



# 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., July 10, 2008

CHAIR  
Simon Housman  
Rancho Mirage

VICE CHAIRMAN  
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Riverside

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Riverside

Robin Lowe  
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Brenda Ramirez  
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Barbara Santos

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(951) 955-5132

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

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the Plan. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s). 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, 9<sup>th</sup> 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](mailto:basantos@rctlma.org). Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

## 1.0 INTRODUCTIONS

### 1.1 CALL TO ORDER

### 1.2 SALUTE TO FLAG

### 1.3 ROLL CALL

## 2.0 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.

### **BERMUDA DUNES AIRPORT**

- 2.1 ZAP1029BD08 – Celso Andy and Dora La Variega/R.A. Wasserman Commercial, Inc. (Representative: Ames Real Estate, Inc./Robert R. Holmes, Jr.) – County Case Nos. CZ07645 (Change of Zone) and PP23330 (Plot Plan). A proposal to change the zoning of a 3.39-acre site located on the westerly side of Adams Street, northerly of 41<sup>st</sup> Avenue and southerly of Country Club Drive, in the unincorporated Riverside County community of Bermuda Dunes from R-1-12,000 (One-family Dwellings, 12,000 square foot minimum lot size) to M-SC (Manufacturing-Service Commercial), and to develop two warehouse/office buildings. The larger building will be 25,500 square feet in area, and the smaller building will be 10,000 square feet in area. Airport Zone B1. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONSISTENT

**FRENCH VALLEY AIRPORT**

- 2.2 ZAP1028FV08 - French Valley Business Park I, L.P, Kenneth Rattner/ SW Engineering, Inc., Mike Schweitzer – Case No. CZ07665 (Change of Zone) and SP00106AI (Specific Plan Amendment). A proposal to change the boundaries of the current zones on a site located northerly of Auld Road, easterly of Leon Road, and westerly of Van Gaale Lane, in unincorporated Riverside County in the community of French Valley. The current zones are Scenic Highway Commercial (C-P-S), Manufacturing – Service Commercial (M-SC), and Open Area Combining Zone - Residential Developments (R-5). The change would increase the acreage zoned Manufacturing – Service Commercial and decrease the acreage zoned Scenic Highway Commercial. The specific plan amendment proposes to change the land use designation of the southerly portion of the property from Commercial (CR) to Light Industrial (LI), while retaining the existing Open Space – Conservation (OS-C) and Light Industrial (LI) to the north. Airport Zones C and D. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873, or E-mail at [brramire@rctlma.org](mailto:brramire@rctlma.org).

Staff Recommendation: CONSISTENT

**HEMET RYAN AIRPORT**

- 2.3 ZAP1015HR08 – Equitas Fund, LLC/ Signal Hill Family Limited Partnership, Margaret Joan Rheingens Yau (Representative: CL Communities) – City Case No. SPA 06-02 (Amendment No. 3 to Hemet Valley Country Club Estates Specific Plan 90-9), (Specific Plan Amendment). A proposal to develop Tres Cerritos East, a predominantly residential project, with 643 single family residential dwellings on 121.3 acres, approximately 144 multi-family residential dwellings on 9.8 acres, 18.5 acres of recreational and drainage facilities, and 16.2 acres of roadways. The site includes approximately 165.8 acres located northerly of Devonshire Avenue, southerly of Menlo Avenue, westerly of Cawston Avenue, and easterly of Myers Street within the City of Hemet. Airport Area III. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873, or E-mail at [brramire@rctlma.org](mailto:brramire@rctlma.org).

Staff Recommendation: CONSISTENT

3.0 **ITEMS THAT STAFF RECOMMENDS BE CONTINUED WITHOUT DISCUSSION  
(Presentation available upon Commissioners request)**

**FRENCH VALLEY AIRPORT**

- 3.1 ZAP1018FV07 – Excel Engineering for Abbott Vascular (Representative: Matthew Fagan Consulting Services) – County Case No. PP12246 R1 (Plot Plan - Revised Permit). A proposal to add an additional 293 parking spaces, with associated lighting fixtures up to 31 feet in height, on the 17.47-acre property with an address of 30690 Cochise Circle, located easterly of Winchester Road (State Highway Route 79) and Briggs Road, southerly of Benton Road, and northerly of Auld Road, in the unincorporated Riverside County community of French Valley. Airport Zones B1 and A. (Continued from March 13, and May 8, 2008). ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0873 or E-mail at [brramire@rctlma.org](mailto:brramire@rctlma.org).

Staff Recommendation: CONTINUE to September 11, 2008

4.0 **PUBLIC HEARING:**  
**OLD BUSINESS**

**FRENCH VALLEY AIRPORT**

- 4.1 ZAP1008FV07 – Wilshire Greenway I, LLC (Representative: Ebru Ozdil/Advanced Development Solutions) – County Case Nos. 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. 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, May 8, and June 12, 2008). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to August 14, 2008

**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 heliport 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. (Continued from June 12, 2008). ALUC Staff Planner: Brenda Ramirez at (951) 955-0873, or E-mail at bramire@rctlma.org.

Staff Recommendation: CONSISTENT

**MARCH AIR RESERVE BASE**

- 4.3 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, and June 12, 2008). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to August 14, 2008

5.0 **PUBLIC HEARING:  
NEW BUSINESS**

5.1 ZAP1051MA08 – City of Perris. The City requests that the Airport Land Use Commission review the City’s updated General Plan (as approved by the Perris City Council in April, 2005) and issue its determination regarding the Plan’s consistency with applicable Airport Land Use Compatibility Plans. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: INCONSISTENT

5.2 ZAP1027FV08 – French Valley Energy Partners/Ramco Engineering Two, Inc. – (Representative: MDMG Inc./James Bach) - Jurisdiction: State of California Energy Commission. A proposal to develop and operate a natural gas powered peak generating facility (to supply power to the area power grid during peak periods) on a 20-acre site with an address of 30820 Borel Road, located northerly of Borel Road, westerly of Leon Road, and easterly of French Valley Airport, in the unincorporated Riverside County community of French Valley. Airport Zone D. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to August 14, 2008

6.0 **ADMINISTRATIVE ITEMS**

6.1 Chino Airport Land Use Compatibility Plan Schedule

6.2 Director’s Approvals

6.3 Notice of Intent to Overrule – Stetson Crossing (City of Hemet) – ZAP1012HR08

7.0 **APPROVAL OF MINUTES**

June 12, 2008

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

9.0 **COMMISSIONER’S COMMENTS**

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 2.1  
**HEARING DATE:** July 10, 2008

**CASE SUMMARY**

**CASE NUMBER:** ZAP1029BD08 – Celso Andy and Dora LaVariega and R. A. Wasserman Commercial  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** Change of Zone Case No. 07645 and Plot Plan No. 23330

**MAJOR ISSUES:** The project includes a retention basin at a location very close to Bermuda Dunes Airport. This basin will need to be designed in accordance with the provisions of the wildlife hazard report prepared for the Bermuda Dunes and Jacqueline Cochran Airports.

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY for the change of zone, which will change the zoning from residential to industrial use, and a finding of CONSISTENCY for the plot plan, subject to the conditions in this staff report, including conditions specifying the maximum stormwater detention period in the basins and a limitation on the proportions of the buildings that may be utilized as office areas.

**PROJECT DESCRIPTION:**

The applicant proposes to change the zoning on a 3.39-acre site from R-1-12,000 (One-family Dwellings, 12,000 square foot minimum lot size) to M-SC (Manufacturing – Service Commercial), and to develop two warehouse/office buildings . The larger building will be 25,500 square feet in area and will consist of nine warehouse/office spaces of 2,000 square feet each and three warehouse/office spaces of 2,500 square feet each. The smaller building will be 10,000 square feet in area and will consist of five warehouse/office spaces of 2,000 square feet each.

**PROJECT LOCATION:**

The site is located on the westerly side of Adams Street, northerly of 41<sup>st</sup> Avenue, in the unincorporated Riverside County community of Bermuda Dunes, approximately one-quarter mile westerly/northwesterly of the northwesterly terminus of Runway 10-28 at Bermuda Dunes Airport.

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

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use Policy: Airport Zone B1
- c. Noise Levels: Greater than 60 dB CNEL to greater than 65 dB CNEL

## **BACKGROUND:**

Change of Zone: The applicant proposes to change the zoning of this property from R-1-12,000 (One-family Dwellings, 12,000 square foot minimum lot size) to M-SC (Manufacturing – Service Commercial). The change of zone is clearly consistent, in that residential designations and zoning are inappropriate in Airport Zone B1, except where necessary to reflect existing land use.

Land Use Intensity – Average Intensity: The proposal is a plot plan for the development of two warehouse/office buildings with a combined gross floor area of 35,500 square feet on a 3.39-acre site located in Airport Zone B1. Airport Zone B1 allows an average non-residential intensity of 25 persons per acre, and limits intensity in any given acre to 50 persons. With a total site area of 3.39 acres, the maximum number of persons that would be allowed on the site is 84 persons. However, the intent of the nonresidential intensity standards is to consider the site's gross acreage in reviewing nonresidential intensity. The adjacent street half-width provides an additional 0.22 acre, resulting in a gross acreage of 3.61 acres, and an allowable intensity of 90 persons.

The project proposes 36 parking spaces, which would translate as 54 persons using the standard parking space methodology of 1.5 occupants per parking space. This would indicate an average intensity of 15 persons per acre. Therefore, the project meets average intensity standards using the parking space method.

However, a 35,500 square foot office building would be expected to accommodate 178 persons. This would be in excess of allowable intensity levels for this property. In order to reduce the intensity of the building to the allowable level of 90 persons, the office area would need to be restricted to a limited portion of the building area, with the remainder of the internal square footage limited to warehousing uses.

The applicant's representative calculated parking on the basis of warehouse usage. If the ultimate use maintains a mix of not more than 20% office area within each space, with the remainder for storage or warehousing, the ultimate intensity would be calculated as follows:  $(7,100 \text{ divided by } 100, \text{ divided by } 2) + (28,400 \text{ divided by } 300, \text{ divided by } 2) = 35.50 + 47.33 = 82.83$  persons. Thus, the average intensity would be 23 persons per acre. This would be consistent with Plan criteria.

Land Use Intensity – Single-Acre Intensity: The maximum single-acre intensity permitted in Airport Zone B1 pursuant to the Countywide Policies section of the 2004 Riverside County Airport Land Use Compatibility Plan is 50 persons. The use of risk-reduction design measures may allow for a bonus of up to 30%, resulting in a total allowance of 65 persons. The most intense single-acre within this site is an acre that includes all of Building "B" and 10,500 square feet within Building "A". This acre includes 20,500 square feet of floor area. If this area were entirely used as offices, this portion of the site would be expected to accommodate 103 persons, a single-acre intensity that is acceptable in Airport Zone C, but not in Airport Zone B1. However, if this area is utilized on the basis of 20% offices and 80% warehousing, with a worst-case assumption that all of the allowable office area in the unit that is split by the single-acre boundary is within this single-acre area, the single-acre intensity would be calculated as follows:  $(4,400 \text{ divided by } 100, \text{ divided by } 2) + (16,100$

divided by 300, divided by 2) =  $22 + 26.83 = 48.83$  persons. Thus, the single-acre intensity would be 49 persons, within the allowable intensity criteria for Airport Zone B1. Compliance with the single-acre intensity criteria at this location requires strict controls on the land use split. In order to be eligible for a finding of consistency or conditional consistency, the applicant must be willing and able to assure that the appropriate mix of uses is maintained. This requires a limit of 20% of office area, with the rest of the square footage in storage or warehousing.

Retention Basin: The applicant is proposing to include two retention basins in the eastern portion of the property. This raises an entirely different issue of land use compatibility – impacts on airport operations that could result if the retention basins become “water features” that attract birds. In order to minimize the potential for bird attraction, the retention basins must be designed to provide for a maximum 48-hour detention period for the design storm (may be less, but not more) and to remain totally dry between rainfalls. Any landscaping or vegetation shall be designed so as not to provide food or cover for species that may present a wildlife hazard.

Noise: The site is subject to extremely high noise levels from aircraft operations due to its proximity to the runway. Noise levels are projected to exceed 65 CNEL in the easterly portion of the property at ultimate aircraft traffic levels, and would exceed 60 CNEL in the remainder of the property. In accordance with criteria for Airport Zone B1, the structure will be required to be designed to provide a minimum noise level reduction of 25dB for at least the office portions of the building construction.

Extended Runway Centerline: The extended runway centerline of Bermuda Dunes Airport is located north-northeasterly of the site.

PART 77: The applicant has indicated that the pad elevation would not exceed 87 feet above mean sea level, and that the structure would not exceed a height of 24 feet, for a height at top of structure not exceeding 111 feet above sea level. The runway elevation is 73.4 feet above sea level at its westerly terminus. At a distance of 1,320 feet from the runway, any structure exceeding an elevation of 86 feet above sea level at top point requires FAA review.

FAA review has been completed for the proposed building (Aeronautical Study No. 2007-AWP-7299-OE). The FAA determined that the structure height penetrates Runway 28’s 40:1 departure surface in the initial climb area. The FAA has advised that, upon receipt of FAA Form 7460-2 verifying actual construction, the “structure will then be charted on aeronautical charts and publications.” However, the FAA issued a “Determination of No Hazard to Air Navigation” on April 17, 2008. The determination letter advises that the “aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities”; however, the letter also advised that any height resulting in an elevation exceeding 111 feet above mean sea level would result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation. The FAA evaluation determined that “there would be no adverse effect” upon Visual Flight Rules (VFR) or Instrument Flight Rules (IFR) procedures.

The FAA determination is based on a maximum structure height of 25 feet above ground level, a maximum elevation of 111 feet above mean sea level (AMSL), and a minimum distance of 1,347

feet from the Runway 10 physical approach end.

**CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall convey an aviation easement to Bermuda Dunes Airport, which shall be recorded. Copies of the aviation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.
2. Noise attenuation measures shall be incorporated into any office areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
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 red light obstruction marking in accordance with the conditions specified herein.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, 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 any operation of aircraft and/or aircraft instrumentation.
  - e. Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and



aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.

4. The attached notation regarding proximity to the airport shall be given to each potential tenant.
5. The maximum height of the proposed buildings, including all roof-mounted appurtenances and obstruction lighting, shall not exceed 24 feet above ground level, and the maximum elevation at the top of structure shall not exceed 111 feet above mean sea level. The buildings shall maintain a minimum distance of 1,347 feet from the Runway 10 physical approach end, as it existed on April 17, 2008.
6. The Federal Aviation Administration has conducted an aeronautical study (Aeronautical Study No. 2007-AWP-7299-OE) and has determined that neither marking nor lighting of the proposed structures is necessary for aviation safety. However, if either marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 K, Change 2.
7. Within five (5) days after the construction reaches its greatest height, FAA Form 7460-2, Notice of Actual Construction or Alteration (Part II), shall be completed by the project proponent or his/her designee and submitted electronically to the Federal Aviation Administration.
8. The specific coordinates and height of the proposed buildings shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height shall not require further review by the Airport Land Use Commission.
9. Temporary construction equipment used during actual construction of the buildings shall not exceed the height of the proposed buildings, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
10. This approval is for two buildings with a maximum gross floor area of 35,500 square feet. The maximum office area shall not exceed 7,100 square feet.
11. The proportion of office area in any given unit shall not exceed 20% of the gross floor area of that unit.
12. 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, as applicable. Outdoor lighting plans shall be transmitted to the airport manager for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)

13. 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 the proposed structures:

Retail sales, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, 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.

14. 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.
15. The height of all trees on-site shall be monitored by the landowner so as not to exceed a height of twenty-four (24) feet above ground level.

COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** 2.2

**HEARING DATE:** July 10, 2008

**CASE NUMBER:** ZAP1028FV08 – French Valley Business Park I, L.P, and Pacific Realty Partners, L.P.

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** SP00106A18 (Specific Plan No. 106, Amendment No. 18) and CZ07665 (Change of Zone)

**MAJOR ISSUES:** None.

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY for the specific plan amendment and the change of zone, subject to the conditions herein.

**PROJECT DESCRIPTION:**

The specific plan amendment proposes to change the land use designation of the south central portion of the property from Commercial Retail (CR) to Light Industrial (LI) and to retain the existing Light Industrial (LI) and Open Space – Conservation (OS-C) designations to the north. The change of zone proposes to change the boundaries of the current zones on the site, which are Scenic Highway Commercial (C-P-S), Manufacturing - Service Commercial (M-SC), and Open Area Combining Zone – Residential Developments (R-5). The change would increase the acreage zoned M-SC and decrease the acreage zoned C-P-S. The amended zoning would provide for 10.34 acres of M-SC, 4.22 acres of R-5 and 3.58 acres of C-P-S.

**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 land use intensity of this site has already been addressed through ALUC's review of the plot plan (ZAP1024FV08).

Both the proposed specific plan amendment and change of zone are consistent with the 2007 French Valley Airport Land Use Compatibility Plan.

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. More than 20 percent of the site's net acreage is proposed for the R-5 open area County zoning. Therefore, provided that no buildings are constructed in the R-5 zone area, this project complies with this ALUC criteria.

Part 77: 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 specific plan amendment and change of zone are not subject to FAA review, but the previous plot plan reviewed by ALUC on this parcel is being reviewed by FAA and is awaiting determination.

Noise: The site is outside the 55 CNEL contour. However, as the project is partially located in Zone C, ALUC's plot plan conditions included a requirement for an exterior to interior noise reduction of 20 dB 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, hospitals, nursing homes, and highly noise-sensitive outdoor uses.
2. No buildings shall be constructed within the R-5 zone portion of this property.
  3. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
  4. Prior to the 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 1,371 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:** 2.3

**HEARING DATE:** July 10, 2008

**CASE NUMBER:** ZAP1015HR08 – Equitas Fund, LLC/ Signal Hill Family Limited Partnership, Margaret Joan Rheingens Yau/ Corman Leigh Communities, Mel Mercado and Connie Bathrick

**APPROVING JURISDICTION:** City of Hemet

**JURISDICTION CASE NO.:** SPA-06-02-Amendment No. 3 to Hemet Valley Country Club Estates Specific Plan 90-9 (Specific Plan Amendment)

**MAJOR ISSUES:** Staff would note that the proposed project will allow for one hillside residence at the north end of the project to have a maximum height of 40 feet, which would be defined as a Discretionary Use in Area III by the 1992 Hemet-Ryan Airport Comprehensive Land Use Plan.

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY for the Specific Plan Amendment, subject to the conditions included herein.

**PROJECT DESCRIPTION:**

A proposal to develop Tres Cerritos East, a predominantly residential project, with 643 single family residential dwellings on 121.3 acres, approximately 144 multi-family residential dwellings on 9.8 acres, 18.5 acres of recreational and drainage facilities, and 16.2 acres of roadways. The specific plan amendment will bring the residential density to approximately 6.0 dwelling units per acre.

**PROJECT LOCATION:**

The site is located northerly of Devonshire Avenue, southerly of Menlo Avenue, westerly of Cawston Avenue, and easterly of Myers Street, in the City of Hemet, approximately 5,379 feet northerly of Runway 4-22 at the Hemet-Ryan Airport.

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

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

**BACKGROUND:**

Land Use/Intensity: The project site is located within Airport Area III of the Hemet Ryan Airport Influence Area. The project consists of approximately 165.8 gross acres on contiguous parcels. The 1992 Hemet Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) permits a wide range of uses in Area III. Structures over 35 feet in height or two stories and places of assembly are listed as discretionary uses in Area III. The Specific Plan Amendment proposes eliminating the golf course oriented development and replacing it with a predominantly single family residential project with supporting recreational uses.

As a portion of Hemet Valley Country Club Estates, the area now proposed as “Tres Cerritos East” was to have included 532 dwelling units, 144 acres of golf course/open space, and 82 acres of hillside open space.

In addition to eliminating the golf course, the specific plan amendment would increase the residential units from 532 to 787. An additional 16.9 gross acre area is proposed to be added to the Specific Plan, for a combined total project area of 165.8 acres within Tres Cerritos East. The project includes 643 single family residential dwellings on 121.3 acres, and approximately 144 multi-family residential dwellings on 9.8 acres. This will bring the residential density to approximately 6.0 dwelling units per acre within the residential areas.

The specific plan amendment limits height of structures to 35 feet above grade, but allows a structural height limit of 40 feet in Planning Area 9, “Hilltop Residential.” This area is approximately 6.2 acres and allows for one existing dwelling unit.

Part 77: The maximum developed area elevation on site ranges from 1506 to 1510 feet above mean sea level (AMSL) within the Specific Plan. The runway elevation is 1,507 feet AMSL. At a distance of 5,379 feet from the runway, any structure with a top elevation greater than 1,561 feet AMSL would require FAA review. As no structures or buildings are being proposed at this time, FAA review is not required; however, FAA review shall be required for any future structure above 1,561 feet AMSL at top of roof.

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

**CONDITIONS:**

1. The following uses shall be prohibited:

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Hazardous Materials Facilities
2. Prior to final adoption of the Specific Plan Amendment, the landowner shall record Aviation Easements covering all parcels proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)
  3. Unless otherwise determined inapplicable by Airport Land Use Commission staff, all structures at this location with an elevation above 1,561 feet above mean sea level at top of structure shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
  4. The attached notice shall be given to all prospective buyers and tenants of real property.
  5. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky.
  6. All places of assembly, schools, institutional uses, and new structures over 35 feet in height within the Specific Plan Amendment area shall be subject to review by the Airport Land Use Commission or ALUC staff.



COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** ~~3.1 3.2~~ 3.1

**HEARING DATE:** ~~July 10, 2008~~ ~~May 8, 2008~~ (continued from ~~May 8, 2008~~ and March 13, 2008)

**CASE NUMBER:** ZAP1018FV07 – Excel Engineering for Abbott Vascular

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** PP12246R1 (Revised Plot Plan)

**MAJOR ISSUES:** A portion of the project site is located within Zone A, including 34 existing parking spaces and 30 proposed parking spaces. Special restrictions on structures, including light fixtures, are required in Zone A. Staff is concerned about the occupancy level in the existing building, but the building qualifies as an existing land use, and ALUC has no jurisdiction unless an expansion is proposed. Light fixtures elsewhere within the parking area may be subject to FAA review, depending on location and elevation at highest point, although, if heights are limited to 20 feet, FAA review may not be required.

**RECOMMENDATION:** Staff recommends a finding of Conditional Consistency, ~~pending FAA approval, if applicable, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination, if needed.~~ CONTINUANCE to the July 10, 2008 September 11, 2008 ALUC hearing, per the applicant's request in the letter dated April 16, 2008 June 24, 2008.

**PROJECT DESCRIPTION:**

The project proposes to add 293 additional permanent parking spaces, with associated lighting fixtures up to 31 feet in height, on the Abbott Vascular (formerly Guidant) property, a 17.47-acre property with one existing industrial building and two additional approved, but as yet unbuilt, structures. The Revised Permit does not propose to add any additional buildings or to add structural square footage to the existing or approved buildings; therefore, staff has confined its analysis to the proposed additional site improvements (parking and lighting).

## **PROJECT LOCATION:**

The project site is located easterly of Winchester Road (State Highway Route 79) and Briggs Road, northerly of Auld Road, and southerly of Benton Road and Magdas Coloradas Road, at 30690 Cochise Circle, in the unincorporated Riverside County community of French Valley, approximately 1,761 feet from the northerly terminus of Runway 18-36 at French Valley Airport.

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

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zones A and B1
- c. Noise Levels: 60-65 CNEL (The site is crossed by the 60 CNEL contour, but the parking area would be within the area subject to noise exceeding 60 CNEL.)

## **BACKGROUND:**

Land Use/Intensity: The site is located within Airport Zones A and B1 of the 2007 French Valley Airport Land Use Compatibility Plan (2007 FVALUCP). The site is 17.47 acres in area, with 35,359 square feet in Zone A, and the remaining 16.66 acres in Zone B1. Zone A prohibits all structures except those with location set by aeronautical function, assemblages of people, objects exceeding FAR Part 77 height limits, ~~and~~ storage of hazardous materials, **and hazards to flight**.

The applicant is currently proposing to add 293 parking spaces to an existing industrial plot plan that was previously approved by ALUC on June 28, 1990 pursuant to ALUC Case No. FV-90-103 (Plot Plan No. 12246). The original approval provided for three industrial buildings with a total of 320,000 square feet of floor area and a minimum of 625 parking spaces. Both the building construction and the parking could be phased. It was projected that the facility would employ 750 people.

The existing building was approved as a 120,000 square foot building, and the other two buildings would provide for 120,000 square feet and 80,000 square feet, respectively. Subsequent “substantial conformance” approvals provided for the addition of: (1) a 1,260 kW backup generator; (2) a 339 square foot atrium and water garden; (3) an 841 square foot scrubber and compressor room; (4) a 7,000 square foot centralized service yard and a 1,600 square foot trash and recycling enclosure; and (5) 390 temporary parking spaces, limited to a two-year life from date of approval.

At present, there are 355 permanent parking spaces on the site. With this proposal, there would be 648 parking spaces, which would satisfy the minimum parking space requirement for the entire project. Use of the Parking Space Method (based on 1.5 persons per vehicle) would suggest that this would equate to an occupancy of 972 persons on-site, or 56 persons per net acre. However, this is not a retail facility drawing

customers from the general public. Vehicle occupancy for work trips is likely to be lower – perhaps 1.1 to 1.2 persons per vehicle. At 1.15 persons per vehicle, a total of 648 parking spaces would translate as 745 people, or 43 persons per net acre. (The applicant has indicated a maximum of 677 persons on-site, or an average of 39 persons per net acre.)

There would be up to 133 parking spaces in a single acre. The single-acre intensity standard in Airport Zone B1 is 80 persons. However, it is highly unlikely that the vehicles in these spaces would all be occupied at the same time. The majority of the additional proposed parking spaces would be in Zone B1. Thirty of the new parking spaces, in addition to approximately 34 existing parking spaces, ~~would be~~ **are proposed** within Zone A. **Based on recent direction from the Commission, staff will advise the applicant to relocate or eliminate the 30 spaces proposed within Zone A.**

Part 77: The project site's elevation is 1,340 feet above mean sea level (AMSL). The elevation increases gently as one moves from south to north, so that the elevation at the northerly end of the site is approximately 1,350 feet AMSL. No additional buildings are proposed through this application, but the applicant has indicated that light poles could be up to approximately 31 feet in height.

The elevation of the runway is 1,347 feet AMSL at its northerly terminus. At a distance of 1,761 feet from the southerly property line to the nearest runway point, FAA review would be required for any structure with a top elevation exceeding 1,364 feet AMSL. The northerly edge of the new parking area is approximately 600 feet farther from the runway. FAA review is required for light fixtures whose elevation at top point would exceed "X" feet, where "X" =  $1347 + (\text{distance in feet from fixture location to runway, divided by } 100)$ , ~~and for all light fixtures in Zone A, the Runway Protection Zone.~~

It should be noted that, except in Zone A, if the applicant is willing to limit the height of the light fixtures to twenty (20) feet, it is likely that their elevation at top point will not exceed "X" and that they would not require FAA review.

Light fixtures in Zone A, ~~if any, must be frangible, and the poles must not exceed a diameter of four inches at heights equal to or greater than four feet above ground level~~ **shall be prohibited as they are hazardous and unsafe to flight.**

Noise: The proposed parking area is located within an area subject to noise exceeding 60 CNEL. However, parking lots 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.
  - (e) Children's schools, hospitals, nursing homes, churches and chapels, day care centers, libraries, highly noise-sensitive outdoor uses, aboveground bulk storage of hazardous materials, and aboveground bulk storage of 6,000 gallons or more of flammable materials.
2. The attached notice shall be provided to all potential purchasers of real property interests and tenants.
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 the issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner-operator of French Valley Airport, which shall be recorded upon approval by the County of Riverside Economic Development Agency – Aviation Division, or shall provide evidence to the parties cited below that such easement has already been conveyed. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and to the County of Riverside Planning Department.
5. Prior to the issuance of building permits or other authorization to construct the light fixtures, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each structure or fixture ~~within the portion of the property in Airport Zone A as mapped in the Riverside County Geographic Information System, and for each structure or fixture~~ with an elevation at top point exceeding "X" feet AMSL, where "X" = 1,347 + (distance from the structure or fixture to the runway, in feet, divided by 100), 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.

6. ~~In the event that any structure or fixture in Airport Zone A receives a determination of “No Hazard to Air Navigation”, it may be constructed, but it must be frangible, and poles may not exceed a diameter of four inches at heights equal to or greater than four feet above ground level.~~ **No new light fixtures or parking spaces shall be developed within the portion of the property in Airport Zone A.**
7. ~~Parking spaces 1 through 20 and 37 through 48 shall be restricted to vehicles not requiring vertical clearance exceeding twenty (20) feet.~~

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**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.1 ~~3.1~~ ~~2.2~~ ~~3.4~~ ~~3.3~~ ~~4.3~~

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

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1008FV07 – Wilshire Greenway 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 has been completed. ~~is required for at least some of the structures at this location.~~ At the June 12 public hearing, the Commission raised the issue of whether the project meets the open area requirements of the airport zones in which it is located. Staff estimates that the project requires at least 6.72 acres of ALUC-qualified open area, unless the applicant provides verification that the open area requirement is met at the Specific Plan level for Specific Plan No. 284.

**RECOMMENDATION:** Staff recommends:

CONTINUANCE to August 14, 2008, pending receipt of information regarding the project's compliance with the open area requirements.

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.**

**UPDATE VI: THE COMMISSION HAS REQUESTED A DETERMINATION AS TO WHETHER THE PROJECT MEETS THE APPLICABLE ALUCP OPEN AREA REQUIREMENTS. AT THIS TIME, STAFF DOES NOT HAVE SUFFICIENT INFORMATION TO VERIFY THAT THESE REQUIREMENTS ARE MET. THEREFORE, STAFF IS RECOMMENDING AN ADDITIONAL CONTINUANCE.**

**PROJECT DESCRIPTION:** Plot Plan No. 23146 proposes to establish a mixed use commercial, office, and industrial project consisting of 12 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). ~~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.oaada.faa.gov](http://www.oaada.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.**

**UPDATE VI: The FAA has issued determinations of "No Hazard to Air Navigation" for all structures with elevations exceeding 1,364 feet above mean sea level.**

**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.~~

**1. The heights and maximum elevations of proposed buildings shall be as follows:**

**The maximum height of Building B shall not exceed 33 feet above ground level, and the maximum elevation at the top of Building B shall not exceed 1,386 feet above mean sea level.**

**The maximum height of Building C shall not exceed 35 feet above ground level, and the maximum elevation at the top of Building C shall not exceed 1,385 feet above mean sea level.**

**The maximum height of Building E shall not exceed 36 feet above ground level, and the maximum elevation at the top of Building E shall not exceed 1,387 feet above mean sea level.**

**The maximum height of Building K shall not exceed 30 feet above ground level, and the maximum elevation at the top of Building K shall not exceed 1,382 feet above mean sea level.**

**The maximum height of Building L shall not exceed 30 feet above ground level, and the maximum elevation at the top of Building L shall not exceed 1,385 feet above mean sea level.**

**The maximum height of Building M shall not exceed 27 feet above**

**ground level, and the maximum elevation at the top of Building M shall not exceed 1,378 feet above mean sea level.**

**The maximum height of all other buildings shall not exceed 31 feet above ground level, and the maximum elevation at the top of any other building on-site shall not exceed 1,364 feet above mean sea level.**

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. *Uses within the easterly 50 feet of 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 33 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. *The easterly 50 feet of Building G shall be limited to warehousing uses.*
9. *The Federal Aviation Administration (FAA) has conducted aeronautical studies and has determined that marking and lighting of the proposed structures is not necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 K Change 2.*
10. *The specific coordinates and heights of the proposed buildings (as specified in documentation submitted to the FAA) shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height shall not require further review by the Airport Land Use Commission.*
11. *Temporary construction equipment used during actual construction of the buildings shall not exceed the height of the proposed building, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1*

**process.**

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COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** 4.2

**HEARING DATE:** **July 10, 2008 (continued from 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.~~ *This case was continued from the June 12, 2008 hearing, with the consent of the applicant's representatives present at the hearing, in order to allow time for the applicant to discuss the project with the owner of four adjacent parcels, who expressed concerns with, and objections to, the proposal. The adjacent land owner's representative has informed staff that a meeting will be held prior to the hearing to discuss the issues. The project meets the "new airport or heliport" noise criteria set forth in the 2004 Riverside County Airport Land Use Compatibility Plan.*

**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 helistop 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.
7. ***The applicant shall be required to merge both parcels, located at 35550 and 35560 De Portola Road, to avoid the individual sale of each property as the flight path, as proposed, traverses and affects both lots.***

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**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.3 ~~3.2~~ 4.1

**HEARING DATE:** ~~July 10, 2008~~ ~~June 12, 2008~~ (continued from *June 12, 2008*  
*and* 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 August 14, 2008 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.

*UPDATE II: In response to a follow-up inquiry from Dan Fairbanks of March Joint Powers Authority, Lynn Engelman advised on June 12 that she hoped to address the concern shortly. However, as of June 30, ALUC staff had not been advised of any further progress.*

*Staff has been advised by outside legal consultant Gatzke Dillon Ballance of a State court decision that upheld the authority of an ALUC to establish restrictions that extend beyond AICUZ requirements.*

**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](http://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 APZ I, 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 aviation 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:** 5.1

**HEARING DATE:** July 10, 2008

**CASE NUMBER:** ZAP1051MA08 - City of Perris

**APPROVING JURISDICTION:** City of Perris

**JURISDICTION CASE NO:** City of Perris General Plan 2030 (Referral for consistency)

**MAJOR ISSUES:** The General Plan Land Use Map provides for residential development at densities greater than one dwelling unit per 2.5 acres within Airport Area II of the March Air Reserve Base Airport Influence Area.

**RECOMMENDATIONS:** Staff recommends a finding of INCONSISTENCY with the 1984 Riverside County Airport Land Use Plan, as applied to March Air Reserve Base.

**PROJECT DESCRIPTION:**

The City of Perris requests that the Airport Land Use Commission review the City's updated General Plan (as adopted by the Perris City Council on October 25, 2005) and issue its determination regarding the Plan's consistency with applicable Airport Land Use Compatibility Plans.

**PROJECT LOCATION:**

All land within the City of Perris, and unincorporated areas within the County of Riverside that could potentially be annexed into the City. Except for objects 200 feet or greater in height, the jurisdiction of the Airport Land Use Commission is confined to the portions of the City and its sphere of influence within the Airport Influence Areas of March Air Reserve Base and Perris Valley Airport.

**BACKGROUND:**

The City submitted its adopted General Plan for formal Airport Land Use Commission review on May 29, 2008.

March Air Reserve Base Airport Influence Area

The City of Perris includes land within Areas I, II, and III of the March Air Reserve Base Airport Influence Area.

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. Any type of commercial and industrial development is allowable in Area II.

Area II requires a minimum residential lot size of 2½ acres. Area I allows such residential development “only within areas designated by the ALUC to be so far removed from the actual flight paths or to be in areas where aircraft will have gained sufficient altitude that they no longer pose a relative safety threat, should inflight problems occur.”

#### Perris Valley Airport Influence Area

An Interim Airport Influence Area for Perris Valley Airport was designated in October 1975. However, an individual Airport Land Use Compatibility Plan was not adopted for this airport. As recently as 2004, it was assumed that this was a private airport. However, while Perris Valley Airport is privately owned, it is available for use by the general public and has, therefore, been classified as a public use airport. An Airport Land Use Compatibility Plan is in process.

#### City of Perris Land Use Map

The City of Perris has organized its General Plan on the basis of ten Planning Areas within the City.

Among these, the first five Planning Areas include land located within Areas I and II, where residential development would be limited to densities not exceeding one dwelling unit per 2.5 acres. The Planning Area with the greatest discrepancy appears to be Planning Area 5, where 2,298 acres are designated for residential development. All City residential designations allow for residential densities greater than one dwelling unit per 2.5 acres; therefore, all residential designations are inconsistent within Areas I and II, except to the extent that they reflect either existing uses or approved developments that have received their final discretionary approval. Planning Area 2 provides for 1,114 acres of residential development, but some of this area is outside Area II. Planning Area 1 provides for 182 acres of residential development (plus a 465-acre specific plan), Planning Area 3 provides for 22 acres of residential development, and Planning Area 4 provides for a 113-acre specific plan.

As the City acknowledges on page 37 of the Safety Element, “Development in Perris has not conformed to the ALUP or the AICUZ land use and density restrictions.”

#### City of Perris Land Use Element Text

ALUC staff read the text of the Land Use Element, and found it to be a very informative and readable document for a person who wishes to learn more about land use patterns in the City and its distinct Planning Areas. However, it is surprising that only three of the Element’s 92 pages are needed to convey the goals, policies, and implementation measures of the Element. Other than the designation of portions of Planning Areas 1 through 5 located within Airport Area II for residential use, the problem with this Element is more a matter of “omission” than “commission.”

The Land Use Element does refer to Safety Element maps depicting the March Air Reserve Base Influence Area and the Perris Valley Airport Influence Area. Goal V of the Land Use Element is “protection from natural or man-made disasters”, and Policy V.A states that the City should “restrict development in areas at risk of damage due to disasters.” However, there is only one implementation measure (V.A.1), which requires that hazard maps be consulted “as part of the review process for all development applications.”

Some additional issues include the following:

- The designation of 578 acres as “Specific Plan” (see Table LU-17) is not useful for persons who may need differentiation within the specific plans in order to determine traffic generation or person intensity.
- Special Study Area Overlays are established for the Oleander Road corridor, the Ethanac Road corridor, and the Ramona Expressway corridor, but no Airport Overlays were established for the areas where residential densities and types of commercial and industrial uses would need to be limited due to aircraft operations.

#### Safety Element

Aircraft hazards are addressed on pages 36 through 44 of the Safety Element of the General Plan. Both the “County’s Airport Land Use Plan” and the Air Force’s AICUZ (Air Installation Compatible Use Zone) study are referenced. The residential density limit in Area II is cited on page 36.

On page 37, it is stated that the “City is currently a participant in the March Operation Assurance Task Force to resolve the inconsistencies between local development regulation and AICUZ and ALUP policies.”

Page 38 is an exhibit (S-17) that purports to depict March ARB Accident Potential Zones; however, it is actually a map of noise contours from the 1998 AICUZ. Exhibits S-18 and S-19 on the following pages depict the boundaries of the March ARB and Perris Valley Airport Influence Areas.

Finally, Table S-5 reproduces the AICUZ guidelines.

The Accident Potential Zones from the AICUZ are acknowledged as an issue on page 47. Table S-6 on the following page indicates that this constraint affects Planning Areas 1 and 3.

The Strategy for Action on pages 49 through 52 includes the goals, policies, and implementation measures of the Safety Element. Goal 1 is to reduce “risk of damage to property or loss of life due to a natural or man-made disaster”. Policy 1.D addressing aircraft hazards states that the City will “consult the AICUZ Land Use Compatibility Guidelines and ALUP Airport Influence Area development restrictions when considering development project applications.”

Three implementation measures are listed for this policy:

- “I.D.1. Participate in March Operations Assurance Task Force to resolve inconsistencies between local land use regulations and AICUZ & ALUP policies.
- I.D.2. Continue to notify March Air Reserve Base of new development project applications and consider their input prior to making land use decisions.
- I.D.3. Development on property within the Perris Valley Airport Interim Influence Area I shall be subject to prior determination, in consultation with ALUC, and subsequent adoption of appropriate use and development restrictions necessary to minimize the potential for loss of life.”

### Noise Element

The Noise Element addresses air traffic noise. Goal IV on page 58 is for “future land uses compatible with noise from air traffic”. The City is using a standard of 60 dBA CNEL. Policy IV.A. is to “reduce or avoid the existing and potential future impacts from air traffic on new sensitive noise land uses in areas where air traffic noise is 60 dBA CNEL or higher.”

Two implementation measures are listed for this policy:

- “IV.A.1. As part of any approvals for new sensitive land uses within the 60 dBA CNEL or higher noise contours associated with March Inland Port, and for such new uses within the flight paths associated with the Perris Valley Skydiving Center, the City will require the developer to issue disclosure statements identifying exposure to regular aircraft noise. This disclosure shall be issued at the time of initial and all subsequent sales of the affected properties.
- IV.A.2. All new development proposals in the noise contour areas of 60 dBA and above will be evaluated with respect to the State Noise/Land Use Compatibility Criteria.”

### Omissions

Neither the Land Use Element nor the Safety Element reference that general plans and specific plans must be updated to be consistent with the adopted airport land use compatibility plan.

Neither element references the submittal of land use development actions within the March Air Reserve Base Airport Influence Area to ALUC for review.

Neither element prohibits high risk land uses from being established in Area I.  
Neither element references either the need for height limits in the vicinity of airports or the need for notice to the Federal Aviation Administration under specified circumstances.

Neither element references the procedures that the City will use to address airport compatibility criteria when reviewing projects that will not be subject to ALUC review.

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COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** 5.2

**HEARING DATE:** July 10, 2008

**CASE NUMBER:** ZAP1027FV08 – French Valley Energy Partners/Ramco Engineering Two, Inc.

**APPROVING JURISDICTION:** State of California Energy Commission

**JURISDICTION CASE NO.:** Power Plant

**MAJOR ISSUES:** The effect of turbulence produced by invisible plumes during plant operations is a major concern. Other than turbulence and wind shear concerns, the project meets all criteria for consistency.

**RECOMMENDATION:** Staff recommends that the Commission authorize a letter requesting that the issues of turbulence and, if applicable, wind shear, be addressed in the forthcoming Environmental Impact Report, and recommends that the Commission open the public hearing, consider testimony, and CONTINUE this matter to August 14, 2008, to allow further study as to whether the proposed project would constitute a hazard to flight. Alternatively, the Commission may choose to continue the matter off-calendar pending completion of the Draft EIR. If the Commission selects this option, staff would request that the Commission provide the applicant with guidance as to its expectations for evidence demonstrating that the project will not be a hazard to flight. (Note: This recommendation may change as communications continue; additional information was received on July 1 and is being circulated to EDA-Aviation and Mead & Hunt.)

**PROJECT DESCRIPTION:**

The project proposes to develop and operate a natural gas powered peak generating facility to supply power to the area power grid during peak periods. The maximum height above ground level will be seventy (70) feet. The State of California Energy Commission is the lead agency on this matter, and will be responsible for the environmental review process.

**PROJECT LOCATION:**

The project site is located easterly of French Valley Airport and Navion Road, westerly of Leon Road, and northerly of Borel Road, at 30820 Borel Road, in the unincorporated

Riverside County community of French Valley, approximately 1,685 feet easterly of Runway 18-36 at French Valley Airport (approximately 973 feet easterly of the alignment of the unbuilt secondary runway).

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

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Zone D
- c. Noise Levels: 55-60 CNEL

**BACKGROUND:**

Land Use/Intensity: The site is located within Airport Zone D of the 2007 French Valley Airport Land Use Compatibility Plan (2007 FVALUCP). The site is 20 acres in area. Zone D allows an average intensity of 150 persons per acre and a single-acre intensity of 450 persons. The project is a power plant with limited on-site employment, and the site would normally be closed to the public. There would not be more than 22 parking spaces on the site. The intensity numbers are consistent with Zone D criteria.

Hazards to flight are prohibited in Airport Zone D and throughout the Airport Influence Area.

Part 77: The project site's elevation ranges from 1,276 to 1,365 feet above mean sea level (AMSL). The elevation increases as one moves from east to west.

The elevation of the runway is 1,340 -1,347 feet AMSL. At a distance of 1,685 feet from the northwesterly property corner to the nearest runway point, FAA review would be required for any structure with a top elevation exceeding 1,346 feet AMSL.

The applicant has submitted to FAA for two stacks and two buildings. The highest structure would be a 70-foot stack situated at an elevation of 1,344 feet above mean sea level, which would result in an elevation at top point of 1,414 feet above mean sea level. The FAA has conducted aeronautical studies and has determined that the structures pose "no hazard to air navigation."

Prohibited Uses: The biggest airport land use compatibility issue faced by power plant proponents is often the list of prohibited land uses. These prohibited uses include "any use which would generate smoke or water vapor...or which may otherwise affect safe air navigation in the area." Such uses have the potential to become hazards to flight. Usually, one would think of a plant with a visible plume of smoke or steam that would affect pilot visibility. However, the safety of aircraft could also be affected by localized changes in the flow and direction of wind, particularly "updrafts" and "downdrafts" that may be produced from the stack emissions.

The applicant's consultant, Marshall Graves, Jr., has prepared a report stating as follows:

“Modeling of the thermal plumes from the 8 engine facility confirms that the plumes will create light turbulence...defined as upward and downward gusts between 300 and 1200 feet per minute.”

At a stack exhaust temperature of 750 degrees Fahrenheit, the turbulence level could be as high as 1,084 feet per minute at a level 500 feet above ground level (1,044 feet per minute at a level 1000 feet above ground level).

A question that has been raised is whether this turbulence would produce the same consequences as wind shear, which has contributed to a number of fatal aviation accidents.

A Commissioner has expressed the following concerns in relationship to this issue:

“In practice, a pilot encountering an invisible wind shear during the pattern will react by firm control inputs downward. When the aircraft as suddenly exits the invisible shear the aircraft will be rapidly descending requiring another dramatic control input. The aircraft will oscillate above and below the intended approach rate of descent. The basic rule of a safe approach is that it be stable. A man made wind-shear will destabilize many approaches creating a potential for a tragic event from over correcting.”

The applicant’s aviation consultant has responded that the site is not within the instrument approach path and that pilots approaching under visual flight conditions would be capable of controlling the aircraft, without overcorrecting, when encountering light turbulence.

Staff is hoping to receive comment from EDA-Aviation and Mead & Hunt prior to the hearing.

It should be noted that the environmental document for this project has not been released, nor has the applicant provided a case number. The Commission has the option of continuing this matter off-calendar pending completion of the draft environmental document, since discretionary action is not in the immediate future.

Noise: The proposed parking area is located within an area subject to noise exceeding 60 CNEL. However, parking lots are not considered noise-sensitive uses.

Public Comments: As of June 30, staff has received two phone calls from area landowners. Both wanted to know the location of the project in relation to their properties, and one expressed opposition to the proposal.

#### **CONDITIONS:**

1. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white,

green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor uses.
2. The attached notice shall be provided to all potential purchasers of real property interests and tenants.
  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. The facility shall not generate plumes exceeding a velocity of 1,084 feet per minute at an elevation of 500 feet above ground level.
  5. The maximum height of the proposed stacks, including any roof-mounted equipment, emission controls, and obstruction lighting, shall not exceed seventy (70) feet above ground level, and the maximum elevation at the top point shall not exceed 1,414 feet above mean sea level.
  6. The Federal Aviation Administration has conducted aeronautical studies (Aeronautical Study Nos. 2008-AWP-3023-OE, 2008-AWP-3024-OE, 2008-AWP-3025-OE, and 2008-AWP-3026-OE), and has determined that neither marking nor lighting of the proposed structures is necessary for aviation safety. However, if either marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 K, Change 2.
  7. The specific coordinates of the proposed stacks shall not be amended, and their heights shall not be increased, without further review by the Airport Land Use Commission and the Federal Aviation Administration.

8. Temporary construction equipment used during actual construction of the stacks and buildings shall not exceed the height of the proposed stacks, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

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# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

## STAFF REPORT

### ADMINISTRATIVE ITEMS

- 6.1** Chino Airport Land Use Compatibility Plan Schedule Update. Due to the Principal Planner being temporarily on a basically part-time schedule as a result of a family emergency, as of June 27, staff has not had the opportunity to complete its review of Counsel's comments on the Draft Initial Study/Mitigated Negative Declaration. Therefore, submittal to the State Clearinghouse and advertisement of public availability did not occur during the month of June. This will push the public review period into August. In order to assure adequate time for consideration of comments, staff will plan to schedule the public hearing for September 11, 2008.
- 6.2** 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.
- 6.3** Notice of Intent to Overrule – Stetson Crossing (City of Hemet) – ZAP1012HR08. On June 19, 2008, the City of Hemet sent ALUC a Notice of Proposed Overrule of its finding of inconsistency relative to the Stetson Crossing project (Specific Plan and General Plan Amendment), along with a draft resolution (Resolution Bill No. 08-056) including findings for overrule. The letter notes that the City's Planning Commission will consider the case on July 1 at 6 P.M. The City Council hearing date has not been determined, but is anticipated to be during the month of August. A copy of the documentation submitted by the City of Hemet is attached. Staff anticipates providing a response to the City within 30 days from its receipt of the overrule letter (by July 19).