

# AIRPORT LAND USE COMMISSION

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

**THURSDAY, October 13, 2005**  
**9:00 A.M.**

## MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on October 13, 2005 at the Riverside County Administration Center, Board Chambers.

COMMISSIONERS PRESENT: Charles Washington  
Mark Lightsey  
Arthur Butler  
Rod Ballance  
Kathy Rohm, Alternate

COMMISSIONERS ABSENT: Simon Housman, Chairman  
Lori Van Ardsdale, Vice Chairman  
Jon Goldenbaum

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

OTHERS PRESENT: Mark Kranenburg  
Bob Wales  
John Guerin  
Mr. Richards  
Bob Beers  
James Martin  
Tracy Nelson

Due to the Chairman and Vice Chairman not being present Commissioner Washington served as Chairman.

- I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Commissioner Washington.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR: September 15, 2005: Commissioner Washington called for corrections from the Commissioners and staff. Keith Downs made a correction under

staff present to reflect him being present. Hearing no further corrections Commissioner Washington called for a motion to be set.

**ACTION TAKEN:** Commissioner Butler made a motion to approve the minutes. Commissioner Lightsey seconded the motion.

**ABSTAINED:** Commissioner Washington

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

Keith Downs indicated item BD-05-114 being recommended for consistency and BD-05-106 be removed off calendar due to being on calendar for six months pending a 7460 review.

Keith Downs indicated if Commissioners or any one from the audience has questions on the above items the item will be pulled and addressed separately, otherwise it will be voted as one and no further discussion will be made.

Commissioner Washington called for questions from the Commissioners, hearing no response Commissioner Washington opened the floor for comments from the audience, hearing no reply he called for a motion to be set.

**ACTION TAKEN:** Commissioner Lightsey made a motion of consistency for the consent item and for the item above to be removed from calendar. Commissioner Butler seconded the motion. Motion carried unanimously.

V. OLD BUSINESS

**BERMUDA DUNES AIRPORT**

**9:00 A.M.**

A. BD-05-106 Robert Ricciardi Architect – Off calendar item see above

**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 42<sup>nd</sup> 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 (10/05/05), staff has not received the applicant's response from the FAA. It has been more than six months since the applicant submitted an application for this project to the ALUC for review.**

**RECOMMENDATION:** Staff would recommend that the proposal be continued to the October 13, 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 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.

**RIVERSIDE MUNICIPAL AIRPORT**

**9:00 A.M.**

- B. RI-05-127 – Riverside Commercial Investor’s Inc. – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** RI-05-127- Riverside Commercial Investor’s, Inc.  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO:** Conditional Use Permit P05-0922, 23 and 24

**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, approximately 700 - 800 ft. southeast of Runway 16-34 at Riverside Municipal Airport.

**LAND USE PLAN:**

Adjacent Airport: Riverside Municipal Airport  
a. Airport Influence Area: Zones 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 estimated that the maximum occupancy of the buildings within Zone B1 is 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 that 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 population 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 over flight, 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.**

**RECOMMENDATION:** Staff recommends a finding of consistency for the tract map subject to the conditions noted below.

**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.
  - a. 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.
  - b. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
6. The attached notice shall be given to all prospective buyers and tenants.
7. 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.

Beverly Coleman informed the Commissioner the applicant submitted a revised building layout that is acceptable.

Hearing no further comments Commissioner Washington called for questions from the Commissioners, hearing no response Commissioner Washington called for Mark Kranenburg to come forward.

Mark Kranenburg, Riverside Municipal Airport Director came forward in response to Commissioner Washington's invitation indicating being in favor of the project. The applicant has been working with the airport to meet the height requirements that are necessary for the runway and the approach clear zones. Mr. Kranenburg's concerns at the previous meeting were the extension poles for the parking lights being an obstruction to the runway. The applicant's representative Robert Wales suggested including lights on the buildings, which Mr. Kranenburg concurred with and requested it be reflected on the conditions. In regards to Part 77 anything within five miles of an airport requires a 7460 review. Due to the proposed project being extremely close to the runway it is important to have the results of the 7460 review to know how it would impact the runway.

Hearing no further comments Commissioner Washington called for questions from the Commissioners, hearing no response he called for Bob Wales to come forward.

Bob Wales, applicant's representative came forward in response to Commissioner Washington's invitation and concurred with conditions stated in the staff report. Also in regards to the Airport Director's concern it has been agreed upon no lighting thru poles will be placed in the westerly parking lot of the site.

Hearing no further comments Commissioner Washington called for questions from the Commissioners, hearing no reply he called for discussion from the Commissioners.

Alternate Rohm inquired why staff's recommendation is for a finding of consistency prior to receiving the 7460 review when that was not the case for the Bermuda Dunes item, which was removed from calendar today. Beverly Coleman responded staff took into consideration that a prompt response may not be obtained from the FAA. At this point it would be the Commissioners decision to wait until a 7460 review is received on every case. Keith Downs interjected indicating the case for the Bermuda Dunes item is 125' from the runway, which is considered an obstruction. Commissioner Ballance concurred with staff's recommendation indicating this type of process will get some of the projects moving forward in a safe positive manner without having to continue the items and wait for certain agencies that seem not to respond at a reasonable time frame. Commissioner Ballance then made a motion of consistency.

Commissioner Washington called for a second motion.

Commissioner Butler seconded the motion.

Commissioner Washington called for further discussion. Commissioner Washington inquired if the FAA's provides a negative response would that impose a liability on ALUC. B.T. Miller responded there would be very minimum liability because the

ALUC makes finding for projects based on its plan, which it's full filing their obligation.

Commissioner Lightsey voiced his opposition for a finding of consistency without the FAA review and the revised maps. Commissioner Lightsey inquired to the applicant how a finding from the Commission today would help his project move forward without the FAA review. Bob Wales responded there being numerous steps that need to be taken for approvals, which would be condition upon and no building permits would be issue until the FAA's clearance has been obtained.

A discussion ensued between B.T. Miller, Commissioner Washington and Keith Downs in regards to the finding of consistency without obtaining clearance from the FAA.

Commissioner Lightsey indicated would prefer to obtain FAA approval prior to finding the project consistent, therefore he called for a substitute motion of continuance.

**ACTION TAKEN:** Commissioner Lightsey made a substitute motion of continuance to the next scheduled meeting. Alternate Rohm seconded the motion.

**OPPOSITION:** Commissioner Ballance

- C. RG-05-102 – Commissions By Laws – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

**CASE SUMMARY:** Proposed Bylaws: Adoption

**CASE NUMBER:** RG-05-102

**PROJECT DESCRIPTION:**

*An update of the current 1998 Rules for the Airport Land Use Commission Airports affected are: Banning Municipal, Chino, Bermuda Dunes, Blythe, Chiriaco Summit, Corona Municipal, Desert Center, Jacqueline Cochran Regional, Flabob, French Valley, Hemet/Ryan, MARB/MIP, Palm Springs, Perris Valley, Riverside Municipal and Skylark Airports.*

**BACKGROUND:** *We contracted with our consultant to review the current Rules and the Commission held three hearings and made a few changes. The final version is attached*

**RECOMMENDATION:** *Staff recommends that the Commission adopt Resolution 05-04 which adopts the new Bylaws.*

*Attachments: Approved Bylaws*

Keith Downs presented the resolution for adoption of the By Laws. Hearing no further comments Commissioner Washington called for questions from the Commissioners, hearing no response he called for a motion to be set.

**ACTION TAKEN:** Commissioner Lightsey made a motion to adopt the resolution of the By Laws. Commissioner Butler seconded the motion. Motion carried unanimously.

**RIVERSIDE COUNTY**

**9:00 A.M.**

- D. Request from Riverside County – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

**CASE SUMMARY:** County request for countywide amendment

**PROJECT DESCRIPTION:** County letter (May 6, 2005 received May 24, 2005) requesting amendment to adopted plan

**BACKGROUND:** At the meeting of June 9<sup>th</sup> the Commission was asked by the County of Riverside to consider an amendment to the ALUCP's County-wide policies. The amendment would allow specific plan, tracts, parcel maps or plot plans that were approved prior to the adoption of the ALUCP's County-wide policies to be consistent with the plan if the project's conditions were satisfied and was not within zones A or B-1.

Existing Land Uses: Our adopted plan already defines approved tracts, parcel maps and plot plans as existing land uses and therefore this clause is unneeded for those types of permits.

Countywide policy: Staff has examined all of the airports for this proposal and can see no need for this clause to apply to Banning, Bermuda Dunes, Blythe, Chiriaco Summit, Corona, Desert Center, Flabob, Riverside and Palm Springs. This is because either the County has no jurisdiction or because there are no Specific Plans that are either within the Influence Area or affected by the ALUCP. The Chino, Hemet Ryan and March plans are not completed, but are unlikely to have the issues which the proposed amendment seeks to address. As the representative of the County stated, this leaves only French Valley and Jacqueline Cochran as the two airfields where the language would have any effect. In conclusion, there is no need to change the ALUCP's County-wide policies affecting all airports when the proposed amendment holds practical implication for only two airfields.

Exemption clause: Additionally, the proposed amendment would have the same effect as the "exemption clause" contained in the prior French Valley CLUP which the Attorney General has opined was inappropriate.

Other: At the July meeting, John Guerin from County Planning outlined that further comments and requests will be coming from the county at some time in the near future. If the Commission is interested in pursuing any such amendment to the ALUCP, then staff would recommend that it relate only to French Valley and Jacqueline Cochran airports and with a narrow intent that will not compromise the public safety purpose of the other adopted plans.

**ADDENDUM September 15, 2005:** As of the writing of this staff report, not further information has been received from the County representatives. Staff recommends that since the item is not an advertised activity that it is taken off calendar until there is additional response from the county.

**ADDENDUM October 13, 2005:** At the last meeting the County requested additional time in which to formalize their request. Staff met with them on September 29<sup>th</sup> and advised them regarding certain airports and that the Commission would likely need to see maps of the



areas they were trying to affect and language that had been used at the Palm Springs and Riverside airports to adjust the D zone. As of October 6<sup>th</sup> we have received no further response. Others that spoke at that time were advised to take up their requests with the county.

**RECOMMENDATION:** Staff recommends that: 1) that any action by the Commission on the proposed amendment awaits the County's further requests relative to the ALUCP.

Attachments: May 6<sup>th</sup> letter received May 24<sup>th</sup>

Keith Downs indicated a letter was received back in May from the County of Riverside requesting amendments to the Airport Land Use Compatibility Plan (ALUCP). At the last meeting representatives from the County indicated those amendments would be presented to staff, as of this time nothing has been received.

Hearing no further comments Commissioner Washington called for questions from the Commissioners, hearing no response Commissioner Washington opened the floor for comments from the audience.

John Guerin, Riverside County Planning came forward requesting a continuance to the December hearing to allow sufficient time to present the amendments being requested.

Keith Downs requested for the item to be removed off calendar until the County submits their amendments for the ALUCP. At that time staff will review those amendments and prepare for a hearing. Mr. Downs then indicated a motion is not needed since nothing is being requested at this time.

Commissioner Washington called for questions from the Commissioners, hearing no response he called for a concurrence to remove the item off calendar.

**Commissioner concurred with the item being pulled off calendar.**

VI. NEW BUSINESS

**BERMUDA DUNES AIRPORT**

**9:00 A.M.**

A. BD-05-114 – Charlie Knickerbacker – Consent item see page 2

**CASE NUMBER:**

BD-05-114 – Charlie Knickerbacker

**APPROVING JURISDICTION:**

County of Riverside

**JURISDICTION CASE NO.:**

Change of Zone 7177 and Plot Plan 20642

**PROJECT DESCRIPTION:**

*The project is a Change of Zone from Residential R-1 to Industrial Park and a Plot Plan for a 136,232 sq. ft. storage buildings and structures on approximately 7.3 acres.*

**PROJECT LOCATION:**

The site is located south Country Club Drive and east of Yucca Lane in the County of Riverside, approximately 4,800-5,500 ft. west 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 B-1 within the approach surface

b. Noise Levels: Inside 60 dB CNEL

**MAJOR ISSUES:**

LAND USE: The proposal is a Plot Plan for storage buildings consisting of 136,232 sq. ft. on 7.3 acres. There are 14 parking spaces allowing a density of 27 per acre. With the 112,186 sq. coverage is at 43%. Office and warehouse the density will be 26 people per acre. Both are within the B-1 density of 25 per acre, the average of the two is 20 per acre. The Change of Zone from residential to industrial is Consistent with the ALUCP since the residential lot minimum for Zone B-1 is 20 acres. The proposal is consistent with allowed density use within B-1 subject to noise and height restrictions

NOISE: The proposal is within 60 CNEL as indicated by 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.

PART 77: Part 77 approach profiles overlie the property. The highest elevation at the site is approximately 103 MSL. The airport elevation is 73 MSL. Structures exceeding 35 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 highest structure is 24 ft.

**RECOMMENDATION:** Staff would recommend that the proposal be found Consistent with the ALUCP.

**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 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. No children's schools, day care centers, libraries, hospitals, nursing homes, hazards to flight places of worship, aboveground storage of hazardous materials, critical community infrastructure facilities or outdoor highly noise sensitive activities shall be allowed.

**FRENCH VALLEY AIRPORT**

**9:00 A.M.**

- A. FV-05-110 – Winchester Road LLC – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** FV-05-110 – Winchester Road, LLC  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO:** CZ 7180, PM 33750 and SP 00106A10

**PROJECT DESCRIPTION:**

A mixed-use development consisting of retail, gas station, mini-storage and single family homes on approximately 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 lots 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 non-residential 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 of the project is approximately 1.6 units per acre, which is inconsistent with the residential density standards for Zone C.

NOISE: The site will get significant over flight, 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.

**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, 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. 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.

Hearing no further comments Commissioner Washington called for Mr. Richards to come forward and present the case.

Mr. Richards, Applicant came forward in response to Commissioner Washington's invitation indicating the residential portion of the project is per the direction of County Planning. Mr. Richards referred to the ALUCP County Wide Policy section 3.3.1 indicating the residential portion of the project meets the infill criteria. Mr. Richards illustrated an exhibit of the project site indicating the project was designed to comply with the ALUCP.

Hearing no further comments Commissioner Washington called for questions from the Commissioners. Commissioner Washington inquired if staff has the amended exhibit illustrated. Beverly Coleman responded negatively indicated the exhibit was not available prior to the completion of the staff report. Commissioner Washington inquired to staff whether staff's recommendation would change do to the amended exhibit. Beverly Coleman indicated staff would need additional time to review the amended exhibit.

Hearing no further comments Commissioner Washington called for further questions, hearing no response he called for a motion to be set.

**ACTION TAKEN:** Commissioner Ballance made a motion for a continuance to the next scheduled hearing to allow staff to review the additional information presented. Commissioner Butler seconded the motion. Motion carried unanimously.

**RIVERSIDE MUNICIPAL AIRPORT**

**9:00 A.M.**

- C. RI-05-130 – Friends of Riverside Airport – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** *RI-05-130- Friends of Riverside Airport*  
**APPROVING JURISDICTION:** *City of Riverside*  
**JURISDICTION CASE NO:** *TTM 31541*

**PROJECT DESCRIPTION:**

*A subdivision for 58 single-family residential lots on approximately 42 acres.*

**PROJECT LOCATION:**

*The site is located north and south of Jurupa Avenue, east of Crest Avenue within the City of Riverside, from approximately 3,000 to 5,000 ft. west of Runway 9-27 at Riverside Municipal Airport.*

**LAND USE PLAN:**

*Adjacent Airport: Riverside Municipal Airport*  
*a. Airport Influence Area: Zone C, B1*

b. Noise Levels: Inside 55CNEL

**MAJOR ISSUES:**

LAND USE: The proposed site is located from approximately 3,000 to 5,000 ft. west of Runway 9-27. The proposal is a subdivision for 58 single-family residential lots and 15 acres of open space on approximately 42 acres, with residential lot sizes ranging from approximately 7,000 to 20,700 sq. ft. The project site is primarily within Zone C, although a small portion of the east end of the site appears to fall within Zone B1. The maximum residential density within Zone C is .2 units per acre, or 5 acre average lot size. The maximum residential density within Zone B1 is .05 units per acre, or 20 acre average lot size. The proposed residential density is inconsistent with the density limits for Zones C and B1.

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

PART 77. The highest elevation of any object or terrain on the site is 740 MSL and the highest structure height is expected to be 28 ft. The runway elevation is 816 MSL. FAA 7460 review is required for structures exceeding 70 ft. in height (35 ft. within Zone B1) or a 100:1 slope from the end of the runway. At a distance of 3,000 from the runway, structures exceeding 846 MSL in elevation require FAA review.

**RECOMMENDATION:** Staff recommends a finding of inconsistency for the project based on the proposed residential density within Zones C and B1.

The following conditions should be utilized in the event the City 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 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. 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.

Hearing no further comments Commissioner Washington called for Mark Kranenburg to come forward.

Mr. Kranenburg came forward in response to Commissioner Washington's invitation and concurred with staff's recommendation indicating there will be a significant amount of noise complaints.

Hearing no further comments Commissioner Washington called for questions from the Commissioners hearing no response he called for Bob Beers to come forward.

Bob Beers, Friends of Riverside Airport came forward in response to Commissioner Washington's invitation indicating the City initiated the project at the time Mr. Kranenburg was not involved in the process. Commissioner Washington inquired on the overruling process. Keith Downs responded the approving jurisdiction puts together findings in writing and send them to the ALUC and Caltrans 45 days prior to their hearing. At that point the ALUC could respond with comments or choose not to respond.

Hearing no further comments Commissioner Washington called for questions from the Commissioners, hearing no response Commissioner Washington opened the floor for comments from the audience.

James Martin came forward indicating the matter has been before the Riverside City Council since 2001. Approximately a year ago this matter went into close session and has been ever since. Mr. Martin then indicated the information being presented today is in violation of close session items and should not be a public matter.

Hearing no further comments Commissioner Washington called for questions, hearing no response he called for a motion to be set.

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

**PALM SPRINGS AIRPORT**

**9:00 A.M.**

D. PS-05-102 – MG Resolutions – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** PS-05-102 – MG Resolutions  
**APPROVING JURISDICTION:** City of Palm Springs  
**JURISDICTION CASE NO:** Draft EIR

**PROJECT DESCRIPTION:**

*A retail center consisting of approximately 393,000 sq. ft. on 37 acres.*

**PROJECT LOCATION:**

The site is located at the northeast corner of Ramon Road and Gene Autry Trail within the City of Palm Springs, from approximately 1,400 to 4,200 feet southeast of the runways at Palm Springs International Airport.

**LAND USE PLAN:**

Adjacent Airport: Palm Springs Airport  
a. Airport Influence Area: Zone A, B1 and C  
b. Noise Levels: Inside 60 and 55CNEL

**MAJOR ISSUES:**

LAND USE AND DENSITY: The proposed site is located from approximately 1,400 to 4,200 feet southeast of the runways. The proposal is for a retail center consisting of approximately 393,000 sq. ft. on 37 acres.

A very small portion of the site at the southwest end is located within Zone A, but no structures are there. Approximately half of the proposed site (the easterly portion) of the site with two large buildings and 4 smaller retail buildings are located within Zone C. Zone C allows up to 80% lot coverage and a maximum average density of 75 persons per acre, with allowable clustering on a single acre of up to 150 persons. Zone B-1 contains one large building and seven smaller buildings. 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. The Palm Springs plan has additional policies added that allow 30 people per acre for the B-1 and 80 for Zone C and additional if more open space is included. The proposed maximum allowable density for the entire site is 1,980 persons. The site contains 1,913 parking spaces which would estimate approximately 2,780 people on the site. The CBC method would produce about 7000 people. As the EIR states the plan does not meet the criteria for the open space. Based on the proposed building layout within the safety zones, the proposed density and use is **inconsistent** subject to noise and height issues.

NOISE: The site will get significant over flight and the western half of the project is inside of the current and near future 60 CNEL.

PART 77. The highest elevation of any structure or terrain on the site is 453 MSL and the runway elevations are 395 and 404 MSL. FAA 7460 review is required for structures exceeding a height of 35 ft. in Zone B1, 70 ft. in Zones C and D, or a 100:1 slope from the end of the runway.

**RECOMMENDATION:** Staff recommends a finding of INCONSISTENCY for the project.

**CONDITIONS:** For the City to Utilize if they choose to overrule the Commission as per PUC 21676(see attached).

1. Provide Avigation Easements to the operator of Palm Springs 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 Zones B1 and C. Additional prohibited uses in Zone B1 include places of worship and above ground storage of flammable materials.*
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. *Structures exceeding a height of 35ft. in Zone B1, 70 ft. in Zones C and D, 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 clarified that the ALUC is not a County organization as stated in the EIR.

Hearing no further comments Commission Washington called for questions from the Commissioners for staff, hearing no response Commissioner Washington called for the applicant to come forward and present the case.

Tracy Nelson, MG Resolutions representing the applicant came forward in response to Commissioner Washington's invitation. Ms. Nelson indicated her company had not prepared the EIR it was under a separate contract ordered by the City. In regards to the height issue mentioned in the staff report Ms. Nelson clarified the buildings not being over 35'in height.

Hearing no further comments Commissioner Washington called for questions or discussion from the Commissioners, hearing no response he called for a motion to be set.

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

## VII. ADMINISTRATIVE ITEMS

- A. School District Letter

Keith Downs recommended sending a letter (draft), which has been distributed to the Commissioners to all the school districts affected by the ALUC to clarify some misunderstandings. The Commissioners concurred with staff's recommendation and directed staff to send the letter out as drafted.

B. ALUCP Update

The information for Chino has been received and the background information will be placed on the Website and staff will start moving forward for this airport. No change has been made for Hemet/Ryan Airport.

C. MARB Status & AICUZ

Keith Downs presented the Commissioner with the information regarding the AICUZ indicating the ALUC needs to use a 20-year forecast. Keith Downs referred to the flight track data and information packet distributed to the Commissioners.

D. Executive Director's Approvals

Keith Downs indicated copies of the letters of staff reviewed applications have been distributed to the Commissioners for their review.

E. Draft Calendar 2006

Keith Downs indicated a draft calendar for the upcoming year 2006 has been distributed to the Commissioners for their review to be adopted at the next meeting.

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

IX. COMMISSIONER'S COMMENTS

Mark Kranenburg, Riverside Municipal Airport Director came forward and informed the Commissioner he would be resigning to obtain a position as the Airport Director in Oklahoma City. Mr. Kranenburg thanked ALUC and staff for their great work.

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).

B.T. Miller continued the executive session to the next scheduled meeting.

XI. ADJOURNMENT: Commissioner Washington adjourned the meeting at 11:05 a.m.  
NEXT REGULARLY SCHEDULED MEETING: November 10, 2005 at 9:00 a.m., Riverside.