



# 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., October 9, 2008

CHAIR  
Simon Housman  
Rancho Mirage

VICE CHAIRMAN  
Rod Ballance  
Riverside

COMMISSIONERS

Arthur Butler  
Riverside

Robin Lowe  
Hemet

John Lyon  
Riverside

Glen Holmes  
Hemet

Melanie Fesmire  
Indio

STAFF

Director  
Ed Cooper

John Guerin  
Brenda Ramirez  
Barbara Santos

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

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

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the 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, 9<sup>th</sup> Floor, Riverside, CA 92501 during normal business hours.

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

## 1.0 INTRODUCTIONS

### 1.1 CALL TO ORDER

### 1.2 SALUTE TO FLAG

### 1.3 ROLL CALL

## 2.0 ZAPEA01CH07 - RESOLUTION FOR ADOPTION OF CHINO ALUCP. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

## 3.0 PUBLIC HEARING - OLD BUSINESS

### FRENCH VALLEY AIRPORT

- 3.1 ZAP1018FV07 – Excel Engineering for Abbott Vascular (Representative: Matthew Fagan Consulting Services) – County Case No. PP12246 S5 (Plot Plan - Substantial Conformance No. 5). A proposal to revise the parking layout on the 17.47-acre property with an address of 30690 Cochise Circle, located easterly of Winchester Road (State Highway Route 79) and Briggs Road, southerly of Benton Road, and northerly of Auld Road, in the unincorporated Riverside County community of French Valley, so as to provide for a total of 714 parking spaces at ultimate development. Airport Zones A and B1. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONSISTENT

**4.0 PUBLIC HEARING – NEW BUSINESS****BLYTHE AIRPORT**

- 4.1 ZAP1003BL08 – First Solar Electric Blythe Land Holdings, LLC (Representative: URS Corporation/Robert Ray) – County Case No. CUP03602 (Conditional Use Permit). A proposal to construct and operate a 21 megawatt (MW) solar photovoltaic (PV) renewable energy facility on 200 acres. The PV array sections will occupy 130 acres and will not exceed 12 feet in height. The facility will include an operations building with a floor area of approximately 1,152 square feet and a height of 16.5 feet. The site is located westerly of Mesa Drive, southerly of Interstate 10 freeway, and northerly of 17<sup>th</sup> Avenue, in unincorporated Riverside County. Airport Zones D and E. ALUC Staff Planner: Brenda Ramirez at (951) 955-0873, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONTINUE TO NOVEMBER 13, 2008

**HEMET RYAN AIRPORT**

- 4.2 ZAP1016HR08 – Benchmark Pacific/Rancho Diamante Investments, LLC (Representatives: Michael Brandman Associates and Stantec) – City of Hemet Case Nos. GPA 07-001 (General Plan Amendment), SPA 06-004 (Specific Plan Amendment), TR 35392 and TR35394 (Tract Maps).

Site A consists of 48.45 acres located northerly of Thornton Avenue extended, easterly of Warren Road, southerly of the ATSF-BNRR rail line and Stetson Avenue, and westerly of Cawston Avenue. Tract Map No. 35392 proposes to divide the property into 155 residential lots with a minimum lot size of 5,000 square feet and 10 open space lots. GPA 07-001 proposes to amend the General Plan designation of this property from Industrial to Residential RI (7 DU/AC) and SPA 06-004 proposes to amend its designation on the Page Ranch Master Plan from Industrial M-2 to Low Medium Density Residential R5 (5 DU/AC). Airport Area III; partially in Transition Zone.

Site B consists of 91.66 acres located westerly of existing Warren Road, southerly of the ATSF-BNRR rail line, northerly of Poplar Street, and easterly of proposed “New” Warren Road. Tract Map No. 35394 proposes to divide the property into 390 residential lots with a minimum lot size of 5,000 square feet and 10 lettered (non-residential) lots. GPA 07-001 proposes to amend the General Plan designation of this property from RR-2.5 (Rural Residential, 1DU per 2 ½ acres) and Industrial to RI (7 DU/AC) and SPA 06-004 proposes to amend its designation on the Page Ranch Master Plan from Low Density 1 DU per 2 ½ acres to Low Medium Density Residential R5 (5 DU/AC) and Open Space/Recreation. Airport Area II; partially in Transition Zone.

SPA 06-004 would also establish new Planning Areas and revise Planning Area boundaries within the Page Ranch Community Master Plan. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: INCONSISTENT (GPA 07-001, SPA 06-004, TR35394); TR35392 IS CONSISTENT

**RIVERSIDE MUNICIPAL AIRPORT**

4.3 ZAP1043RI08 – City of Riverside – (Representative: Patricia Brenes, Planning Division, Community Development Department) – City Case Nos. P08-0215 (General Plan Amendment) and P08-0216 (Rezoning) – A proposal by the City of Riverside to amend the General Plan land use designation of 19.25 acres located both northerly and southerly of Gould Street, westerly of Crest Avenue (in the City neighborhood bounded by Arlington Avenue on the north, Cypress Avenue on the south, Tyler Street on the west, and Crest Avenue on the east) from HDR (High Density Residential) to MDR (Medium Density Residential), and to change the zoning from R-3-1500 (Multiple Family Residential: High Density, 1,500 square foot minimum lot area per dwelling unit) to R-1-7000 (Single Family Residential, 7,000 square foot minimum lot area), or R-1-7000-AP-D (same as above, with Airport Protection Overlay Zone D). Airport Zone D. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONDITIONALLY CONSISTENT

**5.0 ADMINISTRATIVE ITEMS**

5.1 Notice of Intent to Overrule – ZAP1051MA08, City of Perris General Plan (Case No. 08-05-0014)

5.2 Commission’s Input as to Placement of Plan Adoption and Amendment Proposals on the Agenda

5.3 Rancho Jurupa Regional Park

**6.0 APPROVAL OF MINUTES**

September 11, 2008

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

**8.0 COMMISSIONER’S COMMENTS**

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 2.0

**HEARING DATE:** October 9, 2008

**CASE SUMMARY:**

**CASE NUMBER:** ALUC Resolution No. 2008-01 Adopting the 2008 Chino Airport Land Use Compatibility Plan (with Mitigated Negative Declaration and Mitigation Monitoring Plan) [ALUC Case Number ZAPEA01CH07]

**APPROVING JURISDICTION:** Airport Land Use Commission

**JURISDICTION CASE NO:** Not Applicable

**RECOMMENDATION:** **ADOPTION** of Resolution No. 2008-01 Adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan for the 2008 Chino Airport Land Use Compatibility Plan and Adopting the 2008 Chino Airport Land Use Compatibility Plan.

Y:\ALUC\Chino\ChinoALUCPReso2008-01octsr.doc

COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

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

HEARING DATE: October 9, 2008 ~~September 11, 2008~~ ~~July 10, 2008~~ ~~May 8, 2008~~ (continued from September 11, 2008, July 10, 2008, May 8, 2008, and March 13, 2008)

CASE NUMBER: ZAP1018FV07 – Excel Engineering for Abbott Vascular

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: ~~PP 12246R1 (Revised Plot Plan)~~  
PP12246S5 (Plot Plan Substantial Conformance)

**MAJOR ISSUES:** A portion of the project site is located within Zone A, including ~~33~~ 34 existing parking spaces and ~~30 proposed parking spaces~~. Special restrictions on structures, including light fixtures, are required in Zone A. Staff is concerned about the occupancy level in the existing building, but the building qualifies as an existing land use, and ALUC has no jurisdiction unless an expansion is proposed. Light fixtures elsewhere within the parking area may be subject to FAA review, depending on location and elevation at highest point, although, if heights are limited to 20 feet, FAA review may not be required.

**The applicant HAS REDESIGNED is redesigning the project so as to avoid placing any new parking spaces in Zone A AND HAS ELIMINATED 18 PREVIOUSLY APPROVED, BUT UNDEVELOPED, PARKING SPACES IN ZONE A.**

**RECOMMENDATION: STAFF RECOMMENDS A FINDING OF CONSISTENCY, SUBJECT TO THE CONDITIONS INCLUDED IN THIS STAFF REPORT.**

**Staff recommends a finding of ~~Conditional Consistency~~, pending FAA approval, if applicable, subject to the conditions included in this staff report and such additional conditions as may be required pursuant to the terms of the FAA determination, if needed. CONTINUANCE to the July 10, 2008 September 11, 2008 October 9, 2008.**

*ALUC hearing per the applicant's request in the letter dated April 16, 2008 June 24, 2008. August 25, 2008.*

*UPDATE III: The applicant is in the process of preparing a revised parking layout that would provide for more parking spaces, but would keep all new spaces outside Airport Zone A. Additionally, consideration is being given to the review of this request as a substantial conformance, rather than as a revised permit. In any event, due to the change in number of parking spaces, re-advertisement will be required. Staff is recommending continuance with re-advertisement based on the new proposed substantial conformance case number and revised number of spaces.*

*UPDATE IV: The revised site plan was submitted on September 22, 2008, and the case was re-advertised as a substantial conformance request with the revised number of parking spaces.*

#### **PROJECT DESCRIPTION:**

The *applicant* project proposes to *revise the parking layout* add 293 additional permanent parking spaces, with associated lighting fixtures up to 31 feet in height, on the Abbott Vascular (formerly Guidant) property, a 17.47-acre property with one existing industrial building and two additional approved, but as yet unbuilt, structures, *so as to provide for a total of 714 parking spaces at ultimate development.* The Revised Permit does not propose to add any additional buildings or to add structural square footage to the existing or approved buildings; therefore, staff has confined its analysis to the proposed additional site improvements (parking and lighting).

#### **PROJECT LOCATION:**

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

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

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

#### **BACKGROUND:**

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

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

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

At present, there are 355 permanent parking spaces on the site. **This substantial conformance would establish a new on-site parking area consisting of 205 parking spaces. The layout of the previously approved, but as yet unbuilt, parking would be revised to provide for 203 parking spaces. 54 of the existing 355 spaces would be permanently removed when the second and third buildings are developed, and 5 spaces would be added, for a net reduction of 49 spaces. As a result, there would be up to 714 parking spaces at ultimate development.** With this proposal, there would be 648 parking spaces, which would satisfy the minimum parking space requirement for the entire project. Use of the Parking Space Method (based on 1.5 persons per vehicle) would suggest that this would equate to an occupancy of **1,071** ~~972~~ persons on-site, or **61** ~~56~~ persons per net acre. However, this is not a retail facility drawing customers from the general public. Vehicle occupancy for work trips is likely to be lower – perhaps 1.1 to 1.2 persons per vehicle. At 1.15 persons per vehicle, a total of **714** ~~648~~ parking spaces would translate as **821** ~~745~~ people, or **47** ~~43~~ persons per net acre. (The applicant has indicated a maximum of **400** ~~677~~ **employees** persons on-site **at the existing building during the busiest shift**, or an average of **23** ~~39~~ persons per net acre.)

There would be up to 133 parking spaces in a single acre. The single-acre intensity standard in Airport Zone B1 is 80 persons. However, it is highly unlikely that the vehicles in these spaces would all be occupied at the same time. The majority of the

additional proposed parking spaces would be in Zone B1. ~~No~~ ~~Thirty~~ of the new parking spaces, ~~in addition to approximately 34 existing parking spaces, would be~~ **are proposed** within Zone A. **Based on recent direction from the Commission, staff will advise the applicant has eliminated all undeveloped parking spaces previously approved for placement to relocate or eliminate the 30 spaces proposed within Zone A.**

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

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

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

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

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

#### **CONDITIONS:**

1. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.



- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, hospitals, nursing homes, churches and chapels, day care centers, libraries, highly noise-sensitive outdoor uses, aboveground bulk storage of hazardous materials, and aboveground bulk storage of 6,000 gallons or more of flammable materials.
2. The attached notice shall be provided to all potential purchasers of real property interests and tenants.
3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
4. Prior to the issuance of building permits, the landowner shall convey an aviation easement to the County of Riverside as owner-operator of French Valley Airport, which shall be recorded upon approval by the County of Riverside Economic Development Agency – Aviation Division, or shall provide evidence to the parties cited below that such easement has already been conveyed. Copies of the recorded aviation easement shall be forwarded to the Airport Land Use Commission and to the County of Riverside Planning Department.
5. Prior to the issuance of building permits or other authorization to construct the light fixtures, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each structure or fixture ~~within the portion of the property in Airport Zone A as mapped in the Riverside County Geographic Information System, and for each structure or fixture~~ with an elevation at top point exceeding "X" feet AMSL, where "X" = 1,347 + (distance from the structure or fixture to the runway, in feet, divided by 100), and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the County of Riverside Planning Department and the Riverside County Airport Land Use Commission.
6. ~~In the event that any structure or fixture in Airport Zone A receives a determination of "No Hazard to Air Navigation", it may be constructed, but it must be frangible, and poles may not exceed a diameter of four inches at heights equal to or greater than four feet above ground level.~~ **No new light fixtures or parking spaces shall be developed within the portion of the property in Airport Zone A.**

Staff Report

Page 6 of 6

7. ~~Parking spaces 1 through 20 and 37 through 48 shall be restricted to vehicles not requiring vertical clearance exceeding twenty (20) feet.~~

Y:\ALUC\FrenchValley\ZAP1018FV07octsr.doc

COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** 4.1

**HEARING DATE:** October 9, 2008

**CASE NUMBER:** ZAP1003BL08 – First Solar Electric Blythe Land Holdings, LLC, Mike Palladino/ URS Corporation, Robert Ray

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** CUP03602 (Conditional Use Permit)

**MAJOR ISSUES:** Staff scheduled this matter for Commission consideration due to potential concerns relating to glare, reflection, and electrical interference. At this point, the question is whether there is sufficient information available to enable a finding of consistency. The panels are designed to absorb, rather than reflect, sunlight, and they will be tilted to face south (away from the airport and the nearby VOR facility). Staff is requesting either a reflectivity factor determination (along with comparative factors for other types of land uses such as residential subdivisions, industrial buildings, and parking lots), an analysis by an aviation consultant, or a statement from an operator of an airport within two miles of any other such existing facility.

**RECOMMENDATION:** Staff recommends that your Commission open the public hearing, consider testimony, and determine whether additional information should be required in this situation. If so, staff recommends CONTINUANCE to the meeting of November 13, 2008, pending receipt of additional information. (Staff has prepared conditions in the event that the Commission finds that there is sufficient information to enable a finding of consistency.)

**PROJECT DESCRIPTION:**

A proposal to construct and operate a 21 megawatt (MW) solar photovoltaic (PV) renewable energy facility on 200 acres. The PV array sections will occupy 130 acres and will not exceed 12 feet in height. The facility will include an operations building with a floor area of approximately 1,152 square feet and a height of 16.5 feet.

**PROJECT LOCATION:**

The project site is located westerly of Mesa Drive, southerly from Interstate 10 freeway and northerly of 17<sup>th</sup> Avenue, in unincorporated Riverside County, approximately 8,484 feet southerly of Runway 8-26 at Blythe Airport.

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

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

**BACKGROUND:**

Land Use/Intensity: The project site is partially within Zone D and E of the Blythe Airport. The land use compatibility criteria for Airport Zone D allows 100 people on any average acre and 300 people on any single-acre, and Zone E has no limit on proposed densities. The applicant proposes to have a maximum of 200 people on site during construction and two people to operate the station. This calculates to one person per acre and makes it compatible with both zones.

Flight Hazard Issues: Lighting, glare, and electrical interference are among the issues that renewable energy facilities in the airport influence area must address. The applicant has stated that the proposed PV panels are designed to absorb and not reflect light, but quantitative data has not been provided to substantiate the level of reflectivity relative to other types of land uses. The panels will be tilted southward (away from the airport and the VOR facility) at an approximately 25 degree angle.

The project site is located approximately ½ mile southeast of an existing VOR station. The project does not propose any structures or objects that could potentially block the line of sight and signal between aircraft in the immediate vicinity of the airport and the VOR station.

The project will use security lighting activated by motion sensors; therefore, it is unlikely that such lighting could be mistaken for airport lighting.

Open Area: Countywide land use compatibility criteria require that a minimum of 10% of land area in Airport Zone D consist of open land as defined in Policy 4.2.4 of the ALUCP. Note this Policy state that “open land requirements are intended to be applied with respect to an entire zone”. While this standard is “typically accomplished as part of a community general plan or specific plan”, it is also applicable to development projects covering 10 acres or more. This project is proposing a retention basin within 20 acres of open land.

Part 77: The finished grade is planned to be approximately 390 feet above mean sea level (AMSL), and the tallest structure will not exceed 60 feet. The elevation of the

westerly runway terminus is 392 feet AMSL. At a distance of approximately 8,484 feet AMSL, any structure above 476 feet AMSL would require FAA review. FAA review is not required for this project.

Noise: The site is located outside the area projected to be subject to average noise levels from aircraft operations in excess of 55 CNEL.

**CONDITIONS:**

1. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. The attached notice shall be given to all prospective buyers and tenants.
3. A minimum of ten percent (10%) of the site shall be “open land” as defined in Policy 4.2.4 of the 2004 Riverside County Airport Land Use Compatibility Plan. (Maintenance of existing natural surface conditions is preferred, but driveway areas and parking areas may also qualify.)
4. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky.
5. The proposed photovoltaic panels shall be tilted facing south.
6. The structural steel framework upon which the panels are mounted shall have a flat or matte finish so as to minimize reflection of sunlight.

7. In the event that any incidence of glare or electrical interference affecting the safety of air navigation occurs as a result of project operation, the permittee shall be required to take all measures necessary to eliminate such glare or interference.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.2

**HEARING DATE:** October 9, 2008

**CASE SUMMARY**

**CASE NUMBER:** ZAP1016HR08 – Benchmark Pacific/Rancho Diamante Investments, LLC

**APPROVING JURISDICTION:** City of Hemet

**JURISDICTION CASE NO.:** GPA 07-001 (General Plan Amendment), SPA 06-004 (Specific Plan Amendment), TR35392 and TR35394 (Tract Maps)

**MAJOR ISSUES:** The proposed general plan amendment and specific plan amendment, and Tract Map No. 35394 would provide for residential development at densities exceeding one dwelling unit per 2½ acres in Airport Area II, including areas beyond the Transition Zone.

**RECOMMENDATION:** Staff recommends a finding of INCONSISTENCY for Tract Map No. 35394 and for the general plan amendment and specific plan amendment as they relate to the site of Tract Map No. 35394. As to the site of Tract Map No. 35392, while the change from industrial to residential use is not preferable, residential use is permissible in that area; therefore, staff recommends a finding of CONSISTENCY for Tract Map No. 35392. It should also be noted that staff would recommend a finding of consistency for the general plan amendment and specific plan amendment if these proposals related only to the site of Tract Map No. 35392.

**PROJECT DESCRIPTION AND LOCATION:**

Site A consists of 48.45 acres located northerly of Thornton Avenue extended, easterly of Warren Road, southerly of the ATSF-BNRR rail line and Stetson Avenue and westerly of Cawston Avenue. The site is located approximately 1,716 feet southeasterly of the primary runway, and its northerly/northwesterly boundary lies adjacent to the railroad and parallels the runway. Tract Map No. 35392 proposes to divide this property into 155 residential lots with a minimum lot size of 5,000 square feet and 10 open space lots.

Site B consists of 91.66 acres located westerly of existing Warren Road, southerly of the ATSF-BNRR rail line, northerly of Poplar Street, and easterly of proposed “New” Warren Road. The site is located approximately 2,508 feet southwesterly of the existing westerly terminus of the primary runway. Tract Map No. 35394 proposes to divide the property into 390 residential lots with a minimum lot size of 5,000 square feet and 10 non-residential (lettered) lots.

GPA 07-001 proposes to amend the General Plan designation of Site A from Industrial to Residential RI (up to 7 dwelling units per acre) and to amend the General Plan designation of Site B from RR-2.5 (Rural Residential, one dwelling unit per 2½ acres) and Industrial to Residential RI.

SPA 06-004 proposes to amend the Page Ranch Community Master Plan designation of Site A from Industrial M-2 to Low Medium Density Residential R5 (up to 5 dwelling units per acre) and to amend the Page Ranch Community Master Plan designation of Site B from Low Density (one dwelling unit per 2½ acres) to Low Medium Density Residential R5 and Open Space/Recreation. SPA 06-004 also proposes to establish new Planning Areas and revise Planning Area boundaries within the Page Ranch Community Master Plan.

**LAND USE PLAN:** 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP)

Adjacent Airport:

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Site A: Transition Area and Area III  
Site B: Area II and Transition Area
- c. Noise Levels: Site A: Below 55 CNEL  
Site B: From below 55 CNEL to above 60 CNEL

**BACKGROUND:**

The Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) was adopted in 1992. The Plan defines areas of extreme risk (Area I), high risk (Area II), and moderate risk (Area III), as well as a Transition Area between areas of high and moderate risk. The Transition Area consists of the outer 330 feet of Area II and the inner 660 feet of Area III. In the portion of the Airport Influence Area located southerly of the ATSF-BNRR rail line, westerly of Cawston Avenue, and northerly of Simpson Road, the existing alignment of Warren Road (also the section line between Range 1 West and Range 2 West) forms the boundary between Area II and Area III, with properties located westerly of Warren Road in Area II and properties located easterly of Warren Road in Area III.

Site A is located in Area III, with the westerly 660 feet in the Transition Area. Although Site A is located closer to the runway than Site B, Site A lies outside the area of high risk, which is narrow on the area parallel to the airport because aircraft approaching or departing from the airport would not normally fly over the property. Its location is such that it does not underlie a straight-in approach or departure route, while the circling traffic pattern generally overlies the area farther to the south. The accident risk at this location would appear to be mainly associated with aircraft that are off-course.

Site B is located in Area II, with the easterly 330 feet in the Transition Area. Although Site B is located farther from the runway than Site A, Site B lies within the area of high risk because it underlies the airspace where aircraft would be turning, including aircraft in a circling pattern and aircraft taking off at the westerly end of the runway and turning to fly eastward. See Compatibility Factors map, attached.

Residential Density: Site A is located in Area III, with the westerly 660 feet in the Transition Area. A “wide range of uses are [*sic*] permitted” in Area III, including residential uses, with no limit on density. Structures over 35 feet in height or over two stories in height, institutional uses, places of assembly, and schools are subject to discretionary review. In accordance with the policies for Transition Areas specified on pages 27 through 29 of the HRACALUP, “if 50% or more of the



project site is in the Transition Area, it shall be considered part of the Transition Area.” However, only 2.5 acres of the site are in the Transition Area; therefore, Area III policies govern. Given these provisions, the residential use is consistent with HRACALUP criteria.

The residential density of Tentative Tract Map No. 35392 is 3.2 dwelling units per gross acre (3.47 excluding open space lots and 4.3 excluding streets as well as open space); however, 137 of the 155 proposed lots are smaller than 0.2 acre (8,712 square feet) in net area. Only 3.8 acres of open space are provided in this tract, mostly in small parkway areas other than the 1.01-acre retention basin.

Having acknowledged this, it must be stated that the general plan amendment and specific plan amendment move the direction of development on this property in a manner that is not preferable from an airport land use planning perspective. From the point of view of minimizing risk to the public health, safety, and welfare, it would be preferable to maintain the existing Industrial General Plan and Specific Plan designations.

Site B is located in Area II, with the easterly 330 feet in the Transition Area. Area II is an area of high risk; Policy V.B.1. (see page 27 of the HRACALUP) requires that residential development maintain a minimum lot size of 2½ acres or greater. Less than 30% of the site is in the Transition Area; therefore, Area II policies govern. The residential density of Tentative Tract Map No. 35394 is 4.25 dwelling units per gross acre (4.86 excluding open space lots and 6.13 excluding streets and open space lots). 370 of the 390 proposed residential lots are smaller than 0.2 acre (8,712 square feet) in net area. Contiguously owned property that is not a part of the tract map, but is included within the specific plan amendment, includes 21.8 acres proposed for a designation of Open Space/Recreation.

At present, both the City of Hemet General Plan and the Page Ranch Community Master Plan provide for designations of one dwelling unit per 2½ acres for this property. This designation is consistent with the HRACALUP, but both the proposed General Plan designation and the proposed Specific Plan designation are inconsistent with the density limitations prescribed in the HRACALUP. Therefore, the general plan amendment and specific plan amendment proposals are inconsistent, as they relate to Site B.

The City of Hemet has issued a Draft Supplemental Environmental Impact Report that includes an analysis of these projects relative to the standard safety zones included in the 2002 California Airport Land Use Planning Handbook, both using the existing runway configuration and using an assumption of a southwesterly extension so as to provide for a total runway length of 6,000 feet. The results indicate that, using the current runway scenario, the westerly tip of Tentative Tract Map No. 35392 would be included in the Inner Turning Zone (Zone 3). However, this portion of the tract is the retention basin lot, so no residences would be in that area. The remainder of Tentative Tract Map No. 35392, and all of Tentative Tract Map No. 35396, would be within Zone 6, the Traffic Pattern Zone, where the Handbook does not require restriction of residential densities. With a runway extension to 6,000 feet, the Inner Turning Zone is shifted westerly, no longer affecting Tentative Tract Map No. 35392, but including approximately 4.8 acres of the northwesterly portion of Tentative Tract Map No. 35394, an area proposed for residential uses. Handbook criteria recommend that residential densities not exceed one dwelling unit per two to five acres in the Inner Turning Zone.

Noise:

Site A: The HRACALUP includes six CNEL contour maps based on various scenarios. Noise levels are expected to be higher during the fire season, with most of the site within the 55 CNEL contour on a “worst-case fire season day.” At other times, the site would be beyond the 55 CNEL contour.

Site B: The HRACALUP “Average Annual Day – 2005” noise contour map depicts most of this site as being within the 55 CNEL contour. A portion is depicted as being within the 60 CNEL contour, but this area appears to correspond with the area proposed for an Open Space/Recreation designation through the Specific Plan Amendment. On the “worst-case fire season day,” much of this site would be within the 60 CNEL contour.

More recent information indicates that, based on the current runway configuration, areas southerly of the rail line would not be subject to aircraft noise levels greater than 55 CNEL on normal days.

Part 77:

Site A: Proposed pad elevations on-site range from 1,509.9 to 1,517.7 feet above mean sea level (AMSL). No structures are proposed at this time, but residential structure heights normally do not exceed 35 feet. Thus, it is expected that the top of any structure will not exceed 1,553 feet AMSL. The site is approximately 1,716 feet from the runway at its closest point. The existing runway elevation is 1,507 feet AMSL. The applicant has submitted Form 7460-1 to the Federal Aviation Administration, and has received a “Determination of No Hazard to Air Navigation” for the subdivision.

Site B: Proposed pad elevations on-site range from 1,501.1 to 1,513.3 feet above mean sea level (AMSL). No structures are proposed at this time, but residential structure heights normally do not exceed 35 feet. Thus, it is expected that the top of any structure will not exceed 1,549 feet AMSL. The site is approximately 2,508 feet from the runway. The existing runway elevation is 1,507 feet AMSL. The applicant has submitted Form 7460-1 to the Federal Aviation Administration, and has received a “Determination of No Hazard to Air Navigation” for the subdivision.

**The following paragraph applies to Tract Map No. 35394:**

**In the event that the City of Hemet chooses to overrule a determination of inconsistency, the City should require the following as conditions of its approval. Implementation of these conditions assists in mitigating impacts of the project on the airport, but would NOT render the project consistent with the Hemet-Ryan Airport Comprehensive Airport Land Use Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.**

**CONDITIONS (for Specific Plan Amendment and the two tract maps):**

1. Prior to recordation of the final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall record

Avigation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)

2. Any habitable structures to be constructed within areas of the site within the year 2005 average annual day 60 CNEL noise contour (as depicted on Figure 5 of Appendix C of the Hemet Ryan Airport Comprehensive Airport Land Use Plan) shall be soundproofed as necessary to achieve 45 Ldn interior sound levels or quieter relative to aircraft operations. All building plans within those areas shall be signed by a qualified acoustical engineer certifying that the 45 Ldn level will be achieved, based on construction materials and design of the proposed structure.
3. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. All lighting plans should be reviewed and approved by the airport manager prior to approval.
4. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
5. The attached notice shall be given to all prospective buyers and tenants.
6. All future structures at the site shall be limited to thirty-five (35) feet in height or two stories, whichever is less.
7. The Federal Aviation Administration has conducted aeronautical studies of each corner point of this subdivision and has determined that marking and lighting of structures (not greater than 35 feet in height) are 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.

8. The maximum height of the proposed structures shall not exceed thirty-five (35) feet above ground level, and the maximum elevation at the top of any structure shall not exceed 1,552 feet above sea level within Tentative Tract Map No. 35392 or 1,548 feet above sea level within Tentative Tract Map No. 35394. Any proposal for a structure whose elevation at top point exceeds these numbers shall be subject to separate review by the Airport Land Use Commission and the Federal Aviation Administration.
9. The specific coordinates of each corner point of the subdivision are as indicated in the attached determinations of “No Hazard to Air Navigation” issued by the Federal Aviation Administration (For Tentative Tract Map No. 35394: Aeronautical Study Nos. 2008-AWP-5420-OE through 2008-AWP-5423-OE and Aeronautical Study Nos. 2008-AWP-5425-OE through 2008-AWP-5436-OE; For Tentative Tract Map No. 35392: Aeronautical Study Nos. 2008-AWP-5438-OE through 2008-AWP-5446-OE). The specific coordinates of these points shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration.
10. Temporary construction equipment used during actual construction or installation of the structures shall not exceed a height of 35 feet, and shall not exceed the applicable maximum elevation at the top of structure (pursuant to Condition No. 8, above), unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
11. Future discretionary development applications within this area, including such permits as may require a public hearing pursuant to City of Hemet codes and ordinances, including, but not limited to, applications proposing the establishment of institutional uses, places of assembly, or any structure with a Uniform Building Code capacity of 100 persons or more, shall require subsequent review by the Airport Land Use Commission.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.3

**HEARING DATE:** October 9, 2008

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1043RI08 – City of Riverside

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO:** P08-0215 (General Plan Amendment) and P08-0216 (Rezoning)

**MAJOR ISSUES:** The proposed general plan amendment and rezoning would change the allowable land uses in a manner that would increase the potential for residential development at densities less than four dwelling units per acre in Airport Compatibility Zone D.

**RECOMMENDATION:** Staff recommends a finding of CONDITIONAL CONSISTENCY, provided that the City applies the Airport Protection Compatibility Zone D Overlay and requires a density not less than four dwelling units per acre.

**PROJECT DESCRIPTION:** The City of Riverside proposes to amend the General Plan land use designation of 19.25 acres from HDR (High Density Residential) to MDR (Medium Density Residential), and to change the zoning of the property from R-3-1500 (Multiple Family Residential: High Density, 1,500 square foot minimum lot area per dwelling unit) to R-1-7,000 (Single Family Residential, 7,000 square foot minimum lot area) or R-1-7,000-AP-D (same as above, with Airport Protection Compatibility Zone D Overlay).

**PROJECT LOCATION:** The site is located both northerly and southerly of Gould Street, westerly of Crest Avenue, within the City of Riverside neighborhood bounded by Arlington Avenue on the north, Cypress Avenue on the south, Tyler Avenue on the west, and Crest Avenue on the east. The site is located approximately 6,930 feet southwesterly of the westerly terminus 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: From below 55 CNEL to 60 CNEL (The 55 CNEL contour crosses the site.)

**BACKGROUND:**

Residential Density: The site is located in Airport Land Use Compatibility Zone D, the Primary Traffic Patterns and Runway Buffer Area. Countywide compatibility criteria for this zone limit new residential development 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, prohibiting intermediate density levels greater than 0.2, but less than 5.0, dwelling units per acre. However, pursuant to Additional Compatibility Policy 2.3(a) in the Riverside Municipal Airport Land Use Compatibility Plan, “residential densities as low as 4.0 dwelling units per gross acre” would be found consistent “to the extent that such densities are typical of existing ... residential development in nearby areas of the community.” (The intent of this policy is “to enable the density of future development [in Zone D] to be similar to what now is common for the area.”)

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 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 problem posed by this proposal is that the proposed amendment and rezoning would increase the probability that a landowner or developer would design a project with a gross density of less than 4 dwelling units per acre. The proposed land use designation and zoning allow for the possibility of development at densities exceeding four dwelling units per acre, but also allow for the possibility of development at lower densities (although this area is sufficiently developed that its overall density would remain greater than four dwelling units per acre, given the existing number of dwelling units in the area). In order to decrease the potential that a proposal with a density less than four dwelling units per acre would be proposed, ALUC staff is recommending that the Airport Protection Compatibility Zone D overlay zoning be applied to the property. Application of the overlay zoning would alert landowners and developers to the need to refer to the Compatibility Plan to determine allowable uses and densities.

Noise: The site is located partially within the area subject to average aircraft noise levels greater than 55 dB(A) CNEL; therefore, the City should consider noise mitigation when new developments are proposed in this area.

PART 77: This rezoning and general plan amendment are not associated with any construction projects. Elevations on the 19.25-acre site range as high as 784 feet above mean sea level (AMSL). The maximum height of a new residence in the R-1-7,000 zone is 35 feet above ground level. This would appear to indicate a top elevation not exceeding 819 feet AMSL. The elevation at the westerly end of the runway is 757.6 feet AMSL. At a distance of 6,930 feet from the runway, FAA notice is required for structures with a top point elevation exceeding 826.9 feet AMSL. Therefore, FAA review is not required.

General plan amendments and rezoning are not subject to conditions.

Staff Report  
Page 3 of 3

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

Y:\ALUC\Riverside\ZAP1043RI08octsr

# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

## STAFF REPORT

### ADMINISTRATIVE ITEMS

- 5.1** Notice of Intent to Overrule – ZAP1051MA08 – City of Perris General Plan (Case No. 08-05-0014). On September 4, 2008, the City of Perris sent ALUC a Notice of Proposed Overrule of its finding of inconsistency relative to the City's General Plan, along with a draft resolution including findings for overrule. The City Council hearing date is anticipated to be Tuesday, October 28, 2008, the earliest possible date following the completion of the statutory 45-day waiting period. A copy of the documentation submitted by the City of Perris is attached. Staff anticipates providing a response to the City during the week of October 6-10. Staff encourages the Commission to appoint a Commissioner to attend the Council hearing.
- 5.2** Commission's Input as to Placement of Plan Adoption and Amendment Proposals on the Agenda. The Chino Airport Land Use Compatibility Plan was the last public hearing item on the September 11 agenda. Two of the Commissioners had other pre-scheduled business and had to depart prior to consideration of the Plan. Staff would like to see full Commission participation when the adoption of new plans is being considered. Director Ed Cooper requested Commission input as to placement of Plan adoption and amendment proposals on the agenda, or whether such proposals should be considered at special hearings. Chairman Housman asked staff to place this matter on the next agenda as an Administrative Item for Commission discussion.
- 5.3** Development within Rancho Jurupa Regional Park. At the September hearing, Commissioner John Lyon advised that he had observed that structures were being constructed at Rancho Jurupa Regional Park, within the Flabob Airport Influence Area, and that neither the airport nor ALUC staff had any information regarding the project. He asked staff to contact the appropriate parties to inform them that ALUC or its staff should be advised of projects in parks within Airport Influence Areas. Staff contacted Park Planner Marc Brewer of the Riverside County Regional Park and Open-Space District to advise that ALUC staff should be contacted with regard to any future projects. As to the project currently in process, Mr. Brewer advised that the District is undertaking some grading and construction of small structures and amenity features, including miniature golf facilities and picnic shelters, in conjunction with the expansion of Rancho Jurupa Regional Park Campground, and offered to discuss the plans with any Commissioner who may be interested.