



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., August 14, 2008

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
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Riverside

COMMISSIONERS

Arthur Butler
Riverside

Robin Lowe
Hemet

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STAFF

Director
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John Guerin
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NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the item under consideration. 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 Commission's office located at 4080 Lemon Street, 9th Floor, Riverside, CA 92501 during normal business hours.

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

1.0 INTRODUCTIONS

1.1 CALL TO ORDER

1.2 SALUTE TO FLAG

1.3 ROLL CALL

2.0 PUBLIC HEARING: NEW BUSINESS

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

PALM SPRINGS INTERNATIONAL AIRPORT

- 2.1 ZAP1005PS08 – Cathedral Hotel Group, Ltd. (Representative: Jon Berg/Dudek Engineering and Environmental) – City Case Nos. CUP 08-006 and GPA 08-004 – Conditional Use Permit No. 08-006 is a proposal to develop a 135,827 square foot, four-story extended-stay hotel with 162 units and 3,500 square feet of meeting space on 12.3 acres located southerly of 30th Avenue, westerly of Landau Boulevard, and easterly of the Whitewater River and Cimmaron Golf Course in the City of Cathedral City. General Plan Amendment No. 08-004 is a proposal to increase the maximum density in the Resort Residential General Plan land use designation from 6.5 dwelling units per acre to 10 dwelling units per acre. Additionally, the applicant proposes an amendment to the City's zoning ordinance to allow for a 50-foot height limit in the Resort Residential zone. Airport Zone E. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.
Staff Recommendation: CONSISTENT

RIVERSIDE MUNICIPAL AIRPORT

- 2.2 ZAP1041RI08 – City of Riverside - (Owner: Arlington Animal Hospital, c/o James F. Hicks) – City Case No. P06-1295 (Rezoning). A proposal to change the zoning of a 0.72-acre parcel [with an address of 4229 Van Buren Boulevard] located on the east side of Van Buren Boulevard, northerly of California Avenue, in the City of Riverside, from R-3-1500 (Multiple-Family Residential/High Density, 1,500 square foot minimum net lot area per dwelling unit) to CR (Commercial Retail). Airport Zone E. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@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 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, June 12, and July 10, 2008). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to September 11, 2008

4.0 **PUBLIC HEARING – OLD BUSINESS**

- 4.1 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, and July 10, 2008). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT

MARCH AIR RESERVE BASE

- 4.2 ZAP1049MA08 – Oakmont Ramona Expressway, LLC/Oakmont Industrial Group, LLC (Representative: Kurt Schlyer) – City Case No. DPR 07-0029 – Development of five industrial buildings with a total building area of up to 1,611,000 square feet (including 90,907 square feet of office area) and 1,417 parking spaces on 81.92 – 87 acres located northerly of Ramona Expressway, southerly of Markham Street, easterly of Brennan Avenue, and westerly of Barrett Avenue in the City of Perris. Most of the project site is located westerly of Indian Street. Airport Area I (Accident Potential Zones I and II). (Continued from May 8, June 12, and July 10, 2008). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE TO SEPTEMBER 11, 2008

5.0 **PUBLIC HEARING:**
NEW BUSINESS

JACQUELINE COCHRAN REGIONAL AIRPORT

- 5.1 ZAP1010TH08 – Robert J. Mainiero, for Arnulfo and Teresa Rodriguez, and Jose and Maria Meza - County Case No. CZ07495 (Change of Zone). A proposal to change the zoning of a 10.16-acre parcel located westerly of Fillmore Street and Desert Cactus Drive, northerly of 57th Avenue, and easterly of the Coachella Valley Water District Flood Control Channel, in the portion of the unincorporated Riverside County community of Thermal located east of the railroad, from R-A-20 (Residential Agricultural, 20 acre minimum lot size) to R-A-2 (Residential Agricultural, 2 acre minimum lot size), in order to allow division of the property into three parcels. Airport Zones D and E. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: INCONSISTENT

BANNING AIRPORT

- 5.2 ZAP1004BA08 – Liberty XXIII Biofuels Power, LLC (Representative: Michael Bracken/Development Management Group, Inc.) – City Case Nos. CUP 07-806, GPA 07-2501, and ZC 08-3502. A proposal to construct and operate a new biomass power plant including three power generation units with a combined generation capacity of 17.4 megawatts (gross) on 20.3 acres located at the eastern terminus of Westward Avenue in the southeastern portion of the City of Banning. The site is located southerly of Westward Avenue and Banning Airport, easterly of Scott Street and Hathaway Street, northerly of Smith Creek, and southwesterly of Morongo Tribal lands. The general plan amendment and zone change would change the designation and zoning of an 8-acre portion of the project site from Rural Residential to Industrial. The remainder of the site is already designated and zoned Industrial. Airport Zone E. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE TO OCTOBER 9, 2008

RIVERSIDE MUNICIPAL AIRPORT

- 5.3 ZAP1039RI08 – County of Riverside Building Services for County of Riverside Animal Services (Representatives: Riverside County Economic Development Agency and STK Architecture, Inc.) – West Riverside Animal Shelter – A proposal to establish a new animal shelter facility consisting of 12 structures with a combined area of 65,000 square feet, including a two-story staff headquarters building, facilities for housing dogs and cats, a barn, a horse corral, and a feed storage area and freezer, on a 12.56-acre site located westerly and southwesterly of Van Buren Boulevard, southerly and easterly of its intersection with Pedley Road, northerly and northeasterly of the Santa Ana River, and opposite the intersection of Van Buren Boulevard and Clay Street in the unincorporated Riverside County community of Pedley. Airport Zone D. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONDITIONAL CONSISTENCY

FLABOB AIRPORT

- 5.4 ZAP1011FL08 – Riverside County Economic Development Agency, for Riverside County Regional Park and Open-Space District - (Representative: Jill Efron/RHA Landscape Architects Planners Inc.) – Rancho Jurupa Sports Park – A park with soccer fields, including lighted soccer fields, picnic shelters, playground, and restroom/concession building, on a 36.54-acre site located northerly of Crestmore Road and 46th Street, westerly of Loring Ranch Road, and southerly of Flabob Airport in the unincorporated Riverside County community of Rubidoux. Airport Zone B2 and D. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE TO SEPTEMBER 11, 2008

6.0 ADMINISTRATIVE ITEMS

- 6.1 Hemet Ryan Subcommittee Meeting Scheduled at 1:00 p.m.
- 6.2 Director's Approvals

7.0 APPROVAL OF MINUTES
July 10, 2008

8.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

9.0 COMMISSIONER'S COMMENTS

- 10.0 **EXECUTIVE SESSION:** Conference with legal counsel – Anticipated litigation to be discussed in closed session. Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One potential case.

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 2.1

HEARING DATE: August 14, 2008

CASE SUMMARY

CASE NUMBER: ZAP1005PS08 – Cathedral Hotel Group, Ltd.
APPROVING JURISDICTION: City of Cathedral City
JURISDICTION CASE NO.: CUP 08-006 (Conditional Use Permit)
GPA 08-004 (General Plan Amendment)
Amendment to Zoning Ordinance (Building Height)

MAJOR ISSUES: None.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the general plan amendment and the zoning ordinance amendment, and a finding of CONSISTENCY for the conditional use permit, subject to the conditions in this staff report.

PROJECT DESCRIPTION:

The applicant proposes to develop a 135,827 square foot, four-story extended-stay hotel with 162 units and 3,500 square feet of meeting space on 12.3 acres. The associated general plan amendment would increase the maximum density in the Resort Residential General Plan land use designation from 6.5 dwelling units per acre to 10 dwelling units per acre. The applicant also proposes an amendment to the City's zoning ordinance to allow for a 50-foot height limit in the Resort Residential zone.

PROJECT LOCATION:

The site is located southerly of 30th Avenue, westerly of Landau Boulevard, and easterly of the Whitewater River and Cimmaron Golf Course in the City of Cathedral City, approximately 5,600 feet northeasterly of the southeasterly terminus of Runway 12L-31R at Palm Springs International Airport.

LAND USE PLAN : 2005 Palm Springs International Airport Land Use Compatibility Plan

- a. Airport Influence Area: Palm Springs International Airport
- b. Land Use Policy: Airport Zone E
- c. Noise Levels: Outside the 60 dB CNEL contour

BACKGROUND:

General Plan Amendment: The applicant proposes to amend the Cathedral City General Plan by increasing the allowable residential density in the Resort Residential designation from 6.5 to 10 dwelling units per acre. This level of density is permissible in Airport Zones D and E.

Land Use Intensity: The site is located in Airport Zone E of Palm Springs International Airport. Land use intensities are not restricted in Airport Zone E, other than uses that would provide for very large concentrations of people in confined areas, such as stadiums, amphitheaters, and concert halls.

Noise: The site is outside the 60 dB CNEL contour; therefore, no special measures are required to mitigate aircraft noise.

Part 77: The site elevation is 396 feet above sea level, and proposed structures may be up to 46 feet in height. Therefore, the elevation at top of structure may be as high as 442 feet AMSL. The runway elevation is 395.5 feet above sea level at its southeasterly terminus. At a distance of 5,600 feet from the runway, any structure exceeding an elevation of 451 feet above sea level at top point requires FAA review. FAA review is not required in this situation, provided that the elevation at the top of the structure does not exceed 451 feet above mean sea level.

Retention Basin: The site plan depicts an existing retention basin in the southern portion of the property. Normally, this would raise an issue of land use compatibility – impacts on airport operations that could result if the retention basins become “water features” that attract birds. However, in this case, the project site is adjacent to a stormwater channel. Therefore, it is not anticipated that a retention basin would attract additional birds. In order to minimize the potential for bird attraction, any landscaping or vegetation shall be designed so as not to provide food or cover for species that may present a wildlife hazard.

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, 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.
2. The attached notice shall be provided to all potential purchasers of real property interests and extended-stay tenants renting on a basis of periods longer than thirty (30) days.
3. The maximum elevation at the top of the proposed structure shall not exceed 451 feet above mean sea level.
4. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
5. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

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

AGENDA ITEM: 2.2

HEARING DATE: August 14, 2008

CASE NUMBER: ZAP1041RI08 – City of Riverside

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: P06-1295 (Change of Zone)

MAJOR ISSUES: None.

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

PROJECT DESCRIPTION:

A proposal to change the zoning of a 0.72-acre parcel from R-3-1500 (Multiple-Family Residential/High Density, 1,500 square foot minimum lot area per dwelling unit) to CR (Commercial Retail).

PROJECT LOCATION:

The project site has an address of 4229 Van Buren Boulevard and is located on the east side of Van Buren Boulevard, northerly of California Avenue, in the City of Riverside, approximately 6,800 feet southwesterly of the southerly terminus of Runway 16-34 at Riverside Municipal Airport.

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

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

BACKGROUND:

Land Use/Intensity: The site is located in Airport Zone E of the Riverside Municipal Airport. Land use intensities are not restricted in Airport Zone E, other than uses that would provide for very large concentrations of people in confined areas, such as stadiums, amphitheaters, and concert halls.

The proposed change of zone would recognize the existing on-site commercial use (Arlington Animal Hospital).

Part 77: The site elevation is approximately 759 feet above mean sea level (AMSL). The elevation of Runway 16-34 at its southerly terminus is 742 feet AMSL. At a distance of approximately 6,800 feet from the runway, any structure above 810 feet AMSL would require FAA review. No new structures are proposed. FAA review is not required for this project.

The CR zone has a height limit of 75 feet. A 75-foot high structure at this location would have a top point of at least 834 feet above mean sea level. The City should require FAA review through the Form 7460-1 process for any new structures greater than 50 feet in height at this location.

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

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

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

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

HEARING DATE: AUGUST 14, 2008 ~~JULY 10, 2008~~
~~JUNE 12, 2008~~ ~~MAY 8, 2008~~ ~~MARCH 13, 2008~~ ~~FEBRUARY 14, 2008~~
~~JANUARY 10, 2008~~ (continued from JULY 10, 2008,
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 Greeneway I, LLC
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO: SP00284A3 (Specific Plan Amendment), CZ07596 (Change of Zone), PP23146 (Plot Plan), PM29509 (Parcel Map)

MAJOR ISSUES: Single-acre intensities exceed Zone C criteria in portions of the site, most notably in the area of the two-story office buildings K and L. These intensities are up to 195 224 persons per acre. The problems appear to be surmountable through redesign or reallocation of land uses and structures and/or demonstration of eligibility for risk-reduction and/or open land bonuses. The applicant is requesting risk-reduction design bonuses of up to 30% for single-story buildings and up to 20% for two-story buildings. The project does meet the average intensity standard. FAA review 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 September 11, 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.

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

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

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

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

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

BACKGROUND:

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

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

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

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

Nonresidential Single-Acre Intensity: Nonresidential single-acre intensity is restricted to 160 persons in any given acre within Airport Zone C. This level may be increased to up to 208 with use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls. ***The project architect has advised that he will prepare a letter requesting a risk-reduction design bonus and specifying the design features warranting the bonus.***

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

A square acre that includes portions of Buildings K and L (both two-story buildings) includes up to 44,730 square feet of office space, which would have a projected occupancy of 224 persons.

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

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

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

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

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

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

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

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

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

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

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

UPDATE V: The applicant's representative has been in contact with FAA and has utilized the Notice Criteria Tool at www.oiaaa.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: 4.1 ~~4.2~~

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

The applicant's consultant has asked staff to consider alternatives to the requirement for parcel merger that staff added to the conditions following the initial hearing.

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

UPDATE II: The applicant is continuing to meet with the representative of a neighboring landowner, who has expressed opposition to the proposal, as submitted.

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.***

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 4.2 ~~4.33.2~~ 4.1

HEARING DATE: August 14, 2008 ~~July 10, 2008~~ ~~June 12, 2008~~ (continued from July 10, 2008, ~~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 SEPTEMBER 11, 2008 ~~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.

UPDATE III: The 20 percent lot coverage limit referenced in the Appendix to the 2005 AICUZ is

not unique to March, but is a verbatim restatement of a provision in the AICUZ Handbook (Air Force Handbook 32-7084, which is available on the Internet). A copy of relevant portions of the AICUZ Handbook is included herewith.

PROJECT DESCRIPTION:

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

PROJECT LOCATION:

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

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

Adjacent Airport:

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

ADDITIONAL DOCUMENTS REVIEWED:

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

BACKGROUND:

Land Use – Safety Considerations: The proposed project site is located within Airport Area I, as depicted on the map illustrated at www.rcaluc.org, and is located largely within Accident Potential Zone I (APZ I), with the remainder in Accident Potential Zone II (APZ II), as mapped in the 2005 March Air Reserve Base Air Installation Compatible Use Zone (AICUZ) study. The 1984 Riverside County Airport Land Use Plan (1984 RCALUP) states that the boundaries of Area I are based on the “imaginary approach surface defined by FAR Part 77, Objects Affecting Navigable Airspace, as the approach surface for the size and type of runways at each airport. These areas are always centered on the runway centerlines extended.”

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

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

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

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

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

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

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

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

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

of 81.92 acres, the average intensity would be 24.1 persons per acre.

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

The AICUZ study recommends that certain types of industrial uses be prohibited in 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: August 14, 2008

CASE SUMMARY:
CASE NUMBER: ZAP1010TH08- Robert J. Mainiero, for Arnulfo and Teresa Rodriguez, and Jose and Maria Meza

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: CZ07495 (Change of Zone)

MAJOR ISSUES: The change of zone would establish two acre minimum lot size zoning on a site that is predominantly located in Airport Zone D, where policies limit densities to either the high density option of five or more dwelling units per acre (net) or the low density option of one dwelling unit per five or more acres.

RECOMMENDATION: Staff must recommend a finding of INCONSISTENCY with the Airport Land Use Compatibility Plan, unless the Commission is willing to make a special conditions finding (pursuant to Section 3.3.6 of the Countywide Policies), based on the adjacency of the wash.

PROJECT DESCRIPTION:

Change of Zone Case No. 7495 (CZ07495) is a proposal to change the zoning of 10.16 acres from R-A-20 (Residential Agricultural, 20 acre minimum lot size) to R-A-2 (Residential Agricultural, 2 acre minimum lot size), in order to allow for the division of the property into three lots.

PROJECT LOCATION:

The site is located westerly of Fillmore Street and Desert Cactus Drive, northerly of 57th Avenue, and easterly of the Coachella Valley Water District Flood Control Channel, in the portion of the unincorporated Riverside County community of Thermal located east of the railroad. The site is approximately 7,100 feet easterly of Runway 17-35 at Jacqueline Cochran Regional Airport.

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

- a. Adjacent Airport: Jacqueline Cochran Regional Airport
- b. Land Use Policy: Airport Zones D and E
- c. Noise Policy: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Density: The site is located in Airport Zones D and E of Jacqueline Cochran Regional Airport. Airport Land Use Compatibility Zone D is the Primary Traffic Patterns and Runway Buffer Area. New residential development in Airport Zone D is limited to either a maximum density of 0.2 dwelling units per acre (average density of one dwelling unit per five [5] acres) or a minimum density of not less than five (5) dwelling units per acre. Intermediate density levels greater than 0.2, but less than 5.0, dwelling units per acre are prohibited.

The provisions of Airport Zone D are based on two concepts: (1) that persons living in higher density developments are subject to a greater level of ambient noise and would be less likely to be annoyed by aircraft noise as a result; and (2) that persons living in intermediate density housing (0.2 to 5.0 dwelling units per acre) and enjoying a quiet living environment are the most likely to register complaints regarding aircraft and aircraft operations. A secondary reason for allowing the higher density housing, but not the intermediate density housing, in Zone D was as an incentive to induce clustering that would enable the reservation of unused area as open space suitable for emergency landing.

The proposed change of zone is not consistent with the Compatibility Plan because it would allow intermediate residential density housing in Airport Zone D.

The proposed parcel map and change of zone could potentially be amended in such a way as to be consistent. The easterly 224 feet of the site are located within Airport Zone E, where residential densities are not restricted. The parcel map could potentially be redesigned to provide for two parcels one acre or larger in area on the easterly portion of the property, with a back parcel of 5 to 8 acres in area. Such a redesign would assure that the density in the Airport Zone D portion of the parcel would not exceed one dwelling unit per five acres.

PART 77: The maximum elevation at this site is 124 feet below mean sea level. The runway elevation at its northerly end is 114 feet below mean sea level. At a distance of 7,100 feet from the runway, FAA notice and review would be required for any structures with top of roof less than 43 feet below mean sea level. FAA review is not required in this situation.

Noise: The site is outside the 55 CNEL contour; therefore noise attenuation is not required.

Open Area: A minimum of 10% of the 7.7 acres of the site within Airport Zone D must be set aside as open space, pursuant to Countywide compatibility criteria.

Other Special Conditions: Section 3.3.6 of the Countywide Policies section of the Riverside County Airport Land Use Compatibility Plan acknowledges that “there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location, or other extraordinary factors or circumstances related to the site.” In such situations, the Commission may find a normally incompatible use to be acceptable, provided that specific findings are made that: (1) describe the nature of the extraordinary circumstances that warrant the policy exception; (2) explain why the land use will not result in a safety hazard for people on the ground or aircraft in flight; and (3) explain why the land use will not result in excessive noise exposure for the proposed use.

Factors that the Commission may wish to consider in evaluating this project include the following:

- a. The site is located directly adjacent to a stormwater channel (wash), which lies between the airport and the project site. The site is also in a largely vacant or open area that is bounded by Highway 111/Grapefruit Boulevard and the railroad on the west and State Highway Route 86 Freeway on the east.
- b. The site lies well beyond the 55 dB(A) CNEL contour on Map JC-3 of the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, which depicts noise contours based on the ultimate activity levels at that airport.
- c. The parcel map associated with this change of zone proposes three lots. There are already two residences on the property, and only one new primary dwelling would be expected as a result of the parcel map.
- d. The site lies more than 6,000 feet from the runway and is not located within 1,500 feet of the extended runway centerline. Use of standard Handbook safety diagrams would place the site outside the Traffic Pattern Zone.

The following conditions are necessary to prevent the establishment of uses that are hazards to flight and to provide notification in accordance with State law. Implementation of these conditions does NOT render the project consistent with the Jacqueline Cochran Regional Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards (as they would affect the residents of this property) to below a level of significance pursuant to the California Environmental Quality Act.

CONDITIONS (Parcel Map):

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655 (if applicable).
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, hospitals, and nursing homes.
3. The maximum elevation of any structure at top point shall not be less than 43 feet below sea level.
4. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 5.2

HEARING DATE: August 14, 2008

CASE NUMBER: ZAP1004BA08 – Liberty XXIII Biofuels Power, LLC

APPROVING JURISDICTION: City of Banning

JURISDICTION CASE NO.: CUP 07-806 (Conditional Use Permit)
GPA 07-2501 (General Plan Amendment)
ZC 08-3502 (Zone Change)

MAJOR ISSUES: The effects of visual plumes and turbulence produced by invisible plumes during plant operations are major concerns. FAA evaluation of obstruction potential is also required.

RECOMMENDATION: Staff recommends that the Commission open the public hearing, consider testimony (if any), and CONTINUE this matter to its October meeting date (October 9 or such alternative date as may be advertised), to allow further study.

PROJECT DESCRIPTION:

The applicant proposes to construct and operate a new biomass power plant, including three power generation units with a combined generation capacity of 17.4 megawatts (gross) on 20.3 acres. The general plan amendment and zone change would change the designation and zoning of an 8-acre portion of the project site from Rural Residential to Industrial.

PROJECT LOCATION:

The project site is located at the eastern terminus of Westward Avenue in the southeastern portion of the City of Banning. More specifically, the site is located southerly of Westward Avenue and Banning Airport, easterly of Scott Street and Hathaway Street, northerly of Smith Creek, and southwesterly of Morongo Tribal lands, approximately 1,500 feet southerly of Runway 8-26 at Banning Municipal Airport.

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

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

BACKGROUND:

Land Use/Intensity: The site is located within Airport Zone E of the 2004 Banning Municipal Airport Land Use Compatibility Plan (2004 BMALUCP). The site is 20 acres in area. Land use intensities are not restricted in Airport Zone E, other than uses that would provide for very large concentrations of people in confined areas, such as stadiums, amphitheaters, and concert halls.

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

Part 77: The grading plan indicates that the highest ground elevation of any of the three units would be 2,078.4 feet above mean sea level (AMSL). The maximum height of the facility would be 116.8 feet above ground level. Therefore, the elevation at the top point could reach 2,195.2 feet AMSL.

The elevation of the runway is 2,110 feet AMSL. At a distance of 1,500 feet from the property to the nearest runway point, FAA review would be required for any structure with a top elevation exceeding 2,125 feet AMSL.

FAA review is required.

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.

The first issue is whether, and how often, facility operations would result in a visible plume of smoke or steam that would affect pilot visibility. Atmospheric Dynamics, Inc. prepared a “Visual Cooling Tower Plume Modeling Analysis” which, based on a set of meteorological data over a five-year period, indicates that visible plumes would not extend onto the runway. Except for perhaps one hour per year (excluding adverse weather conditions that would mask a plume), the visible plume would be confined to areas southerly of Westward Avenue. It should also be noted that the probability that air traffic utilizing Banning Municipal Airport would fly directly over the site is lessened by the presence of a major topographic feature to the east of the site.

The safety of aircraft could potentially 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 is making some design changes that could affect the results of the thermal plume velocity study and has, therefore, requested a two month continuance.

Noise: The project is located outside the area subject to aircraft noise exceeding 55 CNEL and, in any event, is not considered a noise-sensitive use.

CONDITIONS:

[The following is not a complete list. Additional conditions will be added as the project moves forward.]

1. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. The attached notice shall be provided to all potential purchasers 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 1,200 feet per minute at an elevation of 500 feet above ground level.

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 5.3

HEARING DATE: August 14, 2008

CASE SUMMARY:

CASE NUMBER: ZAP1039RI08 – Riverside County Building Services for Riverside County Animal Services/Riverside County Economic Development Agency

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: No Planning permit required; EDA/CEQA 2007-13 “West Riverside Animal Shelter”

MAJOR ISSUES: A room-by-room intensity analysis of the main structure undertaken by staff indicated a single-acre intensity approaching 400 persons. However, it is highly unlikely that all rooms would be in use at capacity at the same time. The applicant is willing to accept a condition limiting the total occupancy of the main structure to 300 persons.

RECOMMENDATION: Provided that the Commission is willing to accept the applicant’s offer to agree to a limit on building occupancy, staff recommends a finding of CONDITIONAL CONSISTENCY, subject to the conditions included in this staff report, including the special condition limiting the building occupancy.

PROJECT DESCRIPTION: The County of Riverside proposes to establish a new animal shelter facility consisting of twelve (12) structures with a combined area of 65,000 square feet, including a two-story staff headquarters building, facilities for housing dogs and cats, a barn, a horse corral, and a feed storage area and freezer on a 12.56-acre site.

PROJECT LOCATION: The site is presently in use as a transportation maintenance yard and is located westerly and southwesterly of Van Buren Boulevard, southerly and easterly of its intersection with Pedley Road, northerly and northeasterly of the Santa Ana River, and opposite the intersection of Van Buren Boulevard and Clay Street in the unincorporated Riverside County community of Pedley, approximately 5,016 feet northwesterly of Runway 9/27 at Riverside Municipal Airport.

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

Adjacent Airport:

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

BACKGROUND:

Nonresidential Single-Acre Intensity: The site is located in Airport Zone D. Nonresidential intensity in Airport Zone D is restricted to an average of 100 persons per acre and a maximum of 300 persons in any given acre. The use of risk-reduction design measures may allow for a bonus of up to 30%, resulting in a total allowance of 390 persons.

Based on the Uniform Building Code method and Appendix C, staff initially calculated the intensity of the main structure as 403 persons, which would be in excess of the Zone D standard. Once this calculation was made, the project was scheduled for public hearing before the Airport Land Use Commission.

On Wednesday, July 30, staff met with the Director and Chief Veterinarian from the County Department of Animal Services, along with a representative from the Economic Development Agency and the project architect. Participants pored over the floor plans for the building, and the Department of Animal Services representatives explained the intended use of each room. The results of this discussion are memorialized in the letter from the Director dated August 1, 2008. In the letter, the Director confirms that the maximum density in the administration building will not exceed 300 persons.

Nonresidential Average Intensity: Nonresidential average intensity is restricted to 100 persons per acre within Airport Zone D. Since the site is 12.56 acres in area, average intensity is in compliance provided that the total number of people on-site does not exceed 1,256 persons. This project easily complies with this standard.

The applicant is proposing to provide 224 parking spaces on-site. Even if each automobile had five occupants, the total intensity would not exceed 1,120 persons.

Noise: The site is located within the area subject to average aircraft noise levels of 55-60 CNEL; therefore, noise mitigation shall be required for office areas of the building.

PART 77: No grading plans indicating finished floor elevations were submitted with the ALUC application. Elevations on the 12.56-acre site range as high as 708 feet above mean sea level (AMSL). The two-story main building is proposed to have a height of 38 feet, 10 inches. The utility building will be less than 28 feet in height. All other buildings will not exceed 20 feet in structure height. This would appear to indicate a top elevation not exceeding 748 feet AMSL. The elevation at the westerly end of the runway is 757.6 feet AMSL. Therefore, FAA review is not required.

Open Area: Airport Zone D requires that projects ten acres or larger allocate at least 10 percent of their land area to areas of contiguous open space meeting the ALUC "open area" definition. The open area requirement for this project is 1.26 acres. Staff has confirmed that there would be at least two acres of contiguous open space on the property with the required width and length. (It should be

noted that this is a natural open space area and that trees and plants therein would not meet the ALUC “open area” definition.)

CONDITIONS:

1. The maximum number of persons permitted in the structure at any given time shall not exceed three hundred (300) persons.
2. Noise attenuation measures shall be incorporated into the office areas of the building, as necessary to ensure that interior noise levels from aircraft operations will not exceed 45 CNEL.
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 following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
5. The County of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses on the site or in the structure:

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.

6. The attached notice shall be provided to all potential purchasers of the property and tenants of the building, and shall be recorded as a deed notice.

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COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 5.4

HEARING DATE: August 14, 2008

CASE NUMBER: ZAP1011FL08 – Riverside County Economic Development Agency, for Riverside County Regional Park and Open-Space District

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: Rancho Jurupa Sports Park

MAJOR ISSUES: Major issues include the intensity of site use during sporting events and the need for FAA obstruction evaluation for structures and light fixtures. The site plan submitted with the application did not depict all proposed field locations.

RECOMMENDATION: Staff recommends that this item be CONTINUED to September 11, 2008, to allow for review of the site plan depicting the location of all proposed fields.

PROJECT DESCRIPTION:

The County is proposing to establish a park with soccer fields, including lighted soccer fields, picnic shelters, playground, and restroom/concession building, on a 36.54-acre site.

PROJECT LOCATION:

The site is located northerly of Crestmore Road and 46th Street, westerly of Loring Ranch Road, and southerly of (and adjacent to) Flabob Airport, in the unincorporated Riverside County community of Rubidoux.

LAND USE PLAN: 2004 Flabob Airport Land Use Compatibility Plan (2004 FALUCP)

- a. Airport Influence Area: Flabob Airport
- b. Land Use Policy: Airport Zones A, B2, and D
- c. Noise Levels: From below 55 CNEL to above 65 CNEL

BACKGROUND:

Land Use/Intensity: The site is located in Airport Zones A, B2, and D. No structures are proposed within Airport Zone A. Airport Zone B2 would include two picnic shelters with a combined capacity of 56 people. All other buildings and all lighted soccer fields would be in Airport Zone D. However, the applicant proposes unlighted soccer fields that would extend into Airport Zone B2.

A total of 415 parking spaces are proposed to be provided. Given that the site would be used for team sports, a high vehicle occupancy may be expected, but even if each vehicle had five occupants, the total intensity would not exceed 2,075 persons, whereas the site would be permitted over 3,000 persons within the overall acreage. The average intensity of 57 persons per acre would be considerably less than the average intensity limit of 100 people per acre in both Airport Zone B2 and Airport Zone D.

Staff's concern is with the single-acre intensity limits: 200 persons in Airport Zone B2 and 300 persons in Airport Zone D, although the lack of a structure implies that the 30% risk-reduction design bonus should be granted, increasing the numbers to 260 and 390, respectively.

Part 77: The maximum on-site elevation, according to the Riverside County Land Information System, is 756 feet above mean sea level (AMSL). The runway elevation at its westerly end is 750.3 feet AMSL. Structures at this site require FAA review.

The applicant has submitted to FAA for review of six light poles seventy (70) feet in height. Review will likely be required for other structures as well, once their locations have been established.

Noise: The site is subject to high noise levels, but the use is not noise-sensitive; therefore, no noise mitigation is required.

Open Land: The majority of the site would constitute "open land" as defined in Section 4.2.4 of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to Flabob Airport, which shall be recorded. Copies of the avigation easement shall be retained by both parties and shall be available for inspection by the Riverside County Airport Land Use Commission, upon request.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an

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

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The attached notice shall be provided to all potential purchasers, lessees, and tenants.
 4. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
 5. Prior to issuance of building permits for any structure, the applicant shall file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration and shall have received a determination of “No Hazard to Air Navigation,” or shall have received a determination using the Notice Criteria Tool at www.oaaaa.faa.gov that notice criteria are not exceeded.
 6. No walls, trees, or poles greater than 4 inches in diameter at a height 4 feet above the ground shall be constructed, installed, or planted within the portion of this property within Airport Zone A.

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 6.1** Hemet Ryan Subcommittee Meeting Scheduled at 1:00 P.M. The Hemet-Ryan Subcommittee will be meeting at 1:00 P.M. today (August 14) in Board Conference Room 1B to discuss the nature, scope, and timing of an interim amendment to the Hemet-Ryan Airport Comprehensive Airport Land Use Plan, in light of the City's ongoing General Plan effort and the Airport Master Plan process.
- 6.2** Director's Approvals. As authorized pursuant to Section 1.5.2(d), ALUC Director Ed Cooper has approved two non-legislative cases determined to be consistent with an Airport Land Use Compatibility Plan. Staff is attaching copies, for your Commission's information.

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