

# AIRPORT LAND USE COMMISSION

Riverside County Administration Center  
4080 Lemon St., Hearing Room (1<sup>st</sup> Floor)  
Riverside, California

**THURSDAY, June 10, 2004**  
**9:00 A.M.**

## MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on June 10, 2004 at the Riverside County Administration Center, Board Room.

COMMISSIONERS PRESENT: Dave Hogan, Vice Chairman  
June Stephens, Alternate  
Jon Goldenbaum  
Arthur Butler  
Marge Tandy  
Simon Housman

COMMISSIONERS ABSENT: Ric Stephens  
Sam Pratt  
Mark Lightsey

STAFF PRESENT: Keith Downs, Executive Director  
Beverly Coleman, Development Specialist III  
B.T. Miller, Legal Counsel  
Jackeline Gonzalez

OTHERS PRESENT: John Ford  
John Lyon  
Harry Tancredi

- I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Vice Chairman Hogan.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR: May 13, 2004

May 13, 2004: Vice Chairman Hogan called for any corrections to the minutes from the Commissioners. Commissioner Housman indicated a correction on page two. Hearing no further comments Vice Chairman Hogan called for a motion to be set.

**ACTION TAKEN:** Commissioner Goldenbaum made a motion to approve the minutes. Commissioner Tandy seconded the motion. Motion carried unanimously.

### \*CONSENT ITEMS:

Vice Chairman Hogan indicated considering all the items on the consent calendar and going back to the additional items on the agenda. If any of the Commissioners or any one from the audience has questions on consent items it will be pulled and addressed separately, otherwise it will be voted as one and no further discussion will be made.

Consent items are as follows: CH-04-107 Albert Webb Associates, RI-04-102 Robert Barron, RI-04-119 Robert Barron, RI-04-120 Jose Ceja, BD-04-104 General Construction Management, MA-04-116 Investment Building Group, MA-04-120 Habib Abraham, and MA-04-121 David Lasing.

Hearing no response Vice Chairman Hogan called for a motion to be made.

**ACTION TAKEN:** Commissioner Butler made a motion of consistency, subject to staff conditions of approval and recommendations. Commissioner Goldenbaum seconded the motion. Motion carried unanimously.

V. OLD BUSINESS

**FLABOB AIRPORT**

**9:00 A.M.**

- A. FL-04-100 – Loring Ranch – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

Mr. Downs indicated this item being continued from the last meeting in order to review case files from county planning and awaiting a response from Caltrans. Unfortunately a response from Caltrans has not been received at this time.

**CASE NUMBER:** FL-04-100 – Loring Ranch  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** TM 31503, GPA 688 and Change of Zone 6921

**PROJECT DESCRIPTION:**

*The project is a Tract Map for subdivision of 93 lots on 39.3 acres ranging in size from 5,000 to 135,000 sq. ft. and Change of Zone from MSC to R-4-2.5 and R-4 to R-4-2.5 and General Plan Amendment from MDR 2-5 to MHDR 5-8/acre and EDR to MHDR.*

**PROJECT LOCATION:**

*The site is located easterly of the airport in the County of Riverside, from approximately 170 to 1,400 feet from the Runway at Flabob Airport.*

*Adjacent Airport:* Flabob Airport  
*Land Use Policy:* ALUP adopted March 30, 1984

- a. Airport Influence Area:* Zones I (Imaginary Approach Surface,) II (Area of Significant Safety Concerns) and III  
*b. Land Use Policy:* Influence Area  
*c. Noise Levels:* Outside 55-65CNEL

**MAJOR ISSUES:**

**Land Use:** *The proposed site is located immediately adjacent to RWY 9-24 on the north and east. The proposed site is within the Areas I, II and III of the adopted Flabob Airport Influence Area. The project is a Tract Map for subdivision of 93 lots on 39.3 acres. The proposal has nine lots that are from 2.5 to 3.5 acres in size: and an open space lot at the east end of the runway, a linear lot reflecting the flood control facility and a park lot in the center of the small lots at the south part of the project. The general plan and zoning would be changed from Manufacturing and EDR(2.5 acre lots) and Medium High Density Residential 5-8 d.u./acre.*

*Area III has no population limits assigned to it, but areas II and I have a two and one-half acre minimum lot size with no structures within the close-in areas. Seven of the lots are proposed to have access to the airfield over a bridge on the Flood Control Facility at lot 92 at the south end.*

**Lots 1,2, 10-17, 39-67, 69-73 and 80-82 are INCONSISTENT with the current designations of the plan.**

**Noise:** *Most of the site is outside of the current 65 CNEL contour for the airport. The site is near and underlying an approach and departure flight track and will experience severe noise from over flying and adjacent aircraft.*

**Part 77:** *The elevation on the proposed site varies from 752 to 762 MSL and the height of proposed structures is generally two story or 28 feet. The site is within the approach, transitional and horizontal surfaces. The surface of the runway varies from 750 to 765 MSL. All structures at this location will require an FAA 7460 review.*

**DRAFT 2004 ALUCP:** *The proposal is within Zones A, B-1 and D. Zone A allows no residential uses or any structures. Zone B-1 allows a residential at a density of one dwelling per 20 acres. Zone D allows homes at a density of 5 per acre or more. Lots 1,2,10-17,39-67,69-73,80-85,87-89 are inconsistent with those designations in the proposed plan. Lots 86 and 90 have portions of the lots that are within a zone that allows a structure or could qualify as infill (see pages 2-18-19 Section 3.3). Most of the project is within the 60dbCNEL and the entire project is within the 55CNEL.*

**Conclusion: The project as submitted is Inconsistent with the Draft 2004 ALUCP.**

**CONDITIONS for OVERRIDE:** *Should the County wish to override the Commission as per PUC 21675.1 (d) the following conditions should apply.*

1. *Provide Avigation Easements for the entire proposed development to FLABOB Airport. (909) 683-2309.*
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. All lighting plans should be reviewed and approved by the airport manager prior to approval.*
4. *The following uses shall be prohibited:*
  - a. *Any use which would direct a steady light or flashing light of red, white, green, or*

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

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
  - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
- 5. The attached notice shall be given to all prospective buyers and tenants.*
- 6. Residential structures on lots 85 through 93 shall be placed as far away from the runway as allowed by the zoning.*

**RECOMMENDATION:** *Staff recommends a finding of Inconsistency for the project, but recommends a CONTINUANCE in order to obtain comments from the airport operator, Caltrans Aeronautics and to review the ALUC comments for Tract 23395, the adjoining tract to the east.*

APPENDIX June 3, 2004: *The item was continued in order to obtain comments from the airport operator and Caltrans Aeronautics. We have received additional acoustical information from the applicant and it is enclosed. Staff reviewed the county's file for tract 23395 and found a previous comment from Caltrans, but little from the ALUC. The ALUC's review from March 17, 1988 is attached. At that time the Commission found the original proposal inconsistent with the adopted Interim Influence Area. The 1988 comment from Caltrans is attached, but as of June 3<sup>rd</sup> we have not received any comments for the new proposal. Written comments have been received from the airport and they are attached.*

**RECOMMENDATION: June 10, 2004** *Staff recommends that the Commission find the project INCONSISTENT with the adopted CLUP for FLABOB Airport.*

Vice Chairman Hogan called for questions from the Commissioners for staff. Hearing no response Vice Chairman Hogan called for the applicant to come forward and present the case.

Harry Tancredi, came forward in response to Vice Chairman Hogan's invitation indicating the issue before the Commission is the distance from the center line of the runway and the easterly boundary, which defines the area of concern as described in all the manuals in particularly the Caltrans manual. The text of the 1984 adopted plan makes no reference as to the distance. We have to assume something staff is maintaining is 750'. Secondly staff relies upon a draft for the 2004 revision of the 1984 text, which doesn't indicate a certain dimension. Mr. Tancredi maintains that the 2004 is invalid the argument is flawed and is not an adopted plan that can be relied on. Its something that may or may not take place in the future. Mr. Tancredi then distributed a Planning Commission document (plot plan) that states the dimension is 1" to 800'. The Planning Commission informed us that it was 500' and we drafted the drawing to reflect that. Mr. Tancredi indicated that reading the FAA documents the primary concern is the operations of the airport. It also gets into a lot of risk factors and it states very clearly

nation wide the amount of incidents that occur in land adjacent to an airport is rare, it does not happen very often. He then referred to chapter nine indicating that Mr. Downs chooses to select example number two in general aviation as the distance that he is proposing, which is 750'. However, example 1 covers Flabob airport which is less than 4,000' Flabob is 3,190 linear feet long. The document out of the overriding Caltrans manual specifically states that it is 500'. Mr. Tacredi then indicated that it is their believed staff is in error and requested that the Commission consider the 500'.

Hearing no further comments Vice Chairman Hogan called for John Lyon to come forward.

John Lyon, Flabob Airport came forward in response to Vice Chairman Hogan's invitation hoping to clear up some of the confusion. Mr. Lyon then indicated that what is before the Commission is to determine whether the project is consistent or inconsistent with the existing adopted plan. At this time it is not before the Commissions to make new policies or to change the rules. When the draft plan comes before the Commission then policy considerations may be relevant, but don't believe they are at this time. In March 30, 1984 this Commission made a determination of the free areas around Flabob airport. The airport influence area, approach and departure zones and the area of significant additional safety concerns. The document before the Commission is that actual determination. The scale of that document, which Mr. Downs pointed out is 1" equals 2,000' due to it being a USGS quad sheet. The area of additional safety concern the long area that runs around the runway is three quarters of an inch wide. A total of 1500' or 750' on each side of the runway, therefore the Commissions' prior action is to establish Area II as the area of additional safety concern within 750' of the center line of the runway. The generic County Airport Plan adopted on April 26, 1984 indicates that in that area the minimum residential lot size is 2.5 acres, therefore the existing proposal is inconsistent with the existing Flabob Airport Plan. Mr. Lyon then clarified the confusion indicating that the original Loring Ranch was developed and came before this commission in 1988 and was also found inconsistent with the March 30, 1984 plan. The staff report indicates that the applicant (developer) intended to go back to the Planning Commission and worked with them to make it consistent. Thereafter there was a series of amendments to the tract map that was proposed for the area and eventually that tract map was approved and never came back to this body. It is clear that what the Planning Commission believed it was doing was making it consistent with the Airport Land Use Plan. One of the mysteries is that some of the actual existing houses that were constructed in 1988-1989 are within 600' from the runway center line, question is how did those houses get build there.

Mr. Lyon believes he knows the answer, but indicated its only deduction. Those homes were built due to a drafting error in the staff report. The Commission should have received a letter from himself to Mr. Downs and attached is a drawing date October 1988 which was an attachment to the environmental impact report for the Loring Ranch. The scale shows it to be 1" equals 800' if it's applied to the drawing the area we are talking about is exactly 500' wide not 750' wide. That scale is wrong because if it's applied to the length of the runway the runway is only 2300' long. The runway then was the same length as it is now just like Mr. Tancredi indicated 3,190' long. The true scale of that map is 1" equals 1000' when the draftsman wrote the scale on the map he wrote the wrong number. Since that wasn't the authoritative planning department's map there was a special drawing made up, which was attached as part of the EIR. Mr. Lyon held up a large version of that authoritative Planning Department's map indicating it to be the

Jurupa community plan, which is part of the General plan adopted by the Supervisors in December of 1987. The map shows the planning zone which correspond to the area of additional safety concern showing it to be slightly over 700', but it certainly does not show it as 500'. Therefore, the confusion traces to a draftsman's error that is the reason existing houses are 600' from the runway. The Planning Department was mistaken in understanding what it did in that draftsman's error. We hope that all of this can be appropriately adjusted so that Mr. Tacredi and his company are able to proceed. We found very good people to work with and are very supported of the airport homes.

Hearing no further comments Vice Chairman Hogan opened the floor for comments from the audience hearing no response Vice Chairman Hogan inquired to Mr. Downs if he had any clarification he would like to provide the Commission before they begin commission discussion. Mr. Downs responded positively indicating that Mr. Lyon has done an excellent job in clarifying the mystery in this case. In the draft plan there is a very serious problem that he would like to illustrate. In the Caltrans Handbook the safety zones are 500', but remember that we are using combine **zones ...noise** concerns and safety concerns. The 60 CNEL is approximately 750' this is where there shouldn't be any new homes with the exception of the airport homes.

Commissioner Housman inquired that applying safety zones to a particular airport the length of the runway is one factor that is included. Mr. Downs responded positively. Commissioner Goldenbaum indicated being very familiar with Flabob Airport since his business is adjacent to it. Since the time has a Commissioner applicants have come forward with proposals that is a threat with encroachment and both the Commission and the locals at the airport have opposed them. In this case the developer has gone directly to the LLC who owns and operates the airport indicating its proposal and how they can work together for a mutual benefit without encroachment. The idea of the hangar homes with people that would clearly support the airport is a unique idea and it's the first time ever seen, since his time as a Commissioner. Commissioner Tandy inquired if only certain lots are found inconsistent, not the entire project. Mr. Downs responded positively. B.T. Miller indicated that the applicant is always in a position to override.

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

**ACTION TAKEN:** Commissioner Tandy made a motion of inconsistency. Commissioner Butler seconded the motion. Motion carried unanimously.

## VI. NEW BUSINESS

### CHINO AIRPORT

9:00 A.M.

#### A. CH-04-107 – Albert A. Webb Associates – Consent item see page 2

**CASE NUMBER:** CH-04-107 – Albert A. Webb Associates

**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** Change of Zone 6977, Tract Map 31726

**PROJECT DESCRIPTION:**

A Change of Zone (A-2-10 to R-1) and a Tract Map for 188 single family residential lots on approximately 49 acres.

**PROJECT LOCATION:**

The site is south of 65<sup>th</sup> Street and east of Archibald Ave., within the County of Riverside, approximately 9,400 –12,000 ft., east of Runway 26L at Chino Airport.

Adjacent Airport:	Chino Airport (County of San Bernardino)
a. Airport Influence Area:	Within Area of Influence Study Area
b. Land Use Policy:	Influence Area
c. Noise Levels:	See Below

**BACKGROUND:**

Since we have not adopted the CLUP for Chino Airport, we utilize three resources for our review:

1. The San Bernardino CLUP for Chino Airport, 1991
2. The Riverside County Airport Land Use Plan: 1984
3. The current CalTrans Airport Land Use Planning Handbook: 2002
4. Draft 2004 Airport Land Use Compatibility Plan

**MAJOR ISSUES:**

Land Use: The proposed site is located approximately 9,400 – 12,000 feet southeast of Runway 26L. The touch and go flight tracks are overhead to the west and other approaches are northerly of this site.

The 1991 CLUP places the property within and outside Safety Zone III, in the Area of Influence Study Area. The proposed land use would be allowed within this area contingent upon noise and height issues. The 1984 Plan places an emphasis upon the type of airport, planned and existing approach profiles, actual flight tracks, noise, type of aircraft and expected type of aircraft, FAA criteria or a combination of these factors. With the present configuration of the airport the site will likely end up in the TPZ or an approach category.

Part 77: The highest elevation at this site is approximately 632 MSL feet. The runway elevation is 635 MSL at the east end of the runway. The site is outside the approach surface and in order to exceed obstruction standards a structure would need to exceed approximately 150 feet in height. Part 77 obstruction criteria is not a concern with this project. Instrument approaches are near the parcel, and this site can expect overflight from aircraft entering the approaches.

Noise:

1991 Report: The site is outside the 65 CNEL contour developed for the airport in 1991. Page 2-3 of the report discusses these concerns and discusses **prohibiting** residential development within the 60 and 55 CNEL where overflights are conducted, particularly where flights are below 500 feet above ground level.

Master Plan: A new Master Plan at Chino Airport was started and is expected to be completed later this year. The site can expect single noise events to disturb indoor and outdoor events.

**CONDITIONS:**

1. *Provide Avigation Easements to the County of Riverside and Chino Airport prior to the recordation of the tract, issuance of any permit, or sale of any portion to any entity exempt from the Subdivision Map Act.*
2. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.*
3. *Proposals for subsequent development of the site shall be reviewed by ALUC until such time that a CLUP is adopted for the Airport by RCALUC.*
4. *The following uses shall be prohibited:*
  - (a) *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
  - (b) *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
  - (c) *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
  - (d) *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
5. *The attached notice regarding proximity to the airport shall be given to each potential purchaser.*

**RECOMMENDATION:**

*Staff recommends a finding of consistency of this project subject to the conditions noted above. The project can be approved based upon the following, as identified in Section 21675.1 of the California Public Utilities Code (PUC).*

1. *The ALUC is making substantial progress toward the completion of the Chino Airport Land Use Plan; 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.*

**RIVERSIDE MUNICIPAL AIRPORT**

**9:00 A.M.**

B. RI-04-119 – Robert Barron – Consent item see page 2

**CASE NUMBER:** RI-04-119 – Robert Barron  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** Parcel Map 32509

**PROJECT DESCRIPTION:**



*A parcel map to subdivide a .5-acre parcel into two single-family residential lots.*

**PROJECT LOCATION:**

*The site is located at 6960 Hillside Avenue south of Crystal Street within the City of Riverside, approximately 2,000 ft. 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 proposal is to subdivide a .5-acre parcel into two single-family residential lots. The proposal is approximately 2,000 east of the east end of Runway 9-27 and is within the TRAFFIC PATTERN ZONE (TPZ) of the Riverside Municipal Airport Influence Area. 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 area surrounding the proposed site primarily consists of single-family home along with some vacant land to the west of the site. The existing zoning is R-1-65 and the proposed land use is single-family residential. The lot coverage of the proposed sites will likely be less than 50% of the net lot.*

*Part 77:* *The highest elevation at the site is approximately 794 MSL feet. The height of the proposed structure(s) is unknown. The site is under the transitional surface at this location. The elevation at the east end of Runway 9-27 is 816 MSL. Part 77 obstruction criterion is not a concern.*

*Noise:* *The site is outside the 60 CNEL contour for the airport. The proposed use is an acceptable use with the appropriate mitigation for noise.*

***DRAFT PLAN:*** *The new tentative draft ALUP places the site within Zone C. Zone C allows a minimum residential density of less than .2 units/acre. The infill policy for the draft ALUP allows for the lesser of 1) double the allowable density within the applicable Safety Zone or 2) the average density of existing lots within 300 feet of the site.*

**CONDITIONS OF APPROVAL:**

- 1. Provide Avigation Easements to Riverside Municipal Airport (909-351-6113).*
- 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. The attached notice shall be given to all prospective buyers or tenants.

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

C. RI-04-120 – Jose Ceja – Consent items see page 2

**CASE NUMBER:** RI-04-120 – Jose Ceja  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** Plot Plan

**PROJECT DESCRIPTION:**

A building addition to an existing church.

**PROJECT LOCATION:**

The site is located at 5747 Rutland Avenue north of Philbin Avenue within the City of Riverside, approximately 6,700 ft. southwest 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 6,700 ft. southwest of Runway 16-34 and approximately 7,000 ft. southwest of the west end of Runway 9-27. The proposal is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is for 1,500 sq. ft. building addition to an existing church. Structural coverage for the site, including existing and proposed structures is less than 20% of the net area. 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 the site is approximately 748 MSL feet and the height of the structure is approximately 21 feet. The site is under the horizontal surface at this location, which is approximately 966 MSL. The elevation at the west end of Runway 9-27 is 758 MSL. Part 77 obstruction criterion is not a concern.

Noise: The site is outside of the 60 CNEL contour for the airport. The proposed use is an acceptable use with the appropriate mitigation for noise.

**DRAFT PLAN:** *The new tentative draft ALUP places the site within Zone D. Zone D allows up to 90% lot coverage. Children’s schools, hospitals and nursing homes are discouraged.*

**CONDITIONS OF APPROVAL:**

1. *Provide Avigation Easements to Riverside Municipal Airport (909-351-6113).*
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. *The attached notice shall be given to all prospective buyers or tenants.*

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

**BERMUDA DUNES AIRPORT**

**9:00 A.M.**

D. BD-04-104 – General Construction – Consent item see page 2

**CASE NUMBER:** BD-04-104 – General Construction  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** Plot Plan 19260

**PROJECT DESCRIPTION:**

*The project is a Plot Plan for a 3-unit apartment building consisting of 3,267 sq. ft., on approximately .3 acres.*

**PROJECT LOCATION:**

The site is situated north of Savanna La Mar and west of Adams Street in the County of Riverside, approximately 1,600 ft., southwest of the Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport

**Land Use Policy:**

- a. Airport Influence Area: Area III
- b. Land Use Policy: Influence Area
- c. Noise Levels: Outside 55 dB CNEL (April 2004)

**MAJOR ISSUES:**

**LAND USE:** The proposed site is located approximately 1,600 feet southwest of the west end of the runway and is within Area III of the Airport Influence Area. The proposal is for a 3-unit apartment complex on approximately .3 acres. Policies in the Bermuda Dunes Airport Land Use Plan indicate that residential land uses would be allowed in Area III.

**NOISE:** The site will be subject to intermittent aircraft noise of some annoyance. The entire site is outside of the 55 CNEL according to the 2004 noise study Ultimate traffic with seasonal and weekend peaking will likely produce noise of some annoyance on the site.

**PART 77:** The highest elevation at the site is XXX MSL ft., and the height of the structure is approximately 17 ft. The airport elevation is 73 MSL. At a distance of 1,600 feet from the runway, proposed structures exceeding 89 MSL will require an FAA 7460 review.

Lighting intensity and patterns can adversely affect pilot visibility near airports. Any light that would direct a steady light or flashing light of red, white, green or amber other than an FAA approved system can cause confusion. Bermuda Dunes currently has a VASI system.

**OTHER:** As you know, a new plan has been developed for this and the other airports in the county and our consultant will be developing new noise contours and new safety zones. A first draft of that effort reveals that a portion of the property will likely be within Zone D and outside the noise contours.

**CONDITIONS OF APPROVAL:**

1. Provide Avigation Easements to the Bermuda Dunes Airport.
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 a large concentrations of birds, or which may otherwise affect safe air navigation within the area.

- c. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
- 3. Proposed structures higher than 89 MSL feet in elevation shall be submitted to the Federal Aviation Administration for review and comment relative to the provisions of FAR Part 77.
- 4. The attached notation regarding proximity to the airport shall be given to each potential purchaser.

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

**MARCH AIR RESERVE BASE**

**9:00 A.M.**

- E. MA-04-116 – Investment Building Group – Consent item see page 2

**CASE NUMBER:** MA-04-116 – Investment Building Group  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO:** Plan Check

**PROJECT DESCRIPTION:**

A 79,164 sq. ft., industrial building on 4.41 acres.

**PROJECT LOCATION:**

The site is located at 1561 Eastridge Avenue, west of Lance Drive within the City of Riverside, approximately 15,400 feet northwest 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 Area  
b. Land Use Policy: Influence Area I  
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. On April 26 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 adopted 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 1999 effort was an**

update of the 1994 Draft utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.

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

1. RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. Cal Trans Airport Land Use Planning Handbook: 2002
3. Draft Airport Land Use Compatibility Plan: 2004
4. Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base

### **MAJOR ISSUES:**

Land Use: The proposed site is located approximately 15,400 feet northwest of Runway 14-32. The proposal is under a major approach and departure track. The proposal consists of a 79,104 sq. ft. manufacturing and warehouse facility on 4.41 acres. Specific information on the type of facility and proposed materials to be stored in the warehouse is currently unknown. The 1984 RCALUP places an emphasis upon the type of airport, type of aircraft expected to use the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area I. Industrial uses are allowed in Area I subject to certain constraints. The proposed land division is consistent contingent upon noise and height issues.

Density and Coverage: The area of the proposed structure is 79,104 sq. ft. and the lot area is 190,960 sq. ft. The structural coverage is 41.42% of the gross lot area.

Part 77: The highest elevation on the proposed site is 1,519 MSL feet and the height of the proposed structure is approximately 41 ft. The runway elevation at the north end is 1,535 MSL. In order to be an obstruction, a structure would need to exceed 1,888 MSL feet in elevation. Part 77 obstruction criteria is not a concern.

Noise: The site has been shown to have significant noise over the property with each of the AICUZ reports. 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 60 CNEL. Previous AICUZ reports indicated the property to be at 75 CNEL.

### **CONDITIONS:**

1. Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport.
2. Incorporate noise attenuation measures into any office portions of the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an airport lighting consultant or MARB/MIP prior to placement.
4. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
5. The above ground storage of explosive or flammable materials is prohibited.
  6. The attached notice shall be provided to all potential purchasers and tenants.

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

F. MA-04-117 – GMID Architects – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** MA-04-117 –GMID Architects  
**APPROVING JURISDICTION:** City of Perris  
**JURISDICTION CASE NO:** Tract Map 31651, General Plan Amendment 04-0039 and Change of Zone 04-0040

**PROJECT DESCRIPTION:**

A General Plan Amendment, Tract Map and Change of Zone from R-4 to R-7 for 58 single family residential lots on 12.6 acres.

**PROJECT LOCATION:**

The site is east of Wilson Road and south of Nuevo Road within the City of Perris, from approximately 22,500 to 23,500 feet southeast 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 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. On April 26 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 adopted 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 98/99 Draft CLUP efforts were prepared utilizing the 1998 AICUZ in conjunction with the superceded 1993 CalTrans Handbook.

We will utilize four 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 Airport Land Use Compatibility Plan: 2004
4. Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base

### **MAJOR ISSUES:**

Land Use: The proposed site is located approximately 22,500 to 23,500 ft. southeast of Runway 14-32. The proposal is under a major approach and departure track. The proposal consists of 58 single-family residential units on 12.6 acres. The 1984 RCALUP places an emphasis upon the type of airport, type of aircraft expected to use the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area II, which requires a minimum of two and one-half acres for residential lots. The proposed lots range from 6,000 to 6,620 sq. ft. The proposed land use designation would be inconsistent with allowed land uses within this area.

Density and Coverage: The average gross density is 4.6 DU/acre and structural coverage would likely be less than 50%.

Part 77: The highest elevation on the proposed site is 1,425 MSL. In order to be an obstruction a structure would need to exceed 2,088 feet. The site is under the approach surface. The project is not within Part 77 obstruction review criteria.

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 be at 55 CNEL. Previous AICUZ reports indicated the property to be at or near 70 CNEL.

**RECOMMENDATION:** Staff recommends a finding of inconsistency of the project, subject to the conditions noted below, based on the findings that:

1. The proposal is inconsistent with the 1984 RCALUP based on safety
2. The proposal is under the flight track

Should the City wish to override the ALUC findings the following conditions should be utilized, and PUC 21670(a) should be followed per the attached information regarding overrides of Airport Land Use Commission decisions.

### **CONDITIONS OF OVERRIDE:**

1. Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45 CNEL-decibel levels.
3. Lighting plans for any additional development on the vacant lots shall be reviewed and



*approved by an airport lighting consultant or MARB/MIP prior to placement.*

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

Ms. Coleman indicated that staff would like the Commission to consider the project being in the 55 CNEL and the tract being less than 20 acres. Also, based on the draft plan the infill policy would apply for this project. Mr. Downs informed the Commission on previous projects where a portion of the site was within the 60 CNEL and the remainder under the 55 CNEL the project was found consistent. B.T. Miller inquired for clarification that the conditions of override would be placed on an inconsistency finding. Ms. Coleman responded positively.

Vice Chairman Hogan called for questions from the Commission for staff. Hearing no response Vice Chairman Hogan opened the floor for comments from the audience, hearing no reply he called for a discussion from the Commissioners. A discussion ensued between Commissioner Tandy and Vice Chairman Hogan on the project being inconsistent and the infill policy. Commissioner Goldenbaum moved to find the project inconsistent. Commissioner Housman voiced his opposition of the motion indicating that every piece of property is ultimately unique. He indicated that Although, things have occurred in the past that the Commission disapproves of we live and operate in the real world and the infill policy is a legitimate recognition of that reality. Commissioner Housman then moved to find the project consistent under the infill policy.

**ACTION TAKEN:** Vice Chairman Hogan indicated having a motion of inconsistency from Commissioner Goldenbaum and called for a second. Commissioner Tandy made a motion of inconsistency.

**ABSTAINED:** Commissioner Housman, Alternate Stephens and Vice Chairman Hogan Motion failed.

Vice Chairman Hogan called for a motion of consistency. Commissioner Housman made a motion of consistency. Alternate Stephens seconded the motion.

**ABSTAINED:** Commissioner Goldenbaum, Commissioner Tandy and Commissioner Butler. Second motion failed.

Mr. Downs indicated that by statue if the Commission cannot make a finding it will automatically be found consistent.

Commissioner Housman moved to table it. Commissioner Goldenbaum seconded the motion.

- G. MA-04-118 – Robert Beers – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** MA-04-118 –Robert Beers  
**APPROVING JURISDICTION:** City of Perris  
**JURISDICTION CASE NO:** Tract Map 31659, General Plan Amendment and Change of Zone

**PROJECT DESCRIPTION:**

*A General Plan Amendment, Tract Map and Change of Zone from R-4 to R-7 for 190 single family residential lots on 55.07 acres.*

**PROJECT LOCATION:**

*The site is east of Evans Road and north of Citrus Avenue within the City of Perris, from approximately 20,500 to 22,000 feet southeast 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 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. On April 26 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 adopted 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 98/99 Draft CLUP efforts were prepared utilizing the 1998 AICUZ in conjunction with the superceded 1993 CalTrans Handbook.*

*We will utilize four resources for our review:*

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

2. *Caldrons Airport Land Use Planning Handbook: 2002*
3. *Draft Airport Land Use Compatibility Plan: 2004*
4. *Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base*

**MAJOR ISSUES:**

Land Use: *The proposed site is located approximately 20,500 to 22,000 ft. southeast of Runway 14-32. The proposal is under a major approach and departure track. The proposal consists of 190 single-family residential units on 55.07 acres. The 1984 RCALUP places an emphasis upon the type of airport, type of aircraft expected to use the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area II, which requires a minimum of two and one-half acres for residential lots. The proposed lots range from 7,070 to 15,379 sq. ft. with an average lot size of 8,698 sq. ft. The proposed land use designation would be inconsistent with allowed land uses within this area.*

Density and Coverage: *The average gross density is 3.45 DU/acre and structural coverage would likely be less than 50%.*

Part 77: *The highest pad elevation on the proposed site is 1,445.3 MSL. In order to be an obstruction a structure would need to exceed 2,088 feet. The site is under the approach surface. The project is not within Part 77 obstruction review criteria.*

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 be at 60 CNEL. Previous AICUZ reports indicated the property to be between 65 and 70 CNEL.*

**RECOMMENDATION:** *Staff recommends a finding of inconsistency of the project, subject to the conditions noted below, based on the findings that:*

1. *The proposal is inconsistent with the 1984 RCALUP based on safety*
2. *The proposal is under the flight track*

*Should the City wish to override the ALUC findings the following conditions should be utilized, and PUC 21670(a) should be followed per the attached information regarding overrides of Airport Land Use Commission decisions.*

**CONDITIONS OF OVERRIDE:**

1. *Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport.*
2. *Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45 CNEL-decibel levels.*
3. *Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an airport lighting consultant or MARB/MIP prior to placement.*
4. *The following uses shall be prohibited:*
  - a. *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved*

*navigational signal light or visual approach slope indicator.*

- b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
- c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
- d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*

5. *The attached notice shall be provided to all potential purchasers and tenants.*

Vice Chairman Hogan called for questions from the Commissioners for staff. Commissioner Tandy inquired on the location of the tract. Ms. Coleman clarified the location of the project site through an exhibit. Hearing no further comments Vice Chairman Hogan called for the applicant to come forward and present the case.

John Ford, applicants representative came forward in response to Vice Chairman Hogan's invitation and indicating that directly to the west 500 lots have been approved and in the process of final engineering same applies to 400 lots to the east and south. Mr. Ford then distributed to the Commission a revision of a 10 acre park site that has been agreed by the developer to include to the project. This will decrease the lot size from 190 lots to 160 lots. The park site location is at the north east corner of Citrus and Evans making it the closes area to the 55 CNEL, therefore making the residential use further away from the zone. Commissioner Tandy inquired on the type of development to the park. Mr. Ford responded that the City of Perris will make the determination on what will go on the park. The park will not be a development owned property. It will be owned, operated and used by the City of Perris.

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

**ACTION TAKEN:** Commissioner Butler made a motion of inconsistency, subject to staff conditions of approval and recommendations. Alternate Stephens seconded the motion. Motion carried unanimously.

H. MA-04-119 – Robert Beers – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** MA-04-119 –Robert Beers  
**APPROVING JURISDICTION:** City of Perris  
**JURISDICTION CASE NO:** Tract Map 32041, General Plan Amendment and Change of Zone

**PROJECT DESCRIPTION:**

*A General Plan Amendment, Tract Map and Change of Zone from R-4 to R-7 for 311 single family residential lots on 99 acres.*

**PROJECT LOCATION:**

The site is west of Dunlap Road and north of Citrus Avenue within the City of Perris, from approximately 20,000 to 22,500 feet southeast 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 Area
b. Land Use Policy:	Influence Area II
c. Noise Levels:	See Below

**BACKGROUND:**

Staff utilized four resources for review:

1. RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. Current Cal Trans Airport Land Use Planning Handbook: 2002
3. Draft Airport Land Use Compatibility Plan: 2004
4. Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base

**MAJOR ISSUES:**

Land Use: The proposed site is located approximately 20,000 to 22,500 ft. southeast of Runway 14-32. The proposal is under or near a major approach and departure track. The proposal consists of 311 single-family residential lots on 99 acres. The 1984 RCALUP places an emphasis upon the type of airport, type of aircraft expected to use the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors.

The site is located in Area II, which requires a minimum of two and one-half acres for residential lots. The proposed lot sizes range from 7,241 to 17,218 sq. ft. with an average lot size of 9,001 sq. ft. The proposed land use designation would be inconsistent with allowed land uses within this area.

Density and Coverage: The average gross density is 4.6 DU/acre and structural coverage would likely be less than 50%.

Part 77: The highest elevation on the proposed site is 1,464.5 MSL. In order to be an obstruction a structure would need to exceed 2,088 feet. The site is under the approach surface. The project is not within Part 77 obstruction review criteria.

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 be between 55 and 60 CNEL. Previous AICUZ reports indicated the property to be between 65 and 70 CNEL.

**RECOMMENDATION:** Staff recommends a finding of inconsistency of the project, subject to the conditions noted below, based on the findings that:

1. The proposal is inconsistent with the 1984 RCALUP based on safety
2. The proposal is under or near the flight track

Should the City wish to override the ALUC findings the following conditions should be utilized, and PUC 21670(a) should be followed per the attached information regarding overrides of Airport Land Use Commission decisions.

**CONDITIONS OF OVERRIDE:**

1. *Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport.*
2. *Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45 CNEL-decibel levels.*
3. *Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an airport lighting consultant or MARB/MIP prior to placement.*
4. *The following uses shall be prohibited:*
  - a. *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
  - b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
  - c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
  - d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
5. *The attached notice shall be provided to all potential purchasers and tenants.*

Vice Chairman Hogan called for questions from the Commissioners. Hearing no response Vice Chairman Hogan called the applicant to come forward and present the case.

John Ford came forward in response to Vice Chairman Hogan's invitation and indicated that 80% of the project is outside of Area II. Hearing no further comments Vice Chairman Hogan opened the floor for comments from the audience, hearing no response Vice Chairman Hogan called for a discussion from the Commissioners.

Ms. Coleman came forward indicating that taking into considerations the applicants comments regarding the location of the site and viewing the exhibits it appears that most of the site is located within Area III. The 'L' shape portion of the site located to the west is within Area II and the remainder of the site is within Area III. Vice Chairman Hogan inquired guidance from staff on how to go about making a finding. Mr. Downs indicated that its similar to the previous Flabob project where portions are consistent and inconsistent, but the project as submitted is inconsistent.

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

**ACTION TAKEN:** Commissioner Butler made a motion of inconsistency, subject to staff conditions of approval and recommendations. Commissioner Goldenbaum seconded the motion. Motion carried unanimously.

I. MA-04-120 – Habib Abraham – Consent item see page 2

**CASE NUMBER:** MA 04-120 Habib Abraham  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** unknown

**PROJECT DESCRIPTION:**

*The project is a remodel of an existing retail establishment into a store and gas market.*

**PROJECT LOCATION:**

*The site is located at 1355 Alessandro Blvd., north of 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:**

*Staff utilized five resources for our review:*

- 1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986*
- 2. The current CalTrans Airport Land Use Planning Handbook: 2002*
- 3. Noise Data from the AICUZ Study: 1998 March Air Reserve Base*
- 4. Draft ALUCP for Riverside County: 2004*

**MAJOR ISSUES:**

Land Use: *The proposed site is located approximately 13,000 feet northwest of north end of Runway 14-32. The project consists of a remodel to a mini-market and service station on 1.8 acres. The proposal is near the major approach and departure track and within the horizontal surface. The existing structures on the site were not reviewed by the ALUC and the existing uses have been at the site for some time and the proposed use may not be a significant change from the previous uses.*

*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 II, which allows commercial uses.*

Density and Coverage: *The lot size is approximately 1.8 acres. The structural coverage of the total site would be approximately 17% of the total acreage. Another retail establishment also occupies the parcel.*

Part 77: *The elevation at this site is approximately 1,610 MSL and the maximum building height is 15 feet. The runway elevation is 1535 MSL. In order to be an obstruction, a structure would need to exceed 1665 MSL feet in elevation. Part 77 obstruction criteria are not a concern with this project.*

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 over 60 CNEL and close to the 65CNEL.*

**CONDITIONS:**

1. *Provide Avigation Easements to March ARB/MIP prior to any permits being issued or sale to any entity exempt from the Subdivision Map Act. (Tel. 909- 656-7000)*
2. *Incorporate noise attenuation measures into the office portions building construction to ensure interior noise levels are at or below 45-decibel levels.*
3. *Install hooded or shielded outdoor lighting measures to assure that no lights are above the horizontal plane.*
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. *No above ground storage of flammable material shall be allowed.*
6. *The above ground storage of explosives or flammable materials shall be prohibited.*
7. *The attached Notice regarding Proximity to the airport shall be given to each potential purchaser or lessee.*

**RECOMMENDATION:** *Staff recommends a finding of consistency of the project.*

J. MA-04-121 – David Lasing – Consent item see page 2

**CASE NUMBER:** MA-04-121–David Lasing  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO:** Parcel Map 32512

**PROJECT DESCRIPTION:**

*A Parcel Map for two single-family residential lots on 10 acres.*

**PROJECT LOCATION:**

*The site is located north of Dufferin Avenue and east of Jefferson Street within the City of Riverside, approximately 41,500 feet northwest 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 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 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. On April 26 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 adopted 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 98/99 Draft CLUP efforts were prepared utilizing the 1998 AICUZ in conjunction with the superceded 1993 CalTrans Handbook.

We will utilize four resources for our review:

1. RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. Cal Trans Airport Land Use Planning Handbook: 2002
3. Draft Airport Land Use Compatibility Plan: 2004
4. Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base

**MAJOR ISSUES:**

Land Use: The proposed site is located approximately 41,500 feet northwest of Runway 14-32. The proposal is in the outer horizontal surface. The proposal consists of two single-family residential lots on 10 acres. The 1984 RCALUP places an emphasis upon the type of airport, type of aircraft expected to use 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. Residential uses are acceptable in Area III subject to certain constraints. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Density and Coverage: Based on the floor plan provided by the applicant, the lot coverage for the proposed structures is approximately 2,800 sq. feet, less than 10% of the gross area.

Part 77: The highest elevation is approximately 1,020 MSL feet and the height of the proposed structure is not expected to exceed 30 ft. The runway elevation at the north end is 1,535 MSL. In order to be an obstruction, a structure would need to exceed 2,088 MSL feet in elevation. 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 property to be less than 55 CNEL.

**CONDITIONS:**

1. *Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP 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 measures into the building construction to ensure that all light is below the horizontal plane.*
4. *The following uses shall be prohibited:*
  - a. *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
  - b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
  - c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
  - d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
5. *The attached notice shall be provided to all potential purchasers and tenants.*

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

- K. BL-02-100 – City of Blythe – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

**HEARING DATE:** June 10, 2004

**CASE SUMMARY:** A Notice of an override of an ALUC decision

*A new state law (AB332) became effective January 1<sup>st</sup> that requires local jurisdictions that pursue an override of an ALUC Decision to: 1.) Notify the ALUC and the Aeronautics Division 45 days prior to the hearing, 2) include the proposed findings and 3) include any comments from the ALUC and agency in the final report to the local agency.*

*The City of Blythe has proposed the findings in the attached letter of May 26<sup>th</sup> (received May 27<sup>th</sup>) 2004. Staff has included all previous components regarding this case in order to illustrate the new process and facilitate any new commissioners to the previous activity. Staff only received the letter one day before staff reports are due to be completed and distributed. Further information will be available at the meeting on June 10<sup>th</sup>.*

**COMMENTS TO LETTER:** May 26, 2004

1. *The attached Staff Report from the case on March 21, 2004 indicates the setting and relationship to each of the current zones.*
2. *The new plan would place the site in Zones B-1, C and D. Many of the same concerns are listed in the zones, such as Hazards to Flight and the discouragement of Critical Community Infrastructure facilities (see page 2-14 and 2-15 of new plan).*
3. *The list of mitigations in the proposed conditions include the aviation easement, but the power lines were not captured in the previous easement.*
4. *The displacement of the threshold diminishes the ultimate and current utility of the runway for heavier aircraft. Possibly the runway should be relocated to facilitate flight away from the power plant and its plumes.*

**RECOMMENDATION:** *That the Commission directs these comments with the attached components and anything else the commission wishes to add, to be sent to the City for inclusion in their report.*

Mr. Downs indicated this case being before the Commission in 2002 the original power plant. The City is proposing an override on their component of it. The CEC has not informed us what their proposed action is. The letter was received a day before the staff reports had to be put together so it was put together very quickly. A mistake was made under COMMENTS TO LETTER item 1 should be March 21, 2002 letter indicating the setting and relationship that's when the staff report was created not March 21, 2004. They are attempting to follow the law regarding overrides. The first override we had was the Farmer Boys Restaurant and the City didn't do a very good job, but it was the first time they had to follow the procedures. The Commission should have received a letter from Mr. Wolfe regarding lots of concerned being expressed at the particular site. The thing to add is reiterate the things on the staff report the setting and relationship. The new plan shows it to be in zones B1 C and D similar to what we had before has far as the concerned, such as hazards to flights and discouragement of critical community infrastructure facilities. At that particular time it was alleged that it wasn't a critical facility. There is a lot of mitigations proposed about working around the plant the plant is there photos show the visible plumes. Some of the Commissioners have heard testimony from Mr. Wolfe indicating displacement, threshold on the primary runway diminishes the ultimate and current ability of the runway for heavier aircraft. It has not been discussed anywhere else, but possibly the runway should be relocated to facilitate flight away from power plant and its plumes.

Commissioner Housman indicated having personal experience with the turbulence coming out of Blythe Energy Project #1. It is a hazard to aviation within a normal approach. Mr. Downs had raised that issue in his correspondence of August 22, 2000 for further information suggested testing on the height of the plumes, obviously that was not done. In the minutes of September 21, 2000 page 15 and 16 has a testimony of Mr. Loafer where he down plays the issues of the plumes as though if there would never be a problem and states the plumes would not reached the approached altitude. Commissioner Housman then indicated that based on his experienced it was a misrepresentation of a material fact unknown whether it was negligence, reckless or intentional. Certainly everyone relied on that kind of information (evidence) and the plant was built, but now the City knows that information was incorrect they know this is a hazard. This raises a whole set of issues in the questioning from Commissioner Graff he asked if the other three sites had been looked at. The California Energy Commission responded negatively. The City of Blythe is not going to remove project #1 apparently project #2 will need to be included and the thing left to do is to mitigate it. Commissioner Housman indicated two ways to mitigate the problem first is that project

#2 is less orneriest on the runway approach than #1. and would ask that staff add to the recommendations a condition that unit #1 only operate when unit #2 has reached or exceeded 90% of its output, which would shift as much of that dangerous plume south of the runway as possible. The other thing is I will join staff and strongly urge that County of Riverside take a serious look at imposing the cost of moving that runway on to the companies that have built this unit and did not fully disclosed to the County the dangers of what they were doing. B.T. Miller indicated for clarification that the last recommendation would be directed to County by staff as oppose to a letter of recommendation. Mr. Downs indicated that the status of the airport is leased from the County and the City of Blythe operates the airport and is expected to take it over soon. Vice Chairman Hogan concurred with Commissioner Housman mitigation, but maybe the ultimate solution would be to relocate the runway completely.

**ACTION TAKEN:** Commissioner Housman made a motion for staff to communicate to the City of Blythe the continued concerned of the Commission and also the way to mitigate the problem is the short term to modulate how they use in the long term. Alternate Stephens seconded the motion. Motion carried unanimously.

VII. ADMINISTRATIVE ITEMS

A. Member Status

Keith Downs indicated that a resume from Mr. McCall was distributed to the Commission to consider as an alternate for the ones that have not yet appointed one.

A. ALUP Meeting Schedule and Location

Keith Downs indicated that hearings will be schedule as of now for August 12, 2004. All Commissioners should have received a copy of the plan. It is not available online as of now should be fairly soon. A report of the number of visitors on the website has been distributed to the Commission.

B. ALUCP Update

Mr. Downs indicated that brochures were distributed of the Jacqueline Cochran Regional Airport formerly Thermal and still located in Thermal. The initial studies for both Hemet/Ryan and Jaqueline Cochran maybe out soon, no change on Chino Airport at this time.

C. MARB Status

Mr. Downs indicated that funding would probably run out approximately around the hearing date. Chino has verbally agreed to apply matching funds, which is about 10%. The County is interested in funding a loan if Caltrans commits as a pay back.

VIII. ORAL COMMUNICATION FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA.

None

IX. COMMISSIONER'S COMMENTS

X. Adjournment: Chairman Stephens adjourned the meeting at 11:10 A.M.  
NEXT REGULARLY SCHEDULED MEETING: July 15, 2004 at 9:00 a.m., Riverside