

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MAY 13, 2010
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on May 13, 2010 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Vice Chairman
Arthur Butler
John Lyon
Robin Lowe
Greg Pettis

COMMISSIONERS ABSENT: Glen Holmes

STAFF PRESENT: Ed Cooper, Director
John Guerin, Principal Planner
Barbara Santos, ALUC Secretary
Anna Wang, ALUC Counsel

OTHERS PRESENT: Howard Balentine, Solar Millennium
Allison Harron, Solar Millennium
Jeff Higelin, TLMA Information Resources
Elizabeth Ingram, Solar Millennium
Ryan Orr, Other Interested Person

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- I. **AGENDA ITEM 2.1:** ZAP1048RI10 – Parkview Community Hospital Medical Center (Representative: Nathan Morgan, Aspen Street Architects, Inc) – City Case No. P10-0106 (Rezoning). The applicant/landowner proposes to change the zoning of 9.68-9.80 acres located easterly of Jackson Street, westerly of Wheeler Street, and northerly of Miller Street in the City of Riverside from R-1-7,000 (Single-family Residential, 7,000 square foot minimum lot size) to O (Office Zone). [Note: ALUC may recommend O-AP-E (Office Zone/Airport Protection Overlay Zone E) zoning.] The area includes Parkview Community Hospital, the Founders' Center building, and parking areas. (Airport Compatibility Zone E within the Riverside Municipal Airport Influence Area.)
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY. While the project is consistent as proposed, staff would further suggest that the Commission recommend that the City additionally apply the Airport Protection Overlay Zone suffix (-AP-E) in accordance with the City's Zoning Ordinance, which refers to the Compatibility Zones for Riverside Municipal Airport. Thus, the Commission would be recommending O-AP-E zoning for the project site.
- IV. **PROJECT DESCRIPTION**
P10-0106 is a proposal to change the zoning of a 9.68-9.80 acre area that includes Parkview Community Hospital, the Founders' Center building, and parking areas from Single Family Residential 7,000 sq. ft. minimum (R-1-7000) to Office (O).

As a rezoning action, this project is not subject to conditions.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org. or John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org.

No one spoke in favor, neutral or opposition to the project.
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission, by a vote of 5-0, found the project CONSISTENT. Absent: Commissioners Lowe and Holmes.
- VII. **CD**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.1: TIME IS 9:03 A.M.

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I. **AGENDA ITEM 3.1: ZAP1006BL10 – Palo Verde Solar I, LLC** – California Energy Commission Docket No. 09-AFC-6. The project proposes to construct a nominal 1,000 megawatt solar thermal electric generating facility on 9,400 acres of BLM managed land, including four units of north-south oriented tracking parabolic trough mirrors, four 120-foot tall air-cooled condensers, a 230 kV transmission line with maximum 145-foot tall monopoles, and a four-inch diameter 9.8-mile long natural gas pipeline. Blythe Airport: Zones B1, C, D, and E. (Continued from April 8, 2010)

II. **MAJOR ISSUES**

1. Proposed aboveground line extends through Compatibility Zones B1 and C;
2. Possible visible plume from Power Block 4 partially within AIA boundary;
3. Effect on radio communications used by pilots;
4. Reflectivity/glare from Heat Conducting Element tube;
5. Thermal plumes from air-cooled condenser and auxiliary cooling tower;
6. Compliance with Zone D Open Area requirements; and:
7. Cumulative impacts of multiple energy projects.

III. **STAFF RECOMMENDATION**

At this time, ALUC staff believes that available data is not adequate to enable a finding of consistency for this project. The California Energy Commission staff has requested an independent review of the effects of this project on the operation of Blythe Airport. If the Airport Land Use Commission is not satisfied that the information that the applicant has provided is sufficient to enable a finding of consistency, it would seem logical to open the public hearing and consider testimony, but CONTINUE this matter with discussion to the Commission's June 10 hearing. (It should be noted that there is a possibility that the results of the independent studies will not be available in sufficient time to allow ALUC staff analysis prior to the June meeting.)

IV. **PROJECT DESCRIPTION**

The project proposes to construct a nominal 1,000 megawatt solar thermal electric generating facility on 9,400 acres of BLM managed land, including four units of north-south oriented tracking parabolic trough mirrors, four 120-foot tall air-cooled condensers, a 230 kV transmission line with maximum 145-foot tall monopoles, and a four-inch diameter 9.8-mile long natural gas pipeline.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org or Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.

The following spoke in favor of the project:

Howard Balentine, Solar Millennium

Elizabeth Ingram, Solar Millennium, 1625 Shattuck Ave, Suite, 270, Berkley, CA 94709

Allison Harron, Solar Millennium

Ryan Orr, Other Interested Person, 190 Sierra Court, Suite B-8, Palmdale, CA 93550

No one spoke in neutral or opposition to the project.

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, **CONTINUED** the project to June 10, 2010.
Absent: Commissioner Glen Holmes

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.1: TIME IS 9:06 A.M.

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- I. **AGENDA ITEM 3.2:** ZAP1037FV09 – Agriscape, Inc. (Ricardo Almejo) (Representative: Ralph Megna/The Jamieson Group, Inc.) – County Case No. PP24389 (Plot Plan) – A proposal to allow use of approximately 2.34 acres of a 42.03-acre property located easterly of Sky Canyon Drive and southerly of Borel Road and the southerly terminus of Runway 18-36 for the sale of mulch and landscaping supplies. A 400 square foot office trailer or commercial coach would be the only structure on-site. Seven parking spaces would be provided, with additional graveled area that could potentially accommodate additional vehicles. The site is located within Airport Compatibility Zones B1 and C of the French Valley Airport Influence Area, in unincorporated Riverside County. (Continued from March 11, 2010)

II. **MAJOR ISSUES**

The mulch and compost materials being sold will be stored outside buildings. The project is located very close to Zone A southerly of the runway terminus. It is vital that the property be utilized in a manner that will not attract birds. According to Federal Aviation Administration Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or near Airports, putrescible-waste disposal operations should not be sited near airports. However, the report also states that “composting operations that accept only yard waste (e.g., leaves, lawn clippings, or branches) generally do not attract hazardous wildlife.” Riverside County EDA officials have advised that the facility has been in operation for some time, and there have been no wildlife-related complaints to date. (Concern was expressed regarding the applicant’s use of a “light tower” during nighttime operations.)

A neighboring property owner had expressed concerns regarding dust control, flies, and projectile debris from the operation, but has since met with the applicant.

III. **STAFF RECOMMENDATION**

Staff has included a condition prohibiting use of any food or municipal solid waste in the mulch or compost materials, and requests that the Commission provide direction as to whether additional information is needed pertaining to the potential wildlife hazard (such as development of a Wildlife Hazard Assessment prepared by a qualified wildlife damage management biologist) or whether to obtain an opinion from a U.S. Department of Agriculture Wildlife Services representative.

UPDATE: The project representative advised on February 23 that the HANS application has not yet been submitted and has agreed to an additional two-month continuance to the May hearing.

UPDATE II: The applicant is now ready to proceed.

RECOMMENDATION: Provided that the Commission and the airport operator are satisfied that the project will not result in a wildlife hazard affecting aircraft safety, staff recommends a finding of CONSISTENCY, subject to the conditions specified herein.

IV. **PROJECT DESCRIPTION**

Plot Plan No. 24389 proposes the use of approximately 2.34 acres of a 42.03-acre property for the sale of mulch and landscaping supplies. The only associated structure would be a 400 square foot office trailer or commercial coach. The mulch, consisting of decomposing vegetation, would be stored outdoors. Seven parking spaces would be provided, with additional graveled area that could potentially accommodate additional vehicles.

CONDITIONS:

1. The following uses shall be prohibited:

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- 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, including trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, composting operations utilizing waste other than yard waste, fly ash disposal, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, landscaping utilizing water features, and wastewater management facilities.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - e. Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
2. Prior to issuance of building permits, the landowner shall convey an avigation easement to French Valley Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department and to the Riverside County Airport Land Use Commission.
 3. The attached notice shall be provided to all potential purchasers and tenants.
 4. The maximum elevation of the proposed building, including all roof-mounted appurtenances and obstruction lighting (if any), and any temporary structures shall not exceed 1,350 feet above mean sea level. The building shall maintain a minimum distance of 1,188 feet from the southerly terminus of Runway 18-36.
 5. Any outdoor lighting (including any temporary lighting for nighttime operations) that is installed shall be hooded or shielded and directed downward so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to the Riverside County Economic Development Agency – Aviation Division and French Valley Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
 6. Any detention or retention basin shall be designed so as to provide a maximum 48-hour

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detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

7. The mulch or compost material shall consist solely of "yard waste" such as tree trimmings and shall not include food or other municipal solid waste.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

No one spoke in favor, neutral or opposition to the project

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, found the project **CONSISTENT**. Absent: Commissioner Glen Holmes

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.2: TIME IS 10:46 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 3.3:** ZAP1003PV10 – City of Perris (Representative: Brad Eckhardt, Planning Manager) – City Case No. SPA 08-08-0004 (Specific Plan Amendment). The City proposes to adopt a comprehensive revision to the Downtown Specific Plan. The plan designates allowable land uses and densities and prescribes development standards within the 735-acre Downtown Perris area, which is located southerly/southwesterly of Interstate 215, northerly of Ellis Avenue, westerly of Redlands Avenue, and easterly of “A” Street. The existing Specific Plan was adopted in 1993 and allows for a mix of residential, commercial, industrial, and public land uses at various densities. The comprehensive revision is designed around a Regulating Code that focuses on the form and placement of buildings, with the intent of developing a Transit-Oriented Community (focusing on the future Metrolink Station) with a mix of land uses at densities that support transit and meet Housing Element requirements. (Perris Valley Airport: Zones I, II, III on current map; A through E on proposed plan). (Continued from April 8, 2010)

II. **MAJOR ISSUES**

At this time the draft Perris Valley Airport Compatibility Plan has not been sent out for public review of its environmental determination nor received formal review and approval by the Commission. Therefore, this project will be reviewed based on the existing 1979 Perris Valley Airport Land Use Plan. The 1979 Perris Valley Airport Land Use Plan does not define any Airport Influence or Compatibility Zones, simply an Airport Influence Area Boundary. Furthermore, the 1979 Map was based on a cross-runway system, but only one runway exists and there are no plans to build a crosswind runway.

UPDATE: Staff met with Brad Eckhardt, Nick Johnson (the City’s aviation consultant), Keith Downs of Mead & Hunt, and three representatives of Perris Valley Airport ownership and management on April 14 to discuss the impacts of the Draft Perris Valley Airport Land Use Compatibility Plan (PVALUCP) on the future development of the Downtown Perris area. (Commissioner Rod Ballance was also present at the meeting.) After considerable discussion, it was agreed that Mr. Johnson would prepare an alternative Compatibility Zone map based on Airport Land Use Planning Handbook safety zone guidelines and utilizing declared distances so as to allow Zone A to be limited to areas southerly of Ellis Avenue, which borders the airport on the north. This would serve as the City’s alternative as CEQA documentation moves forward. The City would like the Commission to endorse its proposed Compatibility Map in concept so as to allow the Commission to then proceed with an approval of the Downtown Specific Plan as consistent with its forthcoming Plan that would be substantially based on the City’s alternative. Mr. Johnson submitted the City’s proposal on April 28, a copy of which is included with this staff report. As of the writing of this staff report, airport representatives have not indicated whether the revisions are acceptable to them.

The City alternative does not propose any changes to the boundaries and criteria of Draft Perris Valley Airport Land Use Compatibility Plan zones in areas southerly of the airport, such as the site of the Green Valley Specific Plan. That Specific Plan has not yet been developed and may be able to be amended in such a manner as to comply with the criteria of the Draft PVALUCP, without necessarily reducing the number of dwelling units that the Plan would accommodate.

The major issues associated with the City alternative include:

The use of declared distances: the northerly 1100 feet would not be available for landings from the north or takeoffs toward the north;

Treatment of Perris Valley Airport as an urban airport relative to the portion of its Airport Influence Area northerly of Mountain Avenue, with no limits on densities or intensities within the Traffic Pattern Zone: areas northerly of Mountain Avenue that would normally be in Zone D would be depicted as being in Zone E;

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Delineation of areas that would be in the Inner Approach/Departure Zone pursuant to State Handbook guidelines as Zone C, rather than Zone B1.

III. STAFF RECOMMENDATION

Staff is hopeful that progress is being made toward a win-win solution that will benefit both the airport and the City of Perris. However, additional time is needed to study the proposal. Staff recommends that the Commission CONTINUE this item to June 10, 2010 WITH discussion. Staff also recommends that the Commission ask its Perris Valley Subcommittee (Messrs. Housman, Ballance, and Butler) to meet with the affected parties in the immediate future so as to enable a Commission decision on June 10 regarding the acceptability of the City alternative as the basis of a future Compatibility Plan for Perris Valley Airport and, if found acceptable, a decision on a recommendation for the Downtown Specific Plan, as amended.

IV. PROJECT DESCRIPTION

The City of Perris proposes to adopt a comprehensive revision to the Downtown Specific Plan. The plan designates allowable land uses and densities and prescribes development standards within the 735-acre Downtown Perris area, which is located southerly/southwesterly of Interstate 215, northerly of Ellis Avenue, westerly of Redlands Avenue, and easterly of "A" Street. The existing Specific Plan was adopted in 1993 and allows for a mix of residential, commercial, industrial, and public land uses at various densities. The comprehensive revision is designed around a Regulating Code that focuses on the form and placement of buildings, with the intent of developing a Transit-Oriented Community (focusing on the future Metrolink Station) with a mix of land uses at densities that support transit and meet Housing Element requirements. (Perris Valley Airport: A through E on draft proposed plan).

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at iguerin@rctlma.org or Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.

No one spoke in favor, neutral or opposition to the project

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, CONTINUED the project to June 10, 2010.
Absent: Commissioner Glen Holmes

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.3: TIME IS 10:46 A.M.

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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Discussion by TLMA Information Resources – ALUC Commissioners’ Laptops

Jeff Higelin, TLMA Information Resources, expressed the importance of having regular security and software updates on Commissioners’ laptop computers on a quarterly basis. Commissioner Rod Ballance suggested that a note be provided whenever an update is made and requested extra batteries. Commissioner Art Butler suggested installing Google Earth. Commissioner John Lyon inquired about virus protection.

4.2 Special Project Cost Report

Ed Cooper, ALUC Director, informed the Commission that staff may be proposing establishment of new fees for special projects such as heliports and energy generation projects for the new fiscal year, in order to cover the average costs of these reviews, which require unusually large amounts of staff time and often require consultation with ALUC’s outside expert consultants.

II. **5.0 APPROVAL OF MINUTES**

The April 8, 2010 minutes were approved by a vote of 5-0. Abstain: Commissioner Greg Pettis. Absent: Commissioner Glen Holmes.

III. **6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

Ed Cooper, ALUC Director, informed the Commission that the County Board of Supervisors re-appointed Commissioner Glen Holmes, and that the City Selection Committee appointed Mr. Greg Pettis. Commissioner John Lyon’s tenure is up for re-appointment. Mr. Cooper advised the Commission that the June agenda would include an Administrative Item or Action Item regarding a vote for the At Large position.

IV. **7.0 COMMISSIONER’S COMMENTS**

None

V. **ADJOURNMENT**

The meeting was adjourned at 11:09 a.m.

V. **CD**

The entire discussion of this agenda item can be found on CD and referenced quickly by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.