

AIRPORT LAND USE COMMISSION

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

Thursday, November 10, 2005
9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on November 10, 2005 at the Riverside County Administration Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
David Bradley, Alternate
Charles Washington
Jon Goldenbaum
Rod Ballance
Arthur Butler

COMMISSIONERS ABSENT: Mark Lightsey
Lori Van Ardsdale, Vice Chairman

STAFF PRESENT: Keith Downs, Executive Director
B.T. Miller, Legal Counsel
Barbara Santos

OTHERS PRESENT: J. Scott Richards

I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Chairman Housman.

II. SALUTE TO THE FLAG

III. ROLL CALL was taken

IV. APPROVAL OF MINUTES FOR: November 10, 2005

ACTION TAKEN: Chairman Housman passed over minutes for October 13, 2005 (no minutes available).

V. OLD BUSINESS

RIVERSIDE MUNICIPAL AIRPORT

- A. RI-05-127 – Riverside Commercial Investors’s Inc. – CUP P05-0922, 23, & 24 for an industrial office complex, north or Arlington Avenue, on both sides of Airport Dr., within the City of Riverside.

PROJECT DESCRIPTION:

An industrial/office complex consisting of approximately 170,000 sq. ft. on 11.6 acres.

PROJECT LOCATION:

The site is located at the northeast and northwest corner of Arlington Avenue and Airport Drive within the City of Riverside, from approximately 300 to 800 ft. southeast of Runway 16-34 at Riverside Municipal Airport.

LAND USE PLAN:

Adjacent Airport:	Riverside Municipal Airport
a. Airport Influence Area:	Zone C, D and B1
b. Noise Levels:	Inside 55CNEL

MAJOR ISSUES:

LAND USE: The proposed site is located from approximately 300 to 800 feet southeast of Runway16-34 and 1,900 ft. south of Runway 9-27. The proposal is for an industrial office complex consisting of approximately 170,000 sq. ft. on 11.8 acres. The project site is within Zones C, D and B1. Based on the revised building layout and density information submitted by the applicant, Buildings 13, 14 and portions of Building 9, 10, 11 and 12 are within Zone B1. The applicant estimates the maximum occupancy of the buildings that fall within Zone B1 to be 98 persons on 4.9 acres, or 20 persons per acre. Two of the buildings (Building 13 and 14) are proposed for office use, and the remaining buildings are proposed for manufacturing. Based on the required number of parking spaces for the project (234), the estimated occupancy for the entire site is 351 persons, or 29 persons per acre. Based on the proposed number of parking spaces (492), the estimated occupancy is 738, or 64 persons per acre. The applicant estimates the maximum occupancy for the entire site is 500 persons, or 43 persons per acre. Zone B1 allows up to 70% lot coverage and an average density of up to 25 persons per acre, with allowable clustering on a single acre of up to 50 persons. Zone C allows up to 80% lot coverage and an average density of up to 75 persons per acre, with allowable clustering on a single acre of up to 150 persons. Zone D allows up to 90% lot coverage and an average density of 100 persons per acre, with allowable clustering on a single acre of up to 300 persons. Based on the applicant’s revised building layout and density estimates, the proposed use is an acceptable use subject to noise and height restrictions, provided the density limitations for Zones B1, C and D are not exceeded. This review applies only to the permits/ City of

Riverside case numbers listed in this staff report and the revised site plan submitted by the applicant dated September 27, 2005.

NOISE: The site will get significant overflight, and is inside 55CNEL.

PART 77. The highest elevation of any object or terrain on the site is 790 MSL and the highest structure height is approximately 31 ft. The runway elevation is 774 MSL. FAA 7460 review is required for structures exceeding 35 ft. in height or a 100:1 slope from the end of the runway. At a distance of 300 to 800 ft. from the runway, structures exceeding 777 MSL in elevation require FAA review.

Other: On October 13, 2005, the ALUC continued this item in order to allow the applicant to submit the FAA 7460-1 determination. The FAA determination letter has not been received by staff.

RECOMMENDATION: Staff recommends continuance of the case until the next ALUC meeting due to failure of the applicant to provide the FAA 7460-1 determination letter.

CONDITIONS: For the City to Utilize

1. Provide Avigation Easements to the operator of Riverside Municipal 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. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
4. Children's schools, hospitals, day care center, libraries and nursing homes are prohibited in Zones B1 and C. Above ground bulk storage of hazardous materials is prohibited in Zone B1.
5. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft

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

- c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
6. No obstruction of the “FAR Part 77 Conical Surface” shall be permitted. An FAA 7460-1 review shall be completed for any structure of a height that exceeds **777** MSL, or a 100:1 slope from the end of the runway and any conditions listed in the FAA determination letter shall be satisfied.
7. The attached notice shall be given to all prospective buyers and tenants.

Keith recommends continuance for Item A.

ACTION TAKEN: Charles Washington made a motion for continuance, Jon Goldenbaum seconded the motion, all in favor, opposed none.

FRENCH VALLEY AIRPORT

- B. **FV-05-110 – Winchester Road LLC** - CZ7180, PM33750 and SP00106A10 for a retail complex, north of Thompson Road and west of Winchester Road, within the County of Riverside.

PROJECT DESCRIPTION:

A mixed-use development consisting of retail, gas station, mini-storage and single family residential on 26 acres.

PROJECT LOCATION:

The site is located north of Thompson Road and west of Winchester Road within the County of Riverside, from approximately 6,000 to 8,000 feet northeast of the runway at French Valley Airport.

LAND USE PLAN:

Adjacent Airport:	French Valley Airport
a. Airport Influence Area:	Zone C, D
b. Noise Levels:	Outside 55CNEL

MAJOR ISSUES:

LAND USE AND DENSITY: The proposed site is located from approximately 6,000 to 8,000 feet northeast of the runway. The proposal is for a mixed-use development to include a retail center, gas station and mini storage on approximately 10.16 acres (Phase I and II), 11 single family residential units on 7 acres (Phase III), and 7.63 acres of open space.

The proposed residential use and retail buildings are located within Zone C. A small portion of the proposed mini storage is located within Zone D. Zone C allows up to 80% lot coverage and an average non-residential density of up to 75 persons per acre, with allowable clustering on a single acre of up to 150 persons. The maximum residential density within Zone C is .2 units per acre, or 5 acre minimum lot size. Zone D allows up to 90% lot coverage and an average density of 100 persons per acre, with allowable clustering on a single acre of up to 300 persons. Based on the required number of parking spaces, the estimated density for the retail/commercial area in Phase I and II is approximately 27 persons per acre. The residential density within Phase III is approximately 1.6 units per acre. The proposed retail/commercial density in Phase I and II is consistent with the non-residential density standards for Zones C and D, but the proposed residential density in Phase III is inconsistent with the residential density standards for Zone C.

NOISE: The site will get significant overflight, but is outside of the current and near future 55CNEL.

PART 77. The highest elevation of any structure or terrain on the site is 1,388.5 MSL and the runway elevation is 1347 MSL. The tallest proposed building on the site is 40 ft. An FAA 7460 review is required for structures exceeding a height of 70 ft. in Zones C and D, or a 100:1 slope from the end of the runway.

Other: On October 13, 2005 the ALUC continued this item in order to allow the applicant to provide information to support the applicant's testimony that the project meets the Special Conditions Section 3.3.6. of the Airport Land Use Compatibility Plan for French Valley Airport. The applicant has failed to provide such supporting information, and the additional information submitted by the applicant (dated November 1, 2005) does not satisfy this requirement.

RECOMMENDATION: Staff recommends a finding of inconsistency for the project, based on the proposed residential density with Zone C.

The following conditions should be utilized in the event the County plans to overrule the project. The use of these conditions will not make the project consistent.

CONDITIONS:

1. Provide Avigation Easements to the operator of French Valley 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. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
4. Children's schools, day care centers, libraries, hospitals, and nursing homes are prohibited in Zone C.
5. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, operations toward an aircraft engaged in an green, or amber colors associated with airport initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
6. Structures exceeding a height of 70 feet, or a 100:1 slope from the end of the runway require FAA 7460 review.
7. The attached notice shall be given to all prospective buyers and tenants.

Keith Downs indicated that staff recommends a finding of inconsistency for the project, based on the proposed residential density with Zone C. Major issue is whether the density of the residential is an infill. Applicant, J. Scott Richards presented exhibits to show that they do meet the criteria for infill.

Charles Washington question item #4. What is the surrounding and average density on the project? J. Scott Richards replied the average density is 12,000 square feet and the surrounding density is 8,000 square feet.

No comments by the commissioners

ACTION TAKEN: Charles Washington made a motion of consistency for project based on the residential density within Zone C. Rod Ballance seconded the motion finding the entire project consistent. Jon Goldenbaum voted no, balance of commissioners voted eye.

VI NEW BUSINESS

MARCH AIR RESERVE

- A. **MA-05-136 – MMI – Titan** – A 50 foot high cell tower, west of Perris Blvd., and south of Walnut St., within the City of Perris.

PROJECT DESCRIPTION:

A 50 ft. cellular antenna and equipment shelter.

PROJECT LOCATION:

The site is located west of Perris Blvd. and south of Walnut Ave., within the City of Perris, approximately 15,500 ft. southwest of Runway 14/32 at March Air Reserve Base.

Adjacent Airport: March Air Reserve Base/March Inland Port

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

BACKGROUND:

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

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect

the 1983 AICUZ. In 1998 and again in 2005 the AICUZ reports were redone to reflect the mission changes of the two Base Realignment.

We 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 the AICUZ Study: 1998 and 2005 March Air Reserve Base

MAJOR ISSUES:

Land Use: The proposal is for 50 ft. monopine cellular antenna and equipment shelter lease area. The proposed site is located approximately 15,500 ft. southwest of Runway 14/32. The proposal is near an approach and departure track and 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 II. The proposed use would be consistent with allowed uses within this area contingent upon noise and height issues.

Part 77: The highest elevation proposed at the site is approximately 1,456 MSL feet and the height of the antenna is approximately 50 ft. The elevation of the runway is 1,488 MSL. Structures exceeding 1,685 MSL at this location would require FAA review. In order to be an obstruction, a structure would need to exceed 2,088 MSL feet in elevation. Part 77 obstruction criteria are 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 inside the 60 CNEL. The proposed use is not a noise sensitive use.

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

CONDITIONS:

1. Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport. (Tel. 951- 656-7000)
2. Install hooded or shielded outdoor lighting measures into the building

construction to ensure that all light is below the horizontal plane.

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 attached Notice shall be given to each prospective buyer or tenant.

Keith Downs recommended a finding of consistency.

ACTION TAKEN: Commissioner Rod Ballance made a motion of consistency, Jon Goldenbaum seconded the motion, all in favor, all opposed none.

- B **.MA-05-138 – Robert Beers** – GPA 05-0390, Tract Map 33066 and Change of Zone 05-0391 from RR-A to R-6000 residential and public facilities for 49 lots on 18.6 acres, north of Orange Ave, east of Murrieta Road, within the City of Perris

PROJECT DESCRIPTION:

A GPA, Tract Map and Change of Zone from RR-A to Residential R-6,000 and Public Facilities and Tract Map for 49 single-family residential lots on 18.6 acres.

PROJECT LOCATION:

The site is situated north of Orange Avenue and east of Murrieta Rd. within the City of Perris, approximately 23,000 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 Study Area
b. Land Use Policy:	Influence Area II
c. Noise Levels:	60 CNEL

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. Airport Land Use Compatibility Plan: 2004
4. Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base and 2005

MAJOR ISSUES:

Land Use: The proposed site is located approximately 21,000-22,000 feet southeast of Runway 14-32. The proposal is for 49 single-family residential lots and one dedication for public facilities on 18.6+ acres. The existing site is vacant and zoned for residential/agriculture uses. The proposal is under the major flight track and within the approach surface.

The 1984 Plan places an emphasis upon the type of airport, type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area II, which has residential density restrictions of a minimum two and one half acre lots. The proposed land use would not be allowed within this area.

Density and Coverage: No structures are currently proposed, however, structural coverage is expected to be less than 20% of the net area.

Part 77: The highest elevation at this site is approximately 1,435 MSL feet. The runway elevation is 1,488 MSL at the south end. The height of the structures is unknown at this time, but likely to be less than 35 feet. Any structures over 1,698 MSL feet in elevation will require an FAA 7460 review. Any structures over 1,950 MSL feet in elevation would be an obstruction. Part 77 obstruction criteria is not a concern.

Noise: The site has been shown to have noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to be mostly within the 60 CNEL as does the 2005 AICUZ. ALUC policy is that no new residential be within the 60 CNEL.

RECOMMENDATION: Staff recommends a finding of INCONSISTENCY with the CLUP. If the City wishes to override the Commission as per PUC 21676(a) the following conditions should be utilized.

CONDITIONS:

1. Provide Avigation Easements/Deed Notice to March ARB/MIP prior to any permits being issued or sale to any entity exempt from the Subdivision Map Act. (951) 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 to assure than 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. The attached notice shall be given to all prospective buyers or tenants.

Keith Downs recommends a finding of inconsistency on all three items, GPA, Tract Map and Change of Zone.

ACTION TAKEN: Charles Washington motioned for inconsistency, Rod Ballance seconded the motion, all in favor, all opposed none. Motion carried unanimously.

VII. ADMINISTRATIVE ITEMS

a. School District Letter

BACKGROUND: AB 351 approved in 2003 made all school districts subject to the review by the ALUC effective January 1, 2004. Many school districts are seemingly not aware of the procedure and law. The attached letter was sent to all affected districts as per the Commissions direction.

RECOMMENDATION: Receive and File

Keith Downs indicated that he received 3 calls from, Elsinore, Temecula and Riverside Unified School District since the letter was sent.

b. ALUCP Update

BACKGROUND: Chino Airport: The status has changed. The San Bernardino airport staff has approved a contract for additional environmental work at the airport and it was completed and copies of the plan were given to the commissioner's at the last meeting. Your staff has asked that additional information be supplied and a response from the San Bernardino ALUC is available prior to the hearing by the Riverside County ALUC. A draft of the relevant factors has been prepared and staff met with the San Bernardino County airport's staff (July 27, 2005) for review and comment. Comments were received on October 3rd and the consultant has finished the background information at this time. It has been placed on the website at this time.

Phase II: Funding: Funding was exhausted from the original grant for the updates and we filed an application with Caltrans Aeronautics for phase II to complete the project that may be adequate to complete the contracted work.

Caltrans has released the (10% = \$50,000) retainer prior to completion of the project and all of the grant funds have been expended.

Hemet/Ryan Airport: The status is unchanged. A draft Master Plan has been completed and the initial study was sent out by the airport sponsor for comments and ultimate scheduling for the ALUC review after the comment period ended (September 15, 2004) and prior to any Board of Supervisor's hearing. The County has indicated that some individuals and the City of

Hemet and RCTC have requested that an EIR be prepared for the Hemet Master Plan. The County and City of Hemet have had discussion regarding adding the street replacements to the effort. After adoption of the Master Plan by the Board of Supervisors the update for this airport could go to hearing. A new alternative of an addition to the original plan of an extension to 6,000 feet may be added to the plan.

A contract amendment was negotiated for additional and continuing services with Mead and Hunt. The item was approved by the Board on April 5, 2005.

RECOMMENDATION: Information only

F. Proposed Amendment to Zone D

BACKGROUND: After adoption of the ALUCP in 2004 a few individual cases have come through the commission and a few cases approaching the commission have gross densities of less than the 5/units/gross acre, but because of either existing drainage facilities, easements or common open space have a net density of five or more per acre. The purpose of this minimum is to make sure that there is an urban or at least suburban density with the attendant noise associated rather than the large lot rural/suburban densities with the expected quieter environment.

RECOMMENDATION: The Commission initiated an amendment to the plan limited to changing the measurements for the five units/ acre from gross to net for Zone D. This would be scheduled at the December meeting and is the last opportunity for any changes this calendar year.

ACTION TAKEN: Chairman Housman motioned staff to schedule agenda (General Amendment) to next meeting, Charles Washington motioned to have dialog on next meeting, Rod Ballance seconded the motion. Motion carried unanimously.

VIII. ORAL COMMUNICATION FROM THE PUBLIC ON ANY ITEM ON THE AGENDA

NONE

IX. COMMISSIONER'S COMMENTS

Rod Ballance and Charles Washington give thanks to Keith Downs for reports, keeping dialog going and being responsive for returning calls.

X. EXECUTIVE SESSION: Conference with legal counsel regarding existing litigation (Government Code section 54956.9): Silverhawk Land & Acquisitions, LLC v. Riverside County Airport Land Use Commission et al. (Riverside Superior Court case no. RIC 431176).

The commission adjourned to Executive Session and returned with no action taken.

XI. ADJOURNMENT: Chairman Housman adjourned the meeting at 10:30 a.m.
NEXT REGULARLY SCHEDULED MEETING: December 8, 2005 at 9:00 a.m., Riverside.