

AIRPORT LAND USE COMMISSION

Riverside County Administration Center
4080 Lemon St., Board Chambers (1st Floor)
Riverside, California

THURSDAY, April 14, 2005
9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on April 14, 2005 at the Riverside County Administration Center, Board Chambers.

COMMISSIONERS PRESENT: Ric Stephens, Chairman
Dave Hogan, Vice Chairman
Simon Housman
Mark Lightsey
Arthur Butler
Lori Van Ardsdale, Alternate
Kathy Rohm, Alternate

COMMISSIONERS ABSENT: Sam Pratt
Marge Tandy
Jon Goldenbaum

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

OTHERS PRESENT: Paul Depalatis
Dennis Martin
Bob Diehl
Sherry Kelly
Michael Jagels
Deborah Jagels
Craig Heaps
April Durell
Carah Durell
Nasija Durell

- I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Chairman Stephens.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR: February 10, 2005 and March 10, 2005

February 10, 2005: Due to the minutes not being available Chairman Stephens continued the minutes to the next scheduled hearing.

March 10, 2005: Chairman Stephens called for questions from the Commissioners. B.T. Miller indicated changes on the administrative items under Muzzy vs Solano were distributed to the secretary. Hearing no further comments Chairman Stephens called for a motion to be set.

ACTION TAKEN: Vice Chairman Hogan made a motion to approve the minutes. Alternate Van Ardsdale seconded the motion. Motion carried unanimously.

***CONSENT ITEMS:**

Keith Downs opened the consent items schedule for 9:00 a.m.

Keith Downs indicated the consent items as well as continued items would be voted for consistency/continuance unless any of the Commissioners or any one from the audience has questions on an item. The item will be pulled and addressed separately, otherwise it will be voted as one and no further discussion will be made.

Consent items as follows; FV-05-102 T&B Planning, BD-05-107 Dennis Martin, RI-05-105 Vivian Black, RI-05-106 Craig Heaps, MA-05-108 Carter Redish, MA-05-109 Canty Engineering, HR-05-102 Jagels Development, TH-05-101 Warner Engineering

Continued items: FV-05-103 Inland Empire Development Services and RI-05-104 Mike Brown .

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

ACTION TAKEN: Vice Chairman Hogan made a motion for consistency for the consent and continuance for the continued items listed above, subject to staff conditions of approval and recommendation. Commissioner Butler seconded the motion. Motion carried unanimously.

V. OLD BUSINESS

FRENCH VALLEY AIRPORT

9:00 A.M.

- A. FV-05-100 – City of Temecula – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations

CASE NUMBER: FV-05-100 – City of Temecula
APPROVING JURISDICTION: City of Temecula
JURISDICTION CASE NO: General Plan Update

PROJECT DESCRIPTION:

2004 Temecula General Plan Update. The General Plan is the comprehensive planning document that provides guidelines for growth and land-use related decisions made by the City, expresses the community's goals with respect to both the human-made and natural environment, and sets forth the policies and implementation measures to ensure the safety and welfare of those who live, work, and do business in the City of Temecula. This review does not include the EIR or any other associated documents.

PROJECT LOCATION:

All incorporated and unincorporated area within the Adopted Influence Area (see Map Attached) of French Valley Airport.

BACKGROUND: The City filed their new General Plan effective February 2005. We have drafted a contract with our consultant to review the proposal and that will not be available until April. Staff has included:

1. Copies of the letter from the City dated January 31, 2005,
2. The Caltrans letter dated December 29, 2004,
3. The Consistency Checklist from the adopted ALUCP (Appendix F), and
4. Response from the City staff regarding certain factors.
5. Report from Mead and Hunt regarding their review.

MAJOR ISSUES: Noise Element, Safety Element and Land Use Element Area Plans

Ken Brody from Mead and Hunt has completed his review of the plan and is attached. As you can see there are a few changes necessary to make the project consistent with the adopted ALUCP.

RECOMMENDATION: Staff recommends that the ALUC CONTINUE the proposal until the next meeting of May 12, 2005 in order for any changes to be incorporated.

Keith Downs indicated the review is only for the General Plan itself. Copies of Vice Chairman Hogan's proposed language and Ken Brody's editing of that proposed language have been distributed to the Commission.

Ken Brody came forward and indicated having communication back and forth via e-mail in terms of some of the language. One of the issues is the project referral aspect of it and secondly the compliance with the compatibility criteria in clarifying that language. The understanding is that the Plan has been adopted in speaking with Mr. Hogan this morning. Although he didn't have the opportunity to make the final editorial changes it might not change the view at this point with the language that was indicated on the April 6th e-mail arguing the General Plan be considered inconsistent. All that is needed is the editorial changes to correct the issue.

Vice Chairman Hogan indicated that the General Plan had a single policy initially that identified working with the Airport Land Use Commission around the airport and that's all it said. The issue raised was to make sure projects around the airport had ALUC review and staff felt the City should add a few other policies. It also stated that the General Plan should maintain a degree of compatibility with the airport plan and the measures or steps needed have been implemented. The City's General Plan is structured from a statement to policies and policies are implementation measures. These are the suggested clarifications that can be made without having to go back to the City Council. Ken Brody indicated that the other remaining issue is the distinctions of land within the current City limits and those in the sphere of influence. The

understanding is that it reflects what's in the County's General Plan. There are some conflicts in those areas or at least the recognition of the need to limit the land use intensities. Vice Chairman Hogan interjected that interface with the County's Planning process has always been a challenge. The City's feeling is that by the time it is annexed most of it would be built out, which means that it would not make sense for the City to reflect on their plan something that is not going to happen. The challenge in looking at the General Plan for other communities to differentiate the areas that are within the City's jurisdiction is something the City has 100% control over as opposed to the areas in the sphere of influence where to a certain degree the County controls.

Hearing no further comments Chairman Stephens called for questions from the Commissioners. Hearing no response Chairman Stephens opened the floor for comments from the audience, hearing no reply Chairman Stephens called for discussion from the Commissioners.

Chairman Stephens inquired about staff's recommendation.

Keith Downs indicated his recommendation is to find the item consistent, but rather than act today close the hearing for staff to bring findings back to the Commission for consideration.

Commissioner Housman indicated not being at a comfortable level with the City's General Plan. Commissioner Housman inquired about land uses in the General Plan being consistent with the ALUCP. Ken Brody responded positively and referred to the memo dated April 1st which indicates the two types of issues, one being residential type of uses where there is a need for limitations on intensity of use and secondly places residential development should be prohibited. Also the issue with the parallel runway, which is not reflected on the plan. All those concerns and conflicts are within the unincorporated sphere of influence of the City. Commissioner Housman inquired about the City's General Plan being based on the assumption that the 2nd runway is never built. Ken Brody responded that's what the County's General Plan states. Commissioner Housman indicated that by finding the City's General Plan consistent the Commission is agreeing that the 2nd runway is never built. Keith Downs interjected indicating that a Plan can be adopted without showing certain information, but with subsequent language recognizing the Comprehensive Land Use Plan. When referred to the Comprehensive Land Use Plan it would show the 2nd runway, therefore it would override the General Plan. Alternate Van Ardsdale inquired if language recognizing the ALUCP was added to the City's General Plan. Vice Chairman Hogan responded positively. Commissioner Housman proposed to close the hearing and for staff's findings to make clear reference of the 2nd runway in the ALUCP. Vice Chairman Hogan indicated the final version of the Compatibility Plan for French Valley Airport will be included in the land use zones.

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

ACTION TAKEN: Commissioner Housman made a motion to close the hearing and direct staff to draft findings. Vice Chairman Hogan seconded the motion. Motion carried unanimously.

REGIONAL

9:00 A.M.

- B. RG-04-100 and TH-04-102 Jacqueline Cochran Regional – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: RG-04-100 and TH-04-102 Jacqueline Cochran Regional
APPROVING JURISDICTION: Riverside County Airport Land Use Commission
PROJECT DESCRIPTION:

An update to the 1991 Comprehensive Land Use Plans (CLUP) for Jacqueline Cochran Regional (Thermal) Airport. Jurisdictions affected are: the cities of La Quinta and Coachella: and the County of Riverside and any special district within that Influence Area.

PROJECT LOCATION:

All areas within the Draft Airport Influence Area (see Map Attached)

BACKGROUND: *The ALUC contracted with the consulting firm of Mead and Hunt to prepare the ALUCP in June of 2002. The ALUC held a workshop for the plan in March in Indio and Riverside. The consultants has met with the affected airport and land use jurisdictions and obtained each of their general plan and zoning ordinances. Our consultant has reviewed the proposal against each of those plans and the review is attached and was sent to the local jurisdictions in early January.*

MAJOR ISSUES: Noise Element, Community Plans and Land Use Element Area Plans

RECOMMENDATION: *Staff recommends that; the ALUC take testimony from the jurisdictions and the public, close the hearing or continue to hold the hearing open until the next meeting of May 10, 2005, direct staff and the consultant to review any responses from the Cities and County, to respond to those comments, and prepare a Resolution for adoption.*

April 14, 2005: *At the February meeting there was testimony and a letter submitted (see attached) from a representative from the Kohl Ranch (SP313) requesting that the g Specific plan be recognized as an 'existing land use'. The consultant's response is attached.*

The Commission requested that the representative return with specific on site changes, but none were received as of April 1st. At the February hearing there was no testimony from any of the local jurisdictions. The staff has endeavored to make additional contact with the two cities and County.

Keith Downs indicated the County of Riverside Aviation Division has requested a continuance. Staff Reports where mailed to City of La Quinta, Coachella, County of Riverside and Kohl Ranch back in January. At the last meeting there was testimony from Emily Hemphill requesting exemption language into the introduction of the text. Mr. Downs then illustrated a correction made on the map. B.T. Miller indicated Kohl Ranch's Counsel is seeking some language that would exempt Kohl Ranch from review. Keith Downs interjected indicating it is being done through previous ALUC approvals back in 1997 and 2002, which were consistent with the CLUP.

Hearing no further comments Chairman Stephens called for questions from the Commissioners, hearing no response he called for a motion to be set.

ACTION TAKEN: Alternate Van Ardsdale made a motion of continuance to May 12th, subject to staff's recommendations. Vice Chairman Hogan seconded the motion. Motion carried unanimously.

- C. BD-05-105 and BD-05-108 – Rillington Communities – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: BD-05-105 and BD-05-108 – Rillington Communities
APPROVING JURISDICTION: City of Indio
JURISDICTION CASE NO.: Tract Map 33239, Master Plan and Mitigated Negative Declaration

PROJECT DESCRIPTION:

The project is a Tract Map, Project Master Plan and Mitigated Negative Declaration for 149 residential lots and 1 commercial lot on 54.47 acres.

PROJECT LOCATION:

The site is located at the northwest intersection of Burr St. and Varner Road in the City of Indio, from approximately 1,500 to 3,200 ft. east of Runway 10-28 at the Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport

Land Use Policy: RCALUCP (Adopted Dec. 2004)
 a. Airport Influence Area: Zone B1, B2, C and D
 b. Noise Levels: Partially Within 55 dB CNEL

MAJOR ISSUES:

LAND USE: The proposal is a 54.47-acre project consisting of 149 residential lots on 42.67 acres and one commercial lot on 11.3 acres. The proposal is within Zone B1, B2, C and D of the Airport Influence Area. As shown on the attached Compatibility Factors Map, the northerly portion of the site is located within Zone D, and the southern portion is within Zones B1, B2 and C. Based on information submitted by the applicant, the residential lots are located almost entirely within Zone D. A retention basin lot and two recreation/retention lots are located within Zone C, Zone B2 and Zone D. An area identified as future/commercial office property is shown on the south end of the site within Zone B1 and Zone C. **The Project Master Plan (PMP) submitted by the applicant includes a description and analysis of the proposed commercial/office area.**

The proposed residential density for the development, excluding streets, retention basins and recreation areas/open space is 5.3 units per acre. The proposed structural coverage for the residential lots will not exceed 60% of the net area. Zone D allows residential density less than or equal to .2 units per acre or greater than or equal to 5 units per acre. Zone D allows an average parcel size of 5 acres or larger.

The maximum building coverage proposed for office or retail commercial uses is 35%. The applicant's project master plan and commercial/office conceptual site plan places most of the proposed structures within Zone C, with an anticipated maximum density of 1,010 for the commercial/office area. For commercial property, Zone B1 allows up to 70% lot coverage and an average density of 25 persons per acre. Zone C allows 80% lot coverage and an average density of 75 persons per acre. Prohibited uses within Zone B1 include children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, above ground storage of hazardous materials and buildings with more than

two above-ground habitable floors. The prohibited uses within Zones B1 and Zone C are listed in section 4.4 and Table 4-6 of the Project Master Plan.

NOISE: The site is outside of the 55 CNEL however, the site will be subject to aircraft noise of some annoyance.

*PART 77: The highest elevation at the site is 78 MSL and **the tallest structure is not expected to exceed 2 stories or 35 ft., excluding incidental architectural features.** The airport elevation is 73 MSL. Structures exceeding a height of 35 feet in Zone B1 and B2, 70 feet in Zone C and D, or of a height exceeding a 100:1 slope from the end of the runway require FAA review. At a 100:1 slope from the runway to the west end of the site, structures exceeding 88 MSL in elevation would require FAA 7460 review.*

Other: The recreation/retention areas and retention basin are nearly two acres in total area, and necessitate a close review for waterfowl attractants that could endanger aircraft approach in the future. The applicant will need to obtain a USDA Wildlife Services review of the retention basins within the project.

A staff report for review of Tract Map 33239, under ALUC Case #BD-05-105, was submitted during the March 10, 2005 ALUC meeting. The applicant requested a continuance of this item from the March 10, 2005 meeting in order to obtain concurrent review of the Project Master Plan and Mitigated Negative Declaration with the Tract Map.

Conclusion: The proposal as submitted appears to be generally consistent with the Riverside County Airport Land Use Compatibility Plan (RCALUCP) for Bermuda Dunes Airport, subject to certain conditions.

RECOMMENDATION: Staff recommends a finding consistency of the project with the Riverside County Airport Land Use Compatibility Plan for Bermuda Dunes Airport, subject to the Conditions outlined below.

CONDITIONS:

1. Provide Avigation Easements to the Bermuda Dunes Airport.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area.

consultation with the airport operator'. Commissioner Housman amended his motion to read; 'the analysis of the retention basin shall be submitted to the local jurisdiction, which in consultation of the airport operator will evaluate the amount of time standing water will be present in the retention basins and the potential of the retention basin to be a wildlife attractant'. Alternate Van Ardsdale expressed her concern of causing a burden onto the Cities.

ACTION TAKEN: Commissioner Housman made a motion of consistency with the amendment of condition #6 to read; 'the analysis of the retention basin shall be submitted to the local jurisdiction, which in consultation of the airport operator will evaluate the amount of time standing water will be present in the retention basins and the potential of the retention basin to be a wildlife attractant'. Vice Chairman Hogan seconded the motion.

OPPOSITIONS: Chairman Stephens, Alternate Van Ardsdale and Commissioner Lightsey

Mr. De Palatis concurred with Commissioner Housman regarding the retention basins not being wildlife attractants and encouraged the Commission to considered making a new policy for the desert.

VI. NEW BUSINESS

FRENCH VALLEY AIRPORT

9:00 A.M.

A. FV-05-102 – T&B Planning – Consent item see page 2

CASE NUMBER: FV-02-102 – T&B Consultants
APPROVING JURISDICTION: City of Murrieta
JURISDICTION CASE NO.: TM 32543
PROJECT DESCRIPTION:

Tract Map to subdivide 457.7 acres into 1,034 residential lots and open space and park facilities.

PROJECT LOCATION:

The site is located north of the airport entry Road and west of Winchester Road in the City of Murrieta approximately 3-8,000 ft., west of Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

*Adjacent Airport: French Valley
a. Airport Influence Area: Zones D and E
b. Noise Levels: Outside of 55 CNEL*

MAJOR ISSUES:

Land Use: *The proposal is for a Tract Map to subdivide 457 acres into 1,034 residential lots. Zone E allows any density. Zone D requires more than 5 units per acre*

Part 77: The building pad elevations on the property range from 1,280 to 1,320 MSL and the structures are not expected to exceed 30 feet. The horizontal surface is at 1,500 MSL and the runway elevation is 1,347 MSL at the north end. Structures exceeding 1,380 MSL in elevation will require FAA 7460 review. The highest point on the parcel is at 1,510 MSL

Noise: The site will get some over flight, but is outside of the current and near future 55 CNEL.

Conclusion: The proposal is consistent with the French Valley Airport Land Use Compatibility Plan subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements/Deed Notices 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.
2. The attached Notice shall be given to each prospective buyer or tenant.
3. No obstruction of the "FAR Part 77 Conical 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. An FAA 7460 review shall be completed for any structure exceeding 1,410 MSL

RECOMMENDATION: Staff recommends a finding of consistency with the French Valley Airport Land Use Compatibility Plan on this project subject to the conditions of approval noted above.

B. FV-05-103 – Inland Empire Development Services – Continued item see page 2

CASE NUMBER: FV-05-103 – Inland Empire Development Services
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: Plot Plan 20375

PROJECT DESCRIPTION:

A plot plan for a drive-thru restaurant.

PROJECT LOCATION:

The site is located east of Briggs Rd., north of Benton Rd. in the County of Riverside approximately 2,800 ft. north of Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

<i>Adjacent Airport:</i>	<i>French Valley</i>
<i>a. Airport Influence Area:</i>	<i>Zone B1</i>
<i>b. Noise Levels:</i>	<i>Inside of 55 CNEL</i>

MAJOR ISSUES:

Land Use: *The proposal is for a drive-thru restaurant consisting of 3,183 sq. ft. on 1.07 net acres. The project is located in Zone B1. Zone B1 allows an average site density of 25 persons per acre. Based on the proposed number of parking spaces the estimated maximum density is 100 persons divided by 1.07 acres (net), or 93 persons per acre. If the gross acreage of 1.5 acres is used, the estimated maximum density is 67 persons per acre. Using the UBC method the total people expected would be 3,183 sq. ft. divided by 15 sq. ft. per occupant times 50% divided by 1.07 acres (net), or 114 persons per acre. The estimated density based on gross acreage would be 70 persons per acre. The project is inconsistent with the density standards for Zone B1.*

Part 77: *The finished floor elevation of the building is 1,345 MSL and the height of the structure is approximately 24 feet. The horizontal surface is at 1,500 MSL and the runway elevation is 1,347 SL at the north end. Based on the height standards for Zone B1 and the distance of the site from the runway, structures exceeding 35 ft. or 1,375 MSL in elevation require FAA 7460 review.*

Noise: *The site will get significant overflight, and is inside of the current and near future 55 CNEL.*

RECOMMENDATION: *That the ALUC find the project Inconsistent with the ALUCP for French Valley Airport based on the proposed density.*

CONDITIONS for the County to use for an override in accordance with PUC 21675.1:

1. *Provide Avigation Easements/Deed Notices 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.*
2. *The attached Notice shall be given to each prospective buyer or tenant.*
3. *No obstruction of the "FAR Part 77 Conical 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.

BERMUDA DUNES AIRPORT

9:00 A.M.

C. BD-05-106 – Robert Ricciardi Architect – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: BD-05-106 – Robert Ricciardi, Architect
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: Plot Plan 19953

PROJECT DESCRIPTION:

The project is a plot plan for a 7,740 sq. ft. industrial building on approximately .75 acres.

PROJECT LOCATION:

The site is located south of Country Club Drive, west of 42nd Street in the County of Riverside, approximately 100 to 150 ft. north of Runway 10-28 at the Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport

Land Use Policy: RCALUCP (Adopted Dec. 2004)
 a. Airport Influence Area: Zone A and B2, within the approach surface
 b. Noise Levels: Inside 70 dB CNEL

MAJOR ISSUES:

LAND USE: The proposal is a plot plan for an industrial building/sheet metal fabrication plant consisting of 7,740 sq. ft. on .75 acres. The proposal is within Zones A and B2. Zone A allows no obstructions, however, the building is placed away from the runway. The proposal is consistent with allowed uses within Zones A and B2 subject to noise and height restrictions.

NOISE: The proposal is within 70 CNEL as indicated by the 2003 Existing Noise Impacts Data for Bermuda Dunes Airport. The industrial use is acceptable in that noise category if noise reduction measures are utilized for any office portion of the building. That may require more than normal construction, which only attenuates about 20dB.

PART 77: Part 77 approach profiles overlie the property. The highest elevation at the site is approximately 52.4 MSL. The airport elevation is 73 MSL. Structures exceeding 70 feet in height or of a height exceeding a 100:1 slope from the end of the runway require FAA review. The height of the structure is 24 ft. An application for an FAA 7460 review of the proposed building has been submitted by the applicant to the FAA. As of the date of this staff report (04/04/05), the applicants are waiting for a response from the FAA.

RECOMMENDATION: Staff would recommend that the proposal be continued to the May 2005 ALUC meeting in order to receive the FAA 7460 review.

CONDITIONS:

1. Provide Avigation Easements to the Bermuda Dunes Airport.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract 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.
4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.

Hearing no further comments Chairman Stephens called for questions from Staff, hearing no response Chairman Stephens called for the applicant to come forward and present the case, hearing no reply he called for a motion to be set.

ACTION TAKEN: Commissioner Housman made a motion of continuance, subject to staff's conditions of approval and recommendation. Alternate Van Ardsdale seconded the motion. Motion carried unanimously.

D. BD- 05-107 – Dennis A. Martin – Consent item see page 2

CASE NUMBER:	<u>BD-05-107 – Dennis A. Martin</u>
APPROVING JURISDICTION:	County of Riverside
JURISDICTION CASE NO.:	Tract Map 32671

PROJECT DESCRIPTION:

The project is a Tract Map and Change of Zone for 21 residential units on 5.63 acres.

PROJECT LOCATION:

The site is located north of Darby Road, west of Starlight Lane within the County of Riverside, approximately 4,800 ft. southwest of Runway 10-28 at the Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport

Land Use Policy: RCALUCP (Adopted Dec. 2004)

a. Airport Influence Area:

Zone E

b. Noise Levels:

Partially Within 55 dB CNEL

MAJOR ISSUES:

LAND USE: The project is a Tract Map and Change of Zone for 21 residential units (10 duplex buildings and 1 single-family residence) on 5.63 acres. The proposal is within Zone E of the Airport Influence Area.

The proposed residential density for the development, excluding streets and common lots (open space and 100-year ponded water areas) is 11.9 units per acre. The proposed structural coverage for the residential lots will not exceed 30% of the area. Zone E has no residential density limit.

NOISE: The site is outside of the 55 CNEL noise contour, however, the site will be subject to aircraft noise of some annoyance.

PART 77: The highest elevation at the site is 80 MSL and the tallest structure is not expected to exceed 21 ft. The airport elevation is 73 MSL. Structures exceeding a height of 100 feet in Zone E, or of a height exceeding a 100:1 slope from the end of the runway require FAA review. Part 77 obstruction criteria is not a concern.

Other: The common lots include two 100-year ponded water areas, and necessitate a close review for waterfowl attractants that could endanger aircraft approach in the future. The applicant will need to obtain a USDA Wildlife Services review of the ponded water areas within the project.

RECOMMENDATION: Staff recommends a finding consistency of the project with the Riverside County Airport Land Use Compatibility Plan for Bermuda Dunes Airport, subject to the Conditions outlined below.

CONDITIONS:

1. Provide Avigation Easements to the Bermuda Dunes Airport.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white,

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

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract 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.
- 4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.
 - 5. Structures exceeding a 100:1 slope from the end of the runway require FAA 7460 review.
 - 6. An analysis of the ponded water areas shall be submitted to USDA Wildlife Services, and any conditions required by the USDA Wildlife letter shall be accomplished by the project.

RIVERSIDE MUNICIPAL AIRPORT

9:00 A.M.

F. RI-05-104 – Mike Brown – Continued item see page 2

CASE NUMBER: RI-05-104 Mike Brown
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: Plot Plan and Parcel Map 31398

PROJECT DESCRIPTION:

A Parcel Map for 14 lots with 43,656 sq. ft. of buildings and structures on a 2.36 (net) acre lot north of the airport.

PROJECT LOCATION:

The site is located at 7085 and 7095 Jurupa Avenue, east of Payton Avenue within the City of Riverside, from approximately 2,000-3,600 ft. north of Runway 16-34 at the Riverside Municipal Airport and approximately 1,200 feet west of the extended centerline.

Adjacent Airport: Riverside Municipal Airport
a. Airport Influence Area: B-1
b. Noise Levels: Inside 55 CNEL

MAJOR ISSUES:

Land Use: The proposed site is located approximately 2,000-2,600 ft., north of Runway 16 at elevation ranging from ???MSL to ??? MSL. At the runway centerline the elevation is proposed

to be 825-835 MSL where the 20/1 approach surface is at 850 MSL. The site is located within the Inner Approach and Departure ZONE B-1 of the Riverside Municipal Airport Land Use Compatibility Plan. The proposal is for approximately 43,656 sq. ft., buildings and on an existing vacant lot. Zone B-1 has population limits of 25 people per acre assigned, and has a lot open land standard of 30% of the gross. Structural coverage for the site, including proposed structures would be less than 42% of the net area.

With 99 parking spaces the expected density would be 58.people/acre, which exceeds the zone allowance of 25/acre. Utilizing the UBC method the total people expected would be 40/acre.

Parking: 99 spaces provided x 1.5 = 149 people divided by 2.54 (gross) acres = 58/ acre.

UBC: Warehousing = 47 people, Offices = 117 people and manufacturing = 38 people for a total of 202 people dived by 2.54 acres = 80/ acre x 50 % = 40/ acre.

Part 77: The height of the structure is approximately 28 feet at the top of the structures. The site is under the transitional and approach surface (966 MSL) at this location. The elevation at the north end of Runway 16-34 is 771 MSL. Any structure over 791 MSL at this location would need an FAA 7460 review.

Noise: The site is inside of the 55CNEL contour for the airport.

CONDITIONS for the City to use for an override in accordance with PUC 21675.1

1. Provide Avigation Easements to Riverside Municipal Airport (951-351-6113).
2. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor_or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. The Federal Aviation Administration shall conduct a Form 7460 review, unless that agency determines in writing that such a review is not required or not applicable.
5. Obstruction lighting and marking shall be place upon all towers and power lines that exceed the obstruction standards of PART 77.

RECOMMENDATION: That the ALUC find the project Inconsistent with the ALUCP for the Riverside Municipal Airport Land Use Compatibility Plan due to the density of t the project.

G. RI-05-105 – Vivian Black – Consent item see page 2

CASE NUMBER: RI-05-105– Vivian Black
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: CUP P05-0169

PROJECT DESCRIPTION:

A conditional use permit for a discount mall.

PROJECT LOCATION:

The site is located at 5700 Van Buren Blvd., south of Arlington Avenue, within the City of Riverside, approximately 3,200 ft. southwest of Runway 16-34 at the Riverside Municipal Airport.

Adjacent Airport: Riverside Municipal Airport
a. Airport Influence Area: Zone D
b. Noise Levels: Outside 55 CNEL

MAJOR ISSUES:

Land Use: The proposed site is located approximately 3,200 ft. southwest of Runway 16-34. The proposal is within Zone D of the Riverside Municipal Airport Influence Area. The proposal is a conditional use permit for a discount mall within an existing 20,160 sq. ft. structure. Zone D allows up to 90% lot coverage. The proposed use is consistent with allowed land uses within this area contingent upon noise and height issues.

Part 77: The highest elevation at the site is approximately 739 MSL feet and the structure height of does not exceed 35 feet. The site is under the horizontal surface at this location, which is approximately 966 MSL. The elevation at the south end of Runway 16-34 is 747 MSL. Part 77 obstruction criterion is not a concern.

Noise: The site is outside of the 55 CNEL contour for the airport. The proposed use is an acceptable use with the appropriate mitigation for noise.

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

CONDITIONS:

1. Provide Deed Notification or Avigation Easements to Riverside Municipal Airport (951-351-6113).
2. Incorporate noise attenuation measures into the office portions of the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. The attached notice shall be given to all prospective buyers or tenants.

H. RI-05-106 – Craig Heaps – Consent item see page 2

CASE NUMBER: RI-05-106 Craig Heaps
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: Tract Map 33260, GPA 7009 & CZ 7009

PROJECT DESCRIPTION:

A Tract Map for 479 senior housing units lots on approximately 25.72 gross acres.

PROJECT LOCATION:

The site is located north of Limonite Blvd., east of Pedley Rd. within the County of Riverside, from approximately 10,000 to 11,000 ft. north of Runway 16-34 at the Riverside Municipal Airport.

LAND USE PLAN:

Adjacent Airport: Riverside Municipal
a. Airport Influence Area: Zone E
b. Noise Levels: Outside of 55 CNEL

MAJOR ISSUES:

Land Use: The proposal is for a Tract Map for 479 residences on approximately 25.72 gross acres. As shown on the attached Compatibility Factors Map, the site is located within Zone E. Zone E allows any density. The proposed residential density for the entire development, excluding streets and open space is 18.2 units per acre.

Part 77: The building pad elevations on the property range from 742 MSL at the south end to 811 MSL at the north end of the site, and the structures are not expected to exceed 36 feet. The highest point on the parcel is at 910 MSL. The horizontal surface is at 965 MSL and the runway elevation is 772 MSL at the north end. Structures exceeding 100 feet in height require FAA review. At a 100:1 slope from the runway to the south end of the site, structures exceeding 1,454 MSL in elevation would require FAA 7460 review.

Noise: *The site will get some over flight, but is outside of the current and near future 55 CNEL.*

Conclusion: The proposal is consistent with the Riverside Municipal Airport Land Use Compatibility Plan.

RECOMMENDATION: Staff recommends a finding of consistency of the project with the Riverside Municipal Airport Land Use Compatibility Plan, subject to the Conditions listed below.

CONDITIONS:

1. Provide deed notices/ avigation easements to the Riverside Municipal 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.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45 CNEL-decibel levels.
3. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).

4. *The 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.*
5. *No obstruction of the "FAR Part 77 Conical Surface" shall be permitted. An FAA 7460 review shall be completed for any structure of a height exceeding 100*
6. *The attached Notice shall be given to each prospective buyer or tenant.*

MARCH AIR RESERVE BASE

9:00 A.M.

I. MA-05-108 – Carter Redish – Consent item 2

CASE NUMBER: MA-05-108-Carter Redish
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: PA 05-0127/0128

PROJECT DESCRIPTION:

Two industrial buildings consisting of 336,000 sq. ft. on 17.77 acres.

PROJECT LOCATION:

The site is located south of Eastridge Avenue and west of Sycamore Canyon Blvd. within the City of Riverside, approximately 13,800 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 Areas I and 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 13-14,000 feet northwest of Runway 14-32. The proposal is under a major approach and departure track. The proposal consists of three industrial buildings totaling 336,000 sq. ft. on 17.77 acres. Specific information on the type of industrial uses at the facility 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. Area I allow industrial uses but prohibit certain high-risk land uses. Those uses are listed in the attached Appendix B to the Riverside County Airport Land Use Plan.

Density and Coverage: The area of the proposed structures is 336,000 sq. ft., which is less than 40% of the area.

Part 77: The highest elevation on the proposed site is 1,528 MSL feet and the height of the tallest building is approximately 38 ft. The runway elevation at the north end is 1,535 MSL. In order to be an obstruction, a structure would need to exceed 1,658 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 1998 AICUZ indicated the property to be within 65 CNEL. Previous AICUZ reports indicated the property to be within 75 CNEL.

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

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 avigation 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.*
7. *Use listed on attached Appendix B shall not be allowed.*

J. MA-05-109 – Canty Engineering – Consent item see page 2

CASE NUMBER: MA-05-109 Canty Engineering
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: PM 33375

PROJECT DESCRIPTION:

A parcel map to subdivide a 1.58 acre parcel into four residential lots.

PROJECT LOCATION:

The site is located at the southeast end of Copperfield Avenue, within the City of Riverside, approximately 34,000 ft. west of Runway 14/32 at March Air Reserve Base.

Adjacent Airport: March Air Reserve Base/March Inland Port

- a. *Airport Influence Area: Within Area of Influence Study Area*
- b. *Land Use Policy: Influence Area III*
- c. *Noise Levels: See Below*

BACKGROUND:

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

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

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and it was consequently never adopted.

Since we have not adopted an updated ALUCP for MARB, 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 ALUCP for Riverside County
4. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base

MAJOR ISSUES:

Land Use: The proposal is to subdivide a 1.58-acre lot into four residential lots. The proposed site is located approximately 34,000 ft. west of Runway 14/32. The proposal is within the outer horizontal surface.

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 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: The lot area is approximately 1.58 acres (net) for Parcel 1. The area of the structures is unknown, however, structural coverage is expected to be less than 20% of the net area.

Part 77: The finished floor elevation of the structure is approximately 1,008 MSL feet and the height of the structure is approximately 35 ft. The horizontal surface elevation is 2,088 MSL and the runway elevation is 1535 MSL at the north end. Part 77 obstruction criteria is not a concern.

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be less than 55 CNEL.

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. *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 given to all prospective buyers or tenants.*

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

HEMET/RYAN AIRPORT

9:00 A.M.

- K. HR-05-102 – Jagels Development – Consent item see page 2

CASE NUMBER: HR-05-102-Jagels Development
APPROVING JURISDICTION: City of Hemet
JURISDICTION CASE NO: Change of Zone 05-5, GPA 05-5 and TM 33426

PROJECT DESCRIPTION:

A Change of Zone (from agriculture to R-1), General Plan Amendment and Tract Map for 125 single residential lots on 41.07 acres

PROJECT LOCATION:

The site is located north of Florida Avenue, east of Warren Road., within the City of Hemet, from approximately 5,800 to 7,600 feet north of the runway at Hemet/Ryan Airport.

Adjacent Airport: Hemet-Ryan Airport
Land Use Policy: CLUP 1989: Adopted by City of Hemet
a. Airport Influence Area: Area III, Area of Moderate Risk
b. Noise Levels: Outside 55CNEL, but subject to annoyance levels

MAJOR ISSUES:

LAND USE: The proposed site is located from approximately 5,800 to 7,600 feet north of the runway. The proposal is for R-1 single-family residential. The proposed site is within Area III (Area of Moderate Risk) of the Hemet-Ryan Airport Influence Area. Area III has no population density limits assigned to it, but requires a discretionary review for certain uses and mandatory review for all legislative cases.

NOISE: The site is near general traffic patterns for sailplane approaches and will experience some annoyance from over flying aircraft. The 1989 plan indicates that the area is outside of the 55CNEL.

PART 77. The runway elevation is 1,512 MSL. The highest elevation on the site is 1,518 MSL. Structures exceeding 1,570 MSL at the southeast end of the site would require FAA Review. Part 77 obstruction criterion is not a concern.

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 would be consistent with the plan.

RECOMMENDATION: Staff recommends a finding of consistency for the change of zone, general plan amendment, and tract map subject to the conditions noted below.

CONDITIONS: For the City to Utilize

1. Provide Avigation Easements to the operator of Hemet-Ryan Airport prior to any permits being issued or sale 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.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. No obstruction of the "FAR Part 77 Conical Surface" shall be permitted.
5. The attached notice shall be given to all prospective buyers and tenants.

L. TH-05-101 – Warner Engineering – Consent item see page2

CASE NUMBER: TH-05-101 Warner Engineering
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO: CZ 7006 and PM 32036

PROJECT DESCRIPTION: A Change of Zoning from R-A-20 to R-A and Parcel Map 32036 for four lots on 23.5 acres.

PROJECT LOCATION: The site is situated north of 57th Avenue and east of Fillmore St within the County of Riverside, approximately 7,000 feet east of Runway 17-35 at the Jacqueline Cochran Regional Airport.

Adjacent Airport: Jacqueline Cochran Regional Airport (Formerly Thermal Airport)
Land Use Policy: CLUP 1992: Thermal Airport
a. Airport Influence Area: Traffic Pattern Zone TPZ
b. Noise Levels: Outside current 55CNEL

MAJOR ISSUES:

LAND USE: The proposal is for a Change of Zone to allow mobile homes on four lots on 23.5 acres located approximately 8,000 ft. east of Runway 17-35 within the Traffic Pattern Zone of the Jacqueline Cochran Regional Airport Influence Area. The proposed use is an acceptable use contingent upon noise and height issues.

NOISE: The site is near a well-used traffic pattern and will experience annoyance from over flying aircraft.

PART 77. The highest elevation at the site is -113 MSL. The height of the proposed building is 12 ft. The north runway end is at -115 MSL. The site is located within the horizontal surface. Structures exceeding -45 MSL ft. at this location would require FAA 7460 review.

CONDITIONS:

1. Provide Aviation Easements to the Desert Resorts Airport prior to any development of the project, recordation of the map, or sale to an 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 (lights must be downward facing).
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. Above ground storage of flammable materials shall be prohibited.
 5. The Federal Aviation Administration shall conduct a Form 7460 review, unless that agency determines in writing that such a review is not required or not applicable.

RECOMMENDATION: Staff recommends that the Commission find the project consistent with the Thermal Airport Comprehensive Plan subject to the Conditions of Approval listed above.

VII. ADMINISTRATIVE ITEMS

A. ALUCP Update

Keith Downs indicated no change on the status for Chino Airport and Hemet Ryan Airport. Phase II funding has been received from Caltrans. New contract has been approved for additional services from Mead & Hunt (Ken Brody).

B. MARB Status: Review of Existing CLUP and proposal

Keith Downs indicated that an administrative draft developed by Ken Brody was distributed to the Commission as information and staff and cities are also reviewing it at this time.

C. Rules for ALUC

Keith Downs indicated the final version of the rules have been completed and if the Commission is comfortable staff will advertise and set them for public hearing. Commissioner Housman inquired on paragraph 1.5 under amendments requiring two-thirds vote, having seven members on the Commission it should state five-sevenths. A discussion ensued between the Commissioners regarding the voting process and agreed on the four-sevenths vote.

ACTION TAKEN: Commissioner Housman made a motion to change the voting process to four-sevenths and for staff to advertise.

D. Muzzy vs Solano

B.T. Miller indicated the Supreme Court has granted review of the Solano County's request of the Appellant Court's decision. As issues arise comments will be made to the Commission and he may request for the Commission's authority to participate on a court brief as necessary.

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

IX. COMMISSIONER'S COMMENTS
NONE

A. Election of Chairman and Vice Chairman

Chairman Stephens indicated the term is over for Chair and Vice Chair. Chairman Stephens then nominated Commissioner Housman for Chairman and Alternate Van Ardsdale for Vice Chairman effective May 12, 2005.

ACTION TAKEN: Vice Chairman Hogan made a motion to nominate Commissioner Housman as Chairman. Alternate Van Ardsdale seconded the motion.

Vice Chairman Hogan made a motion to nominate Alternate Van Ardsdale as Vice Chairman. Chairman Stephens seconded the motion.

- X. ADJOURNMENT: Chairman Stephens adjourned the meeting at 10:55 a.m.
NEXT REGULARLY SCHEDULED MEETING: May 12, 2005 at 9:00 a.m., Riverside.