (APZ I), with the remainder in Accident Potential Zone II (APZ II), as mapped in the 2005 March Air Reserve Base Air Installation Compatible Use Zone (AICUZ) study. 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.

The 1984 Riverside County Airport Land Use Plan allows commercial and industrial development,

other than high risk land uses, in Area I.

The 2005 AICUZ study is based on a forecast of 69,600 annual operations (44,860 military, 21,000 civilian, and 3,740 California Department of Forestry) at March Air Reserve Base. The property is depicted as being largely within Accident Potential Zone I – an area located a distance of 3,000 to 8,000 feet from the runway threshold and within 1,500 feet from the extended runway centerline. (Those portions of the site located more than 8,000 feet from the runway threshold are in Accident Potential Zone II.) Lot coverage is addressed in Appendix A, on page A-6, as follows: “For most nonresidential usage, buildings shall be limited to one story and lot coverage should not exceed 20%.”

In this case, while the buildings are one story in height, the design of the project provides for lot coverage of 45.98% of the site’s area. This is inconsistent with the Air Force recommendation, **as understood by staff and by ALUC consultant Mead and Hunt. (Staff acknowledges that the applicant and the applicant’s consultant support a different interpretation.)**

A pertinent question is the intent of the coverage limit. The AICUZ studies do not include a specific limit on the number of persons per acre or allowable concentrations of people. If the intent is to limit person-intensity, this objective can be met by using persons per acre as a substitute intensity criterion. On the other hand, if the intent is to ensure sufficient open area to allow for emergency landing, this must be interpreted strictly. Discussions with Air Force representatives lead staff to believe that the coverage limit included in the AICUZ is intended to address both person-intensity and emergency landing concerns.

With regard to intensity, the structures would be utilized for warehousing, with office areas accounting for less than 6% of total floor area. Using the Uniform Building Code method and applying the standard 50% reduction, staff projects a total intensity of 1,975 persons. With an area of 81.92 acres, the average intensity would be 24.1 persons per acre.

However, the lot coverage maximum, in addition to limiting intensity, also serves to provide for open area along the flight path. To the extent that lot coverage exceeds 20%, less open area is available in the event of an emergency landing.

The AICUZ study recommends that certain types of industrial uses be prohibited in APZI, including the manufacturing of: apparel and other finished products made from fabrics, leather, and similar materials; chemicals; professional, scientific, and controlling instruments; photographic and optical goods; watches and clocks. Additional prohibited uses would include: all residential uses; restaurants; hospitals, nursing homes, and other medical facilities; petroleum refining; educational services; churches; professional and personal services; finance, insurance and real estate services; government services; hotels, motels, and other lodging facilities; resorts and group camps; amusements; and public assembly uses such as auditoriums, concert halls, amphitheaters, outdoor music shells, sports arenas and stadiums for spectator sport viewing.

A number of other nonresidential uses are prohibited with exceptions. These include manufacturing

of: food and kindred products; textile mill products; rubber and plastic products; stone, clay, and glass products; fabricated metal products; and primary metal industries. In the retail category, this category includes all forms of retail trade not prohibited outright, with the exception of sales of building materials, hardware, farm equipment, automotive, marine craft, aircraft, and accessories.

The DRAFT March Joint Land Use Study prepared by Mead & Hunt depicts this property as being within Airport Zone B1. In the area southerly of March Air Reserve Base, the boundaries of Airport Zone B1 correspond with the boundaries of Accident Potential Zones I and II. Airport Zone B1 would limit average intensity within APZ I to 25 persons per gross acre and average intensity outside APZ I to 50 persons per gross acre. Single-acre intensity would be limited to 100 persons per acre.

The average intensity at this site is projected to be 24.1 persons per acre. The single-acre intensity will not exceed 91 persons in the most intense acre, provided that office areas are limited to a maximum of 11,690 square feet in any given acre of the building area, and that the remainder of each building is used for warehousing and distribution, as planned.

The DRAFT March Joint Land Use Study also includes a provision that would limit lot coverage in APZ I to 20% of gross lot area.

It should be noted that the lot coverage issue is not addressed in the 1984 Riverside County Airport Land Use Plan itself. Thus, it is technically possible to find a project consistent with the 1984 Riverside County Airport Land Use Plan, subject to specified conditions, even though the lot coverage exceeds 20%. However, it is the intent of the State Aeronautics Act that Airport Land Use Compatibility Plans take into account AICUZ recommendations for uses and intensities within the Accident Potential Zones. Last year, ALUC found an office project within an APZ inconsistent due to the lot coverage issue. (That project was later redesigned to comply with the 20% lot coverage maximum.) In another case, ALUC found low-intensity uses such as industrial and warehousing uses acceptable in a situation where lot coverage slightly exceeded 20%, but nearby open areas in the public domain compensated for the lot coverage. More recently, ALUC found a project with over 50% lot coverage (Rider Distribution Center) located partially in Airport Zone II and partially outside the Accident Potential Zones consistent with the 1984 Plan.

Another issue that has been raised is whether the Commission has the authority to consider the provisions of the AICUZ in determination of the consistency of projects. The Commission's enabling legislation requires that Land Use Compatibility Plans for the influence areas of military airports take AICUZ recommendations into account, but does not address whether to consider such recommendations in project review when the recommendations have not been incorporated into an adopted ALUCP.

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

Part 77: Finished floor elevations or pad elevations were not provided for this project; however, the

Riverside County Land Information System indicates a maximum elevation of 1,476 feet above mean sea level at this site. The height of the tallest portion of the building as depicted on project elevations would not exceed 42 feet. Thus, the highest point would not be expected to exceed 1,520 feet AMSL. The elevation of the runway at its southerly end is 1,488 feet AMSL. At a distance of 5,600 feet from the runway, any structure above 1,544 feet AMSL top elevation would require FAA aeronautical review. In this case, FAA review is not required.

Noise: Average noise levels on this site from aircraft operations would exceed 65 CNEL throughout the site, and would exceed 75 CNEL in portions of the site, given that the site underlies the flight path. (Single-event noise levels would, of course, be considerably greater.) Mitigation is required to provide for an acceptable acoustical environment within the offices.

In the event that the City of Perris chooses to overrule a determination of inconsistency for the development plan review, the City should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the recommendations of the United States Air Force in the 2005 Airport Installation Compatible Use Zone Report 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 landowner shall convey an avigation easement to the March Joint Powers Authority for the MARB/IPA Airport.
2. 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 of the 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.
 - (e) Children's schools, hospitals, nursing homes, churches and chapels, auditoriums, restaurants, cafes, cafeterias, theaters, bowling alleys, motels, banks, department stores, supermarkets, drug stores, service stations, and public assembly uses such as amphitheaters, outdoor music shells, and sports stadiums.
 - (f) Structures greater than one story in height.
 - (g) The manufacturing of: (1) apparel and other finished products made from fabrics, leather, and similar materials; (2) chemicals; (3) professional, scientific, and controlling instruments; (4) photographic and optical goods; (5) watches and clocks.
 - (h) All residential uses.
 - (i) Educational and government services, professional and personal services, and finance, insurance, and real estate services.
 - (j) Hotels and other lodging facilities; resorts and group camps; amusements; concert halls; sports arenas.
4. Except for offices not exceeding 11,690 square feet in floor area each, located at building corners, the proposed structures shall be utilized for warehousing and distribution functions.
5. The City of Perris shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following facilities on this property:
- Auction rooms, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding 100 persons pursuant to the Uniform Building Code, dining rooms, exhibit rooms, drinking establishments, retail sales facilities, gymnasiums, lounges, stages, gaming, congregate residences, and swimming pools.
- The manufacturing of: food and kindred products; textile mill products; rubber and plastics products; stone, clay, and glass products; fabricated metal products; and primary metal industries.
- Any other uses that would be considered to have an occupancy level greater than one person per 500 square feet (minimum square feet per occupant less than 500) pursuant to California Building Code (1998) Table 10-A, other than offices within the delineated office areas.
6. 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 shall be downward

facing. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)

7. The aboveground storage of explosive or flammable materials is prohibited, except that flammable materials may be stored 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 (and accessory to) a permitted use.
8. The uses specified in the attached Appendix B of the Riverside County Airport Land Use Plan shall be prohibited, except as otherwise modified by Condition No. 7 above.
9. The attached notice shall be provided to all potential purchasers and tenants.
10. Proposed uses of space within the structures, other than offices, warehousing, and distribution, 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.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.3 ~~4.1~~ 6.4

HEARING DATE: June 12, 2008 ~~May 8, 2008~~ (continued from May 8, 2008 and April 10, 2008 ~~and~~ (originally considered on November 8, 2007))

CASE SUMMARY:

CASE NUMBER: ZAP1006TH07- Christ Is Salvation Church

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: PP22980 (Plot Plan)

MAJOR ISSUES: The intensity of use on-site, especially the single-acre intensity, is well above the maximum allowable intensity in Airport Zone D. The average intensity is approximately ~~160~~ 138 persons per acre, ~~60%~~ 38% above the Zone D standard, and the single-acre intensity of 452 is more than 1.5 times the Zone D standard. (although only 7% above the State-wide standard for projects in the Traffic Pattern Zone of rural/suburban airports). However, the single-acre intensity, at ~~693~~ persons, is more than twice the Zone D standard.

RECOMMENDATION:

Staff recommends CONTINUANCE to June 12, 2008, to allow for submittal and staff review of detailed information regarding the revised design for the site that will result in a substantial reduction in single-acre intensity.

~~Staff must recommend a finding of Inconsistency due to the intensity of the proposed development, especially the single-acre intensity. Staff would note that a smaller facility with a sanctuary seating capacity of 300 persons and with no simultaneous use of the sanctuary, multi-purpose rooms, and classrooms could potentially be found consistent.~~

The applicant requests consideration pursuant to Section 3.3.6 (Other Special Conditions) on the basis of the proximity of the schools and *the apartment complex and* the limited hours of operation. ~~This project provides an opportunity for the Commission to consider whether it may be appropriate to establish a methodology for addressing frequency of use.~~

RECOMMENDATION:

Staff recommends that the Commission determine whether, in its independent judgment, this project qualifies for a determination of special circumstances based on the findings specified herein. If so, then the Commission may proceed to find the project consistent. If not, staff must recommend a finding of INCONSISTENCY.

UPDATE: The Frequency of Use Subcommittee was formed at the April 10 ALUC hearing. A meeting date and time were set for April 28, but only one member was present. Staff obtained input from Ken Brody of Mead & Hunt, and Commissioner Lyon provided an overview of the issue. Copies of these documents are attached. In the meantime, the applicant has prepared a conceptual site plan that moves the recreational facilities into an acre that is separate from the location of the church. The average intensity will continue to exceed 100 persons per acre using the Building Code method, but the redesign is expected to significantly reduce the single-acre intensity – possibly to the point of meeting the Zone D standard with use of risk reduction design measures.

PROJECT DESCRIPTION:

The information below is subject to change pending redesign.

The applicant proposes to construct and operate a 19,575 ~~42,250~~ square foot, single-story ~~two-story~~ church building and a 16,250 square foot multipurpose building/activity center, with a 6,400 square foot maintenance/storage building and a 1,440-1,500 square foot caretaker's quarters, on a five-acre site. The church building is proposed to include seven ~~seventeen~~ classrooms, eleven offices, ~~two multi-purpose rooms~~, and a ~~649~~ 479-seat sanctuary. The multi-purpose building would also include a 4,095 square foot multi-purpose room, a 1,637 square foot vocational room, four classrooms, a kitchen, an exercise/weight room and a racquetball court.

In a “project narrative” submitted after the completion of the November staff report, but in time for inclusion in the packets distributed to the Commission, the applicant advised that the proposed building would be a “center of community” including a “750 seat sanctuary, 15 ministry classrooms and 10 staff offices, a full-size indoor gymnasium with racquet ball court and fitness room, a student computer resources lab, and a large chapel/multipurpose room.”

The sanctuary seating has since been reduced by 36 percent to 479 seats.

PROJECT LOCATION:

The site is located on the west side of Olive Street, southerly of Church Street and northerly of 57th Avenue, approximately 3,700 feet easterly of Runway 17-35 at Jacqueline Cochran Regional Airport.

LAND USE PLAN: 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Jacqueline Cochran Regional Airport
- b. Land Use Policy: Airport Zone D
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

~~The information below is subject to change pending redesign.~~

Land Use/Intensity: The site is in Airport Zone D. Children's schools are discouraged in Airport Zone D. Places of worship are not discouraged or prohibited uses in Airport Zone D, but are subject to the same intensity restrictions as any other nonresidential land use. 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.

Based on the ~~square footage information~~ most recent plans provided by the project architect, staff calculates the total occupancy of the church building, if all rooms were in use simultaneously, and the highest single-acre intensity, at 452 ~~at 830~~ persons. Staff calculates the total intensity/occupancy of the multi-purpose building at 261 persons. (The maintenance building would have an occupancy of six persons.) The single-acre intensity for the acre that includes the sanctuary would be ~~693~~ 452 persons, based on the standard methodology utilized in Appendix C. (This number includes the standard 50% reduction from the capacity that would be assigned based on the square footage of individual rooms, so the intensity would be higher if one were to substitute the fixed seating capacity of the sanctuary – ~~649~~ 479 persons – for the square footage based calculation for that area, which would indicate an occupancy of ~~395~~ 387 persons in the sanctuary. This occupancy number was derived from a formula that excludes the altar area and the entrance areas from the calculation.) ~~The UBC capacity for the sanctuary is 790 persons, and Church officials have indicated a capacity of 750 for the sanctuary.)~~

If the fixed seating of the sanctuary area is substituted for the square footage based calculation (in accordance with the International Building Code provisions), the building intensity is increased to 544 persons (479 in the sanctuary, 41 in the classrooms, 17 in the offices, 4 in the storage rooms, and 3 in the book store).

~~The project architect has advised that a Monday through Friday school is not contemplated, but the design provides for seventeen classrooms, which would be expected to accommodate 129 children for Sunday school. The multi-purpose rooms would accommodate an additional 221 persons, and the various offices, choir room, green room, conference room, and other uses would accommodate an additional 85 persons.~~

On an overall basis, the site (5.24 acres in gross area including the adjacent half-width of Olive Street) could potentially accommodate 524 persons pursuant to the existing criteria for Airport Zone D. The difficulty for churches and other places of assembly is in the single-acre intensity limitations. It is much easier to split an office project into multiple buildings than a church, which by its nature encourages the congregation of people. The single-acre intensity could be reduced (although not to a level of consistency with Zone D criteria) by placing the classrooms and multi-purpose rooms in other buildings, such that these uses would be on separate acres.

With the addition of 4 people in the caretaker's dwelling, the total occupancy of the site is estimated at 723 persons, for an average intensity of 138 persons per acre, using the Building Code Method. However, use of the Parking Space Method as traditionally applied (1.5 person per vehicle occupancy) would indicate a total intensity of 308 persons and an average intensity of 59 persons per acre.

In the long term, ALUC may wish to consider an amendment to the allowable single-acre intensity in Airport Zone D for this airport, as has been adopted in the French Valley area. 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). 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 Economic Development Agency – Aviation Division, the City of Coachella, the County Planning Department, and the Jacqueline Cochran Regional Airport Authority.

~~At this time, staff is awaiting additional communication from the applicant as to whether certain portions of the building may not be in simultaneous use.~~

It should be noted that the heavily developed portion of the community of Thermal is entirely located in Airport Zone D, such that the church must either locate in Airport Zone D or outside the main area of the community.

The church site is bordered on the north, south, and west by land owned by the Coachella Valley Unified School District. The District maintains schools to the north of the church site, while the parcels immediately to the south and west were vacant as of late 2004. The project narrative advises that the school adjacent to the church on the north, La Familia High School, has 190 students, and that the school on the next block to the north, John Kelley Elementary School, has 590 students. The Housing Authority of the County of Riverside owns three parcels westerly of (although not adjacent to) the site, along the easterly side of Polk Street, southerly of Church Street. These parcels comprise 6.49 acres, and are the site of a multiple-building, 53-unit apartment project. The property on the opposite (easterly) side of Olive Street consists of privately-owned agricultural land. Additionally, a school is located adjacent to this church site, and the County plans to develop a sheriff's station at

a location much closer to the runway. However, the site is at the edge of the developed area of the community and would not qualify pursuant to infill provisions in Section 3.3.1.

In June, 2006, the Airport Land Use Commission issued a finding of conditional consistency for a 16,558 square foot church proposed for development at the northeast corner of 41st Avenue and Washington Street in Bermuda Dunes, within Airport Zone C of Bermuda Dunes Airport. The determination was based on several findings of fact, including: (1) the intensity of surrounding uses, which included a medical office building, multi-family residential uses, and a residential condominium country club; (2) the proposed project would not extend the perimeter of the area defined by the surrounding, already developed incompatible uses; (3) the average intensity would not exceed twice the zone standard; and (4) the number of persons in the building would not be expected to exceed 300 to 390 persons, and would be occupied at that level less than ten hours per week.

That project was similar in character, although not in scale, as it included a 2,903 square foot chapel with 254 seats, two “cultural center” recreation rooms and two assembly areas with a combined 4,323 square feet, 2,752 square feet of classroom space, a 324 square foot conference room, 1,093 square feet of offices, and 124 square feet of storage areas.

~~Given the projected intensity, the only potential bases for a special finding pursuant to Section 3.3.6 would appear to be the fact that the community as a whole is in Zone D and the number of hours that the building would be in use on a weekly basis (frequency of use). At this time, there is no provision in the 2004 Riverside County Airport Land Use Compatibility Plan that allows for “weighting” of land use intensity limitations based on the frequency of use, such that a church building with a projected occupancy of 830 persons, which may be in full operation for 6-15 hours per week (except for offices and administrative functions), must be evaluated on the same basis as an office building with the same projected occupancy, which would be in full operation for 45 hours per week. [Of course, staff would not advocate an across-the-board, direct proportional weighting, in that a baseball stadium seating 6,000 people in use 4 hours per week (24,000 person-hours) presents a greater risk than a 150-seat restaurant open 24 hours per day (25,200 person-hours).]~~

Ken Brody of Mead and Hunt has issued a memorandum noting that the California Airport Land Use Planning Handbook recommends “that restrictions be stated as a never-to-exceed maximum and that the level be set accordingly.” He noted that the intensity criteria would have been set lower if the Compatibility Plan criteria were based on average usage. He indicated that it would be preferable to amend the single-acre intensity criteria.

Staff would also note that the use of the standard 50% reduction from Building Code maxima already provides a “discount” in that such square footage-based calculation

for assembly areas may result in a lower intensity than a calculation based on the number of seats.

Nevertheless, frequency of use could be a factor to be considered in determining whether a special finding may be appropriate in a given case.

Part 77: The maximum elevation at this site is 118 feet below mean sea level, and the proposed maximum structure height is 35 feet. (It should be noted that building elevations depict an architectural feature or parapet that extends the top point height an additional three to four feet.) Thus, the top point would be approximately 79 feet below sea level. The runway elevation at its northerly end is 114 feet below sea level. At a distance of 3,700 feet from the runway, any structure with a top elevation above -77 feet would require FAA review. FAA review is not required in this case, provided that the top point remains at an elevation that is more than 77 feet below sea level.

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

FINDINGS OF FACT (in the event that the Commission considers a finding pursuant to Countywide Policy 3.3.6):

1. **The parcel size is less than 20 acres in area.**
2. **The project site is bordered by schools to the north and by an apartment complex to the west.**
3. **The average usage intensity of the site is consistent using the Parking Space Method, and would substantially comply with the recommended standard for intensity for the Traffic Pattern Zone (average of 150 persons per acre) in the California Airport Land Use Planning Handbook even at periods of peak usage.**
4. **The single-acre intensity of the site would substantially comply with the recommended standard for intensity for the Traffic Pattern Zone (average of 450 persons per acre) in the California Airport Land Use Planning Handbook, and would not exceed that number by more than 22% even at periods of peak usage.**
5. **The applicant has made a substantial design change in order to reduce the intensity of this project in relation to the project as originally proposed.**
6. **The building where the single-acre intensity standard of 300 persons would be exceeded would only be utilized for the higher level of intensity less than ten hours per week.**

7. *The primary community served by the proposed facility is entirely located in Airport Zone D, such that a location outside that zone would limit the community's access to the facility and the services provided therein.*
8. *The overall land coverage by buildings would be approximately 20% of site area.*
9. *The project is located to the side of the runway, not along the extended runway centerline.*
10. *At the present time, much of the land to the east of the block where this building is proposed is in agricultural and open space use, while the area to the west of the block is open land and airport grounds.*
11. *The project site is located outside the area subject to aircraft noise exceeding 55 dB(A) CNEL.*
12. *The project does not require FAA notice and will not constitute a hazard to air navigation.*

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 Jacqueline Cochran Regional Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards (as they would affect the worshippers, students, ministers, and other occupants of this building) 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 a 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, composting operations, 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.
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, and shall comply with the requirements of Riverside County Ordinance No. 655, as applicable.
3. The attached notice shall be provided to all potential property purchasers and tenants, and shall be recorded as a deed notice.
4. The landowner shall convey an avigation easement to the County of Riverside as owner-operator of Jacqueline Cochran Regional Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for additional information.)
5. The top point of the building shall be not less than 77 feet below mean sea level.
- 6. *The retention basin 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 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: 4.1

HEARING DATE: June 12, 2008

CASE NUMBER: ZAP1024FV08 – French Valley Business Park I, L.P, and Pacific Realty Partners, L.P.

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: PM30790R1 (Tentative Parcel Map, Revised No. 1) and PP23404 (Plot Plan)

MAJOR ISSUES: The open space provided by the applicant in Zone C does not meet the 20 percent requirement for Zone C. However, the combined open space in both Zone C and Zone D would meet the minimum requirement. Staff would ask that the Commission consider the overall open space being provided, as the open space is contiguous and constitutes a 615 feet x 150 feet open space area.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the Parcel Map and CONDITIONAL CONSISTENCY for the Plot Plan, subject to the conditions herein and such additional conditions as may be required pursuant to the terms of the FAA determination.

PROJECT DESCRIPTION:

A proposal to divide approximately 18.7 acres into two commercial lots consisting of 10.5 acres for lot one (Phase I) and 8.2 acres for lot two (Phase II). The plot plan proposes a mixed-use business park consisting of eight commercial/industrial buildings, including retail, office, and industrial uses. The buildings provide a combined gross floor area of approximately 139,040 square feet. The parcel map would provide for subdivision of the buildings into condominium airspace units. The project design provides for approximately 1 acres of open space in Zone C and 1.82 acres in Zone D.

PROJECT LOCATION:

The project is located northerly of Auld Road, easterly of Leon Road, and westerly of Van Gaale Lane, approximately 2,451 feet northerly of Runway 18-36, in unincorporated Riverside County in the community of French Valley. The project site includes the northeasterly corner of the intersection of Auld and Leon Roads, and extends northerly and easterly therefrom.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan (FVALUCP)

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zones C and D
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The site is located in Zone C and D of the French Valley Airport. The site consists of 9.61 acres within Zone C, and 7.84 acres within Zone D. The majority of Phase I is located within Zone C which allows a density of 80 persons per average acre and 160 persons per single acre. In addition, Zone C requires that 20% of the site be open land. Zone D allows a density of 150 persons per average acre and 450 persons per single acre. Zone D requires that 10% of the site be open land.

The proposed parcel map proposes two commercial/industrial lots and a plot plan with eight buildings and 350 parking spaces and 47 parking stalls in the current right of way to be restored to the property once the realignment of Leon Road is completed.

Using the parking method calculation, staff concludes that the site will potentially accommodate 596 people in total occupancy, and 58 persons per average acre.

Nonresidential Average Intensity: The plot plan proposes the construction of eight buildings ranging in use from office, retail, and manufacturing. The total occupancy on site would be approximately 638.6 people, with a 50 percent reduction. This would calculate to approximately 60.8 persons per average acre, which would be compatible with both Zone C and D.

Nonresidential Single-Acre Intensity: The majority of the plot plan is proposed within Zone C which allows for a single-acre intensity of 160 persons. Staff has analyzed the site plan and has calculated the intensity of various single-acre areas throughout the site. Provided that the proportion of office areas is limited in some of the buildings, the single-acre intensities can be limited to 160 persons. This will entail limiting office area to 50 percent of Building 3 and 75 percent of Buildings 4 and 6. Building 8 also has a limit of 75 percent office area, but only on the portion of the building in Zone C.

Open Space Requirement: As the proposed site is located with Zones C and D and is larger than 10 acres, it is required to comply with ALUCP open land criteria. Based on the proportions of the parcel in Zones C and Zone D and the respective open space

requirements, the project should provide a minimum of 1.92 acres in Zone C and a minimum of 0.78 acres in Zone D. The applicant is proposing 1 acre in Zone C and 1.82 acres in Zone D, totaling 2.82 acres. Thus the project, as currently proposed, would not meet the requirement for open space in Zone C, but the combined open space being proposed in both Zones would meet the total minimum requirement. Staff would ask the Commission to look at the overall open space being provided.

Part 77: The site's finish floor elevations are proposed to range from 1,358.5 – 1,365 feet above mean sea level (AMSL), and the building heights range from 24 – 39 feet. At a distance of 2,451 feet from the northern runway, FAA notice and review would be required for any future structures exceeding a maximum elevation of 1,371 feet AMSL at top of roof. The applicant has filed for FAA review, and aeronautical numbers have been assigned.

Noise: The site is outside the 55 CNEL contour. However, as the project is partially located in Zone C, an exterior to interior noise reduction of 20 dB will be required in all office buildings, including those buildings partially located within Zone C with office space.

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, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.

2. The Riverside County Planning Department 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 approved through Plot Plan No. 23404 and any future substantial conformance requests pertaining thereto:

Retail sales (except in Building 1), auction rooms, auditoriums, churches and chapels, 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.

3. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
4. Any new 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 the provisions of Riverside County Ordinance No. 655.
5. An exterior to interior noise reduction of 20 dB will be required in all office buildings, including those buildings partially located within Zone C with office space.
6. No more than 50 percent of the area in Building 3 shall be utilized for office space.
7. No more than 75 percent of the area in Buildings 4 and 6 shall be utilized for office space.
8. No more than 75 percent of the portion of Building 8 within Zone C shall be utilized for office space.
9. Prior to the issuance of building permits, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,371 feet AMSL and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the County of Riverside Planning Department and the Riverside County Airport Land Use Commission.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 4.2

HEARING DATE: June 12, 2008

CASE NUMBER: ZAP1025FV08-Heliport Consultants, Ricarda Bennett/ Cole and Tracy Burr

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: CUP03551 (Conditional Use Permit)

MAJOR ISSUES: None.

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

PROJECT DESCRIPTION:

The applicant proposes to construct a 900 square foot private-use (non-commercial) helicopter landing pad on two contiguously owned parcels, totaling approximately 29.34 acres.

The helistop will be at an elevation of 1200 feet above mean sea level. The Touch Down and Lift Off Area (TLOF) will be 37 feet by 37 feet (1,369 square feet) in area. The proposed flight path will be within the property owner's boundaries northerly of De Portola Road. (It is anticipated that the flight path will cross private property southerly of the road, but at that point, the helicopter would be operating at a greater height above ground level and would, therefore, result in a lesser noise level at residential locations.)

PROJECT LOCATION:

The project site is located northerly of De Portola Road, easterly of Anza Road, westerly of Pauba Road, and southerly of Linda Rosea Road at 35550 and 35560 De Portola Road, in the "Valle de los Caballos" Policy Area of the Temecula Valley in unincorporated Riverside County, approximately 36,722 feet southeasterly of the south end of Runway 18-36 at French Valley Airport. The property is not located within an Airport Influence Area.

LAND USE PLAN: None applicable.

INTRODUCTION

As stated in Section 1.51 of the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan, any “new airport or heliport whether for public use or private use” requires referral to the Airport Land Use Commission “if the facility requires a state airport permit.”

The Commission will need to focus on the noise, safety, airspace protection, and overflight impacts upon surrounding land uses. Other impacts such as, but not limited to, air quality and vehicle traffic are not within the scope of the Commission’s review.

BACKGROUND:

Land Use/Intensity: The applicant proposes to construct a personal (non-commercial) helicopter landing pad totaling approximately 900 square feet. The heliport is located on the northwestern portion of an approximately 29 acre private residential lot. The applicant proposes the heliport to be used on weekdays, and anticipates only two landings per day.

The project site is approximately 36,722 feet southeasterly of the French Valley Airport, and therefore, out of any Airport Zone. As helicopters can take off and land in almost any direction pending obstacles and wind direction, the 8:1 flight path plan proposes a path entirely within the applicant’s property upon approach and departure of the helipad. The creation of helipad protection zones is not applicable per California Airport Land Use Planning Handbook Guidelines for Heliports.

The nearest residence is 675 feet to the south, which is a guest dwelling within the applicant’s property. In addition there are other residential dwellings 1,500 feet north, 1,500 feet south, and 1,100 feet south of the proposed helipad.

Part 77: The proposed heliport approach surface has slope of 8 to 1 and a transitional surface approach surface at a slope of 2 to 1, as the heliport is civil heliport, and complies with Federal Aviation Regulation Part 77.

Noise: Pursuant to Section 5.1.2 of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, any proposed construction or alteration “that would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less than significant level. “In locations having an existing ambient noise level of less than 55 dB CNEL, a project that would increase the noise level by 5.0 dB or more” would be considered to result in a significant noise increase. However, in areas with existing ambient noise levels of 55-60 CNEL, a project that would increase the noise level by 3.0 dB or more would be considered to result in a significant noise increase. In areas with existing ambient noise levels greater than 60 CNEL, a project that would increase the noise level by 1.5 dB or more would be considered to result in a significant noise increase.

A noise study by Vista Environmental analyzed the noise impacts created by a Bell 407 Helicopter. The heliport is anticipated to have only 2 landings per day, between the hours of 7 A.M. to 7 P.M., Monday through Friday. The flight path's approach and departure does go through the site, but may impact future residential construction to the south of the project site.

The noise readings for the study were taken on a warm summer day (July 26) and per Mead & Hunt consultant may differ on an average day or on a cooler winter day. Based on the reading and the anticipated use the Day-Night Average Level (Ldn) would hardly be affected. The Single Event Level or Sound Exposure Level (SEL), which enables comparing the noise created by a loud but fast overflight with that of a quieter but slower overflight, would likely be obtrusive as stated by the report, and more so at night. The noise study recommended restricting or prohibiting nighttime operations from 10 P.M. to 7 A.M. The Planning Department's proposed conditions would limit hours of operation to the hours between 7 A.M. and 7 P.M.

In addition, the study calculated the CNEL, to analyze the impact on nearby homes. The study concluded that the current ambient noise at four nearby homes, which ranged from 45.0 to 53.1 dBA CNEL, would increase by a maximum of 0.7 dBA CNEL over the existing noise level. Therefore, the proposed operation of the heliport would not create a noise impact on nearby homes.

The study did not provide any discussion on the effects the noise would have on any present or future livestock in the area, as the surrounding areas are zoned Rural Residential (R-R) and permit the raising of livestock. Therefore, some discussion may be required to note the extent of the obstructive noise effect on dairy, poultry, and equines.

CONDITIONS:

1. The design, construction, and operation of the proposed facility shall comply with the recommendations and requirements of the Federal Aviation Administration letter dated January 17, 2007, a copy of which is attached hereto.
2. The applicant shall mark all wires and other objects within a buffer zone below the standard 8:1 approach/departure surface slope of helicopter facilities.
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, and shall comply with Riverside County Ordinance No. 655, if applicable.
4. Any new plans for structures or buildings within the edge of the final approach and takeoff area shall be required to be submitted to ALUC for review.
5. No operations (takeoffs or landings) shall be conducted until such time as the State of California Department of Transportation Division of Aeronautics has either: (a) issued a Site Approval Permit and subsequent Heliport Permit pursuant to Section 3525 through 3560 of Title 21 of the California Code of Regulations; or (b) determined in writing that Site Approval Permits and Heliport Permits are

not required.

6. Operations shall be limited to the hours of 7:00 A.M. to 7:00 P.M.

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RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 5.1** Chino Airport Land Use Compatibility Plan Schedule. The adoption of an Airport Land Use Compatibility Plan for the Riverside County portions of the Chino Airport Influence Area was identified as one of the top four priorities in your Commission's Strategic Plan. The Plan was completed by Mead & Hunt in 2006, but consideration was continued off-calendar pending a determination as to whether Airport Land Use Compatibility Plans were subject to CEQA. This issue has now been resolved by the California Supreme Court in Muzzy v. Solano. Staff has prepared a Draft Initial Study/Mitigated Negative Declaration, which is under review by Counsel. We anticipate submittal to the State Clearinghouse and advertisement of public availability later this month, so as to enable completion of the document's public review period in July and potential scheduling for public hearing in August.
- 5.2** Report from Frequency of Use Subcommittee: Calculation of Intensity for Meeting Places and Intermittent Uses. This item was continued from the last meeting, as staff had not provided the most recent copy of the report to the Commission. The final report of the subcommittee is attached. The report concludes that it is not possible to devise a satisfactory formula or rule for frequency of use of a project which is otherwise incompatible, but that, in rare circumstances, infrequency of use may be an "extraordinary fact or circumstance," which, in combination with other factors or circumstances, could enter into consideration when the Commission considers whether to find a project consistent pursuant to Section 3.3.6 of the Countywide Policies. Staff recommends that the Commission discuss this report and determine whether to accept/endorse the recommendations therein as Commission policy in this matter.
- 5.3** Notice of Intent to Overrule – Harvest Landing (City of Perris) – ZAP1048MA08. The City of Perris has sent ALUC a Notice of Proposed Overrule of its finding of inconsistency relative to the Harvest Landing project (Specific Plan, General Plan Amendment, and Change of Zone). On April 29, 2008, the City Council adopted Resolution No. 4101 authorizing its staff to commence the process to overrule the ALUC determination. The resolution was sent to ALUC's office in a letter dated May 8, 2008. The resolution does not specify a hearing date for the proposed overrule action. A copy of the documentation submitted by the City of Perris is attached. Staff anticipates providing a response to the City within 30 days from its receipt of the overrule letter.
- 5.4** Director's Approvals. As authorized pursuant to Section 1.5.2(d), ALUC Director Ed Cooper has approved one non-legislative case determined to be consistent with an Airport Land Use Compatibility Plan. Staff is attaching copies, for your Commission's information.