



# 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., November 13, 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

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(951) 955-5132

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

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the 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 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.

### BLYTHE AIRPORT

2.1 ZAP1004BL08 – Robert S. McCall – County Case No. GPA 01051 (General Plan Amendment). GPA 01051 is a proposal to amend the Palo Verde Valley Area Plan land use designation of 19.77-20 acres located northerly of Seeley Avenue and westerly of Stephenson Boulevard in unincorporated Riverside County from Agriculture to Rural Residential (one dwelling unit per five acres), in order to facilitate a future parcel map. Airport Zone E. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0549, or E-mail at [brramire@rctlma.org](mailto:brramire@rctlma.org).

Staff Recommendation: CONSISTENT

**RIVERSIDE MUNICIPAL AIRPORT**

- 2.2 ZAP1042RI08 – City of Riverside, for Alvord Unified School District – (Representative: Kyle Smith, Planning Division, Community Development Department) – City Case Nos. P07-0790 (Rezoning) and P08-0125 (General Plan Amendment). The City and School District propose to change the General Plan land use designation of 2.14 acres located westerly of Tyler Street and southerly of Keller Avenue (including the southwest corner of the intersection) from SRR (Semi Rural Residential) to PF (Public Facilities/Institutional), 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 PF (Public Facilities) or PF-AP-E (Public Facilities, Airport Protection Overlay Zone E). Airport Zone E. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

3.0 **PUBLIC HEARING: OLD BUSINESS**

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

**BANNING AIRPORT**

- 3.1 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: CONTINUANCE OFF-CALENDAR

4.0 **PUBLIC HEARING: NEW BUSINESS****CHINO AIRPORT**

- 4.1 ZAP1011CH08 – MMI/BDI Riverside Archibald Avenue LLC (Representative: Sandra Chandler, Albert A. Webb Associates) – County Case Nos. CZ 07611 (Change of Zone), PP23219 (Plot Plan), and PM35865 (Parcel Map). Plot Plan No. 23219 is a proposal to develop fourteen industrial buildings with a total gross floor area of 738,432 square feet on 53.37 acres located westerly of Archibald Avenue, easterly of Cucamonga Creek Storm Drain, northerly of 65<sup>th</sup> Street, and southerly of the westerly straight-line extension of Limonite Avenue in the unincorporated Riverside County community of Eastvale. Change of Zone No. 07611 is a proposal to change the zoning of this area from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to I-P (Industrial Park). Parcel Map No. 35865 is a proposal to divide the property into 12 industrial parcels. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE to December 11, 2008 (PP 23219, PM 35865); CONSISTENT (CZ 07611)

**HEMET RYAN AIRPORT**

- 4.2 ZAP1017HR08 – Hemet 63 Investments, LLC (Representative: RGP Planning and Development Services) – City Case Nos. GPA 05-4 (General Plan Amendment) and ZC 05-4 (Zone Change). ZC 05-4 is a revised proposal to change the zoning of the northerly 23.94 acres of a 63.02-63.88 acre property located southerly of Florida Avenue (State Highway Route 74) and Acacia Avenue, westerly of Cawston Avenue (extended), and northerly of Hemet-Ryan Airport from M-2 (Heavy Manufacturing) to C-2 (General Commercial). GPA 05-4 proposes to change the City of Hemet General Plan land use designation of this 23.94-acre area from Commercial and Industrial to Commercial. (The remaining 39.08-39.94 acres adjacent to the airport would retain its M-2 zoning and Industrial land use designation.) Transition Area and Area III. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

**JACQUELINE COCHRAN REGIONAL AIRPORT**

- 4.3 ZAP1011TH08 – Brookfield California Land Holdings (Representative: T&B Planning Consultants/Joel Morse) – County Case Nos. SP00369 (Specific Plan), GPA00846 (General Plan Amendment), and CZ 07481 (Change of Zone). Specific Plan No. 369 (“Thermal 551”) is a proposal to develop a master planned residential community of 2,354 dwelling units on a 612.1-acre site located northerly of Avenue 60, westerly of Fillmore Street, easterly of Polk Street, and southerly of Airport Boulevard in the unincorporated Riverside County community of Thermal. GPA 00846 proposes to amend the Eastern Coachella Valley Area Plan land use designations of the site from Agriculture, Light Industrial, and Public Facilities to Medium Density Residential, Medium High Density Residential, High Density Residential, Open Space-Recreation, Open Space-Water, and Public Facilities. CZ 07481 proposes to change the zoning of the property from A-2-20 (Heavy Agriculture, 20 acre minimum lot size) and M-SC (Manufacturing-Service Commercial) to SP (Specific Plan). Airport Zones D and E. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

**MARCH AIR RESERVE BASE**

- 4.4 ZAP1052MA08 – Associated Ready Mixed Concrete, Inc./Lebata, Inc. – City Case No. DPR-06-0411 (Design Review) – A proposal to establish a permanent concrete batch plant facility with three silos up to fifty (50) feet in height on 2.42 acres located on the westerly side of Patterson Avenue, southerly of Nandina Avenue, and easterly of Western Way, in the portion of the City of Perris located easterly of Interstate 215 and westerly of the runway at March Air Reserve Base. Airport Area II. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONDITIONALLY CONSISTENT

**RIVERSIDE MUNICIPAL AIRPORT**

4.5 ZAP1044RI08 – City of Riverside (Representative: Planning Division, Community Development Department) – City Case No. P07-0721. The City of Riverside proposes to rezone approximately 8.98 acres located northerly of Arlington Avenue and westerly of Van Buren Boulevard in the City of Riverside from R-3-1500 (Multiple Family Residential: High Density, 1500 square foot minimum lot area per dwelling unit) to CR-NC-AP-D, PF-WC-AP-B2, and PF-WC-AP-D, where CR is Commercial Retail, NC is Neighborhood Commercial Overlay, PF is Public Facilities, WC is Water Course Overlay, AP-B2 is Airport Protection Overlay Zone B2, and AP-D is Airport Protection Overlay Zone D. The area to be rezoned includes all or portions of seven parcels, including parcels with addresses of 7437, 7509, 7591, 7607, 7671, and 7911 Arlington Avenue. Airport Zones B2 and D. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

5.0 **PRESENTATION** regarding proposed project in Flabob Airport Influence Area - **Emilio Ramirez, EDA**

6.0 **ADMINISTRATIVE ITEMS**

6.1 Request for Reconsideration: City of Riverside - ZAP1043RI08, General Plan Amendment (P08-0215) and Rezoning (P08-0216)

6.2 Director's Approvals

6.3 Possible ALUC Commission Meeting Change for April 2009

7.0 **APPROVAL OF MINUTES**

September 11, 2008 and October 9, 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:** November 13, 2008

**CASE NUMBER:** ZAP1004BL08 – Robert J. McCall

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO.:** GPA01051 (General Plan Amendment)

**MAJOR ISSUES:** None.

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

**PROJECT DESCRIPTION:**

A general plan amendment proposing to amend the Palo Verde Valley Area Plan land use designation from AG (Agriculture - 10 acre minimum per dwelling unit) to RR (Rural Residential - 5 acre minimum per dwelling unit) on approximately 20 acres.

**PROJECT LOCATION:**

The project is located northerly of Seeley Avenue, westerly of Stephenson Boulevard, southerly of 15<sup>th</sup> Avenue, and easterly of Keim Boulevard, in unincorporated Riverside County, approximately 10,600 feet southeasterly of Runway 8-26 at Blythe Airport.

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

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

**BACKGROUND:**

Land Use/Intensity: The project site is located within Airport Zone E of the Blythe Airport. Countywide land use compatibility criteria for Airport Zone E permit residential

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dwellings, with no density limitations. The applicant's general plan amendment is consistent with the BLALUCP Zone E criteria.

Part 77: The site elevation is approximately between 264 – 332 feet above mean sea level (AMSL). The elevation of the easterly runway terminus is 393 feet AMSL. At a distance of approximately 10,600 feet, any structure above 499 feet AMSL would require FAA review. FAA review is not required for this project, as no structures would be authorized by the general plan amendment.

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

General Plan Amendments are not subject to conditions.

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

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

**AGENDA ITEM:** 2.2

**HEARING DATE:** November 13, 2008

**CASE NUMBER:** ZAP1042RI08 – City of Riverside for Alvord  
Unified School District

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO.:** P07-0790 (Rezoning) & P08-0125 (General Plan  
Amendment)

**MAJOR ISSUES:** None.

**RECOMMENDATION:** Staff recommends a finding of **CONSISTENCY** for the change of zone and the general plan amendment.

**PROJECT DESCRIPTION:**

A proposal to amend the General Plan land use designation on 2.14 acres from Semi-Rural Residential (SRR) to Public Facilities/Institutional (PF), 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 PF (Public Facilities) or PF-AP-E (Public Facilities; Airport Protection Overlay Compatibility Zone E), and to allow the expansion of La Granada Elementary School.

**PROJECT LOCATION:**

The project site consists of two parcels located southerly of Keller Avenue, westerly of Tyler Street, northerly of Gramercy Place, and easterly of Jones Avenue, in the City of Riverside, approximately 10,065 feet southwestly 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. Countywide land use compatibility criteria for Airport Zone E has no intensity limit. Additionally, children's schools are permissible in Airport Zone E. The applicant's change of zone and general plan amendment would be consistent with the RMALUCP Zone E criteria.

Part 77: The site elevation is approximately 780 feet above mean sea level (AMSL). The elevation of the southerly runway terminus is 747.5 feet AMSL. At a distance of approximately 10,065 feet, any structure above 848 feet AMSL would require FAA review. FAA review is not required for this project as no structures would be authorized by the zone change and general plan amendment.

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

Rezoning and general plan amendments are not subject to conditions.

Recommendation: While both the general plan amendment and change of zone are consistent as proposed, it is further recommended that the City of Riverside apply the applicable Airport Protection Compatibility Zone Overlay in the course of rezoning properties within the Airport Influence Area of Riverside Municipal Airport.

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 ~~5.2~~

**HEARING DATE:** November 13, 2008 (continued from 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 *this case be CONTINUED OFF-CALENDAR, as the applicant has indefinitely suspended activity on the project due to the national economic and financial situation.*

~~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:** 4.1

**HEARING DATE:** November 13, 2008

**CASE SUMMARY:**

**CASE NUMBER:** ZAP1011CH08 – MMI/BDI Riverside Archibald Avenue LLC (Representative: Sandra Chandler, Albert A. Webb Associates)

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO:** Change of Zone Case No. 7611 (CZ07611), Plot Plan Case No. 23219 (PP23219), Tentative Parcel Map No. 35865 (PM35865).

**MAJOR ISSUES:** Open area requirements may not be met on-site. While lot coverage is acceptable (32 percent), remaining areas consist largely of streets, future streets, a proposed filtration trench, and a utility right-of-way. However, it should be noted that the site is adjacent to a storm drain and additional utility easements.

**RECOMMENDATION:** Staff recommends that the Commission find the proposed change of zone CONSISTENT with the 2008 Chino Airport Land Use Compatibility Plan, but that consideration of the plot plan and parcel map be CONTINUED to December 11, 2008, to allow additional time for study of on-site intensities and provision of open area.

**PROJECT DESCRIPTION:**

Plot Plan No. 23219 is a proposal to develop fourteen industrial buildings with a total gross floor area of 738,432 square feet on a 53.37-acre site. Change of Zone Case No. 7611 proposes to change the zoning of the property from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to I-P (Industrial Park). Parcel Map No. 35865 proposes to divide the property into 12 industrial parcels.

**PROJECT LOCATION:**

The site is located in northwestern Riverside County, westerly of Archibald Avenue, easterly of Cucamonga Creek Storm Drain, northerly of 65<sup>th</sup> Street, and southerly of the westerly straight-line extension of Limonite Avenue in the unincorporated Riverside County community of Eastvale, approximately 6,480 feet easterly of the easterly end of Runway 8R-26L at Chino Airport.

**LAND USE PLAN: 2008 Chino Airport Land Use Compatibility Plan**

Adjacent Airport:

- a. Airport Influence Area: Chino Airport
- b. Land Use Policy: Compatibility Zones C and D
- c. Noise Levels: From below 55 to 55 CNEL

**BACKGROUND:**

Change of Zone: The applicant proposes a change of zone from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to I-P (Industrial Park). Staff recommends a finding of consistency for the change of zone, in that industrial uses (provided that they are low in person-intensity) are more compatible with the continued operation of Chino Airport than dairies and livestock operations, which tend to attract birds.

Nonresidential Land Use Intensity: The site is located partially in Compatibility Zone C and partially in Compatibility Zone D. More specifically, the site includes 37.1 acres in Compatibility Zone C and 16.24 acres in Compatibility Zone D. Nonresidential intensity in Compatibility Zone C is restricted to an average intensity of 75 persons per acre and a maximum intensity of 150 persons in any given acre. Nonresidential intensity in Compatibility Zone D is restricted to an average intensity of 150 persons per acre and a maximum intensity of 450 persons in any given acre.

There is no issue with average intensity. The site is 53.34 acres in area. Even if the site were entirely in Compatibility Zone C, the average intensity criteria would be met. At an average intensity of 75 persons per acre, a total of 4,000 persons would be allowed at this location. If the entire project were to be developed as office space, use of the Building Code method, with the standard 50% reduction, would indicate a total of 3,692 persons on-site (738,432 square feet, divided by 100, divided by 2). This would be an average intensity of 69 persons per acre.

The applicant is proposing to provide 1,187 parking spaces. Use of the Parking Space method, with the standard 1.5 persons per vehicle, would indicate a total of 1,781 persons on-site (1,187 multiplied by 1.5 persons per vehicle). This would be an average intensity of 33 persons per acre.

Single-acre intensities are closer to the upper limit for Compatibility Zone C due to the use of large buildings. Many of the fourteen buildings, either individually or in combination with adjacent buildings, cover a square acre of land or greater. These buildings would exceed the Compatibility Zone C single-acre intensity standard of 150 persons if developed entirely as office space, or with full use of second-story areas. However, as proposed, and with the office space areas limited to the square footages cited in the plot plan, single-acre intensities are projected to remain below 140 persons throughout the site.

Prohibited and Discouraged Uses: The applicant does not propose any uses prohibited in Compatibility Zone C (children's schools, day care centers, libraries, hospitals, nursing homes, buildings with more than three aboveground habitable floors, highly noise-sensitive outdoor nonresidential uses, and hazards to flight) within the project.

Noise: The site underlies traffic patterns. Future patrons, customers, and employees will experience annoyance from over flying aircraft. The ultimate 55 CNEL contour for the airport overlies the northerly edge of the property, although most of the property lies outside the area that would be subject to average exterior noise levels of 55 CNEL or greater under ultimate airport development conditions.

Part 77: The maximum elevation of the site is 640 feet above mean sea level (640 feet AMSL). The elevation of the nearest runway at its closest point is 636.5 feet AMSL. At a distance of 6,480 feet from the runway, FAA review would be required for any structures with top of roof exceeding 701.3 feet AMSL. The project plans indicate that building heights will not exceed 40 feet. (Building 14 is the tallest, at a height of 39 feet, 6 inches to top of parapet.) Therefore, the top of roof would not be expected to exceed 680 feet AMSL. FAA notice and review are not required.

Open Area: Compatibility Zone C requires that 20% of major projects be set aside as open land that could potentially serve as emergency landing areas. Compatibility Zone D requires a 10% set aside. While an initial review of the site plan indicates 32% lot coverage and large areas not devoted to buildings, most of the contiguous open area (over 10 acres) is located within a Southern California Edison easement populated by high voltage electrical transmission lines. This area would not qualify as open area, pursuant to the definition in Section 4.2.4 of the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan. At this time, staff is unable to verify that the project design meets open area requirements within Compatibility Zones C and D.

Wildlife Hazard Attractants: The change from agricultural to industrial uses has the advantage (from an airport land use planning perspective) of eliminating the potential for dairies or livestock operations on the site, but the proposed filtration trench, if uncovered, presents new issues of wildlife attraction.

#### **CONDITIONS:**

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
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. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor nonresidential uses, and, in the structures located partially or wholly in Compatibility Zone C, libraries and day care centers.
3. The Riverside County Planning Department shall require additional review by the Airport Land Use Commission prior to the establishment of any use other than offices, manufacturing, storage, and warehousing within the proposed buildings. Examples of uses that would require further review include, but are not limited to:
- Retail sales, auction rooms, auditoriums, churches and chapels, dance floors, day care or child care centers, libraries, lodge rooms, reviewing stands, conference rooms with capacities of 25 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, swimming pools, skating rinks, locker rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to the edition of the Building Code in effect at the time of land use or building permit application, as applicable.
- These uses have greater intensity than the uses indicated on the plot plan and may not be possible within the single-acre intensity limits of the applicable Compatibility Zone.
4. Any changes in the locations of buildings from those shown on the exhibit prepared by Albert A. Webb Associates dated August 27, 2008 shall be subject to further review by the Airport Land Use Commission as an amended project.

5. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
6. Office areas within the proposed buildings shall be limited to the maximum square footage areas identified on the plot plan exhibit prepared by Albert A. Webb Associates dated August 27, 2008 and specified for each building as follows: Building 1 - 3,438 square feet; Building 2 - 4,063 square feet; Building 3 - 3,293 square feet; Building 4 - 3,488 square feet; Building 5 - 3,518 square feet; Building 6 - 2,191 square feet; Building 7 - 1,582 square feet; Building 8 - 2,422 square feet; Building 9 - 1,150 square feet; Building 10 - 5,688 square feet; Building 11 - 4,836 square feet; Building 12 - 5,650 square feet; Building 13 - 5,263 square feet; and Building 14 - 6,489 square feet.
7. The filtration trench, if uncovered, shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours (may be less, but not more) and to remain totally dry between rainfalls. Vegetation in and around the filtration trench that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Landscaping shall utilize plant species that do not produce seeds, fruits, or berries. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.



COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** 4.2

**HEARING DATE:** November 13, 2008

**CASE NUMBER:** ZAP1017HR08 – Hemet 63 Investments, LLC

**APPROVING JURISDICTION:** City of Hemet

**JURISDICTION CASE NO.:** GPA 05-4 (General Plan Amendment) and ZC 05-4 (Zone Change)

**MAJOR ISSUES:** None. This property had formerly been the site of a proposed residential development, but the residential component has been eliminated.

**RECOMMENDATION:** Staff recommends a finding of CONSISTENCY for the general plan amendment and the zone change.

**PROJECT DESCRIPTION:**

The applicant proposes a general plan amendment and a zone change on the northern 23.9 acre portion of a 63.88 acre parcel. The general plan amendment proposes to change the land use designation from Commercial and Industrial to Commercial and to change the zoning from M-2 (Heavy Manufacturing) to C-2 (General Commercial). (The remaining acreage would retain its M-2 zoning and Industrial land use designation.)

**PROJECT LOCATION:**

The site is located southerly of Florida Avenue and Acacia Street, westerly of Cawston Avenue (extended), and northerly of Hemet-Ryan Airport. The airport boundary is located southerly of the project site.

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

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

## **BACKGROUND:**

Land Use/Intensity: The project site is located primarily within the Transition Area and partially within Area III. The project is a revised project which eliminates the residential component of a previous proposal that would have established a Mixed Use General Plan designation and R-3 zoning on 13.65 acres. That proposal was presented to the Commission on November 8, 2007 as Case No. ZAP1009HR07 and found inconsistent.

The project, as currently revised, would change the land use designation of the northerly 23.94 acres of the parcel from Commercial and Industrial to Commercial, and change the zoning of that area from M-2 (Heavy Manufacturing) to C-2 (General Commercial). The remaining area of the parcel (39.98 acres) would retain its existing Industrial General Plan designation and zoning classification of M-2 (Heavy Manufacturing).

This proposal is consistent with both the Transition Area and Area III, as both permit commercial, industrial, and manufacturing uses.

It should be noted that institutional uses, places of assembly, public and private schools, and hazardous material facilities are discretionary uses in the Transition Area and in Area III, requiring ALUC review.

Part 77: Elevation on-site range from 1,512 to 1,516 feet above mean sea level (AMSL). There are no proposed structures, but the Transition Area policies limit structure height to 35 feet or two stories. Given the proximity of the runway and the runway elevation (ranging from 1,499-1,515 feet AMSL), it is likely that most, if not all, structures ultimately proposed for this site will require FAA review through the Form 7460-1 process.

Noise: The project site is from below 55 CNEL to above 60 CNEL. Noise mitigation is required for office areas of structures within the 60 CNEL contour to provide for interior noise levels not exceeding 45 CNEL.

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.

General Plan Amendments and Zone Changes are not subject to conditions, but it is recommended that the Airport Land Use Commission endorse the following mitigation measures:

## **MITIGATION MEASURES:**

1. Prior to final adoption of the general plan amendment, 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 office areas of 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 proposing offices 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. Unless otherwise determined inapplicable by Airport Land Use Commission staff, all structures at this location shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
  4. 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.
  5. 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.
  6. The attached notice shall be given to all prospective buyers and tenants.
  7. All future structures at the site shall be limited to thirty-five (35) feet in height or two stories, whichever is less.

8. Future discretionary development applications within this area 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.

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COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** 4.3

**HEARING DATE:** November 13, 2008

**CASE NUMBER:** ZAP1011TH08 – Brookfield California Land Holdings, Inc. (Representative: T & B Planning Consultants, Inc., Joel Morse)

**APPROVING JURISDICTION:** Riverside County

**JURISDICTION CASE NO.:** SP00369 (Specific Plan), GPA00846 (General Plan Amendment), and CZ07481 (Change of Zone)

**MAJOR ISSUES:** None, in light of the determination of the Density Subcommittee regarding Calculation of Densities in Specific Plans.

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

**PROJECT DESCRIPTION:**

Specific Plan No. 369 (“Thermal 551”) is a proposal to construct a master planned residential community on approximately 612 acres. The general plan amendment will change the land use designation from Agriculture (AG), Light Industrial (LI), and Public Facilities (PF) to MDR (Medium Density Residential), MHDR (Medium High Density Residential), HDR (High Density Residential), and Open Space – Recreation (OS-R), with small areas of Open Space-Water (OS-W) and Public Facilities. The change of zone will change the existing zoning from A-2-20 (Heavy Agriculture – 20 acre minimum lot size) and M-SC (Manufacturing – Service Commercial) to SP (Specific Plan). The three residential land use designations will cover approximately 438.7 acres and will accommodate 2,354 dwelling units. The remaining 173.3 acres will consist of non-residential land use areas such as parks, recreation facilities, open space, and roadways.

**PROJECT LOCATION:**

The project is located westerly of Fillmore Street, easterly of Polk Street, southerly of Airport Boulevard, and northerly of Avenue 60, in unincorporated Riverside County, approximately 3,036 feet easterly of Runway 17-35 at Jacqueline Cochran Regional Airport.

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

- a. Airport Influence Area: Jacqueline Cochran Regional 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 predominantly located within Airport Zone D with the remainder within Zone E. The project proposes a general plan amendment to change the site's Eastern Coachella Valley Area Plan land use designation from Agriculture (AG), Light Industrial (LI), and Public Facilities (PF) to MDR (Medium Density Residential), MHDR (Medium High Density Residential), HDR (High Density Residential), Open Space – Recreation (OS-R), Open Space- Water (OS-W), and Public Facilities (PF). The change of zone will change the existing zoning from A-2-20 (Heavy Agriculture – 20 acre minimum lot size) and M-SC (Manufacturing – Service Commercial) to SP (Specific Plan).

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.

The specific plan will allow for 2,354 dwelling units on approximately 438.7 acres, allowing for an overall average of 5.3 dwelling units per acre (excluding acreage in nonresidential Planning Areas and acreage devoted to larger “collector” roads at least 74 feet in right-of-way width). Provided that the overall density remains above 5.0 dwelling units per acre, the proposed specific plan is consistent with the Jacqueline Cochran Regional Airport Land Use Compatibility Plan.

Eight (8) of the eighteen (18) individual residential Planning Areas within the Specific Plan provide for densities below five dwelling units per acre, but the overall density of residential areas meets the “high density option” standard (equals or exceeds 5.0 dwelling units per acre).

The Density Subcommittee considered this issue at its meeting of March 7, 2008, and agreed that, in determining the consistency of a Specific Plan with the Zone D density standards, the calculation would be based on the total number of dwelling units in the residential Planning Areas, divided by the total acreage in the residential Planning Areas.

Open Space: A minimum of 10% of the 612 acres of the site within Airport Zone D must be set aside as open space, pursuant to Countywide compatibility criteria. The specific

plan will set aside 61.23 acres of restricted open areas meeting ALUC open area requirements (a minimum of 300 feet long by 75 feet wide). In addition, the Coachella Valley Stormwater Channel abuts the property's eastern boundary line.

Part 77: The site's elevation ranges from 144 to 128 feet below mean sea level. The applicant proposes a maximum potential height of 35 feet for future structures and an overall potential high point elevation of 105 feet below sea level. The site is approximately 3,036 feet easterly (at its closest point) of Runway 17-35. With the existing runway's elevation varying from 134 to 114 feet below mean sea level, future structures less than 104 feet below mean sea level may require FAA review (depending on location).

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

Wildlife Hazard Assessment: Earlier plans for the development of this site had featured a lake, and staff, therefore, requested a wildlife hazard assessment in order to determine consistency with the provisions of the Wildlife Hazard Guidance Report prepared for the Bermuda Dunes Airport and Jacqueline Cochran Regional Airport in 2007. The lake was subsequently deleted from the plans and replaced with a covered water retention pond. The revised project was evaluated by BASH Incorporated (Russell P. De Fusco, Ph.D., U.S.A.F. (ret.), V.P). In a letter dated August 20, 2008, Dr. De Fusco recommended:

- that shade cloth be used as the cover for the water retention structure and extend beyond the edge of the pond;
- that the sides of the pond be steeply graded (minimum 5:1 slope) and lined with either High Density Polyethylene (HDPE), concrete, or riprap;
- that landscaping utilize plant species that do not produce seeds, fruits, or berries; and,
- that trees be spaced to prevent large expanses of contiguous canopy when mature.

**CONDITIONS (to be applied to the Specific Plan):**

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 landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, landfills, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, and wastewater management facilities.
  - (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.
2. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
  3. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing and shall comply with Ordinance No. 655. All outdoor lighting plans subject to County review and approval shall be referred to the Riverside County Economic Development Agency – Aviation Division for review and comment prior to approval.
  4. Any new detention basins other than the covered water retention structure shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Landscaping shall utilize plant species that do not produce seeds, fruits, or berries. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. The water retention structure shall be covered with shade cloth, which shall extend beyond the edge of the pond. The sides of the pond shall be steeply graded (minimum 5:1 slope) and lined with either concrete, riprap, or High Density Polyethylene (HDPE).
  5. The 61.23 acres of open areas depicted on the Open Lands exhibit shall be dedicated to an entity that will agree to maintain these areas as perpetual open space, and shall be zoned so as to prohibit structures (if such zoning is available for use).
  6. Any proposals for decreases, as well as increases, in residential dwelling units within this Specific Plan shall be either: (a) considered as Specific Plan Amendments; or (b) be required to be submitted to ALUC for review as major land use actions. The proponent shall be responsible for demonstrating to the



satisfaction of ALUC that the proposed project would not cause either the overall density of residential Planning Areas or the cumulative density of approved tract maps to fall below 5 dwelling units per acre.

7. Any proposed structure with an elevation at high point that is not at least 105 feet below mean sea level shall be referred to Airport Land Use Commission staff for review as to the need for Federal Aviation Administration notice through the Form 7460-1 process. If such notice is required, the permittee shall be required to obtain a “Determination of No Hazard to Air Navigation” prior to issuance of building permits for such a structure.

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COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** 4.4

**HEARING DATE:** November 13, 2008

**CASE NUMBER:** ZAP1052MA08 -Lebata, Inc/ Associated Ready Mixed Concrete, Inc

**APPROVING JURISDICTION:** City of Perris

**JURISDICTION CASE NO.:** DPR-06-0411 (Design Review)

**MAJOR ISSUES:** None.

**RECOMMENDATION:** Staff recommends a finding of **CONDITIONALLY CONSISTENT**, for the Design Review, subject to the conditions specified herein and such additional conditions as may be required pursuant to the terms of the FAA determination.

**PROJECT DESCRIPTION:**

The proposed project would construct a permanent concrete batch plant facility on one 2.5 acre parcel. The project will consist of three silos up to fifty (50) feet in height, three wash pits, eight storage bunkers, an 800 square foot mechanical shop, one 400 square foot batch control office, one fuel tank, and a total of 27 parking spaces.

**PROJECT LOCATION:**

The project site is located westerly of Patterson Avenue, southerly of Nandina Avenue, easterly of Western Way and Airport Way, and northerly of Oleander Avenue, in the City of Perris, approximately 980 feet westerly of the southerly end of the runway at March Air Reserve Base.

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

- a. Airport Influence Area: March Air Reserve Base
- b. Land Use Policy: Area II

- c. Noise Levels: Inside the 70 CNEL contour

**BACKGROUND:**

Land Use/Intensity: The project site is located within Area II of the March Air Reserve Base Airport Influence Area. The site is located approximately 980 feet westerly of the southerly terminus of the runway. The applicant proposes a permanent concrete batch plant facility with three silos, three wash pits, eight storage bunkers, an 800 square foot mechanical shop, one 400 square foot batch control office, one fuel tank, and a total of 27 parking spaces.

The Riverside County Airport Land Use Plan finds industrial and commercial uses acceptable in Area II of the March Air Reserve Base. In addition, the project site is not within the Clear Zone, Accident Potential Zone I, or Accident Potential Zone II, as designated by the 2005 AICUZ Study.

The site would be within Airport Compatibility Zone B2 pursuant to the Draft March Joint Land Use Study. The intensity of this use would be consistent with the provisions of such a zone.

Part 77: The ground elevation on this site ranges from 1490 to 1495 feet above mean sea level (AMSL), and the proposed maximum structure height as depicted on the elevations would not exceed 50 feet. The expected elevation at the highest point of the silos would not exceed 1,543 feet AMSL. The runway elevation at its southerly end is 1,488 feet AMSL. The closest point from the property to the nearest point of the runway is approximately 980 feet. The closest structure to the runway is the fuel tank (approximately 10 feet high) at a distance of 1000 feet, and the nearest silo (approximately 50 feet high) is approximately 1,029 feet from the runway. FAA review is required. Aeronautical studies (through Form 7460-1) are in process for 23 points on-site.

Noise: The site lies inside the 70 CNEL contour. The use is industrial, and a noise generator. It is not a noise-sensitive use; however, noise attenuation shall be required for the office.

**CONDITIONS:**

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

engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. Prior to the issuance of building permits the landowner shall convey an avigation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
  3. Any outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)
  4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
  5. Prior to the issuance of building permits, a determination of “No Hazard to Air Navigation” by the Federal Aviation Administration shall be required for the Aeronautical Study Nos. 2008-AWP-6067-OE through 2008-AWP-6087-OE and Aeronautical Study Nos. 2008-AWP-6089-OE through 2008-AWP-6090-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.
  6. Noise attenuation measures shall be incorporated into the design of the office structure, as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.

COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION  
STAFF REPORT

**AGENDA ITEM:** 4.5  
**HEARING DATE:** November 13, 2008  
**CASE NUMBER:** ZAP1044RI08 – City of Riverside  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** P07-0721 (Rezoning)

**MAJOR ISSUES:** None.

**RECOMMENDATION:** Staff recommends a finding of **CONSISTENCY** for the rezoning, provided that the new zoning incorporates the Airport Protection Overlay Compatibility Zones.

**PROJECT DESCRIPTION:**

A proposal to rezone all or portions of seven parcels totaling approximately 8.98 acres from R-3-1500 (Multiple Family Residential: High Density, 1,500 square foot minimum lot area per dwelling unit) to CR-NC-AP-D (Commercial Retail - Neighborhood Commercial Overlay – Airport Protection Overlay Compatibility Zone D) and PF-WC-AP-B2 and PF-WC-AP-D (Public Facility - Water Course Overlay, Airport Protection Overlay Compatibility Zones B2 and D).

**PROJECT LOCATION:**

The project site is located westerly of Van Buren Boulevard, northerly of Arlington Avenue, and southwesterly of Doolittle Avenue, in the City of Riverside, approximately 1,749 feet westerly 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 Zones B2 and D
- c. Noise Levels: From below 55 CNEL to above 60 CNEL

## **BACKGROUND:**

Land Use/Intensity: The site is located within Airport Zones B2 and D of the Riverside Municipal Airport. Land use compatibility criteria for Airport Zone B2 permit an average 100 people per acre and a maximum of 200 people per single-acre. Airport Zone D permits an average of 100 people per acre and a maximum of 300 people per single-acre. The applicant's proposed change of zone is consistent. The addition of the Airport Protection Zone overlay would increase public awareness, as the City ordinance provisions refer readers to the Compatibility Plan.

Part 77: The maximum on-site elevation is approximately 740 feet above mean sea level (AMSL). The elevation of the southerly runway terminus is 747.9 feet AMSL. At a distance of 1,749 feet, any structure above 765.4 feet AMSL would require FAA review. FAA review is not required for the rezoning, as no structures would be authorized by such action; however, ALUC staff recommends that the Community Development Department be aware of possible need for FAA review of future structures with elevations at top point exceeding 765.4 feet AMSL. (Additionally, FAA review may be needed for any structures greater than 35 feet in height in the portion of the property within Airport Compatibility Zone B2.)

Noise: Average noise levels on this site from aircraft operations would exceed 60 CNEL in portions of the site, and would exceed 55 CNEL in the remainder of the site. The higher noise levels would be in the area closest to the airport. Staff recommends that any future commercial projects in Airport Zone B2 provide for a noise level reduction of 25dB in office spaces.

Rezoning actions are not subject to conditions.

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.

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# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

## STAFF REPORT

### ADMINISTRATIVE ITEMS

- 6.1** Request for Reconsideration: City of Riverside – ZAP1043RI08, General Plan Amendment (P08-0215) and Rezoning (P08-0216). This case was considered at the October hearing and determined to be conditionally consistent. The City of Riverside is requesting that the matter be advertised and reconsidered at the December 11, 2008 hearing. One of the property owners whose General Plan designation and zoning would be changed if the City were to approve the project was not notified due to an error in the labels provided by the City. Subsequently, this landowner received a copy of the letter stating that the proposal had been found conditionally consistent, and he called ALUC staff to advise that he had never received a hearing notice. Staff reviewed the labels and confirmed that the label with the name of the entity owning the property had a city, but no street address or box number, and the notice had, therefore, been returned to ALUC as undeliverable. The new hearing will allow the property owner and all other affected property owners to comment on the proposal. ALUC staff supports placing this matter on the December 11 agenda.
- 6.2** Director's Approvals. As authorized pursuant to Section 1.5.2(d) of the 2004 Riverside County Airport Land Use Compatibility Plan, ALUC Director Ed Cooper has approved one non-legislative case determined to be consistent with an Airport Land Use Compatibility Plan. Staff is attaching copies, for your Commission's information.
- 6.3** Possible ALUC Commission Meeting Change for April 2009. The Airport Land Use Commission regularly meets on the second Thursday of each month. However, B.T. Miller, the attorney assigned to ALUC matters by the Office of Riverside County Counsel, will not be available on April 9, 2009, the second Thursday of April. He has suggested an April 16 meeting that month. Staff has no problem with this move, as April has five Thursdays, and a four-week gap would be maintained between the April and May meetings.