

AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY ADMINISTRATION CENTER
4080 Lemon St., Board Room (1stFloor)
Riverside, California

THURSDAY, December 19, 2002

9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on December 19, 2002 at Riverside County Administration Center, Board Room (1ST Floor).

COMMISSIONERS PRESENT: William Cobb, Chairman
Allen Graff, Vice-Chairman
Marge Tandy
B.T. Miller, Legal Counsel
Rick Stephens
Walter Snyder
Paul Bell
Sam Pratt

COMMISSIONERS ABSENT: None

OTHERS PRESENT: Patti Nahill
Robert Klotz
Kent Cornwall
Jeff Gordon
Dan Fairbanks
Diane Fradkin
Fay Harrison
Katherine Laufenburger

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

- I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Chairman Cobb.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR SEPTEMBER 19, 2002: Chairman Cobb called for any corrections from the Commissioners, hearing no response he called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to approve the minutes. Commissioner Snyder seconded the motion. Motion carried unanimously.

APPROVAL OF MINUTES FOR OCTOBER 17, 2002: Chairman Cobb called for any corrections from the Commissioners. Vice Chairman Graff indicated corrections need to be made to the following pages 15, 16, 19, 21, and 33. Hearing no further corrections, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Pratt made a motion to approve the minutes with corrections. Vice Chairman Graff seconded the motion. Motion carried unanimously.

APPROVAL OF MINUTES FOR NOVEMBER 21, 2002: Chairman Cobb called for any corrections from the Commissioners. Vice Chairman Graff indicated corrections need to be made to the following pages 5 and 6.

ACTION TAKEN: Commissioner Pratt made a motion to approve the minutes with corrections. Commissioner Stephens seconded the motion. Motion carried unanimously.

V. OLD BUSINESS

FRENCH VALLEY AIRPORT

9:00 A.M.

A. FV-02-103 – Riverside County – (Continued from November 21st) Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

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

PROJECT DESCRIPTION:

A request for PP 17666 for construction 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.

PROJECT LOCATION:

The site is located at the northeast corner of Briggs Road and Auld Road, southerly of Benton Road in the County of Riverside, 460 – 2,600 ft. north of the north end of Runway 18/36 at the French Valley Airport.

LAND USE PLAN

Adjacent Airport: French Valley
a. Airport Influence Area: Inner Safety Zone (ISZ), Emergency Touchdown Zone (ETZ), Outer Safety Zone (OSZ) 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 a 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 applicant submitted the attached site plan (Exhibit A) showing proposed building locations based on the safety zones for the existing and proposed runway. The proposed buildings on the site are either within the ETZ for the proposed runway, the OSZ for the proposed runway or the TPZ. All the proposed buildings shown on the site plan are within the TPZ for Runway 18/36.** Refer to Exhibit A and the attached Tables A and B for the locations of the proposed buildings or improvements within the safety zones for Runway 18-36 and the proposed runway.

Prohibited and Discouraged Uses

Structures and land uses involving petroleum, explosives or above-grade powerlines 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, amphitheaters, stadiums, churches, and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials.

Building coverage for the portion of the site (approximately 10 acres) that falls within the OSZ for the proposed runway 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 1,347 MSL. The distance from Runway 18/36 to the closest building on the proposed site is approximately 1,000 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. All buildings to be constructed on the proposed site are restricted to those portions of the site east of the BRL.

Other:

The applicant received the attached 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.

The applicant also received the attached comments from Cal Trans Aeronautics. Based on the Cal Trans comments the project is located primarily within the Runway Protection Zone (RPZ) and the Inner Turning Zone (ITZ). According to the 2002 Cal Trans Airport Land Use Planning Handbook, all new structures should be prohibited from the RPZ. The proposed plant nursery and a portion of the parking area are located within the RPZ. Parking facilities may be permitted, however, all objects non-essential for air navigation or aircraft ground maneuvering are not to be placed in the Object Free Area (OFA) portion of the RPZ. According to the Cal Trans Handbook, all non-residential uses having moderate or higher usage intensities are generally considered unacceptable within the ITZ, and above-ground fuel storage should be avoided.

The attached Wetland Delineation map shows the primary drainage and wetland areas on the site. No occupied structures are proposed in these areas.

RECOMMENDATION: Staff recommends the findings outlined in Columns 3 and 4 of the attached Table A-Consistency of Proposed Uses based on Runway 18-36 Safety Zones, and the findings described in Columns 3 and 4 of the attached Table B-Consistency of Proposed Uses Based Safety Zones for the Proposed Runway, subject to the conditions of approval listed below:

CLUP CONSISTENCY CONDITIONS: For County Utilization

1. Provide Avigation Easements to the French Valley Airport prior to sale of any property to any entity exempt from the Subdivision Map Act, prior to recordation of any map, or issuance of any permit, whichever is first for the entire map including the remainder.
2. Subsequent permits for development of the proposed site shall be reviewed by the ALUC unless a subsequent action of the County and the ALUC determines that unnecessary.
3. No obstruction of any "FAR Part 77 Surface" shall be permitted. Structures shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K.
4. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
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 a 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.*
- 6. The above ground storage of explosives or flammable materials shall be prohibited.*
 - 7. The uses listed shall not be allowed within the OSZ: hotels, motels, restaurants, bars, schools, auditoriums, stadiums, amphitheatres, public assembly uses, hospitals, government services plants public utility stations and public communication facilities.*
 - 8. All parking lot lighting shall be installed with frangible bases.*
 - 9. Objects non-essential for air navigation or aircraft ground maneuvering are not to be placed within the Object Free Area portion of the ETZ.*
 - 10. The attached notation regarding proximity to the airport must be given to each potential tenant.*

Chairman Cobb called for questions from the Commissioners. Hearing no response he asked for the applicant to come forward and present the case.

Katherine Laufenburger came forward and made herself available for any questions. Hearing no response, Chairman Cobb called for a discussion from the Commissioners. Commissioner Pratt expressed his concern regarding the pattern in practice and indicated that he cannot approve this kind of project. Commissioner Tandy also expressed her disagreement with finding this project consistent. She believes it's infringing on the airport and in the next five to ten years the airport will be lost.

Vice Chairman Graff inquired that if building three would be the only part of the project being inconsistent. Beverly Coleman responded positively and stated that its inconsistency is based on the proposed runway. Chairman Cobb inquired if there is a date when the proposed runway will be built. Keith Downs reiterated that this is the only runway out of the fourteen airports in the county that is a non-existent runway that the owner proposes to build on their plan. Although there are serious doubts whether that will ever be a viable alternative. The proposed runway at Riverside Municipal was eliminated and the one for Desert Resorts will also be eliminated. Next year when the runway extension is built, the French Valley Plan is to come back with a master plan to reevaluate the need of the

proposed runway. Mr. Downs then indicated that the project is county airport property and the purpose and intent is to trade the value for some property that is needed on the east side for a safety zone.

Hearing no further comments or questions Chairman Cobb called for a motion to be set.

Commissioner Pratt made a motion to find the project inconsistent. Counsel Miller interjected that the mission of the Commission is to find consistency or inconsistency with the CLUP as it applies to the project before the Commission. As of this point there are no evidence indicating this project is inconsistent with the CLUP.

ACTION TAKEN: Chairman Cobb made a motion of consistency subject to staff's recommendations. Commissioner Bell seconded the motion. Motion carried unanimously. Commissioner Tandy Opposed. Commissioners Pratt and Stephens abstained.

- B. FV-02-113 – Cornwall Associates – (Continued from November 21st). Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: FV-02-113 – Cornwall Associates.
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: PP 18149
PROJECT DESCRIPTION:

A plot plan for a 16,885 sq. ft. church on 3.4 acres.

PROJECT LOCATION:

The site is located north of Murrieta Hot Springs Road and east of Sky Canyon Drive within the County of Riverside, from approximately 4,300 to 4,900 ft. south west of the ultimate Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

*Adjacent Airport: French Valley
a. Airport Influence Area: Traffic Pattern Zone and Outer Safety Zone (OSZ)
b. Noise Levels: Within the 55CNEL for 2013 from the Master Plan*

MAJOR ISSUES:

Land Use: *The proposal is for a plot plan for a 16,885 sq. ft. church on 3.4 acres. The proposed development area is a portion of a 7.37 (net) acre vacant site. Subsequent permits for development of the vacant portions of the site will require further review when they are submitted. Based on the site plan submitted by the applicant, and the current plan data for the French Valley Airport, the church building is located within the TPZ. The lot coverage for the proposed development area is 11% (net). The lot coverage standard for the TPZ is 65% of the net or 50% of the gross. The TPZ only has restrictions for 'discouraged' uses. Discouraged uses within the TPZ include public assembly land uses involving large concentrations of people, such as auditoriums and amphitheatres. For proposed developments that include discouraged uses the CLUP requires that the applicant show alternative locations have been considered and are not*

feasible. Based on the information submitted by the applicant, five other sites were found by the applicant to be infeasible because they didn't meet the applicant's own criteria, although some fell within the Traffic Pattern Zone. These sites were determined to be infeasible before the subject site was identified and selected. Specific information on the five properties considered by the applicant was not submitted.

The remaining portion of the proposed site is located within the OSZ. Prohibited uses in the OSZ include petroleum, explosives, or above grade power lines, public utility or communication stations, residential uses, as well as uses involving large concentrations of people, such as hotels, restaurants, schools, and auditoriums. The maximum structural coverage and density permitted within the OSZ is 25% of the net area and 25 persons per acre for use in structures.

The proposed site is located within adopted Specific Plan 213. Policies described in Section 7.4 of the French Valley Airport Comprehensive Land Use Plan (CLUP), included as Exhibit B to this staff report, provide for the exemption of projects located within adopted specific plans from all requirements of the CLUP pertaining to land use, development density and development intensity. The existing and proposed zoning for the site is C-1/C-P (SP Commercial - Planning Area 10). **Based on available information, at the time SP 213 was adopted the Zoning Ordinance did not identify institutional uses such as churches as a permitted use for a C-1/C-P zoning designation on this property.** The county made a textural change to the zoning ordinance identifying churches as a permitted use within the designated C-1/C-P zoning after SP213 was adopted. However, the change was not submitted to the ALUC for review, and the change is inconsistent with the CLUP as it applies to the safety zones for the French Valley Airport.

Part 77: The highest elevation on the property to be developed is 1,167 MSL and the height of the tallest structure currently proposed is 66.5 ft. The site is within the horizontal surface at 1,500 MSL and the runway elevation is 1,338 MSL. The distance from the ultimate end of Runway 18/36 to the northeast corner of the proposed site is approximately 4,300 ft. Any future structures over the height of 1381 MSL proposed on the site may require FAA review.

Noise: The noise contours for 2013 indicate the site is outside 55 CNEL, however, more recent projections would likely include the site within the 60 to 65 CNEL and at ultimate buildout.

Other: **Staff received the attached comments on the proposal from Cal Trans Aeronautics. Based on the Cal Trans comments, the proposed project is located within the Traffic Pattern Zone. According to the Department's Airport Land Use Planning Handbook, outdoor stadiums and similar uses with very high intensities are prohibited within the TPZ.**

Staff received a copy of the attached correspondence from Robert L. Klotz, Attorney at Law during the November 21st ALUC meeting. Mr. Klotz challenged staff's recommendation of a finding of inconsistency for the proposed project. The Commission continued the item in order to provide the staff with adequate time to respond. Staff's response to the comments by Mr. Klotz are attached.

Conclusion: 1) The proposal is inconsistent with the land use standards of the CLUP; 2) Although the project is located within SP 213, it is not subject to exemption under Section 7.4 of the CLUP, since the textual change to the zoning ordinance allowing churches as a permitted use: a) occurred after SP 213 was adopted, b) was not

submitted to ALUC for review and c) is inconsistent with the CLUP as it applies to the safety zones for the French Valley Airport.

RECOMMENDATION: Staff recommends a finding of inconsistency for the proposal.

CONDITIONS OF OVERRIDE: For County Utilization

1. *Provide Avigation Easements to the French Valley Airport prior to sale of any property to any entity exempt from the Subdivision Map Act, prior to recordation of any map, or issuance of any permit, whichever is first for the entire map including the remainder.*
2. *Any subsequent use proposed shall be reviewed by the ALUC unless a subsequent action of the County and the ALUC determines that unnecessary.*
3. *No obstruction of any "FAR Part 77 Surface" shall be permitted.*
4. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).*
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 any operation of aircraft and/or aircraft instrumentation.*
6. *The above ground storage of explosives or flammable materials shall be prohibited.*

Chairman Cobb called for questions from the Commissioners. Commissioner Pratt commented that he supports staff's recommendations. Hearing no further response or reply, Chairman Cobb ask for the applicant to come forward and present the case.

Robert Klotz, Attorney came forward in response to Chairman Cobb's invitation and indicated that he represents the underlined property owner Pulte Home Corporation, which is the master developer of the specific plan. Mr. Klotz then indicated that there is a comprehensive exemption for the existing specific plans.

Staff asserts that the exemption does not exist and that churches were not a permitted use within the specific plan. In particular churches are not a permitted use within planning area ten, which is the site for this proposal. He then indicated that staff's assertions are false and walked through the provisions that were in affect, both at the time of the specific plans original approval as well as at the time of the adoption of the CLUP.

Mr. Klotz then indicated that in page ninety-four of the specific plan for land use provisions, restricting uses and properties development standards are referred to ordinance 348.2916, which is part of the general zoning ordinance of Riverside county. The zoning ordinance of Riverside County applicable at the time, churches were not an identified permitted use in any one of the zoning classifications. Generally applicable through out Riverside County and every zone under 18.29 is a provision stating that those types of uses are allowed in every zone subject to a public use permit. Based on this information it is believe the exemption applies for this proposal and it is not inconsistent with the adopted CLUP.

Chairman Cobb called for any questions from the Commissioners. Counsel Miller then indicated that he has reviewed staff's recommendations and stated that the Commission is guided by the CLUP and must look at the specific plan and churches weren't provided for expressly as a permitted use. If one looks beyond the specific plan into the county's zoning ordinance the county could have possibly let churches be built subject to a use permit at the time not as an expressed permit as identified in the specific plan. Fundamentally staff's recommendation is correct and agrees that the exemption those not apply at this time.

Patti Nahill, Cornwall Associates came forward and expressed her discomfort regarding the way Riverside County processes specific plans. The County Counsel's office refuses to allow stand-alone ordinances, which deal with issues such as with this project. A stand-alone zoning ordinance within the contents of a specific plan would out line every single permitted use and standard that applies to the specific plan. Ms. Nahill then referred to the original specific plan conditions of approval, which now currently apply to the specific plan amendment number three, the current adopted version of the specific plan 213. The conditions read as follow; "the development of the property shall be in accordance with the mandatory requirements of all Riverside County ordinances including ordinance 348 and ordinance 460 and shall conform with the adopted specific plan. That has been subsequently amended through amendment number three as filed in the offices of the Riverside Planning Department unless otherwise amended". Ms. Nahill then indicated that this provision accounts for section 18.29 of ordinance 348, which is the public use permit ordinance. The only thing that was done with the ordinance in 1999 was remove a "u" from the equation of a public use permit (PUP) and changed to a Plot Plan (PP) a permitted use under the specific plan under 18.29 and still a permitted use under the specific plan zoning for area ten and under the specific plan amendment number three. Ms. Nahill then referred to the information Mr. Klotz had previously reviewed and read as follow; "all development approval is consistent with an adopted specific plan including without limitation zoning ordinances, building resolutions, regulations, tentative and final subdivision maps, tentative

and final parcel maps, conditional use permits, public use permits, variances, plot plans, grading permits, building permits, and occupancy, shall also be exempt from all requirements of the comprehensive land use plan. With respect to land use, development density and intensity". She then made herself available for any questions.

Chairman Cobb called for any questions from the Commissioners for the applicant. Hearing no response, Chairman Cobb opened the floor for comments from the audience.

Diane Fradkin, Sage Community Group came forward and indicated that Pulte Homes has been developing this particular master plan development and business parks since 1987. It worked with the County to relocate the French Valley Airport to where it exists today. The ordinance is extremely clear for development on this property for a church use. Based on the previous agenda item of a shopping center found consistent when there were specific uses within the outer safety zone and the emergency touch down zone with congregation of people at that time. The Commission should be able to find this Plot Plan for the LDS Church consistent as well.

Hearing no further comments Chairman Cobb called for discussion from the Commissioners. Commissioner Stephens inquired on three different items One that if the Commission can review this project, which is the exemption, second that if it is an appropriate use for the specific plan, third that if this use is consistent with the CLUP regardless of the first two inquiries. Patti Nahill came forward and answered positively to Commissioner Stephens's inquiry. She then indicated that the whole building has been located outside the outer safety zone and the only thing that is within the outer safety zone is the parking area. Great lengths were taken for the building to be in line with the pattern of the runway. It limited the exposure should there be an accident in the future. There are no structures in the outer safety zone and the traffic pattern zone does not have the same requirements. In terms of net coverage the TPZ allows for a sixty five percent net coverage or fifty percent gross. This project is at eleven percent, which is consistent with that requirement. An extra effort was taken to go through the provision of the master plan and the CLUP in terms of the discourage uses and made sure it complied with all the discourage use provisions. Commissioner Stephens inquired about the discourage uses within the TPZ including public assembly land uses. Patti Nahill responded that there are differences in opinion as far as public assembly. She then indicated that churches at times are lumped into a public assembly category. The occupancies may not be more than an office building or a retail show room. Putting churches in the category of high occupancy perhaps is misleading because in this case the facility will be used primarily on Sundays.

Chairman Cobb called for further comments from the staff. Keith Downs responded that all the verbal information provided has not been provided to staff in writing.

Chairman Cobb then called for comments or discussion from the Commissioner's. Commissioner Snyder indicated that the purpose of the commission is set forth the protection of the airports. The County has spent a lot

of money creating the CLUP's and giving the commission the things that need to be looked at for the life of the airports. He then added that staff has done a marvelous job in pointing out inconsistency for this proposed project. Commissioner Snyder then made a motion to find this project inconsistent. Commissioner Stephens agreed with Commissioner Snyder and inquired if Mr. Downs would like some more time to review the testimony given today. Keith Downs responded negatively. Vice Chairman Graff commented that the Commission is not only to protect the airports, but also the safety of the general public.

Hearing no further discussion, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Snyder made a motion of inconsistency, subject to staff's recommendations of inconsistency. Commissioner Bell seconded the motion. Motion carried unanimously.

Keith Downs indicated going to the consent items on the agenda, which are as follow: Items VI.A. Growth Management Co., VI.B. Action Survey, VI.C. KADTEC and VI.F. Stratham Homes Inc.

Chairman Cobb briefed the audience on the consent items and indicated that the items will be approved unless the Commissioners or any one in the audience wishes to address an item separately. He then called for questions from the Commissioners, hearing no response from the Commissioners. Chairman Cobb called for questions from the audience. A gentleman from the audience asked for Stratham Homes to be pulled and addressed separately. Chairman Cobb reiterated the remaining items Growth Management, Action Survey and KADTEC. Hearing no further response or reply, he called for a motion to be set.

ACTION TAKEN: Commissioner Stephens made a motion to approve the consent items, subject to staff's conditions of approval and recommendations. Commissioner Tandy seconded the motion. Motion carried unanimously.

VI. NEW BUSINESS

RIVERSIDE MUNICIPAL AIRPORT

9:30 A.M.

A. RI-02-160 – Ray Strebe – Consent item for approval see above

CASE NUMBER: RI-02-160– Growth Management Company
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: Bldg. Permit 02-4810

PROJECT DESCRIPTION:

Construction of an 8,500 sq. ft. Warehouse/Office on approximately .52 acres.

PROJECT LOCATION:

The site is located at 7350 Morris Street, west of Van Buren Blvd. and 960 ft. west of Runway 9/27 at the Riverside Municipal Airport.

Adjacent Airport: Riverside Municipal Airport

a. Airport Influence Area: TPZ
b. Noise Levels: Inside 65 CNEL

MAJOR ISSUES:

Land Use: The proposed site is located approximately 960 ft. west of Runway 9-27 and is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is for the construction of an 8,500 sq. ft. warehouse/office building on approximately .52 acres. The TPZ has no population limits assigned, but has a lot coverage standard of 50% of the gross or 65% on the net lot. The lot coverage of the buildings at the site is 37% of the net area.

Part 77: The elevation at the site is approximately 762 MSL feet and the maximum building height is approximately 23 feet. The site is well below the horizontal surface at this location, which is approximately 966 MSL. Any structures exceeding 826 MSL will require FAA review.

Noise: The site is inside of the 65 CNEL contour for the airport. This is acceptable for the usage proposed with the appropriate mitigation for noise.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Riverside Municipal Airport (Tel. 909-826-5341).
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.

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

B. RI-02-161 – Action Survey – Consent item for approval see page 11

CASE NUMBER: RI-02-161 – Action Surveys
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: PM 30874

PROJECT DESCRIPTION:

Parcel Map 30874 to subdivide a 1acre parcel into 3 parcels.

PROJECT LOCATION:

The site is located at 9325 Duncan Ave., south of Colorado Avenue., within the City of Riverside, approximately 5,600 ft. south of the south end of Runway 16-34 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 5,600 feet south of Runway 16-34 and is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is for a Parcel Map to subdivide a 1acre parcel into 3 residential lots. The site is currently zoned for residential use. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Part 77: The highest elevation at this site is approximately 760 MSL feet. No structures are proposed at this time. The site is under the horizontal surface at this location, which is approximately 966 MSL. Any structure over 872 MSL would need an FAA review.

Noise: The site is outside of the 60 CNEL contour for the airport. The site is zoned for residential use, which is an acceptable use with the appropriate mitigation for noise. Review of subsequent proposals will be required for applicable noise mitigation requirements.

CONDITIONS OF APPROVAL:

- 1. Provide Avigation Easements to Riverside Municipal Airport (Tel. 909-826-5341).*
- 2. Subsequent permits for the development of the proposed site shall be submitted to the ALUC for review.*

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

FRENCH VALLEY AIRPORT

9:30 A.M.

C. FV-02-114 – KADTEC – Consent item for approval see page 11

CASE NUMBER: FV-02-114 – KADTEC
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: PP18170

PROJECT DESCRIPTION:

Plot Plan 18170 for a 36,067 sq. ft. multi-tenant industrial building on approximately 2.24 acres.

PROJECT LOCATION:

The site is located east of Innovation Court and south of Borel Rd. within the City of Murrieta, from approximately 2,000 to 2,100 ft. south of the ultimate Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

Adjacent Airport: French Valley
a. Airport Influence Area: Inner Safety Zone (ISZ) and Emergency Touchdown Zone (ETZ)
b. Noise Levels: Within the 55CNEL for 2013 from the Master Plan

MAJOR ISSUES:

Land Use: The proposal is for Plot Plan 18170 for a 36,067 sq. ft. multi-tenant industrial building on approximately 2.24 acres. The existing and proposed zoning for the site is I-P Industrial Park. Based on the site plan submitted by the applicant, and the current GIS data for the French Valley Airport, the site is located within the ISZ and the ETZ. Structures and land uses involving petroleum, explosives or above-grade powerlines are prohibited within the ISZ. Structures, land uses involving concentrations of people, and significant obstructions are prohibited within the ETZ.

The proposed site is located within adopted Specific Plan 213. Policies described in Section 7.4 of the French Valley Airport Comprehensive Land Use Plan (CLUP), included as Exhibit B to this staff report, provide for the exemption of projects located within adopted specific plans from all requirements of the CLUP pertaining to land use, development density and development intensity. However, Section 7.4.1 through 7.4.3.d, also included in Exhibit B, require that certain land use restrictions, noise (sound insulation) standards and height standards specified in the CLUP shall be applicable to development approvals within adopted specific plans.

Part 77: The highest elevation on the property to be developed is 1,272 MSL and the height of the tallest structure currently proposed is 19.3 ft. The site is within the horizontal surface at 1,500 MSL and the runway elevation is 1,338 MSL. The distance from the ultimate end of Runway 18/36 to the northeast corner of the proposed site is approximately 2,000 ft. Any future structures over the height of 1,358 MSL proposed on the site may require FAA review.

Noise: The noise contours for 2013 indicate the site is within 55 CNEL, however, more recent projections would likely include the site within the 60 to 65 CNEL and at ultimate buildout.

Other: Staff received the attached comments on the proposal from Cal Trans Aeronautics. Based the Cal Trans comments, uses such as shopping centers, multistory

office buildings, labor intensive manufacturing plants, above ground fuel storage and some eating establishments are unacceptable.

The land use and height standards of the CLUP applicable to the proposed project are shown in the table below:

SAFETY ZONE	APPLICABLE LAND USE AND HEIGHT STANDARDS	
	For Areas Inside Adopted Specific Plan	For Areas Outside Adopted Specific Plan (For Comparison Only)
ETZ	Exempt from CLUP requirements applicable to land use, development density, and development intensity. However, development approval is subject to certain land use restrictions (Table 7 A, Tables A & B), sound insulation (Section 77) and height standards (FAR Part 77) set forth in the CLUP.	Structures, Uses Involving Concentrations of People, Significant Obstructions are Prohibited. Max. Density – 0 Max. Structural Coverage – 0 Max. Height – F.A.R. Part 77 standards apply
ISZ	Exempt from CLUP requirements applicable to land use, development density, and development intensity. However, development approval is subject to certain land use restrictions (Table 7 A, Tables A & B) and height standards (FAR Part 77) set forth in the CLUP.	Structures and land uses involving petroleum, explosives or above-grade powerlines are <u>prohibited</u> . Max. Density- 0 Max. Structural Coverage– 0 Max. Height – F.A.R. Part 77 standards apply

Land Use Restrictions Applicable to Projects Within Approved Specific Plans (Notes From Table 7A of French Valley Airport CLUP):

- A. The following uses shall be prohibited in all airport safety zones:
- (1) 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.
 - (2) 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.
 - (3) 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.
 - (4) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- B. Avigation easements shall be secured through dedication for all land uses permitted in any safety zone.

RECOMMENDATION: That the ALUC finds that: 1) those portions of the proposal that are within the ISZ or ETZ and are within SP 213 are exempt from the land use standards of the CLUP, and that the Commission forward the land use restrictions set forth in Notes A and B to Table 7A and the height Standards in Section 7.3.3 of the CLUP to the County of Riverside.

CLUP CONSISTENCY CONDITIONS: For County Utilization

1. Provide Avigation Easements to the French Valley Airport prior to sale of any property to any entity exempt from the Subdivision Map Act, prior to recordation of any map, or issuance of any permit, whichever is first for the entire map including the remainder.
2. No obstruction of any "FAR Part 77 Surface" shall be permitted.
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 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 a 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.
5. The above ground storage of explosives or flammable materials shall be prohibited.
6. The attached notation regarding proximity to the airport must be given to each potential tenant.

HEMET RYAN AIRPORT

9:30 A.M.

- D. HR-02-105 – Michael Naggar – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER:

HE-02-105 Rico Enterprise/Michael Naggar

APPROVING JURISDICTION:

City of Hemet

JURISDICTION CASE NO: CUP 02-07

PROJECT DESCRIPTION: The project is a 240-unit home for the aged

PROJECT LOCATION:

The site is situated northerly of Acacia Avenue and south of Florida Avenue and west of Sanderson within the City of Hemet and 2,900-3,600 feet northeasterly of the east end of Runway 5-23 for Hemet/Ryan Airport.

Adjacent Airport: Hemet-Ryan Airport
Land Use Policy: CLUP 1989: Adopted by City of Hemet and County of Riverside

a. Airport Influence Area: Transition Area
b. Noise Levels: Outside 55CNEL, but subject to higher noise levels with fire suppression operations, sailplane operations and certain instrument approaches (NDB)

MAJOR ISSUES:

LAND USE: The proposed site is located approximately 2,900-3,600 feet northeast of the east end of Runways 5-23/ 4-22. The proposed site is within the Transition Area, which extends for 660 feet beyond the edge of the Area II Area of High Risk of the Hemet-Ryan Airport Influence Area. The total site is approximately 9.73 acres, but the reviewed site is 5.8 acres. The portion of the project north of the residential is not a part of this review. The lot coverage is 27% for buildings with additional structures occupying 3% of the site. The Transition Area has no direct population density limits assigned to it, but requires a 'discretionary' review for Commercial Uses and Residential uses of this nature. It has a dwelling unit maximum of 20/acre. The site would include approximately 360 people as residents with a peak and on weekends with visitors' occupancy of 450 people. The parking requirements for the facility are for 116 spaces, but the applicant is proposing 169 spaces. This project would have occupancy densities ranging from 56 to 83 people per acre.

NOISE: The site is underlying traffic patterns for runway 5-23 and will experience some annoyance from overflying aircraft approach. The 1989 plan indicates that the area is under a 55CNEL.

PART 77. The height of the building is 25 feet on a surface elevation of approximately 1520 MSL. The PART 77 horizontal surface is overlying the site with at 1662 MSL. Structures closest to the airfield may require a 7460 review.

DISCRETIONARY REVIEW: Pages 35 and 37 of the Hemet-Ryan CLUP include the discretionary review procedures and require us to review: 1) structure height, 2) population density. 3) Nature of the land use activity. 4) Noise, 5) relevant safety factors, 6) institutional uses, and 7) places of assembly. The present proposal falls under that category in the plan. Page 12-13 defines institutional uses and lists 'Motels, Nursing Home, Care Homes and Convalescent Facilities' as examples and requires a discretionary review.

TRANSITION AREA: The Policies of the CLUP for the Transition Area are on Page 28 (C-3) of the plan and state, "**Residential density in the Transition Area is limited to not more than 20 dwelling units per acre and may be less pending a discretionary review**". This project is proposed at 43 dwelling units per acre.

RECOMMENDATION: Staff would recommend that the Commission find the project inconsistent with the Adopted CLUP for Hemet/Ryan Airport and the project would increase the public's exposure to safety hazards.

CONDITIONS OF OVERRIDE: Should the City wish to override the Commission the following conditions should be applied.

1. Provide Avigation Easements to Hemet-Ryan Airport prior to any permits being issued or sale to any entity exempt from the Subdivision Map Act.
2. Incorporate noise attenuation measures into of any 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.
5. That the ALUC and the airport operator prior to construction review any subsequent permit on the property.
5. That a FAA 7460 review be completed prior to action on this proposal.
6. The following uses shall be prohibited in all airport safety zones:
 - a. Any use which would direct a steady 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 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.
 - c. Any use which would generate smoke or vapor or which could 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 the aircraft and/or aircraft instrumentation.

Keith Downs indicated that the applicant has requested a continuance for the next schedule meeting of January 23, 2003. He then indicated that the January meeting will be held in Temecula. Item VI.G. is for a heliport on a roof of a structure in the City of Temecula. Would like the Commissioners to visit the site and therefore schedule to meet at 9:00 a.m. at the project site and then go to the site of the hearing. Any continued items should be continued to 10:00 a.m. Vice Chairman Graff indicated that an attached notice was attached to the staff report and was not indicated. Keith Downs responded that if it's not mentioned it will be included in the next staff report.

Hearing no further comments, Chairman Cobb opened the floor for comments from the audience. Hearing no response or reply, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to continue the project to the next schedule meeting of January 23rd, subject to staff's recommendations. Commissioner Tandy seconded the motion. Motion carried unanimously.

Staff recommended going to item VI.G. FV-02-115 Solid State.

MARCH AIR RESERVE BASE

9:45 A.M.

- E. MA-02-177 – Lennar Partners – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: MA 02-177-March Business Center Specific Plan
APPROVING JURISDICTION: March JPA
JURISDICTION CASE NO: EIR SCH 2002071089 General Plan Amendment, Specific Plan and Tentative Tract 02-01

PROJECT DESCRIPTION:

The project is planned as an industrial business park including land uses such as Business Park, Industrial, Office, Mixed use, Commercial and Transportation Center. The project consists of the adoption of the Specific Plan, a tentative map, zoning regulation, a General Plan Amendment, and a development agreement for the 1,290-acre industrial business park.

The Specific Plan area would include 990 acres on 150 developable lots. Approximately 300 acres will be allocated for parks, landscape buffers, sensitive resource setbacks, drainage basins, and roads. The land uses for the Specific Plan are shown in the attached exhibit. The General Plan Amendment would eliminate the Destination Recreation (DR) land use from the North Campus Area and substitute Industrial land uses in a portion of the area south of Van Buren Blvd., previously designated as Park/Recreation/ Open Space. The General Plan amendment will also include a multi-modal transportation center land use to be located north of Van Buren Boulevard.

PROJECT LOCATION:

The proposed project is situated west of I-215 and south of Alessandro Blvd., on approximately 1,290-acres of land that was formerly a part of the March Air Force Base and now a part of the March Joint Powers Authority Land Use Area. The 1999 March JPA General Plan, (unreviewed by the ALUC) divided the March JPA in to planning sub areas. The March Business Center is located in the northern portion of West March Planning Sub area. The proposed project consists of two elements. The northern portion, referred to as the North Campus, comprises approximately 660 acres, is located south of Van Buren Boulevard and west of an existing golf course and cemetery. The site varies in distanced from the runway approximately 3,000-13,600 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 I and II of ALUP and Clear Zone, APZ I and II of AICUZ
c. Noise Levels: 55,60,65 and 70 CNEL

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, we utilize four resources for our review:

1. The RCALUP: 1984 with 1986 Interim Boundaries for March Air Force Base
2. The current CalTrans Airport Land Use Planning Handbook: 2002
3. Draft CLUP's for March Air Force Base: 1994, 1998
4. Noise Data from A.I.C.U.Z.: 1998 March Air Reserve Base

MAJOR ISSUES:

Land Use: (See figure IV.A-1 and A-2) page IV-57 Draft EIR Volume I) The proposed site is located approximately 3,000- 13,600 feet west of Runway 14-32 approach and departure tracks within the conical surface and inner 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 I and 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, safety and height issues.

Density and Coverage: The number of people on the site at one time could be in the range of up to XXXX with an overall density of XX-XX people per acre over the XXX-acre site. Population densities would range from XX /acre to upward of XX/acre. The total square footage of the buildings is XXXXX The structural coverage proposed for the site is XX%.

Part 77: The elevation at this site, after grading varies from approximately 1,544 to 1,760 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 over

most of the site Construction above the runway elevation of 1,535 at a ratio of 1 ft in elevation/100 in distance 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, 65 and 70 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 include:

1. residences
2. Public and private schools

Previous AICUZ indicated that the noise levels were as high as 75+ 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 32 acre detention pond and 1-acre drain may be a significant wildlife attractant and requires a USDA review for potential bird strike.

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

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

RECOMMENDATION:

Staff recommends that the ALUC CONTINUE 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. Applicant's revisions to Draft EIR or responses to requests for additional information.

Additionally, staff would like to get together with the applicant and the March JPA staff to assist them in adjusting the texts to reflect the ALUC's adopted criteria and reflect the current Land Use Handbook.

Chairman Cobb inquired that if staff is recommending a continuance. Keith Downs responded positively. Chairman Cobb called for any questions from the Commissioners. Vice Chairman Graff inquired that if the application is considered incomplete and if the commission would be against the sixty-day limit. Keith Downs responded that at this time the application is considered incomplete therefore the commission is not against the sixty-day limit. Hearing no further comments Chairman Cobb requested the applicant to come forward and present the case.

Jeff Gordon, Lennar Partners came forward in response to Chairman Cobb's invitation. Mr. Gordon indicated that this project has worked with March JPA and the Airforce for over two and a half years. Two public hearings have been heard on this item one last month and another yesterday December 18th and hopes to get approval on the next ALUC meeting in January. Mr. Gordon then indicated he was not aware they need the Airport Land Use Commission's approval for this project.

Dan Fairbanks, Planning manager for March Joint Powers Authority (JPA) came forward and indicated that the JPA operates the civilian component of the airport, which is march inland port and are partnership with this development, March Business Center. The specific plan that has been file is completely consistent with the 1998 AICUZ study. The consultants of Kimley Horn have been trying frantically over the last two weeks to meet all the requirements of the comprehensive land use plan draft. Some items have already been submitted to the ALUC staff including a USDA letter regarding the wild life, which was faxed this morning. There is some things pending for FAA approval on future development and are working towards getting it done.

Hearing no further comments Chairman Cobb called for any questions from the Commissioners for the applicant. Hearing no response, Chairman Cobb opened the floor for comments from the audience. Hearing no response or reply, he called for discussion from the Commissioners. Commissioner Stephens inquired to Mr. Downs that if he still prefers to continue the item. Keith Downs responded positively and indicated that the wild life letter is sitting in the fax machine at the office and does not know what it reads. He then indicated that there is a thirty-two acre pond fairly close to the runway. The Caltrans letter would probably reflect some of the ALUC's concerns and indicate the same things as the letter in the previous case today regarding wild life attractants Part 77, with some land use concerns. Commissioner Stephens commented to the applicant that there isn't any information to review to be able to make a finding today. The applicant has not had a chance to review the conditions and might find them unacceptable. Commissioner Stephens then indicated he would have to support a continuance. Vice Chairman Graff agreed with Commissioner Stephens and believes that if this project has been worked on for two and a half years what is trying to be hidden. Vice Chairman Graff indicated that if the applicant does not wish for a continuance he would have to find this project inconsistent.

Jeff Gordon came forward and made a statement regarding his company being a 3.2 billion dollar publicly traded company and cannot hide anything. He then clarified that the thirty-two acre pond isn't a pond, but a detention basin, which will hold water for a short period of time. Commissioner Stephens indicated that the Commission has a strong level of confidence in staff and if the applicant can work with the staff for the pending items. The commission might be able to find the project consistent with the conditions in the next hearing.

Hearing no further comments Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Stephens made a motion to continue the project to the next schedule meeting of January 23rd. Commissioner Pratt seconded the motion. Motion carried unanimously.

- F. MA-02-178 – Stratham Homes, Inc. – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: *MA-02-178 – Stratham Homes, Inc.*
APPROVING JURISDICTION: *County of Riverside*
JURISDICTION CASE NO: *TM 25901*

PROJECT DESCRIPTION:

Tract Map 25901 for 133 residential lots on 38.2 acres.

PROJECT LOCATION:

The site is located north of Mapes Road and east of Sherman Road within the County of Riverside, approximately 46,000 ft southeast 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:

1. RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. CalTrans Airport Land Use Planning Handbook: 2002
3. Draft CLUP for March Air Force Base: 1994
4. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base
5. Draft 98/99 CLUP for MARB/MIP

MAJOR ISSUES:

Land Use: The proposed site is located approximately 46,000 southeast of Runway 14-32. The proposal is for a Tract Map for 133 residential lots on 38.2 acres. The existing site is vacant and zoned for residential uses. The proposal is under an approach 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 residential land use. The 1994 Draft CLUP placed the property inside of the 55 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: The proposal includes 133 residential lots on approximately 38.2 acres (net). Information on proposed buildings is not available at this time.

Part 77: The highest elevation at the site is 1,436 MSL feet. An FAA 7460 review would be required for any structure exceeding 1,948 MSL.

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 be within the 55 CNEL. The proposed use is an acceptable use with the appropriate mitigation for noise.

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. Review of subsequent permits for development of the proposed site will be required.
3. The attached notation regarding proximity to the airport must be given to each potential owner.

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

Chairman Cobb called for any questions from the Commissioner. Hearing no response, he called for comments from the audience. Hearing no response or reply, he then indicated that the gentleman from the audience who had previously pulled the item for discussion departed. He then called for a discussion from the Commissioners. Hearing no response, he called for a motion to be set.

ACTION TAKEN: Commissioner Bell made a motion to approve the project, subject to staff's Conditions of Approval and recommendations. Commissioner Pratt seconded the motion. Motion carried unanimously.

FRENCH VALLEY AIRPORT

10:00 A.M.

- G. FV-02-115 – Solid State – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER:

FV-02-115 – Solid State

APPROVING JURISDICTION:

City of Temecula, State of California

JURISDICTION CASE NO.:

PA 02-0478

PROJECT DESCRIPTION:

A Conditional Use Permit for a Rooftop Helipad in the City of Temecula at 42580 Rio Nedo near the intersection of Calle Empleado.

PROJECT LOCATION:

The site is located north of Rio Nedo, east of Winchester Road and south of Calle Empleado within the City of Temecula.

LAND USE PLAN: None: the Commission, like most others, has no standards for new airports or helipads. This is an example of a duty that the ALUC has to review new airports that are filing for a special use permit with the state. Sections of the Airport Land Use Planning Handbook to read include pages 4-8, 3-37, 2-4 and 9-50.

MAJOR ISSUES:

Noise: Any Noise sensitive uses must be identified within the approach and departure tracts.

Land Use: Any hazardous or flammable storage site needs to be identified.

Density: Any assembly area or land use with a high density of people needs to be identified

Height: The finished floor elevation of the building is 1050MSL. The proposed height of the tallest structure is at 1084MSL. The applicant has submitted an FAA 7480 Notice of Landing Area Proposal to the FAA for review and it is attached.

RECOMMENDATION: Staff recommends continuance of this item until January in order to obtain additional comment and information regarding the proposal and to review the location and its environs.

CONDITIONS OF APPROVAL: (Draft and Incomplete) For City and State utilization

1. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
2. The following uses shall be prohibited on this site:
 - (a) Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with heliport 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 the helipad, 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 flammable materials shall be prohibited.*
4. *All structures must comply with F.A.R. Part 77 height standards and all conditions of the FAA letter dated October 22, 2002.*
5. *Any noise sensitive uses shall be prohibited.*
6. *Uses which include residences, concert halls, auditoriums, stadiums, arenas, hotels, motels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities shall not be permitted in the approved flight path.*
7. *Any subsequent permit on the property and within 500 feet of the property shall be reviewed by the ALUC and the Airport Operator prior to construction.*

Keith Downs indicated that the FAA has approved the flight path. It is near the Rancho California Water District and the City Hall. The issues that the commission would be looking at would be if it is a noise menace to the surrounding industrial uses and if it's flying over any dense populated uses. There are not a lot of guidelines in the plan for this type of project that is the reason for the site visit. Commissioner Snyder inquired if staff is recommending a continuance for the next meeting and if the meeting will be held at this particular project site. Keith Downs responded positively and indicated that Staff and Commissioners will be meeting at the heliport project site first, to review the neighborhood and the flight path. The hearing site will be held east of the City Hall and maps with diagram charts will be included in the agenda packets.

Hearing no further comments, Chairman Cobb opened the floor for comments from the audience, hearing no response or reply; he called for a discussion from the Commissioners. Hearing no response, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Snyder made a motion to continue the project to the next schedule meeting of January 23rd for a site visit of the heliport project. Commissioner Pratt seconded the motion. Motion carried unanimously.

VIII. ADMINISTRATIVE ITEMS

A. County of Riverside RCIP

Keith Downs indicated that the meeting with Richard Lashbrook, TLMA was held and that they will be submitting their application in a couple of days for the County Plan. There is a possibility for a special meeting for this particular item, which will take about two to three hours. The ALUC consultants will be reviewing the plan because there are a lot of technical errors that need corrections.

B. CLUP Update: Status and Report

Keith Downs briefed the Commission on the progress of the CLUP's and should have a draft soon for the Commission to review. The Consultant was unable to make this meeting, but will be present on the January meeting to review the Riverside plan.

C. Caltrans Training Session
Keith Downs indicated that a meeting was held for Airport Land Use Planning Workshop in Ontario on December 5, 2002. Bob Moore, California Department of Transportation Division of Aeronautics gave the presentation. Beverly Coleman, Commissioner Stephens and him self attended the meeting. In the agenda packet was included information about the meeting.

D. Blythe
Keith Downs indicated that he was at Blythe airport for a reconstruction project that is taking place, and while there visited the power plant, which is fully built. He spoke with the FBO Mr. Wolfe who indicated that he has flown over the power plant. Mr. Wolfe then indicated that in that particular day it was not a highly abrupt change. The cooling towers have been changed from a northwest configuration to an east west.

IX. COMMISSIONER'S COMMENTS. Chairman Cobb indicated that next meeting need to start the process of electing a new Chairman and Vice Chairman.

X. Adjournment: Chairman Cobb adjourned the meeting at 11:10 A.M.
NEXT REGULARLY SCHEDULED MEETING: January 23, 2003 at 9:00 a.m., Temecula.