

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER MAY 12, 2011  
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on May 12, 2011 at the Riverside County Administrative Center, Board Chambers.

**COMMISSIONERS PRESENT:** Simon Housman, Chairman  
Rod Ballance, Vice Chairman  
Arthur Butler  
Glen Holmes  
John Lyon  
Sam Toles (alternate for Greg Pettis)  
Richard Stewart

**COMMISSIONERS ABSENT:** Greg Pettis

**STAFF PRESENT:** Ed Cooper, Director  
John Guerin, Principal Planner  
Russell Brady, Contract Planner  
Barbara Santos, ALUC Secretary  
David Huff, ALUC Counsel (alternate for BT Miller)

**OTHERS PRESENT:** Scott Barker, Kimley- Horn  
Mary Lanier, City of Murrieta

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- I. **AGENDA ITEM 2.1:** ZAP1070MA11 – LNR Property, LLC (LNR CPI Meridian BTS 356 and 223) (Project Mgr.: John Schaefer) – JPA Case Nos.: Plot Plan No. 11-01 and Variance No. 11-01 - A proposal to establish a 600,000 square foot industrial building (primarily warehousing, with not more than 20,000 square feet of office space) with a height of up to 48 feet on 26.95 acres located easterly of Innovation Drive and Meridian Parkway, westerly of Interstate 215 and the rail line and southerly of Cactus Avenue, within the land use jurisdiction of March Joint Powers Authority (Airport Area I of the March Air Reserve Base Airport Influence Area).

II. **MAJOR ISSUES**

While the project has been submitted to the Federal Aviation Administration Obstruction Evaluation Service for review, the submittal does not reflect the maximum building height of 48 feet.

Based on the Joint Land Use Study for March Air Reserve Base/Inland Port Airport adopted by the March Joint Powers Authority, the proposed project would be located within Compatibility Zone B1, within APZ I. The proposed project could be construed as being inconsistent with the draft standards of this zone, specifically the average of 25 people per acre, single acre population limit of 100 persons in an acre, and lot coverage of 50%. However, the Joint Land Use Study has not been adopted, so, at this time, determinations are based on the 1984 County Plan.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission open the public hearing, discuss the project, and CONTINUE this matter to its June 9, 2011 hearing calendar, pending submittal of Form 7460-1 for the location where the structure reaches its highest total elevation above sea level. In the event that the applicant is able to document such submittal prior to the hearing, staff would recommend a finding of CONDITIONAL CONSISTENCY for the plot plan and variance, subject to receiving a Determination of No Hazard to Air Navigation from the FAA and the conditions specified herein, plus such additional conditions as may be required pursuant to FAA requirements, for the plot plan.

IV. **PROJECT DESCRIPTION**

The applicant proposes to establish a 600,000 square foot industrial building (primarily warehousing, with not more than 20,000 square feet of office space) with a height of up to 48 feet on 26.95 acres.

**CONDITIONS:**

1. Prior to the issuance of building permits, the landowner shall convey an avigation easement to the March Inland Port Airport Authority. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. 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.
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

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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, 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, and incinerators.)
  - (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, hotels/motels, restaurants, places of assembly, manufacture/storage of hazardous materials, and highly noise-sensitive outdoor nonresidential uses.
  - (f) Any uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.
  - (g) Any uses listed with an "N" in the "APZ I" column of Table 3-1, "Land Use Compatibility Guidelines", as identified in the 2005 AICUZ document.
4. Offices and other land uses that would be considered to have an occupancy level greater than one person per 300 square feet (minimum square feet per occupant less than 300), but not exceeding one person per 100 square feet shall be limited to a total area of 20,000 square feet.
  5. Noise attenuation measures shall be incorporated into the design of office areas, as necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL in such areas of the building.
  6. The attached notice shall be provided to all potential purchasers and tenants.
  7. 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.
  8. Prior to issuance of building permits, the project developer shall submit to March Joint Powers Authority and Airport Land Use Commission staff evidence that the Federal Aviation Administration has issued a determination of "Not a Hazard to Air Navigation" for the proposed facility.
  9. All reflective metal components of exterior surfaces shall be painted or covered with a non-

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reflective material.

10. All plot plans and tenant improvement plans shall be routed to March Air Reserve Base for review.

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](mailto:rbrady@rctlma.org).

The following spoke in favor of the project:

Scott Barker, Kimley-Horn, 401 B Street, Suite 600, San Diego, CA 92101

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 **CONDITIONALLY CONSISTENT** pending FAA approval.

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](mailto:basantos@rctlma.org).

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

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- I. **AGENDA ITEM 2.2: ZAP1040FV11 – City of Murrieta** – A proposal by the City to adopt General Plan 2035, a comprehensive update to the City’s General Plan to guide the long-term development of the City and its Sphere of Influence. The General Plan includes an introduction, a Vision Chapter, and the following Elements: Land Use, Economic Development, Circulation, Conservation, Recreation and Open Space, Air Quality, Noise, Infrastructure, Safety, Healthy Communities, and Housing. (The Housing Element is being updated through a separate process and is not being reviewed through ZAP1040FV11). The City includes land within Airport Compatibility Zones B1, C, D, and E, as well as the Height Review Overlay Zone, of the French Valley Airport Influence Area (AIA). Portions of three “General Plan 2035 Focus Areas” are among the properties in the French Valley AIA.

II. **MAJOR ISSUES**

The General Plan proposes a Rural Residential land use designation within Zone D of the French Valley Compatibility Plan. This designation allows for development between 0.4 to 1.0 dwelling units per acre. Development at this intensity would be inconsistent with Zone D criteria, which restricts lower density development to a maximum density of 0.2 dwelling units per acre. This Rural Residential area covered by Zone D is primarily characterized by existing lots generally between 2.5 to 10 acres in area. The existing zoning of this area allows for a minimum lot size of 2.5 acres (0.4 du/ac). Any development that would propose density greater than this would require a Change of Zone, which would be subject to review by the Commission.

There are also vacant lands in Zone D proposed for the designation Single-Family Residential, which allows development at a density of one to ten dwelling units per acre. Most of this land has been obtained by the Western Riverside County Regional Conservation Authority for preservation as open space.

In addition, there are vacant properties designated as Commercial by the proposed General Plan within Zones B1, C, and D. Development on these properties would be required to comply with the intensity criteria for the French Valley Compatibility Plan.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONDITIONAL CONSISTENCY with the 2007 French Valley Airport Land Use Compatibility Plan and the policies of the 2004 Riverside County Airport Land Use Compatibility Plan, subject to the conditions included in this staff report, including additions to policies for the General Plan.

IV. **PROJECT DESCRIPTION**

The applicant proposes to adopt General Plan 2035, a comprehensive update to the City’s General Plan to guide the long-term development of the City and its Sphere of Influence. The General Plan includes an introduction, a Vision Chapter, and the following Elements: Land Use, Economic Development, Circulation, Conservation, Recreation and Open Space, Air Quality, Noise, Infrastructure, Safety, Healthy Communities, and Housing. (The Housing Element is being updated through a separate process and is not being reviewed through ZAP1040FV11). The City includes land within Airport Compatibility Zones B1, C, D, and E, as well as the Height Review Overlay Zone, of the French Valley Airport Influence Area (AIA). Portions of three “General Plan 2035 Focus Areas” are among the properties in the French Valley AIA.

The North Murrieta Business Corridor located easterly of Interstate 215 and northerly of Clinton Keith Road includes land in Airport Compatibility Zone E. Designations in this area are being changed from Rural Residential to Office and Research Park.

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To the west of Winchester Road and south of Murrieta Hot Springs Road is an area presently designated Multiple Use, Area 3. This area is in Compatibility Zone D. Designations in this area are being changed to Multiple-Family Residential and Commercial.

The third focus area is Los Alamos Hills. This area will retain its Rural Residential designation, but the density range of this designation is being expanded and, as proposed, could ultimately allow densities as high as one dwelling unit per acre. This change presents a consistency challenge, as discussed below.

**CONDITIONS: Revised as of Commission meeting dated 5/12/11**

1. The City of Murrieta shall incorporate a change in its Land Use Element tables to reflect a lower level of the density range of Rural Residential as 0.2 dwelling units per acre. The City of Murrieta shall incorporate a policy in its Land Use Element that requires land divisions (both tract maps and parcel maps) within the Rural Residential and Single-Family Residential designations within Compatibility Zones C and D to be submitted to the Airport Land Use Commission for review for consistency.
2. The City of Murrieta shall incorporate a policy in its Land Use Element that requires new commercial development and places of assembly located within French Valley Airport Influence Area in Zones B1, C, and D to be reviewed by the Airport Land Use Commission for consistency with applicable population intensity limits.
3. The City of Murrieta shall incorporate a policy in its Land Use Element that notes that development shall accommodate open areas into their development as determined by their respective Compatibility Zones of the French Valley Airport and as defined by section 4.2.4 of the Riverside County Airport Land Use Compatibility Plan.
4. The Noise Element of the General Plan should be corrected to indicate that the 55 CNEL noise contour is located partially within the City's boundaries along Winchester Road.
5. The City of Murrieta shall incorporate the text and mapping amendments specified herein (or substantially similar text as acceptable to the ALUC Director) into General Plan 2035 and submit the revised text and map excerpts to ALUC staff for concurrence prior to final adoption by the City.
6. The City of Murrieta shall submit a hard copy or electronic copy on CD of the final adopted General Plan to ALUC staff for confirmation of adequate compliance with these conditions.

This determination of consistency is contingent upon action by the City of Murrieta incorporating the above-listed policies, corrections, and changes into the final edition of the proposed General Plan 2035 document.

**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](mailto:rbrady@rctlma.org).

The following spoke in favor of the project:

Mary Lanier, City of Murrieta, 24601 Jefferson Ave, Murrieta, CA 92562

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 7-0, found the project **CONSISTENT with specific conditions as presented by staff, with the following changes to conditions:**

- a) That the following sentence be added to Condition No. 1:** “The City of Murrieta shall incorporate a change in its Land Use Element tables to reflect a lower level of the density range of Rural Residential as 0.2 dwelling units per acre.”
- b) That Condition No. 2 be amended to read as follows:** “The City of Murrieta shall incorporate a policy in its Land Use Element that requires new commercial development and places of assembly located within French Valley Airport Influence Area in Zones B1, C, and D to be reviewed by the Airport Land Use Commission for consistency with applicable population intensity limits.”

**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](mailto:basantos@rctlma.org).

ITEM 2.2: TIME IS 9:10 A.M.

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I. **3.0 ADMINISTRATIVE ITEMS**

3.1 Open Area Requirements and Redevelopment of Commercial Sites: Parking Lot Shading.

ALUC staff requested Commission discussion and additional guidance in this matter.

Commissioner Holmes asked whether there was a time constraint on resolution of the issue. John Guerin, ALUC staff, responded that it is not an immediate concern, but that staff anticipated that the issue would arise with increasing frequency as redevelopment of existing projects becomes more prevalent. Chairman Housman asked whether the intent was to discuss a policy change that would need to be incorporated in the Countywide Policies. Mr. Guerin responded that potentially an amendment would be needed, but that there was also a question of how to implement the existing policies. Commissioner Holmes asked whether the issue is the placement of trees in the specified 75-foot by 300-foot open area. Chairman Housman noted that this was the issue, and that ALUC's requirements for open area (which specify no trees greater than 4 inches in diameter) conflict with the requirements of some jurisdictions that the parking lots be shaded. Simply brushing aside the open area requirement for redevelopment projects would create a huge hole in the layer of protection provided by compatibility policies. Commissioner Lyon suggested that ALUC staff communicate with Planning staffs of the affected jurisdictions to request that shading requirements be modified for locations in Airport Compatibility Zone D. ALUC Director Ed Cooper advised that such contacts have been made, and that Planning staffs are not inclined to make that exception, especially now that landscaping and shading have become standard means to reduce net greenhouse gas emissions from development. Chairman Housman noted that these landscaping and shading requirements are now included in ordinances in many jurisdictions. Commissioner Lyon inquired as to the level of detail in the ordinances. Mr. Guerin referred him to Section 18.12 of County Ordinance No. 348. He advised that staff could collect or view ordinances of the affected jurisdictions. Commissioner Lyon noted that parking lots are probably not a high proportion of total land area in a jurisdiction and indicated that, for reasons of public safety, modifications to landscaping and shading requirements could still be worth pursuing. He requested more information. Commissioner Holmes commented on a time when he made a successful emergency landing in a parking lot. Mr. Cooper advised that city representatives have noted that automobiles in a parking lot are obstructions as surely as trees are, and in many cases, parking lots may be full, except in late evening and early morning. Chairman Housman suggested considering alternatives to reliance on parking lots as open space, possibly including roadways and off-site open space. He noted that the issue also occurs in the B1 and C zones, and suggested proceeding cautiously. Commissioner Holmes noted that the Commission's mission is to protect the airports. Chairman Housman noted that considering roads and off-site open space would provide some flexibility, which is needed when dealing with redevelopment, rather than a new project on vacant land. Commissioner Toles agreed that flexibility is needed and noted that State and local governments need to be more open to business needs, rather than applying layers of restrictions on business. Chairman Housman suggested that staff: (1) Compile relevant sections of ordinance of affected jurisdictions; (2) Consult with County Planning's landscape architecture specialists to determine if there are particular types of trees or bushes that meet the needs of both ALUC and the County, in order to develop recommended landscaping palette for these zones. Mr. Cooper suggested also compiling some information regarding the greenhouse gas issues. He also suggested that the Commission might want to consider natural open area features in the vicinity of a parcel.

3.2 Report from March Joint Land Use Study (JLUS) Subcommittee to ALUC.

The March Joint Land Use Study Review Subcommittee met on March 10 and April 14, and did



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not request that any changes be made to the land use compatibility criteria included in the document. Staff will present a summary of the recommended land use compatibility criteria at the June 9 meeting.

Vice Chairman Rod Ballance and Commissioner Glen Holmes thanked staff for an excellent job on the subcommittee assignments. ALUC staff indicated the next presentation will be an informational presentation to allow the Commission to comment on any issues they might have with regard to the draft March JLUS Plan. The next step is the issuance of a request for proposal, which will assist in estimating the cost associated with the environmental documentation for the project.

II. **4.0 APPROVAL OF MINUTES**

The April 14, 2011 minutes were approved by a vote of 5-0. Abstained: Commissioner Stewart and Sam Toles (alternate for Greg Pettis).

III. **5.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

Vice Chairman Rod Ballance commented on the Harvest Landing issue in the newspaper, the Press-Enterprise editorial entitled Protect March, and noted the statement that "Perris officials argued the Airport Land Use recommendations which date from the 1980's are antiquated and not based on science." Mr. Ballance thanked Ed Cooper for his comments in the Press Enterprise newspaper and also gave Mr. Cooper a copy of an e-mail from Colonel Bill Gavitt to Lori Stone regarding a dilemma surrounding March Air Reserve Base (MARB), to put in the record as a private citizen. ALUC staff informed the Commission that the Harvest Landing project is not within the airport influence area of Perris Valley, in an area where intensity would be limited pursuant to that plan (which addresses areas westerly of the freeway), but that it is affected by MARB air traffic. Mr. Cooper commented, in response to the Commissioners' concerns, that there would be many opportunities in the future to interact with the City staff as we move forward to adopt the JLUS. If the Commission wishes, we can have a workshop with the Perris City Council discussing long range issues about March.

IV. **6.0 COMMISSIONER'S COMMENTS**

Ed Cooper, ALUC Director, informed the Commission that April 15 was the deadline for bringing action pursuant to CEQA to challenge the Commission's adoption of the Perris Valley ALUCP and associated CEQA documents. To date, staff has not received notice of any such challenges. Therefore, the Perris Valley Airport Land Use Plan is now in effect.

V. **ADJOURNMENT**

Chairman Housman adjourned the meeting at 10:22 a.m.

VI. **CD**

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ITEM 3.0: TIME IS 9:46 A.M.