

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 9, 2010
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on December 9, 2010 at the Riverside County Administrative Center, Board Chambers.

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

COMMISSIONERS ABSENT:

STAFF PRESENT: Ed Cooper, Director
John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Secretary
BT Miller, ALUC Counsel

OTHERS PRESENT: Lee Ambers, Physicians Hospital
Keith Beadle, Davis Stokes Collaborative
Martin N. Burton, Green Valley, LLC
Pastor Abraham Capers, Other Interested Person
Ben and Pat Conatser, Perris Valley Airport
Florena Eatman, Other Interested Person
Rosa Elizarraras, Other Interested Person
Dan Fairbanks, March Joint Powers Authority
Keith Gardner, Applicant Representative
Paul Garrett, The Garrett Group
Mark Dillon, Gatzke, Dillon and Ballance
Nick Johnson, City of Perris
David Mauslina, Other Interested Person
William McCumiskey, Other Interested Person
F W Noble, Other Interested Person
Ashley Pinnock, Wind Power Partners
Adam Rush, Riverside County Planning Department
Gerald J. Volomino Jr., Other Interested Person

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I. **AGENDA ITEM 2.1:** ZAP1067MA10 – Michelle Sadler/Michelle’s AAA Equipment Rentals, Inc. (Representative: Keith Gardner, Keefer Consulting) – County Case Nos. GPA 00962 (General Plan Amendment), CZ07748 (Change of Zone), and PP24755 (Plot Plan). A proposal to amend the General Plan (Mead Valley Area Plan) land use designation of 7.42 acres located westerly of Patterson Avenue, southerly of Walnut Street, and northerly of Placentia Street in the unincorporated Riverside County community of Mead Valley, from Very Low Density Residential within the Rural Community Foundation Component (Maximum 1 dwelling unit per acre) to Business Park within the Community Development Foundation Component, to change the zoning of the property from R-R-1 (Rural Residential, 1 acre minimum lot size) to M-SC (Manufacturing-Service Commercial), and to establish a storage yard for emergency vehicles (contractor’s storage yard) on the southerly 2.47-acre parcel. The vehicle storage use area includes an existing 9,204 square foot building (which would be used for truck storage), an existing 3,720 square foot workshop, and a 2,220 square foot residence for use by an on-site caretaker. (Airport Area II of the March Air Reserve Base Airport Influence Area).

II. **MAJOR ISSUES**

Since the project is an existing use with legally constructed buildings, no further permits are necessary after approval of the entitlement for full operation of the facility under the proposed permit. Due to this, the provision of avigation easements to March Air Reserve Base has been required prior to a decision by the Commission on this project.

III. **STAFF RECOMMENDATION**

At the time of writing of the staff report, staff had not received confirmation that the requested avigation easements were finalized. Therefore, at this time, staff recommends CONTINUANCE to the meeting of January 13, 2010; however, in the event that such evidence is received prior to the hearing, staff would recommend that the Commission find the proposed project (the general plan amendment, change of zone, and the plot plan) consistent, subject to the conditions specified herein for the plot plan.

**STAFF RECOMMENDED AT HEARING
CONSISTENT**

IV. **PROJECT DESCRIPTION**

GPA 962 is a proposal to amend the Mead Valley Area Plan’s land use designation on a total of 7.43 acres on two parcels from Very Low Density Residential – Rural Community (VLDR-RC) to Business Park (BP). CZ 7748 is a proposal to change the zoning on the same 7.43 acres from Rural Residential one-acre minimum (R-R-1) to Manufacturing – Service Commercial (M-SC). PP 24755 is a proposal to legalize an existing storage facility for emergency service support vehicles, including a truck storage building (9,204 sq. ft., 25 ft. tall), workshop building (3,720 sq. ft., 30 ft. tall), and caretaker residence (2,220 sq. ft., 15 ft. tall).

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final

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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. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- (e) Highly noise-sensitive outdoor nonresidential uses.

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

4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours (may be less, but not more) and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Landscaping shall utilize plant species that do not produce seeds, fruits, or berries. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.

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.

The following spoke in favor of the project:

Keith Gardner, Applicant Representative, Riverside, CA

The following spoke neither for or against the project, but added information to the decision making process:

David Mauslina, Other Interested Person, 20281 Patterson Ave, Perris, CA 92570

William McCumiskey, Other Interested Person, 20111 Patterson Ave.

No one spoke in opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission by a vote of 7-0, found the project **CONSISTENT**.

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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 9:06 A.M.

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I. **AGENDA ITEM 2.2:** ZAP1038FV10 – Vertical Aeronautics International, for Physicians’ Hospital of Murrieta, LLC (Representative: Lee Ambers) – City Case No. CUP No. 007-2499 (Conditional Use Permit) – A proposal to establish a heliport (specifically, a hospital heliport) on the grounds of Physicians’ Hospital of Murrieta, located at 28159 Baxter Road in the City of Murrieta. The hospital campus is located northerly of relocated Baxter Road, easterly of Interstate 215 and Antelope Road, and southerly of Triple C Ranch Road. The facility will consist of a 45-foot square (2,025 square foot) touchdown and lift-off area with wind cone, lighting, and painted markings, and the design will comply with Federal Aviation Administration and CALTRANS Division of Aeronautics requirements. (Not in an AIA. Closest airport: French Valley Airport).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed hospital heliport be found CONSISTENT with the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, subject to the conditions specified herein.

IV. **PROJECT DESCRIPTION**

Physicians’ Hospital of Murrieta, LLC proposes to establish a heliport (specifically, a hospital helistop). The facility will consist of a 45-foot by 45-foot (2,025 square foot) Touchdown and Liftoff Area (TLOF) on an elevated metal landing pad with associated gurney ramp, perimeter lighting, and painted markings, with ground mounted illuminated wind cone and building mounted illuminated wind cone, and the design will comply with FAA requirements.

The Final Approach and Takeoff Area (FATO) will be 80-foot in diameter (15,775 square feet) centered on the TLOF and will be surrounded by a safety area 110-feet in diameter (29,825 square feet) centered on the TLOF.

The acoustical study prepared by Hans Giroux is predicated on an assumption of three operations per month. The Sikorsky S-76C+, which is anticipated for use at the proposed hospital, was utilized to generate the noise analysis.

AIRPORT LAND USE COMMISSION STAFF RECOMMENDED CONDITIONS:

1. No operations (takeoffs or landings) shall be conducted until such time as the State of California Department of Transportation Division of Aeronautics has issued a Site Approval Permit and subsequent Heliport Permit pursuant to Sections 3525 through 3560 of Title 21 of the California Code of Regulations.
2. The heliport shall be designed and constructed in accordance with FAA Advisory Circular 150/5390-2B, *Heliport Design*.
3. Establishment and operations shall comply with the recommendations and requirements of the Federal Aviation Administration letter dated August 2, 2010, a copy of which is attached hereto.
4. Helicopter idle time shall be minimized as much as possible.
5. The Riverside County Airport Land Use Commission (ALUC) requests that Physicians’

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Hospital of Murrieta consider returning to ALUC to seek advisory comments regarding mitigation of noise impacts on surrounding properties in the event that the average number of monthly operations exceeds six (6) within any given quarterly period.

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.

The following spoke in favor of the project:

Lee Ambers, Physicians Hospital, P.O. Box 7570, Van Nuys, CA 91409

Keith Beadle, Davis Stokes Collaborative, 7121 Crossroads Blvd., Brentwood, TN 37027

No one spoke in neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 7-0 **CONTINUED** the project to January 13, 2011.

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 2.2: TIME IS 9:21 A.M.

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I. **AGENDA ITEM 2.3:** ZAP1008PS10 – Windpower Partners 1993, LP (Representative: The Altum Group) – City Case Nos. CUP 5.1240 (Conditional Use Permit) and 6.522-VAR (Variance). A proposal to establish 29 wind turbine generators (wind energy conversion systems or WECS) with a height not to exceed 340 feet, replacing 80 existing WECS in the City of Palm Springs. 26 WECS will be located within the area bounded by Pierson Boulevard on the north, Indian Canyon Drive on the east, State Highway Route 62 on the west, and Interstate 10 on the south. (Among those, 18 will be located on 378.69 acres located more precisely southerly of Dillon Road, easterly of Diablo Road, and westerly of Karen Avenue. 5 will be located northerly of Dillon Road and easterly of Diablo Road and the unincorporated community of Valley View Village. 2 will be located southerly of Dillon Road and westerly of Diablo Road.) The other 3 will be located on a 108.2-acre parcel located northerly of State Highway Route 111 and Tipton Road, southerly of Interstate 10, and easterly of the Whitewater Interchange. The variance is to allow height (to top of rotor at 12 o'clock position) exceeding 200 feet above ground level. (Not in an AIA. Closest airport: Palm Springs International Airport).

II. **MAJOR ISSUES**

On August 20, 2010, the Federal Aviation Administration (FAA) issued a "Notice of Presumed Hazard" for Aeronautical Study Nos. 2010-WTW-10854-OE through 2010-WTW-10886-OE. These are studies of the effects of each of the 29 wind turbines (WECS: wind energy conversion systems) proposed through CUP 5.1240, plus 4 WECS on Bureau of Land Management (BLM) land directly easterly of this project's "western block." Each notice states that the structure would cause interference to the primary radar returns to Palm Springs radar (PSP) ASR-9. The notices are similar (except for the elevation [above mean sea level] of each WECS). Two such letters are included directly behind this staff report text for ease of access, while the remaining letters are included at the back of the staff report packet. However, this notice is an initial finding. The project applicant has provided additional information to FAA staff indicating that the proposed wind turbines would produce less radar interference than the existing wind turbines being replaced. At the time of writing of the staff report, staff has not received any direct comment from FAA staff on the current status of revisions to these hazard determinations (if any). A response letter from the applicant to the FAA is attached to this staff report (following the two FAA notices).

III. **STAFF RECOMMENDATION**

Pursuant to the "Notice of Presumed Hazard" issued by the FAA, staff is unable to recommend conditional consistency, due to the apparent as yet unresolved issues related to radar interference. Therefore, at this time, staff recommends a CONTINUANCE to January 13th, 2011. However, in the event that the FAA changes its position and issues a "Determination of No Hazard to Air Navigation" for each structure, staff would recommend that the Commission find the proposed project consistent, subject to the conditions included herein.

**STAFF RECOMMENDED AT HEARING
CONSISTENT**

IV. **PROJECT DESCRIPTION**

Windpower Partners, 1993 proposes to remove (decommission) up to 89 existing wind turbine generators at a maximum height of 136.15 feet with a total capacity of 32.04 MWs and replace them with 29 wind turbine generators at a maximum height of 339.57 feet with a total capacity of 43.5 MWs. A number of the existing wind turbines are non-functional and the remaining wind turbines are reaching the end of their operational lives. The project is divided into two areas, a western block and an eastern block. The western block would remove 9 wind turbines and replace them with 3 wind turbines. The eastern block would remove 80 wind turbines and replace them with 26 wind turbines.

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CONDITIONS: (Revised Conditions as of 12/9/10)

1. WECS (* T1, T3, T8, T10, T12, T13, T14, T15, T18, T19, T21, T22, T25, T28, T29, T31, T32, T33) shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K, Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights – Chapters 4, 12, & 13 (Turbines).* WECS (**T2, T9, T11, T16, T17, T20, T23, T24, T26, T27, T30) shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint only – Chapters 12 & 13 (Turbines).** (WECS T4, T5, T6, and T7 are on BLM land and are not subject to ALUC review. Among those, T4 and T7 would be in the * group, while T5 and T6 would be in the ** group.)
2. Within five (5) days after the construction reaches its greatest height, FAA Form 7460-2, Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and submitted to the Federal Aviation Administration Air Traffic Airspace Branch, ASW-520, 2601 Meacham Blvd., Fort Worth TX 76137-0520.
3. Prior to issuance of building permits for any of the proposed turbines, all of the existing turbines proposed for replacement shall be removed.
4. The specific coordinates, heights, and power shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in height shall not require further review by the Airport Land Use Commission.
5. Obstruction lighting and marking recommendations for the project are based on the scheme for the entire project. Any change to the location or number of turbines within this project, including, but not limited to, the deletion of any turbines, shall require the entire development to be resubmitted to the FAA for reanalysis of the marking and lighting recommendations for the entire project.
6. Each wind turbine shall be painted in a bright white color for daytime conspicuity.
7. Temporary construction equipment used during actual construction of the facilities shall not exceed the height of the proposed facilities, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
8. The proposed WECS shall not generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
9. Other than FAA-approved lighting and marking as specified above, no lighting shall be installed that would direct a steady light or flashing light of red, white, green, or amber colors associated with aircraft operations toward an aircraft engaged in an initial straight climb during takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport.

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10. Rotor blades shall utilize a flat or matte (non-glossy) finish so as to minimize the reflection of sunlight towards an aircraft engaged in an initial straight climb during takeoff or towards an aircraft engaged in a straight final approach toward a landing at an airport.
11. The WECS and any accessory uses shall not generate smoke or water vapor and shall be designed so as not to attract large concentrations of birds.
12. The maximum height of any WECS and tower shall not exceed 339.57 feet to top of blade at 12 o'clock position.
13. The maximum elevation of the turbines (measured in feet above sea level) shall comply with the levels specified in Aeronautical Study Nos. 2010-WTW-10854-OE through 2010-WTW-10886-OE, to wit: T1: 1580; T2: 1567; T3: 1551; T8: 1341; T9: 1318; T10: 1350; T11: 1334; T12: 1311; T13: 1291; T14: 1272; T15: 1285; T16: 1262; T17: 1246; T18: 1229; T19: 1239; T20: 1219; T21: 1239; T22: 1223; T23: 1209; T24: 1193; T25: 1180; T26: 1170; T27: 1163; T28: 1163; T29: 1134; T30: 1131; T31: 1131; T32: 1111; T33: 1108.

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.

The following spoke in favor of the project:

FW Noble, Other Interested Person, 1090 N. Palm Canyon Drive, Palm Springs, CA
Ashley Pinnock, Wind Power Partners, 700 Universe Blvd, Florida

No one spoke in neutral or opposition to the project:

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT** as staff recommended with revised conditions.

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 2.3: TIME IS 9:40 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 2.4:** ZAP1002RG10 – Riverside County Planning Department – Ordinance No. 348.4706 – An amendment to the Riverside County Zoning Ordinance to permit emergency shelters in the I-P (Industrial Park) Zone and to establish development standards for such facilities. The amendment defines an emergency shelter as “housing with minimally supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person and where no individual or household may be denied emergency shelter because of an inability to pay.” Development standards include a maximum limit of 75 beds in any emergency shelter and a minimum of 125 square feet of floor area for each client served at any one time. A lower maximum bed limit may be established in the vicinity of airports. (Countywide).

II. **MAJOR ISSUES**

The proposed ordinance would allow emergency shelters with potentially a maximum estimated 80 people within a building approximately 10,000 sq. ft. in size. This would be inconsistent with Compatibility Zones A, B1, and C standards for average intensity.

The amendment to the text of the ordinance to resolve this concern, as proposed by ALUC staff, was determined by the County’s Counsel to be legally unacceptable, as it could potentially be challenged as constituting an unlawful delegation of zoning authority to the Airport Land Use Commission. ALUC staff was requested to revise its proposal in such a way that a future change in Compatibility Zone boundaries would not constitute an automatic increase or decrease in the number of beds that an emergency shelter would be permitted to provide. One possible method of accomplishing this would be to tie the number of beds to distance from the runway, rather than location in a specific Compatibility Zone.

III. **STAFF RECOMMENDATION**

Staff recommends *that the Commission:*

- (1) MOVE TO RECONSIDER its prior action finding the ordinance, as proposed for amendment on October 14, 2010, conditionally consistent;
- (2) RE-OPEN THE PUBLIC HEARING on this matter;
- (3) RESCIND its previous determination; and
- (4) Find the ordinance CONDITIONALLY CONSISTENT, provided that the ordinance is amended in accordance with the recommendations specified in this staff report.

IV. **PROJECT DESCRIPTION**

The County of Riverside proposes to amend its Zoning Ordinance to allow emergency shelters in the I-P (Industrial Park) Zone as a permitted use, and to establish development standards for such facilities. The amendment is required in order to bring the zoning ordinance into compliance with recent updates to the California Government Code. The amendment defines an emergency shelter as “housing with minimally supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person and where no individual or household may be denied emergency shelter because of an inability to pay.” Development standards include a maximum limit of 75 beds in any emergency shelter and a minimum of 125 square feet of floor area for each client served at any one time.

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.

The following spoke in favor of the project:

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Adam Rush, Riverside County Planning Department, 4080 Lemon St. 12th Floor

No one spoke in neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 7-0, **RECONSIDERED AND RESCINDED PRIOR (OCTOBER) FINDING, AND CONTINUED TO JANUARY 13, 2011.**

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@rcplma.org.

ITEM 2.4: TIME IS 9:47 A.M.

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- I. **AGENDA ITEM 2.5: ZAP1004RG10 – County of Riverside** – A proposal by the County of Riverside to adopt a new Housing Element for the Plan Years of 2006 through 2014. The Housing Element is an integral part of the County's overall General Plan, as one of seven required General Plan elements mandated by State law. The Element assesses the current and future housing needs of all income groups, formulates goals, policies, and programs to address housing needs in unincorporated Riverside County, and sets forth an action plan for implementation of those goals in the next four years. (Countywide).
- II. **MAJOR ISSUES**
The proposed Housing Element potentially identifies sites for development to meet the County's Regional Housing Needs Assessment (RHNA) within Airport Influence Areas that may be inconsistent with intensity policies of the Airport Land Use Compatibility Plan.
- III. **STAFF RECOMMENDATION**
At the time of writing of the staff report, staff had not received data to analyze the recommended Housing Element site inventory with zoning/land use designations and compatibility zone data. Staff is anticipating certain sites from the inventory whose potential development intensity is inconsistent with respective compatibility zones. These sites would be recommended to be removed from the site inventory upon completion of staff analysis. Therefore, at this time, staff recommends CONTINUANCE to the meeting of January 13, 2011; however, in the event that such data is received, analyzed, and sites are able to be recommended for removal prior to the hearing, staff would recommend that the Commission find the proposed general plan amendment consistent, subject to the removal of the recommended sites from the inventory.
- IV. **PROJECT DESCRIPTION**
The applicant proposes an amendment to the Riverside County General Plan Housing Element. In general, the Housing Element is being updated to provide policies, programs, and objectives to meet the County's housing needs. The County's Regional Housing Needs Assessment (RHNA) is required to be established by state law and is determined through inter-governmental coordination. The Housing Element is required to identify sites that will meet the identified quantity and type of housing established by the RHNA. This site inventory is most important in determination of consistency with the Airport Land Use Compatibility Plan. In addition to the site inventory, the Housing Element also addresses other housing issues such as homelessness, substandard housing conditions, and removal of government constraints to provision of affordable housing.
- 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.
- The following spoke in favor of the project:
Adam Rush, Riverside County Planning Department, 4080 Lemon Street, 12th Floor
- No one spoke in neutral or opposition to the project.
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission by a vote of 7-0 CONTINUED the project to January 13, 2011.
- 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 2.5: TIME IS 10:49 A.M.

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- I. **AGENDA ITEM 2.6: ZAPEA01PV08 – ALUC Initiative.** The Riverside County Airport Land Use Commission will consider whether to adopt a Negative Declaration, prepared pursuant to the California Environmental Quality Act, for the proposed Airport Land Use Compatibility Plan for Perris Valley Airport ("Compatibility Plan"). The Commission will consider whether to adopt a Compatibility Plan, which includes an Airport Influence Area (AIA) with new boundaries, for Perris Valley Airport. The new AIA includes the geographic area in which noise, safety, airspace protection, and/or overflight concerns may significantly affect land uses or necessitate restrictions on those uses. The Compatibility Plan includes policies for determining whether a proposed development project lying within the AIA is consistent with the Compatibility Plan. The intent of the Compatibility Plan is to ensure the continued operation of Perris Valley Airport while simultaneously protecting the public health, safety, and welfare. The Plan includes Additional Compatibility Policies that are tailored specifically to the Airport's land use environs and lessen the effects on densities and intensities of future development proposals (in comparison to a Plan that did not include such policies). Perris Valley Airport is located easterly of Goetz Road and southerly of Ellis Avenue and Case Road in the City of Perris. The proposed AIA would include properties in the City of Perris, City of Menifee, and unincorporated Riverside County; however, most of the affected properties are located in the City of Perris.
- II. **MAJOR ISSUES**
Whether to adopt: (1) the Initial Study/Negative Declaration prepared for the Perris Valley Airport Land Use Compatibility Plan; and (2) the Perris Valley Airport Land Use Compatibility Plan.
- III. **STAFF RECOMMENDATION**
Staff recommends that the Commission open the public hearing, consider testimony, and, after the close of public hearing, that the Commission:
- (1) Adopt the Negative Declaration for the Perris Valley Airport Land Use Compatibility Plan, and thereby find that:
 - a. Having considered the Initial Study/Negative Declaration, the comments received during the public review process, and the record before the Commission, there is no substantial evidence that adoption of the Perris Valley Airport Land Use Compatibility Plan would have a significant effect on the environment; and
 - b. The Initial Study/Negative Declaration reflects the Commission's independent judgment and analysis;
 - (2) Adopt the Perris Valley Airport Land Use Compatibility Plan; and
 - (3) Adopt Resolution No. 2010-01 memorializing the Commission's actions.
- IV. **PROJECT DESCRIPTION**
The proposed project is the Commission's adoption of the 2010 Perris Valley Airport Land Use Compatibility Plan ("PVALUCP"), which includes "Additional Compatibility Policies" specifically tailored to the land use environs of Perris Valley Airport and an Airport Influence Area ("AIA") with new boundaries. An AIA previously was adopted for this Airport in 1975, but no Compatibility Plan text specific to this Airport's environs ever was adopted by the Commission. The new AIA includes the area in which noise, safety, airspace protection, or overflight concerns may significantly affect land uses or necessitate restrictions on those uses, as determined by the Commission. Accordingly the Compatibility Plan includes policies for determining whether a proposed development project

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lying within the AIA, is consistent with the Compatibility Plan and the objectives set forth in the State Aeronautics Act, which include ensuring the continued operation of public-use airports (such as Perris Valley Airport), while simultaneously protecting the public's health, safety, and welfare. (See Pub. Util. Code, §§21670-21679.5.)

The Commission is required by state law to prepare airport land use compatibility plans for the airport influence areas around public-use airports. Airport officials project that activity levels at Perris Valley Airport will continue and likely increase over time.

Much of the portion of the City of Perris located westerly of Interstate 215 is in the vicinity of the Airport and is affected by aircraft noise and overflight. The Commission's charge is to protect the public from excessive noise and safety hazards. Therefore, the PVALUCP imposes limits on the density and intensity of future land use development in the AIA.

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.

The following spoke neither for or against the project, but added information to the decision making process:

Nick Johnson, City of Perris, 6524 Deerbrook Rd., Oak Park, CA 91377

Ben and Pat Conatser, Perris Valley Airport

Mark Dillon, Gatzke Dillon and Ballance

The following spoke in opposition to the project:

Martin N. Burton, Green Valley, LLC, 1299 Ocean Ave. STE 900, Santa Monica, CA 90401

Pastor Abraham Capers, Other Interested Person, 263 E. 7th Street, Perris, CA 92570

Florena Eatman, Other Interested Person, 2761 Park Street, Berkeley, CA

Rosa Elizarraras, Other Interested Person, 3482 Caastaic St., Riverside, CA 92501

Paul Garrett, The Garrett Group, 1 Betterworld Circle, Temecula, CA

Gerald J. Volomino, Jr., 26642 Via Noveno, Mission Viejo, CA 92691

VI. ALUC COMMISSION ACTION

The ALUC Commission by a vote of 7-0 **CONTINUED** with the public hearing open to January 13, 2011.

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 2.6: TIME IS 11:13 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER DECEMBER 9, 2010
RIVERSIDE MEETING**

I. **3.0 PRESENTATION: Dan Fairbanks, Planning Director of the March Joint Powers Authority, regarding March Joint Land Use Study (JLUS)**

Ken Brody, Mead and Hunt, presented Power Point charts regarding the March Joint Land Use Study (JLUS). Vice Chairman Rod Ballance thanked Dan Fairbanks and Ken Brody for a great presentation, Chairman Housman received and filed report.

II. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals – Information Only

III. **5.0 APPROVAL OF MINUTES**

The October 14, 2010 minutes were approved by a vote of 6-0. Absent: Vice Chairman Rod Ballance

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

None

V. **7.0 COMMISSIONER'S COMMENTS**

Commissioner Robin Lowe advised that this was her last meeting and expressed her pleasure working with the ALUC Commissioners. Chairman Housman stated, on behalf of the Commission, that it has been a pleasure and an honor serving with Commissioner Lowe.

VI. **ADJOURNMENT**

Chairman Housman adjourned the meeting at 12:40 p.m.

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 3.0: TIME IS 10:51 A.M.