

**AIRPORT LAND USE COMMISSION**  
RIVERSIDE COUNTY ADMINISTRATION CENTER  
4080 Lemon St., Board Room (14th Floor)  
Riverside, California

**THURSDAY, August 15, 2002**  
**9:00 A.M.**

**MINUTES**

A regular scheduled meeting of the Airport Land Use Commission was held on August 15, 2002 at Riverside County Administration Center, Board Room (14th Floor).

COMMISSIONERS PRESENT:      Allen Graff, Vice-Chairman  
   Marge Tandy  
   Paul Bell  
   B.T. Miller, Legal Counsel  
   June Stephens

COMMISSIONERS ABSENT:      William Cobb, Chairman  
   Sam Pratt  
   Walt Snyder

OTHERS PRESENT:                Cathy Perring  
   Richard L. Teller  
   Sherry Maurer  
   Kirakshi Henlano  
   Raymond E. Cutts  
   Gary Swanson, Estates Realty  
   Geraldine Thornton  
   Enoch Shannon – Estates Realty  
   Lawrence Green  
   Douglas Eilar - Acoustical Consultant  
   Ron Hanway, The Garret Group  
   Ken Brody, Shutt & Moen  
   Dave Fitz, Coffman & Associates

STAFF PRESENT:                 Keith Downs, A.L.U.C. Executive Director  
   Beverly Coleman, Development Specialist III  
   Bernadette Cruz, Secretary  
   Jackeline Gonzalez, Office Assistant II

- I.      CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Vice-Chairman Graff.
- II.     SALUTE TO THE FLAG.
- III.    ROLL CALL was taken.
- IV.    APPROVAL OF MINUTES FOR July 18, 2002:

**ACTION TAKEN:** Minutes from the ALUC Meeting scheduled on July 18, 2002 were unable to be approved due to insufficient votes.

APPROVAL OF MINUTES FOR June 20, 2002:

**ACTION TAKEN:** Minutes from the ALUC Meeting scheduled on June 20, 2002 were not available for approval.

V. OLD BUSINESS

**BERMUDA DUNES AIRPORT**

A. BD-02-104 – Warner Engineering. Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** BD-02-104 – Warner Engineering.  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** CZ 6679, TRM 30483

**PROJECT DESCRIPTION:**

*The project is a proposal for a new 94-lot residential tract housing.*

**PROJECT LOCATION:**

*The site is situated 650 feet southeast of the runway northeast of Adams Street and 42 Avenue in the County of Riverside, south of the Bermuda Dunes Airport.*

Adjacent Airport: Bermuda Dunes Airport  
a. Airport Influence Area: Area III  
b. Land Use Policy: Influence Area  
c. Noise Levels: 60 dB CNEL (February 1996 future forecasts)

**MAJOR ISSUES:**

LAND USE: *The proposed site is located approximately, 500 feet south of the center of the runway and is within Area III of the Airport Influence Area. Land use within Area III that produce glare, direct illumination, vapor, smoke and dust which may affect airport operations shall be discouraged. Likewise, uses which would conflict or potentially conflict with the airport in terms of noise sensitivity and safety hazards are discouraged.*

NOISE: *The project is partially within the 60 CNEL as indicated in the 1996 Noise Report for the airports. The residential use is acceptable in that noise category if noise reduction measures are incorporated into the construction in order to achieve an interior annual noise level attributed to exterior sources, not to exceed 45 CNEL. That will likely require more than normal construction, which only attenuates up to 20dB.*

HEIGHT: *The elevation on the site ranges from 72 to 83 MSL, and the structures are not expected to exceed 35 feet. The runway ground elevation is from 49-73 feet. The Part 77 horizontal surface is overlying this area at 219 MSL, and no portion of the project intrudes upon that airspace. Any homes on this project will need an FAA 7460.*

**CONDITIONS OF APPROVAL:**

*The conditions of approval will be continued pending receipt of the amendment response letter from Commissioner Snyder. This item was continued at the request of the applicant.*

**RECOMMENDATION:** *Staff would recommend a finding of inconsistency of this project subject to the conditions of approval of the amendment to the letter.*

Vice-Chairman Graff called for questions from the Commissioners. Commissioner Tandy inquired on the noise and water retention of the project. Mr. Bob Snyder was not available to address Commission Tandy’s questions. Commissioner Paul Bell requested clarification of the number of lots listed as 29 lots or the noted 24 lots on the agenda. Keith Downs stated the 29 lots is the correct number of lots and the 24 lots listed is a clerical error.

Vice-Chairman Graff opened the floor for comments from the audience on the case. Hearing no response, Vice-Chairman Graff requested the applicant to come forward and present the case.

Speaker for the project:

Tom Stewart from Warner Engineering requested more time for additional staff to arrive. Mr. Greg Shannon from Estates Realty requested for continuance to the next scheduled meeting.

**ACTION TAKEN:** Commissioner Bell motioned to continue until the next scheduled meeting. The motion was seconded by Commissioner Tandy. Motion carried unanimously.

**FRENCH VALLEY AIRPORT**

- B. FV-02-103 – Riverside County – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE SUMMARY** *Continued from July 18, 2002 ALUC meeting.*

**CASE NUMBER:** *FV-02-103 – Riverside County*  
**APPROVING JURISDICTION:** *County of Riverside*  
**JURISDICTION CASE NO:** *PP17666*

**PROJECT DESCRIPTION:** *The project is a request for PP 17666 for the construction of a 240,000 square foot business park with multiple buildings for offices, restaurants, health and exercise center, mini-warehouse, nursery, trailer, boat storage, and blueprinting and duplicating services on approximately 61.75 acres.*

**PROJECT LOCATION:**  
*The site is situated approximately 61.75 acres northeast of Briggs Road and Auld Road, southerly of Benton Road within the County of Riverside, 460 – 2600 feet north end of Runway 18/36 at the French Valley Airport.*

*Adjacent Airport: French Valley Airport*  
*a. Airport Influence Area: Inner Safety Zone (ISZ), Emergency Touchdown Zone (ETZ), Outer Safety Zone (OSA and Traffic Pattern Zone (TPZ)*  
*b. Noise Levels: Inside 55 and 60 CNEL for year 2013.*

## **MAJOR ISSUES:**

NOISE: The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. Newer contours indicate that a portion of the property is currently inside of the 55db CNEL, with a smaller portion inside of the 60 CNEL. The CLUP indicates that noise sensitive commercial uses in the 60 CNEL are compatible with the appropriate mitigation for noise.

LAND USE: The site is located 460 – 2,600 ft. north of the north end of Runway 18/36, and 1200 ft. north of the north end of the proposed runway, to be located 600 ft. east of Runway 18/36. The proposed land use is commercial, and consists of a 240,000 sq. ft. business park with multiple buildings for offices, restaurants, health and exercise center, mini-warehouse, nursery, trailer, boat storage, blueprinting and duplicating services on approximately 61.75 acres.

The site consists of six Planning Areas, zoned Manufacturing Service Commercial (M-SC), as shown on the attached exhibit. Planning Area 1 (4.93 ac.) is located within the Inner Safety Zone (ISZ) and Traffic Pattern Zone (TPZ). Planning Area 2 (15 ac.) is within the ISZ for Runway 18/36 and is also within the ETZ and Outer Safety Zone (OSZ) for the proposed runway. Planning Area 3 (8.59 ac.) is primarily within the OSZ of the proposed runway, although the southeast corner is within the TPZ. Planning Area 4 (7.86 ac) is within the ISZ of Runway 18/36, and is also within the ETZ and OSZ for the proposed runway. Planning Areas 5 (9.4 ac.) and 6 (13.4 ac.) are within the ISZ and ETZ for Runway 18/36. The proposed buildings on the site or a portion of the proposed buildings are either within the ISZ for Runway 18/36, the ETZ for the proposed runway, or the OSZ for the proposed runway. A portion of the building within Planning Area 1 is in the TPZ, with the remaining portion in the ISZ.

### Prohibited and Discouraged Uses

Structures and land uses involving petroleum, explosives or above-grade power lines are prohibited within the ISZ. Structures, land uses involving concentrations of people, and significant obstructions are prohibited within the ETZ. Prohibited land uses within the OSZ include residences, public assembly uses, hotels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials. Discouraged uses within the TPZ include schools, auditoriums, amphitheatres, stadiums, churches, and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials.

Building coverage for Planning Areas 2, 3 and 4 is less than 25% (net), which is below the OSZ standard of 25% (net). The maximum population density within the OSZ is 25 persons per acre for uses in structures.

There is a GPS approach over the site (non-precision). A 34:1 approach would typically place an approaching aircraft 200 feet  $\pm$  over the proposed site.

Height: The highest elevation on the site is 1354 MSL. The building, signs and lighting at the proposed site are not expected to exceed 35 feet. The proposed site is located within the Part 77 approach surface overlying this area at 1,350 – 1,410MSL. The runway elevation is 1,347MSL. The distance from Runway 18/36 to the closest building on the proposed site is approximately 950 ft.

Planning Areas 5 and 6, and the western portion of Planning Area 4 lie to the west of the

*Building Restriction Line (BRL) established in accordance with FAR Part 77 criteria. Buildings to be constructed within Planning Areas 2, 3, 4, 5, and 6 on the proposed site are restricted to those portions of the site east of the BRL. The BRL does not extend into or lie adjacent to Planning Area 1.*

*The applicant received the Determination of No Hazard to Air Navigation from the FAA with the condition that the structure be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K. As of the date of this staff report (8/06), no comments from Cal Trans Aeronautics have been received.*

**RECOMMENDATION:** Staff recommends continuance of the item until September in order to obtain comments from Cal Trans Aeronautics.

**ACTION TAKEN:** It was noted that the applicants Cal Trans Aeronautics were not available to present their case or comment. Vice-Chairman Graff opened the floor for comments from the audience on the case with no response from the audience. Commissioner Bell motioned to continue the project, subject to staff's recommendations for a continuance to the next scheduled meeting in September. Commissioner Tandy seconded the motion. All were in favor.

## VI. NEW BUSINESS

### RIVERSIDE MUNICIPAL AIRPORT

- A. RI-02-124 – T.G. Properties – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** RI-02-124 – T.G. Properties, LTD  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** CUP 079-012 and GP 008-012

**PROJECT DESCRIPTION:** *The project is a four-lot parcel map on 7.5 acres.*

**PROJECT LOCATION:**

*The site is located at 5236 Central Avenue, east of Streeter Avenue, within the City of Riverside, and approximately 6,000 feet east of Runway 9/27 at the Riverside Municipal Airport.*

*Adjacent Airport: Riverside Municipal Airport*  
*a. Airport Influence Area: TPZ*  
*b. Noise Levels: Outside 60 CNEL*

**MAJOR ISSUES:**

Land Use: *The proposed site is located approximately 6,000 feet east of Runway 9-27 and is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The project is a Conditional Use Permit and General Plan Amendment for a 90-Unit Assisted Living Facility and 141 Apartment Units on 7.5 acres. The TPZ has no population limits assigned, but has a lot coverage standard of 50% of the gross or 65% of the net lot. The lot coverage of the buildings at the site is approximately 31 to 33% of the net area.*

Part 77: *The elevation at this site is approximately 783 MSL feet and the maximum building height is 40 feet. The site is well below the horizontal surface at this location, which is*

approximately 966MSL. Part 77 is not a concern.

*Noise:* The site is outside of the 60 CNEL contour for the airport. The site is under an approach and departure flight track and will experience annoyance from overflying aircraft. This is a noise sensitive use, which is acceptable as proposed with the appropriate mitigation for noise.

**CONDITIONS OF APPROVAL:**

1. *Provide Avigation Easements to Riverside Municipal Airport.*
2. *Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.*
3. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.*
4. *The following uses shall be prohibited:*
  - (a) *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
  - (b) *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
  - (c) *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
  - (d) *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
5. *All prospective tenants shall be given a notice explaining the noise from the airport and all tenants shall sign a notice informing them of the annoyance and that traffic will likely increase significantly in the future.*

**RECOMMENDATION:** Staff would recommend a finding of consistency for the project, subject to the conditions outlined above.

Vice-Chairman Graff called for questions from the Commissioners. Hearing no further questions from the Commissioners, Vice-Chairman Graff requested the applicant to come forward and present the case. Applicant was not available to present their case.

**ACTION TAKEN:** The commission has approved this project as a “consent item”. Commissioner Tandy made a motion to find the project consistent. Motion seconded by Commissioner Bell. All were in favor.

## FLABOB AIRPORT

- B. FL-02-100 – County of Riverside Redevelopment Agency. Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** FL-02-100 – Redevelopment Agency of Riverside County.  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** none

**PROJECT DESCRIPTION:** *The project is a proposal to establish a 39,000 square foot Community Library building and on 6.1 acre site.*

**PROJECT LOCATION:** *The project is southerly of Mission Blvd, westerly of Riverview Drive. The request lies to the northwest of Flabob Airport and within the Part 77 Horizontal Surface and within the airport area of influence.*

Adjacent Airport: Flabob Airport  
a. Airport Influence Area: Part 77 and Airport Area of Influence  
b. Land Use Policy: Influence Area III  
c. Noise Levels: Outside 65 dB CNEL

### **MAJOR ISSUES:**

Land Use: *The proposed site is located approximately 3000 north of the runway and as shown on Exhibit 1. The proposal is within Area III of the Airport Influence Area which has no density restrictions. The plan allows a community library facility.*

Noise: *The area is outside the noise contours developed for the airport in 1984. It is unlikely that any revised contours from airport noise could affect the property. The tallest structures would be no higher than 32 feet.*

PART 77: *The elevation of the property is 800MSL and it is within the Horizontal Surface that is 915MSL.*

### **CONDITIONS OF APPROVAL:**

1. That all lights are downward facing.
2. No obstruction of the "FAR Part 77 Conical Surface" shall be permitted.
3. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
4. An aviation easement shall be dedicated to the airport operator and/or County prior to the sale to any entity exempt from the Subdivision MAP Act or any permits being issued.

**RECOMMENDATION:** That the Commissions find the proposal consistent with the Flabob Influence Area and Airport Land Use Plan.

Public comment: None

**ACTION TAKEN:** See Action Taken on section VI. Item A.

C. MA 02-159 – Safety Training Center.

Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** MA 02-159 – Safety Training Center  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO:** EIR 438 SCH 2002011088

**PROJECT DESCRIPTION:**

*A safety training complex for law enforcement, fire, correctional and emergency service personnel*

**PROJECT LOCATION:**

*The site is situated west of Air Force Village West, north of Nandina Ave., east of Barton Street and south of Van Buren Blvd, within the March JPA portion of the former March AFB approximately 10,000-16,000 feet westerly of Runway 14/32 at March Air Reserve Base/March Inland Port.*

*Adjacent Airport: March Air Reserve Base/March Inland Port*  
*a. Airport Influence Area: Within Area of Influence Study Area*  
*b. Land Use Policy: Influence Area II*  
*c. Noise Levels: See Below*

**BACKGROUND:**

*The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USE ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.*

*In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In May of 1986 the ALUC*



again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and the CLUP was consequently never adopted. The 1999 effort was an update of the 1994 Draft utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook. Currently, ALUC has obtained a grant to update the non-federal airports within the County. The text will relate to all of the airports.

Since we have not adopted the CLUP for, we utilize four resources for our review:

The RCALUP: 1984 with 1986 Interim Boundaries for March Air Force Base

The current CalTrans Airport Land Use Planning Handbook: 2002

Draft CLUP's for March Air Force Base: 1994, 1998

Noise Data from A.I.C.U.Z.: 1998 March Air Reserve Base

### **MAJOR ISSUES:**

Land Use: (See Table 1 page 0-7 Master Development Plan) The proposed site is located approximately 10,000- 16,000 feet west of Runway 14-32. The site consists of: 115,200 sq. ft. of existing classrooms and administrative offices with an additional 57,000 sq. ft. to be added on a total of 27 acres with 2500 visitors per day, 42,000 sq. ft of housing with an additional 21,000 sq. ft. on 21 acres, and a skills training center with Driving Training course, Force Continuum, Fire Training, Corrections training, Lake/Fast Water Training, Canine and Equine Training for 1650 students on 241 acres, a nursery/maintenance facility on 13 acres, and a 1,000 seat dining hall/ auditorium, parking and open space on 27 acres all totaling 375 acres. The ultimate capacity of the project is approximately 5,000 people. The existing site, with the exception of the existing facility, is largely vacant and zoned for industrial uses. The proposal is underlying the Runway 14-32 PART 77 approach and departure tracks and within the conical surface and outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.

The 1984 Plan places an emphasis upon the type airport, to use the airport, planned and existing approach profiles, actual flight tracks, noise, type of aircraft and expected type of aircraft or a combination of these factors. The site is located in Area II, and would require residential lots to be at least (2.5) two and one-half acres in size. Industrial, Agricultural, and Commercial uses are allowed subject to certain constraints. The 1993 Draft CLUP placed the property outside of Safety Zone III, but within the approach and departure profiles for Runway 14/32. The proposed land use would be allowed within this area contingent upon noise and height issues.

Density and Coverage: The number of people on the site at one time could be in the range of up to 4,800 with an overall density of 12-13 people per acre over the 375-acre site. Population densities would range from 10/acre to upward of 90/acre. The total square footage of the buildings is 839,000. The structural coverage proposed for the site is xx%.

Part 77: The elevation at this site, after grading varies from approximately 1,690 to 1,740 feet and the maximum building height is less than xxx feet. In order to be an obstruction a structure would need to exceed 1,688-1,885 MSL feet in elevation. Any construction above an elevation of 1,635 – 1,695MSL will require an FAA 7460 review.

Noise: The site has been shown to have significant noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have 55-60+ CNEL and is overlain

with various flight tracks. California law (Title 24) requires any residential project within the 60 CNEL to prepare an acoustical analysis to prescribe the necessary measures to achieve allowable interior noise levels. The same regulation list uses that are deemed incompatible and include:

- a. residences
- b. Public and private schools

Previous AICUZ indicated that the noise levels were as high as 65+ CNEL.

Other: The Traffic Pattern Zone (TPZ) of other CLUP's define facilities such as churches, amphitheaters, community halls, sports facilities, and outdoor lighting as 'discouraged uses' and require the evaluation of alternative sites.

Wildlife Attractant: The 17 acre lake may be a significant wildlife attractant and needs a USDA review for potential bird strike.

Environmental: The County of Riverside Planning Staff has transmitted the Environmental Impact Report with Mr. Ken Brody for the project, which would include any noise analysis. The Board of Supervisors is the lead agency.

Caltran Aeronautics: No review has been received from Caltrans at this time.

FAA: A Notice to Construct needs to be completed by the applicant.

#### **RECOMMENDATION:**

Staff recommends continuance of the project to the next meeting in order to obtain responses from:

1. Caltrans Aeronautics,
2. USDA wildlife attractant review
3. FAA 7460 review and
4. Applicants revisions to Draft EIR or responses to requests for additional information.

Adopted 1984 RCALUP: The 1984 RCALUP with the 1986 map identifies all of the project as within AREA II. Area II, Policy #2 states: "Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable." Policy #4 states: "New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45 dB (CNEL of Ldn) in any habitated room with windows closed."

Conclusion: The proposed residential, educational, institutional project is consistent with that proposal. The Matrix Table I identifies all the other applicable plans and whether the project is consistent with those plans' criteria.

#### **The 1994 Draft CLUP for MAFB**

The Draft 1994 plan defined the Traffic Pattern Zone outer boundary as the outer edge of the military PART 77 conical surface. Approximately two / thirds of the project is within that boundary as shown on Exhibitxx. Section 7.3.2 on Page 7-13 and 14 of the text contains the following language: "Uses such as schools, auditoriums, and amphitheaters . . . shall be discouraged from being developed in this area. Section 7.4.2 states: "Within the TPZ safety zone (the area out of the outer edge of the FAR Part 77 Conical Surface – see Figures 14 and 15), a variety of land uses are to be discouraged from being developed. When development of these uses is proposed, the Airport Land Use Commission shall require the applicant to show that alternative locations have been considered and are not feasible. The applicant shall then be directed to consider a development plan that will minimize the exposure to hazard as much

as possible. This might involve reducing structure heights, reducing lot coverage, reducing the overall scale of the project, or considering satellite locations for some of the proposed functions of the facility.”

The plan placed the property within the 60+ CNEL. Section 7.3.1 (p7.4 first bullet states): “With the exception of the transient lodgings (e.g., hotels and motels) and caretaker residences, all residential uses are considered incompatible with noise above 60 dB CNEL. However, all residential uses could be conditionally compatible in the noise range between 60 and 65dB CNEL, if appropriate noise attenuation measures are incorporated into the construction.”

Bullet 4 (P.7.9) states: “Schools, hospitals, nursing homes, churches, auditoriums, concert halls shall be considered noise-sensitive institutions. While they are compatible with noise levels between 60 dB and 65 dB CNEL, they are not compatible with noise levels above 65 dB CNEL.”

The project requires a Part 77 review by the FAA.

Conclusion: The proposal would be inconsistent with the 1994 Draft for both safety and noise. No alternative site has been reviewed.

1998/99 Draft CLUP:

This DRAFT was an update to the 1994 document with changes proposed for components of the text and graphic illustrations depicting:

1. 1998 AICUZ Noise Contours.
2. 1999 Adjusted Area I (APZ II) boundary on the north end, and
3. The addition of the 55 CNEL added to the graphic (1999).
4. PART 77 boundaries

A first draft of the text was completed for review by CalTrans, but no further text has been completed but the graphics were completed. The site is within High Risk Uses such as the church complex would be discouraged. The text would require an acoustical analysis for all projects within the 60 CNEL.

Conclusion: The project as submitted would be inconsistent with the 98/99 Draft CLUP and would require acoustical analysis.

Table 1

Document	<u>Safety</u>	<u>Noise</u>
1984 RCA.L.U.P.	Not Consistent	Not Consistent
1994 Draft CLUP	Not Consistent	Not Consistent (for portions within 60 CNEL)
1998/99 Draft CLUP	Not Consistent	Not Consistent

**CONDITIONS**

1. An acoustical analysis shall be required that includes the following components:
  - a. A description of the components necessary to achieve a noise reduction level (CRL) of 25 and 30 for each of the project’s components with noise sensitive uses (i.e., school, housing, and audio visual production).
  - b. Inclusion of all surrounding noise sources (highway, industrial) at their ultimate

*design and buildout capacity.*

2. *Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.*
3. *Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an airport lighting consultant prior to placement.*
4. *No obstruction of the "FAR Part 77 Conical Surface" shall be permitted. The following procedure shall be utilized in order to make a determination as to whether a project would result in such obstruction:*
  - a. *Any proposal for a variance in height limitations of the applicable zone, or for a plot plan or use permit proposing a greater height limit pursuant to the provisions of the Zoning Ordinance, shall be transmitted to the Riverside County ALUC staff for determination of whether review by the Riverside County Airport Land Use Commission is required. The application for such a proposal shall also provide evidence to the Planning Department that the proposed has been submitted to the Federal Aviation Administration for review and comment relative to the provisions of FAR Part 77, or written documentation from the Federal Aviation Administration that such review is not required.*
  - b. *The Federal Aviation Administration shall conduct a Form 7460 review, unless that agency determines in writing that such a review is not required or not applicable.*
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 above ground storage of explosives or flammable materials shall be prohibited.*
7. *The conditions outlined in the USDA letter of August XX, shall be adhered to.*
8. *This finding does not include any approval, review, or acceptance of any heliport anywhere on this site.*
9. *Any Heliport or change in proposed use shall be subsequently reviewed by the ALUC.*

**ACTION TAKEN:** Vice-Chairman Graff called for questions from the Commissioners. Marge Tandy inquired on the type of fire training for the project.

Vice-Chairman Graff opened the floor for comments from the audience on the case. Hearing no response, Vice-Chairman Graff requested the applicant to come forward and present the case.

Speaker for the project:

Cathy Perring, Webb Associates Representative, addressed questions on the project from the commissioners. The environmental report was presented. Webb Associates requested the item be acted on today and action to be taken to find the project consistent. Ms. Perring requested more clarification on conditions #2 which requires the project proponents to convey an avigation easement to the March Air Reserve Base Airport. Mr. Downs stated that the Air Force does not accept them. Ms. Perring also addressed clarification on Condition #8 which does not include any approval, review, or acceptance of any heliport anywhere on the project site.

Condition #1 – Ms. Perring stated there is no objection to the acoustical analysis required for the project.

Condition #3 and #4 no comments mentioned.

Condition #5c – 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. Vice-Chairman Graff questioned the presence of continued smoke or little smoke.

Mr. Scott Bates, Lieutenant with the Sheriff Department, audience member, addressed the project questions.

B.T. Miller questioned condition #6 regarding the above ground storage of explosives or flammable materials. Vice-Chairman Graff asked if the fuel storage tank would hold more or less than 500 gallons of fuel. Mr. Bates commented that the above ground storage tank would be a small tank with a limit of 500 gallons. There would not be a big storage of fuel tanks and all refueling would be off site. Commissioner Tandy also asked the quantity of explosives, ammunitions, and fire trucks that would be placed at the project site. Mr. Bates replied that there was not a need to bring in diesel fuel. There would be only two fire trucks available on the lot for training purposes and the trucks would not be stored at the site. The ammunitions would be stored in a block building above ground. Vice-Chairman Graff suggested the staff to modify condition #6.

Ms. June Stephens questioned the presence of migratory birds and plans to address this issue. Ms. Perring stated that the lake is larger in size. Wildlife present is not an issue or restriction to the project. USDA responded with a variety of solutions to the issue by clipping of wings, nets to keep the birds away and objects to distract the birds from the area. Vice-Chairman Graff stated that Condition #5c should include these types of solutions and for staff to add them on.

Mr. Downs stated the location of the facility was too close to the lake. Residents would complain to the any noise created by the project site. Ms. Perring said there are existing homes on the west of Barton Street and new communities are being planned around the project. Commissioner Tandy asked about the presence of dust which Ms. Perring replied that it would not be a permanent issue.

Staff comments: None

Public comments: None

**ACTION TAKEN:** B.T. Miller stated that the commission could approve the project pending the review letter. There will be further consideration to the project if the letter is adverse. Approval and override to the conditions to be modified. Subject to conditions received on the letter from USDA.

Commissioner Tandy motioned to approve to the changes as stated. Motion seconded by Ms. June Stephens. All were in favor. Motion carried.

D. MA-02-160 – Communities Southwest.

Keith Down presented the case by referring to and using exhibits, staff report and recommendations. This is a sub set to the previous case MA-02-168.

<b>CASE NUMBER:</b>	<u>MA-02-160 Trevor Dodson/MDS Consulting</u>
<b>APPROVING JURISDICTION:</b>	City of Riverside
<b>JURISDICTION CASE NO:</b>	Tract Map 30718 (Previous case MA-01-168 was Specific Plan Amendment and Change of Zone)

**PROJECT DESCRIPTION:**

A Tract Map of 79 lots on 27.9 acres

**PROJECT LOCATION:**

The site is north of Siegal Ave., east of Barton Road and west of March Air Reserve Base/MIP.

Adjacent Airport:	March Air Reserve Base/March Inland Port
a. Airport Influence Area:	Within Area of Influence Study Area
b. Land Use Policy:	Influence Area II
c. Noise Levels:	See Below

**BACKGROUND:**

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were Made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft, which was based upon the 1983 Caltrans Handbook. This was about the time that the second base realignment was announced and it was consequently never adopted. The 98/99 Draft CLUP effort was

prepared utilizing the 1994 Draft, and the 1998 AICUZ noise data in conjunction with the 1993 CalTrans Handbook. The current countywide effort we have begun with the balance of the airports will not include an update to the Airport, but we are pursuing separate funding for that portion.

Since we have not adopted the CLUP for MARB, we utilize four resources for our review:  
The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986  
The current CalTrans Airport Land Use Planning Handbook: 1993  
Draft CLUP for March Air Force Base: 1994 and 98/99  
Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base

### **MAJOR ISSUES:**

Land Use: The proposed site is located approximately 10,500–13,000 feet west of the north end of Runway 14-32. The proposal consists of a change that would allow 79 additional homes on 27.9 acres (2.8/acre). The proposal is underlying two approach tracks and near others within the conical surface. The previous designation of 'Manufacturing Park' was compatible with the CLUP and the Commission found the proposal to change the area to Residential inconsistent.

The 1984 Plan places an emphasis upon the type of airport, type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, and noise levels, or a combination of these factors. The site is located in Area II, which allows commercial, industrial and agriculture, but allows no residential below lot sizes of two and one half acres. The 1994 Draft CLUP placed the property inside of the 60 CNEL.

Density and Coverage: The lots are approximately 6,800 to 24,000 sq. ft and overall coverage would likely be less than 50%.

Part 77: The elevation at this site is between 1,707 and 1,790 MSL feet and the maximum allowed building height is 35 feet. All of the area in the shaded portion of Exhibit "C" is an 'obstruction' and any structure within that area or within the added area would be an 'obstruction.' The applicant submitted a 'conceptual' FAA Notice to Construct review to the FAA for a response. Most of the project is within Part 77 obstruction criteria.

Noise: The site has been shown to have noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have from below 55 CNEL to above 55 CNEL. The inclusion of another 79 homes will likely result in 264 new residents (3.35pph x 79 = 264). The predicted level of noise complaints from the project would likely produce a complaint level of 7% of that population (i.e. 18). Since the setting is a quiet suburban community that level is more likely to be 13-23% (34-60). This project would likely result in new complaints regarding noise from the airport.

Environmental: A preliminary noise report is attached. This report measured existing noise on midday December 21 for ten minutes at each site. The sites were west and east of the site,

### **APPENDIX**

1984 RCALUP: The 1984 RCALUP with the 1986 map identifies all of the project as within AREA II.

Area II, Policy #2 states: “Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable.” Policy #4 states: “New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 46 dB (CNEL of Ldn) in any inhabited room with windows closed.”

Conclusion: The proposed residential density is inconsistent with that proposal. The Matrix Table I identifies all applicable plans and whether the project is consistent with those plans’ criteria. The proposal is at a density ten times that designated in the 84/86 RCALUP.

The 1994 Draft CLUP for MAFB

The Draft 1994 plan defined the Traffic Pattern Zone outer boundary as the outer edge of the Military Part 77 Conical Surface. Most of the project is within that boundary as shown on Exhibit “C.”

The plan places the property within the 55+ CNEL. Section 7.3.1. (Page 7.4 first bullet states): “With the exception of transient lodgings (e.g., hotels and motels) and caretaker residences, all residential uses are considered incompatible with noise levels 60 dB CNEL. However, all residential uses could be conditionally compatible in the noise range between 60 and 65 dB CNEL, if appropriate noise attenuation measures are incorporated into the construction.

Conclusion: The eastern portion of the proposal as submitted would be inconsistent with the 1994 Draft to noise.

1998/99 Draft CLUP:

This DRAFT was an update to the 1994 document with changes proposed for components of the text and graphic illustrations depicting:

1. 1998 AICUZ Noise Contours.
2. 1999 adjusted Area I (APZ II) boundary on the north end, and
3. The addition of the 55 CNEL added to the graphic (1999).
4. Part 77 boundaries are more detailed.

CalTrans completed a “First Draft” of the text for review, but no further text has been completed, but the graphics were completed. The site is within the TPZ and High Risk Uses such as schools, hospitals, nursing homes, churches, auditoriums, and concert halls are discouraged. The text would require an acoustical analysis for all projects within the 60 CNEL.

Conclusion: The project as submitted would be inconsistent with the 98/99 Draft CLUP and would require acoustical analysis.

**TABLE 1**

<u>DOCUMENT</u>	<u>SAFETY</u>	<u>NOISE</u>	<u>PART 77</u>
1984 RCA.L.U.P.	Not Consistent	Not Consistent	Obstruction *
1994 Draft CLUP	Consistent	Consistent	Obstruction *



1998/99 Draft CLUP	Consistent	Consistent	Obstruction *
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\* Over eastern portion of property

CONDITIONS FOR OVERRIDE

Should the City of Riverside wish to pursue an overrule of the Commission (PUC 21675.1), the following conditions are recommended for inclusion:

1. An acoustical analysis shall be required that includes the following components:
  - a. A description of the components necessary to achieve a noise reduction level (NRL) of 25 for each of the project's components with noise sensitive uses
  - b. Inclusion of all surrounding noise sources (roadway, industrial) at their ultimate design and buildout capacity.
  - c. Requiring additional noise insulation in each house to a NLR of 25.
  
2. Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.
  
3. Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an Airport Lighting Consultant prior to placement.
  
4. No obstruction of the "FAR Part 77 Conical Surface" shall be permitted. The following procedure shall be utilized in order to make a determination as to whether a project would result in such obstruction:
  - a. Any proposal for a variance in height limitations of the applicable zone, or for a plot plan or use permit proposing a greater height limit pursuant to the provisions of the Zoning Ordinance shall be transmitted to the Riverside County ALUC staff for a determination of whether review by the Riverside County Airport Land Use Commission is required. The application for such a proposal shall also provide evidence to the Planning Department that the proposal has been submitted to the Federal Aviation Administration for review and comment relative to the provisions of FAR Part 77, or written documentation from the Federal Aviation Administration that such review is not required.
  
  - b. The Federal Aviation Administration shall conduct a Form 7460 review, unless that agency determines in writing that such a review is not required or not applicable.
  
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 above ground storage of explosives or flammable materials shall be prohibited.*

7. *The environmental and sales information for this available for this project shall include the noise and flight track information.*

**RECOMMENDATION:** *Staff recommends that the ALUC find the proposed Single-Family Tract Residential inconsistent with the 1984/86 Airport Land Use Plan.*

The commission board found the project inconsistent to the plan. Staff recommended denial to the planned project presented. There are residences to the south and a water tank to the east of the project. The letter from JPA to address the issue and conditions of the drainage. Project land is located on a habitat preserve.

Vice-Chairman Graff opened the floor for comments from the audience on the case Hearing no response, Vice-Chairman Graff requested the applicant to present the case.

Speaker for the project:

Sherry Mauler stated that the City of Riverside approved the project for the same property. A letter of approval was received from March JPA.

Public Comment: None

Commission Comment: None

**ACTION TAKEN:** Commissioner Tandy made a motion to find the project inconsistent. Motion seconded by Commissioner Bell. Motion carried unanimously.

E. MA-02-162 – Trip Hord Associates

**CASE NUMBER:** *MA-02-162 – Trip Hord Associates*

**APPROVING JURISDICTION:** *City of Riverside*

**JURISDICTION CASE NO:** *PP17793*

**PROJECT DESCRIPTION:**

*Plot Plan 17793 for a building materials sales and fabrication facility on 1.08 acres*

**PROJECT LOCATION:**

*The site is located north of Van Buren, west of Dauchy Road within the County of Riverside, approximately 21,500 ft. west of Runway 14/32 at March Air Reserve Base.*

*Adjacent Airport: March Air Reserve Base/March Inland Port*

*a. Airport Influence Area: Within Area of Influence Study Area*

*b. Land Use Policy: Influence Area III*

*c. Noise Levels: See Below*

## **BACKGROUND:**

*The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.*

*In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.*

*In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and it was consequently never adopted. The current 98/99 Draft CLUP effort was prepared utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.*

*Since we have not adopted the CLUP for MARB, we will utilize five resources for our review:*

*RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986*

*CalTrans Airport Land Use Planning Handbook: 2002*

*Draft CLUP for March Air Force Base: 1994*

*Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base*

*Draft 98/99 CLUP for MARB/MIP*

## **MAJOR ISSUES:**

*Land Use:* *The proposed site is located approximately 21,500 west of Runway 14-32. The proposal is for building materials, sales and fabrication facility on 1.08 acres, to include an office, work area, storage and parking. The proposal is near a major flight track and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.*

*The 1984 Plan places an emphasis upon the type of airport, the type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area III, which allows commercial and industrial land use with a few restrictions. Industrial uses are allowed subject to certain constraints. The 1994 Draft CLUP placed the property outside of the 60 CNEL. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.*

*Density and Coverage:* *Proposed structures include a 1,133 sq. ft. office, a 1,980 sq. ft. covered work area and five storage buildings totaling 1,300 sq. ft. The structural coverage for the lot will be less than 10% of the net area.*

*Part 77:* *The highest elevation at the site is 1,597 MSL feet. The height of the tallest structure is 12 ft. Any structures over 1,703 MSL feet in elevation require an FAA 7460 review. Part 77 obstruction criteria is not a concern.*

*Noise:* The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be less than 55 CNEL. Previous AICUZ indicated that the noise level was as high as 60 CNEL. The proposed use is not a noise sensitive use.

**CONDITIONS:**

1. Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport. (Tel. 909- 656-7000)
2. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The above ground storage of explosives or flammable materials shall be prohibited.

**RECOMMENDATION:** Staff recommends a finding of consistency for the project subject to the conditions outlined above.

Public comment: None

**ACTION TAKEN:** See Action Taken on section VI. Item A.

F. MA-02-164 – City of Riverside

**CASE NUMBER:** MA-02-164 – City of Riverside.  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO:** Median and Traffic Enhancement

**PROJECT DESCRIPTION:**

The project is the construction of a lane addition and median landscaping along Alessandro Blvd. From Chicago Ave. to Trautwein Rd.

**PROJECT LOCATION:**

The site is located south of Chicago Ave. and west of Mission Grove Pkwy. within the City of Riverside, and ranges approximately between 19,800 feet to 28,800 feet northwest of the

north end of Runway 14/32 at March Air Reserve Base.

Adjacent Airport:	March Air Reserve Base/March Inland Port
a. Airport Influence Area:	Within Area of Influence Study Area
b. Land Use Policy:	Influence Areas II and III
c. Noise Levels:	See Below

**BACKGROUND:**

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and it was consequently never adopted. The current 98/99 Draft CLUP effort was prepared utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.

Since we have not adopted the CLUP for MARB, we will utilize five resources for our review:  
RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986  
CalTrans Airport Land Use Planning Handbook: 2002  
Draft CLUP for March Air Force Base: 1994  
Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base  
Draft 98/99 CLUP for MARB/MIP

**MAJOR ISSUES:**

Land Use: The proposed site is located approximately 19,800 to 28,800 ft. southwest of Runway 14-32. The proposal is for a lane addition and median landscaping approximately 2.2 miles in length, located primarily within existing right-of-way. The project will include the removal and relocation of palm trees within the existing median and the replacement of some of the palm trees with crepe myrtle trees. No additional street lighting is proposed, however some of the existing light poles will be relocated or replaced. The construction of approximately 9,500 ft. of retaining wall ranging in height from 2 to 8 ft. is proposed under an alternate proposal. The proposal is underlying two approach tracks and near others and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.

The 1984 Plan places an emphasis upon the type of airport, the type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Areas II and III, with portions of the site

lying on the boundary between the two influence areas. Area II allows commercial, industrial and agriculture, but allows no residential. Area III allows commercial, industrial, agriculture, and residential uses with certain restrictions. The 1994 Draft CLUP placed the property inside of the 60 CNEL and near the 65CNEL. The proposed use would be allowed within this area contingent upon noise and height issues.

Part 77: The highest elevation at the site is 1,630 MSL feet. The height of some of the palm trees, which will be relocated from the northern portion of the site to the southern portion, is expected to be approximately 50 ft. Any structures over 1,733 MSL feet in elevation require an FAA 7460 review.

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have below 60 CNEL. Previous AICUZ indicated that the noise level was as high as 70CNEL.

**CONDITIONS:**

1. Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport (Tel. 909-656-7000)
2. Install hooded or shielded outdoor lighting 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.

**RECOMMENDATION:** Staff recommends a finding of consistency for the project subject to the conditions outline above.

Public comment: None

**ACTION TAKEN:** See Action Taken on section VI. Item A.

G. MA-02-165 - Verizon

Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations. The staff report incorrectly listed this project as the Mericom Corporation and should be corrected to Verizon.

**CASE NUMBER:** MA-02-165 – Verizon  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO:** PP 15189R-1

**PROJECT DESCRIPTION:**

A telecommunications tower and facility.

**PROJECT LOCATION:**

The site is located at 19950 Patterson Ave. south of Cajalco Road west of Harvill Ave. within the County of Riverside, approximately 12,000 ft. south of Runway 14/32 at March Air Reserve Base.

Adjacent Airport: March Air Reserve Base/March Inland Port  
a. Airport Influence Area: Within Area of Influence Study Area  
b. Land Use Policy: Influence Area III  
c. Noise Levels: See Below

**BACKGROUND:**

*The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.*

*In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.*

*In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and it was consequently never adopted. The current 98/99 Draft CLUP effort was prepared utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.*

*Since we have not adopted the CLUP for MARB, we will utilize five resources for our review:  
RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986  
CalTrans Airport Land Use Planning Handbook: 2002  
Draft CLUP for March Air Force Base: 1994  
Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base  
Draft 98/99 CLUP for MARB/MIP*

**MAJOR ISSUES:**

Land Use: *The proposed site is located approximately 12,000 ft. south of Runway 14-32. The proposal is for a telecommunications facility consisting of an antenna to be constructed on an existing monopole antenna tower within an existing 1,880 sq. ft. facility. The facility is located on a 11.327 acre site, the remainder of which is vacant. The proposed project also includes the construction of a 228 sq. ft. equipment shelter next to an existing 200 sq. ft. equipment shelter. The proposal is near a major flight track and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.*

*The 1984 Plan places an emphasis upon the type of airport, the type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area III, which allows commercial and industrial land use with a few restrictions. Industrial uses are allowed subject to certain constraints. The 1994 Draft CLUP placed the property outside of the 60 CNEL. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.*

Density and Coverage: Proposed buildings include a 228 sq. ft. including an existing equipment shelter. No other buildings are proposed. The structural coverage for the shelter will be less than 25% of the net area of the facility and less than 1% of the net area of the site.

Part 77: The highest elevation at the site is 1,520 MSL feet. The existing height of the monopole structure is 70 ft. and the proposed antenna will be constructed on the monopole at 57 feet above ground level. Any structures over 1,608 MSL feet in elevation require an FAA 7460 review.

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be less 55 CNEL. Previous AICUZ indicated that the noise level was as high as 60 CNEL. The proposed use is not a noise sensitive use.

**CONDITIONS:**

1. Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport. (Tel. 909- 656-7000)
  - a. Proposals for subsequent development of the vacant portions of the site shall be submitted to the ALUC for review.
2. The following uses shall be prohibited:
  - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. The above ground storage of explosives or flammable materials shall be prohibited.

**RECOMMENDATION:** Staff recommends a finding of consistency for the project subject to the conditions outlined above.

Vice-Chairman Graff opened the floor for comments from the audience on the case Hearing no response, Vice-Chairman Graff requested the applicant to come forward and present the case.



Speaker for the project:

Project representative provided additional information. The telecommunications tower would be 75 feet in height instead of a 70 foot tower. The top 65" would extend to 7" above that. The existing facility is 1,880 square feet on a 11.2 acre vacant site. The proposed 228 square foot equipment shelter building will be built next to an existing 200 square foot structure. The highest elevation is 1,520 MSL feet.

Applicant has no issue with the reduction of the fuel tank limit size of 500 gallons. Applicant also has no objections to the conditions listed.

Commission comments: None

Public comment: None

**ACTION TAKEN:** Commissioner Bell motioned to approve the project. Motion seconded by Commissioner Tandy. All were in favor. Motion carried.

H. MA-02-167 – Sycamore Canyon Plaza.

**CASE NUMBER:** *MA-02-167 –Sycamore Canyon Plaza*  
**APPROVING JURISDICTION:** *City of Riverside*  
**JURISDICTION CASE NO:** *PD 03-023, SP 003-023 and RZ 008-023*

**PROJECT DESCRIPTION:**

*A 158-unit apartment project consisting of approximately 105,000 sq. ft. on 6.7 acres.*

**PROJECT LOCATION:**

*The site is located at 5801 Sycamore Canyon Blvd., east of Fair Isle Dr. within the City of Riverside, approximately 18,600 ft. northwest of Runway 14/32 at March Air Reserve Base.*

*Adjacent Airport: March Air Reserve Base/March Inland Port*  
*a. Airport Influence Area: Within Area of Influence Study Area*  
*b. Land Use Policy: Influence Area II*  
*c. Noise Levels: See Below*

**BACKGROUND:**

*The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.*

*In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.*

*In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the*

second base realignment was announced and it was consequently never adopted. The current 98/99 Draft CLUP effort was prepared utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.

Since we have not adopted the CLUP for MARB, we will utilize five resources for our review:

RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986

CalTrans Airport Land Use Planning Handbook: 2002

Draft CLUP for March Air Force Base: 1994

Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base

Draft 98/99 CLUP for MARB/MIP

### **MAJOR ISSUES:**

Land Use: The proposed site is located approximately 18,600 northwest of Runway 14-32. The proposal is for a 158-unit apartment complex consisting of 21 buildings covering approximately 105,000 sq. ft. of lot area. The proposal is near a major flight track and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are shown on Exhibit B.

The 1984 Plan places an emphasis upon the type of airport, the type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. According to the 1984 Plan the site is located in Area II, which allows commercial, industrial and agriculture, but no residential uses below lot sizes of two and one half acres. According to the 1994 Draft CLUP and the 1998/99 Draft CLUP the site is located within the TPZ, which allows residential uses with the appropriate mitigation for noise. Refer to the Appendix below for more information from the applicable plans and whether the project is consistent with those plans criteria.

Density and Coverage: The site is approximately 291,852 sq. ft and net lot coverage would be less than 50%.

Part 77: The highest elevation at the site is 1,526 MSL feet. The height of the tallest structure is 36 ft. Any structures over 1,721 MSL feet in elevation require an FAA 7460 review.

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1994 Draft CLUP placed the property outside of the 60 CNEL. The 1998 AICUZ indicated the property to have below 55 CNEL. According to the 1994 Draft CLUP, residential uses between 60 and 65 CNEL could be conditionally compatible with appropriate noise attenuation measures.

Other: Surrounding land uses adjacent to the project site include three apartment complexes to the north, south and west, and an auto dealership and two commercial developments to the east, as

**RECOMMENDATION:** Staff recommends a finding of consistency for the proposed 158-unit apartment project, subject to the conditions of approval outlined below.

#### **Additional Recommended Findings:**

1. The proposed project is consistent with the 1994 Draft CLUP and 1998/99 Draft CLUP regarding safety, noise and Part 77 criteria.

2. *The proposed project is consistent with the surrounding land uses adjacent to the project site.*

*In order to approve this item the ALUC must make the following findings, as identified in Section 21675.1 of the California Public Utilities Code.*

1. *The ALUC is making substantial progress toward the completion of the MARB/MIP CLUP; and*
2. *There is a reasonable probability that the project will be consistent with the plan; and*
3. *There is little or no probability of substantial detriment to or interference with the plan, if the project is ultimately inconsistent with the plan.*

#### *APPENDIX*

*1984 RCALUP:* *The 1984 RCALUP with the 1986 map identifies the project as within AREA II.*

*Area II, Policy #2 states: "Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable."*

*Conclusion:* *The proposal as submitted would be inconsistent with the 84/86 RCALUP regarding safety.*

#### *The 1994 Draft CLUP for MAFB*

*The Draft 1994 plan defined the Traffic Pattern Zone (TPZ) outer boundary as the outer edge of the Military Part 77 Conical Surface. The entire project is within that boundary as shown on Exhibit "D."*

*The plan places the property within the TPZ and outside the 60 CNEL. Section 7.3.2 of the plan (Page 7-13 second paragraph states): "No population or dwelling unit density limits apply within the TPZ. Maximum lot coverage shall be limited to 75 percent. Use involving very large concentrations of people, such as schools, auditoriums amphitheatres, and stadiums shall be discouraged from being developed in this area".*

*Conclusion:* *The proposal as submitted would be consistent with the 1994 Draft regarding safety.*

#### *1998/99 Draft CLUP:*

*This DRAFT was an update to the 1994 document with changes proposed for components of the text and graphic illustrations depicting:*

- I. *1998 AICUZ Noise Contours.*
- II. *1999 adjusted Area I (APZ II) boundary on the north end, and*
- III. *The addition of the 55 CNEL added to the graphic (1999).*
- IV. *Part 77 boundaries are more detailed.*

*Cal Trans completed a "First Draft" of the text for review. Although no further text has been completed, the graphics were completed. The site is within the TPZ, and residential uses would be conditionally compatible with the appropriate mitigation for noise.*

*Conclusion:* *The project as submitted would be consistent with the 98/99 Draft CLUP with*

the appropriate mitigation for noise.

The Matrix Table I below identifies all applicable plans and whether the project is consistent with those plans' criteria.

TABLE 1

<u>DOCUMENT</u>	<u>SAFETY</u>	<u>NOISE</u>	<u>PART 77</u>
1984 RCA.L.U.P.	Not Consistent	Consistent	Consistent
1994 Draft CLUP	Consistent	Consistent	Consistent
1998/99 Draft CLUP	Consistent	Consistent	Consistent

**CONDITIONS OF APPROVAL:**

1. Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport. (Tel. 909- 656-7000).
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Additional noise insulation shall be included in all homes within this subdivision to achieve at least an NLR of 25.
4. All prospective tenants shall be given a notice explaining the noise from the airport and overflights, and all tenants shall sign a notice informing them of the annoyance and that traffic will likely increase significantly in the future.
5. Install hooded or shielded outdoor lighting measures to assure that no lights are above the horizontal plane.

Staff comments: The project area already has several apartments in the area and one auto dealership exist. The project will be built on 105,000 square feet on 6.7 acres. There will be in-fill to all sides. There will also be some warehouses to the other side.

Staff recommends a finding of consistency for the project .

Vice-Chairman Graff opened the floor for comments from the audience on the case. Hearing no response.

**ACTION TAKEN:** Commissioner Paul Bell made a motion find the project consistent. Vice-Chairman Graff seconded the motion. Motion carried unanimously.

**FRENCH VALLEY AIRPORT**

V. FV-02-107 – Raymond E. Cutts.

**CASE NUMBER:**

FV-02-107 –Raymond Cutts/Jehovah's Witness

**APPROVING JURISDICTION:**

County of Riverside

**JURISDICTION CASE NO.:**

PM 30363 and Change of Zone 6668

**PROJECT DESCRIPTION:**

A request for a change of zone from A-1-5 to A-1-1 and a 3 lot parcel map on 4.42 (net) acres.

**PROJECT LOCATION:**

The site is located in the County of Riverside, south of Auld Road, and east of Van Gaale Lane, 3,100 ft. east of Runway No. 18-36 at the French Valley Airport.

**LAND USE PLAN:**

Adjacent Airport:	French Valley
a. Airport Influence Area:	Traffic Pattern Zone (TPZ),
b. Noise Levels:	Outside 55 CNEL for year 2013

**MAJOR ISSUES:**

Noise: The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. While the site currently is not within the 55 CNEL, it is possible that the airport at ultimate capacity will likely generate a 55 or 60 CNEL that may encroach upon some portion of the project. The CLUP indicates that agricultural and residential uses are compatible.

Land Use: The proposed residential land uses of three lots on 4.42 acres would likely result in a coverage of less than 10% which is well below the TPZ standard of 50% (gross) or 65% (net). The densities and usages proposed within the TPZ are consistent with the plan.

Height: The highest elevation on the site is 1,374 MSL and the structures are not expected to exceed 20 feet. The site is within the Part 77 horizontal surface of 1,500 MSL, and no portion of the project intrudes upon that airspace.

**CONDITIONS OF APPROVAL:** For County utilization

Provide Aviation Easements to the French Valley Airport prior to development of the project, or sale to an entity exempt from the Subdivision Map Act.

*Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).*

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.

**RECOMMENDATION:** Staff recommends that the Commission find the project consistent with the adopted French Valley CLUP, subject to the conditions outlined above.

**ACTION TAKEN:** See Action Taken on section VI. Item A.

J. FV-02-108 – Grace Presbyterian Church.

Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** FV-02-108  
**APPROVING JURISDICTION:** City of Temecula  
**JURISDICTION CASE NO.:** PA-02-0257

**PROJECT DESCRIPTION:**

The project is the ultimate construction of a 26,170 sq. ft. church campus with a capacity of 900 people on 3.96 acres.

**PROJECT LOCATION:**

The site is situated west of Calle Medusa, south Nicholas Road in the City of Temecula, 9,500-10,500 feet south east of the French Valley Airport.

Adjacent Airport: French Valley Airport  
a. Airport Influence Area: Traffic Pattern Zone  
b. Land Use Policy: Influence Area  
c. Noise Levels: below 55 dB CNEL

**MAJOR ISSUES:**

Land Use: The proposed site is located approximately 9,500-10,500 feet southeast of the south end of the runway and is within the Traffic Pattern Zone. The Traffic Pattern Zone 'discourages' uses such as auditoriums, schools and stadiums. 'Discouraged' uses are required by the plan (7-7) to show that alternative locations have been considered and are not feasible. The applicant is then to be directed to consider a plan that will minimize the exposure to hazard such as moving the usage or considering satellite locations for some of the activities. Moving the structures approximately 200 feet south would place all of the structure outside of the plan boundary.

Noise: The project is outside of the 55 CNEL as indicated in the 1994 Master Plan (2013) for the airport (See Exhibit A). The use is a 'noise sensitive use'. Noise reduction measures should be incorporated into the construction in order to achieve an interior annual noise level attributed to exterior sources, not to exceed 45 CNEL. That may require more than normal construction, which only attenuates up to 20dB. Any acoustical analysis should include aviation noise into that analysis

***Height:** The elevation on the site ranges from 1207 MSL, and the structures are as high as 45 feet the runway ground elevation is 1,340-1,347 MSL feet. The Part 77 horizontal and conical surface is overlying this are at 1500MSL-1525 MSL, and no portion of the project intrudes upon that airspace.*

***RECOMMENDATION:** Staff would recommend that the Commission find the proposal inconsistent with the French Valley Airport Land Use Plan due to the location.*

***CONDITIONS:** For the City to utilize should they wish to override the Commission as per PUC 21774.5(d).*

1. *Provide Avigation Easements to the French Valley Airport prior to the issuance of any permit.*

*Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels and any acoustical analysis should include aviation noise.*

*Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).*

*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.*

**STAFF COMMENTS:** Keith stated that most of the site is vacant due to a hill on the south and the parking lot. There is not a high density proposal. The outer boundary it would be appropriate for the commission to find this movement of the structure to 200 feet to be in excess to a point. There is a proposal for a church immediately next door.

Vice-Chairman Graff called for questions from the Commissioners. No questions were asked at this time.

Vice-Chairman Graff opened the floor for comments from the audience on the case Hearing no response, Vice-Chairman Graff requested the applicant to come forward and present the case.

Speaker for the project:

Mr. Gary Swanson, Grace Presbyterian Church, clarified the total church capacity is 450 and not the listed 900. The sanctuary would be phase II for the plan. The south parking lot is

higher than the church. The north parking lot is flat and in a flood area during heavy rain. The applicant stated that they have no objections to the listed conditions.

Vice-Chairman Graff stated that one of the problems is that the commission is locked into definite lines. The project needs to be moved 200 feet to the south.

Other speaker for the project:

Patricia (no last name mentioned), 530 St. Johns, Hemet. She stated that the site development is already to the south. The new project would be buried in the hillside. There is only 130 feet available to move the project. It would be least desirable to move the project another 200 feet.

**ACTION TAKEN:** Commissioner Bell motioned to find the project inconsistent. Motion seconded by Vice-Chairman Graff. All were in favor.

K. FV-02-109 – Rancho Bella Vista

Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

<b>CASE NUMBER:</b>	<u>FV-02-109– Redhawk Communities, Inc.</u>
<b>APPROVING JURISDICTION:</b>	County of Riverside
<b>JURISDICTION CASE NO.:</b>	Specific Plan Amendment #2 and Substantial Conformance #2

**PROJECT DESCRIPTION:**

*A request for an amendment and substantial conformance to Specific Plan 184 changing the alignment of the main road.*

**PROJECT LOCATION:**

*The site is located north of Murrieta Hot Springs Road, east and west of Pourroy Road, approximately 6,500 feet east of Runway No. 18-36 at the French Valley Airport.*

**LAND USE PLAN:**

Adjacent Airport:	French Valley
a. Airport Influence Area:	Traffic Pattern Zone (TPZ),
b. Noise Levels:	Outside 55 CNEL for year 2013

**MAJOR ISSUES:**

Noise: *The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. Newer contours indicate that the property is currently outside of the 55db CNEL. The CLUP indicates that residential uses in the 60 CNEL are not compatible. While the site currently is not within the 55 CNEL, it is possible that the airport at ultimate capacity will likely generate a 55 or 60 CNEL that may encroach upon some portion of the project.*

Land Use: *The densities and usages proposed within the TPZ are consistent with the plan. Coverage for the total tract should range between 15% and 25% of the project, which is below the TPZ standard of 50% (gross) or 65% (net). No changes in the total number of dwellings are proposed.*

Height: *The highest elevation on the site is approximately 1370 MSL and the structures are*



not expected to exceed 30 feet. The Part 77 horizontal surface is overlying this area at 1500 MSL, and no portion of the project intrudes upon that airspace. PART 77 airspace obstructions are not a concern. A portion of the plan within the Biological Preserve (Area) is an Obstruction and it may be advantageous to have a marking light at the peak (1651MSL).

**Conclusion:** The residential and open space portions of the proposal are consistent with the adopted CLUP for French Valley Airport.

**CONDITIONS OF APPROVAL:** For County utilization

1. Provide Aviation Easements to the French Valley Airport prior to development of the project, recordation of the map, or sale to an entity exempt from the Subdivision Map Act.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45 decibel levels.
3. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
4. The specific plan is amended to recognize the Traffic Pattern Zone in the CLUP and included in the appropriate and graphic illustrations of any Environmental Constraints Sheet.
5. Any acoustical study for the site should include noise from the overflying aircraft within the analysis and discuss mitigations.
6. 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.

**RECOMMENDATION:** Staff recommends that the Commission: 1) find the project consistent with the adopted French Valley CLUP, and 2) the Commission forward the comments regarding NOISE to the county Planning Department along with any others that the members wish to include.

**DRAFT ENVIRONMENTAL ASSESSMENT**

**Acoustical Analysis:** The applicant has not yet submitted an acoustical analysis that would address the noise expected from individual aircraft. It can be expected that a noise analysis

*will be accomplished for those homes affected by the roadway network. Aircraft will typically be flying overhead from 500' to 1000' above ground level over the property. As stated these occasional over flights will likely disturb some residents, be an annoyance and result in complaints about the noise.*

*Staff recommends that the Acoustical Report include supplemental information regarding these events in order for the local jurisdiction and buyer to fully understand the nature of these noise events and activities. While the Avigation Easement is generic in nature and supplies each buyer with some information, residents near the approach will not be informed of the situation and all those under the approach will not understand or realize the long-term relationship they will have with aircraft utilizing the airport.*

*Mechanisms to assist in informing or mitigating could be:*

- 1. Signage in the neighborhoods of the noise/approach/departure,*
- 2. Additional Avigation easement text describing the specific overflight situation,*
- 3. Notice for the utilization of recipient that the noise from single events will cause the interior noise level to rise above the 45dba in certain situation and times and*
- 4. Additional acoustical treatment to the structures to bring the interior noise level to a lower level (dual pane windows, insulated ducts and vents).*

*Additional mitigations to be utilized consist of:*

- 1. Additional noise insulation for homes within a single event level of (to be derived from analysis),*
- 2. Additional Notices be given to all buyers that they are likely to be over flown by aircraft approaching and departing the airport.*
- 3. Provision of an additional Noise Insulation Package.*
- 4. Notice to buyers that traffic at the airport will likely double in the near future and may triple.*

Vice-Chairman Graff requested clarification on the moving of residential areas in the drainage area. Keith replied that the project is still consistent with the plan and the TPC had no density of homes or roads, churches or schools. The other commissioners had no other questions on the project.

Vice-Chairman Graff opened the floor for comments from the audience on the case Hearing no response, Vice-Chairman Graff requested the applicant to come forward and present the case.

Speaker for the project:

Rod Hanway, Rancho Vista, Temecula. The primary change is in the realigning of the roads. This process will impact the park and residential areas. The change was from one side of the road to the other side. The two school sites are unchanged. There will be 300 acres of park space available.

**ACTION TAKEN:** See Action Taken on section VI. Item A.

## VII. ADMINISTRATIVE ITEMS

Commissioner Tandy suggested a letter be sent to Mr. Pratt to advise him of the policy of advising the commission in advance if he is unable to attend the meeting and to also the urgency of having an alternate. Vice-Chairman Graff congratulated Rick Stephens on his appointment.

VIII. ORAL COMMUNICATION FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA.  
None.

IX. COMMISSIONER'S COMMENTS  
None.

Session with the Consultants.

Mr. Ken Brody referred to the Selected Procedural Policy Issues paper prepared for the Riverside County Airport Land Use Commission by Shutt Moen Associates.

Main effort was spent in the last couple of months with Coffman & Associates and the airport staff. Meeting with all of the cities around the airports and the airport staff has provided a lot of valuable information. Also to let them know what we are doing for the development of the plan.

What types of local land use development actions must or should be referred to the ALUC for review?

Under state law, a general plan, a specific plan, a zoning ordinance or zoning variance and a building regulation are examples of certain types of actions that must come to the commission. Either the adoption or amendment of these policy documents, including proposed variances, must be submitted to the ALUC if the land within an airport influence area is affected.

The other types of land use actions that can be referred can come up under only two types of circumstances:

- a. The local jurisdiction has not yet made its plan consistent with the ALUC compatibility plans. In this case the commission can require that all land use actions affecting land in an airport influence area be referred to ALUC.
- b. After the local jurisdiction has made its general plan consistent with the ALUC plan, the ALUC and local jurisdiction can agree that certain individual development proposals continue to be submitted for review.

The types of land use actions which the ALUC should seek to review under these circumstances are "major land use actions." Large private development definition differs from one jurisdiction to another. More rural counties consider large developments to be more than 5 units. Other counties consider a large development consisting of 50 units or more. Non-residential uses depends on how big of a development in dollars or square feet or other types of measure warrants the ALUC attention with the assumption that the underlying general plan is going to be consistent and basically allowable.

Anything in the runaway protection zone should be reviewed by the ALUC. Under federal guidelines there should not be any uses in the RPZ and warrants commission, review, and comment for whatever development should occur within those locations. Any structures which exceeds the Part 77 surfaces or exceeds by more than a certain amount in areas where the terrain already is a penetration.

Vice-Chairman Graff questioned the ability of the commission to define the term in the plan as to what major land use actions are and if these plans are used in other counties. A county like Riverside, which has seen tremendous growth, there is a large number of airports, are these conditions more suitable to this county as opposed to others? What guidelines would you suggest the commission use in adopting these particular definitions. Mr. Ken Brody

replied that all of the concepts are applicable to this county where there is more variation as in the third and fourth bullet item as to how large of a residential or commercial development passes this test. The other basic concepts were fine tuned by the other counties. The key question for the Riverside County ALUC to consider is to see if there were certain types of actions that needed to be addressed but would not fall within the list of actions and should be added to the list of actions.

Commissioner Tandy questioned the control over addressing the inconsistency of a project having a prior existing building which did not come to the attention of the commissioners previously. Keith Downs replied that there is no available enforcement branch. A letter to the jurisdiction letting it publicly be known that they are not following the law. Some things are pre-existing which ALUC has no jurisdiction over them.

Vice-chairman Graff stated that he would like a blanket coverage that specifies seasonal lighting at the airports. The holiday lights are displayed at homes and businesses and causes some confusion for pilots to find the runway to land the aircraft.

The subject of non-aviation development of airport property is a topic which Mr. Ken Brody dressed with the state in preparation of the ALUP Handbook. Properties of a non-aviation nature are appropriate for commission involvement. Situations can arise where an industrial development may occur on airport property in a location which, if it were a private property might not have been consistent with the ALUC plan. Airports are often trying to supplement their revenue and thus sometimes allow development that may be inappropriate. The Master Plan is equivalent to a General Plan and if it shows non-aviation use on the part of airport property and limited to a certain intensity of use it should be addressed as part of the master plan process and would not necessarily have to come back for specific actions. Vice-Chairman Graff agreed with the statement that the commission should have control of the non-aviation activity use taking place at an airport.

The commission should also review construction or alteration of any structure (including antennas) taller than 200 feet above the ground level regardless of the location in the county.

The commission's review of any actions for which submittal is not mandatory is advisory and treated in the same manner as any other agency that reviews it and in turn the local jurisdiction would not have to go through the override process if the commission's comments were negative. This is only if the general plan has been made fully consistent with the ALUC plan and the jurisdiction is continuing to submit certain actions on a voluntary basis.

#### What constitutes consistency between a community's general plan and the ALUC's compatibility plan?

What constitutes consistency between a community's general plan and the ALUC's compatibility plan is not only to eliminate any of the direct conflicts but also to address a variety of considerations for the commission that the general plan may not consider. Unless those considerations are addressed in some way in the general plan or through an implementing ordinance, the general plan would be considered not fully consistent with the ALUC plan. The commission can continue to require the individual actions be submitted to ALUC. It is also necessary that the mechanism that a jurisdiction uses for evaluation of individual actions has to be considered and explained through some policy mechanism.

#### What authority does the ALUC have over existing land uses?

State law restricts ALUC authority over existing land uses even if such uses are incompatible

with airport activities. This has several implications. Existing land uses must essentially be ignored when the ALUC reviews general plans for consistency. This does not mean, however, that an existing use can be made more incompatible. To be judged fully consistent with the ALUC's plan, local general plans need to address this issue as well as reconstruction and reuse of existing structures.

What constitutes an existing land use?

What constitutes an existing land use is an issue that the courts have addressed. They say a development has to have a valid building permit with substantial work performed and substantial liabilities incurred in good faith reliance upon the permit. A tentative parcel or approved sub-division map but has not expired, or a vested tentative parcel or approved sub-division map and an approved development agreement that remains in effect, the final sub-division map has been recorded (residential issue), a use permit or any other discretionary entitlement has been approved and not expired or a valid building permit has been issued, should be considered to be incorporated in the ALUC's policy.

Keith Downs commented on the need to separate the issues that are clearly established and the issues that are not established. The thirteen CLUPS available now with the exception of three does not allow any vesting. The plan for the exemption clause in French Valley that exempted all specific plans adopted prior to that date, if accepted by the commission, it is recommended that the language would not be used and built in that direction. It would be appropriate for the same definition for all of the plans.

B.T. Miller added that all the information received to make an assessment under the existing use is difficult to discern and requires a case by case analysis. It makes it difficult to advise the applicants or developers when an item needs to be presented to the commission for review. Mr. Ken Brody stated that part of this whole process is to clearly define language on the procedural issues as well as the compatibility criteria.

To what extent, if at all, should the ALUC allow infill development that does not comply with the applicable compatibility criteria for the site?

Mr. Ken Brody addressed the commission on whether they would want to consider this for the ALUC Policy. Some of the other counties adopted this concept and others did not include it in their policy. There is no certain universal direction to be considered on this issue. Measures are set out that might be used to what qualifies as infill should the commission decide to include infill development.

Mr. Ken Brody also suggested that it would be worthwhile to include an exception policy that can be used in situations where a project is not consistent but in regards to a whole variety of other circumstances might be a use that will not make the whole environment of the airport worse. A policy which could be included allowing the commission to go through the same steps of the local jurisdiction to override and allow the commission to put in their own set of findings which shows their policy is not withstanding and the findings would be acceptable overall.

Vice-Chairman Graff asked if a land owner has a piece of property designated for a specific use and is found incompatible and sells or changes the property, how does the commission address this and not have to fall back on the grandfather clause? B.T. Miller stated that it depends on how the change comes before the local entity, a zone change or a building permit. Mr. Ken Brody pointed out there are provisions that have to be made and fire codes that need to be relied upon and has to go through some local review process. There is some method that the local jurisdiction has to review these situations and the commission has to

make sure the local jurisdiction has something in their policy to look into these situations.

Comments from Mr. Dave Fitz, Coffman & Associates

It has been a very comprehension week on meetings with some of the different cities and airports. There was a lot of positive feedback. Some of the issues mentioned in particular with the discussion paper regarded the infill housing and infill policies which the City of Riverside was very interested in. Many of the cities are excited about the opportunity to update the general plan.

B.T. Miller inquired on the timing of the consultant's efforts in terms of the availability of the draft report. Mr. Brody replied that the general direction is to proceed towards getting a draft plan that could be circulated and commented upon by the various jurisdictions as soon as possible. The review process will take a little longer due to more changes to be made.

- X. ADJOURNMENT: Vice-Chairman Graff motioned to adjourn the meeting at 12:10 p.m. Motion seconded by Commissioner Tandy. NEXT REGULARLY SCHEDULED MEETING: September 19, 2002 at 9:00 a.m., Riverside.

9/11/02  
bc