

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 11, 2016
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on February 11, 2016 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Vice Chairman
Arthur Butler
Glen Holmes
John Lyon
Steve Manos
Russell Betts, Alternate for Greg Pettis

COMMISSIONERS ABSENT: Greg Pettis

STAFF PRESENT: Ed Cooper, ALUC Director
John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Commission Secretary
Raymond Mistica, ALUC Counsel

OTHERS PRESENT: Jeff Gordon, Other Interested Person
Jack Kenton, California Pilots Association
Sonia Pierce, March Air Reserve Base

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I. **AGENDA ITEM 3.1:** ZAP1037PS15 – Jennifer Guglielmo – City of Palm Springs Case No. CUP 5.1386 (Conditional Use Permit). A proposal to operate a kennel (dog day care, boarding, and training) within a 2,345 square foot suite with an address of 752 Vella Road in an existing building located on the easterly side of Vella Road, southerly of Sunny Dunes Road in the City of Palm Springs. (Airport Compatibility Zone B1 of the Palm Springs International Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org

II. **MAJOR ISSUES**

The building in which the proposed facility would be located is in Airport Compatibility Zone B1. An evaluation of the site as a whole using the Building Code Method indicates that average and single-acre criteria may be exceeded at this location, especially if a suite leased by a church is used for weekend church services. The applicant has noted that the proposed dog boarding facility would likely accommodate a maximum of 6 employees and customers at a given time, compared to an office use which would potentially accommodate 11 people in the same area. Although the proposed dog boarding facility would increase existing intensity (in comparison to the suite's continued vacancy), this use would be less intense than office uses which likely previously occupied the space. Based on this, pursuant to Countywide Policy 3.3.2(b), the proposed project would not increase usage intensity beyond the existing or previous use of the space as office.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed project CONSISTENT with the 2005 Palm Springs International Airport Land Use Compatibility Plan, pursuant to Countywide Policy 3.3.2(b), in that the proposed project would not increase intensity above the levels that would occur if the suite were used as an office, subject to the attached conditions.

IV. **PROJECT DESCRIPTION**

The applicant proposes to establish a 2,345 square foot dog boarding and dog day care business within an existing industrial building (developed prior to 2005) on an approximately 1.22 acre (gross) parcel. The facility would include dog kennel and play areas, as well as a reception area.

CONDITIONS:

1. This Consistency determination and these conditions of approval are based on the representation made by the applicant that no more than 6 people will occupy this facility at a given time.
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 approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or FAA-approved obstruction lighting.
 - (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.

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- (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 established after the date of this approval, aboveground bulk storage of hazardous materials, highly noise-sensitive outdoor nonresidential uses, critical community infrastructure facilities, and hazards to flight.
3. The attached notice shall be provided to all potential purchasers of the property and tenants of the on-site buildings.
 4. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All new outdoor lighting shall be downward facing.
 5. Prior to the issuance of occupancy permits, the landowner shall convey an avigation easement to Palm Springs International Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded, unless such easement is prohibited by law or waived by the Airport. Copies of the avigation easement, upon recordation, shall be forwarded to the City of Palm Springs Planning Department and to the Riverside County Airport Land Use Commission.
 6. The City of Palm Springs shall either prohibit the following uses or shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in the buildings on this property:

Auction rooms, assemblies of people, auditoriums, classrooms, conference rooms with a capacity of 20 or more persons, community care facilities, court rooms, dance floors, exhibit rooms, gaming (including bingo), restaurants, drinking establishments, gymnasiums, homeless shelters, lounges, retail sales facilities, reviewing stands, skating rinks, stages, swimming pools, vocational and technical schools, and other 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.

This prohibition or requirement for review does not apply to uses that were established in these buildings prior to 2005 and have been in continuous operation since their establishment.

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

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 Manos

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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 3.1: TIME 9:02 A.M.

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I. 4.0 ADMINISTRATIVE ITEMS

4.1 Director's Approvals - Information only

4.2 Completion of Current Terms of Office

Commissioner Butler expressed his interest in re-appointment. Commissioner Manos was not present for Item 4.2, but later expressed his interest to continue serving during Commissioners' comments.

4.3 Specific Delegation of Authority: Amendment to March Business Center/Meridian Specific Plan (South Campus)

John Guerin, ALUC staff, recommended that the Commission consider the applicant's request for a specific delegation of authority to the ALUC Director to render a no impact consistency finding for the project. Jeff Gordon, Meridian Project representative, came forward requesting delegation to allow Director's approval for the project. The ALUC Commission by a vote of 6-0 approved the delegation of authority to the ALUC Director for this project. Absent: Manos

4.4 Status of Compatibility Plan Amendment Proposals

John Guerin advised that staff is currently working towards three additional amendments to the Compatibility Plans:

- 1) Banning Municipal Airport ALUCP - allowing for an increase in intensity of land use in Compatibility Zone D consistent with the provisions in the State Handbook. The firm MIG is working on the Environmental Assessment Initial Study for that project. ALUC staff is expecting the initial study to be provided shortly and hopes to present the project to the Commission in April.
- 2) Hemet Ryan Airport ALUCP – on hold for quite a while due to issues regarding the airport layout plan. These issues have been addressed, and the compatibility plan process is now proceeding. There will likely be a meeting with the stakeholders sometime in the next 60 days.

Commissioner Holmes asked about the approach to runway extension that had been discussed by an ad hoc subcommittee that met with City of Hemet officials and ALUC's consultant a few years ago. Staff confirmed that the easterly extension with declared distances was still the basis for the new Compatibility Plan.

Chairman Housman commented that moving the Cal Fire operations to the portion of the airport grounds northerly of the runway would likely raise objections from residents of the mobile home park to the north regarding ground-based noise.

- 3) The Countywide Policies and Jacqueline Cochran/Vista Santa Rosa amendment – Looking at the release of the RFP within the next 30 days.

II. 5.0 APPROVAL OF MINUTES

Sonia Pierce, March Air Reserve Base Planner, advised staff regarding a correction to the January 14, 2016 minutes. Ms. Pierce noted on page 4, Item 5, that Denise Hauser was in support of the staff recommendation that the project was inconsistent and not in favor of the project as indicated in the minutes. John Guerin also noted that Mr. Mungari, applicant- representative, spoke in support of the project and in opposition to the recommendation.

Vice Chairman Ballance suggested that a sign be placed at the entrance advising persons wishing to speak to fill out a speaker slip. ALUC Director Ed Cooper agreed that this could be

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accomplished. Commissioner Manos suggested that an announcement be made prior to, or at the start of, the meeting. It was agreed that staff would either make an announcement prior to the meeting, or, if the Chair does not make the announcement at the beginning of the meeting, staff would make the announcement prior to presenting the first agenda item.

The ALUC Commission by a vote of 6-0 approved the January 14, 2016 minutes with revised corrections. Abstained: Chairman Housman

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

Jack Kenton, a local resident and member of the California Pilots Association, came forward to express concerns regarding a forthcoming proposal within the jurisdiction of the March Joint Powers Authority (March JPA) to replace the existing General Old Golf Course with housing. He indicated that this could increase noise complaints and endanger the future of the Air Base due to potential BRAC (Base Realignment and Closure) Commission actions. If housing is to be approved, sound proofing would be needed and aviation easements should be required, unless the Base is to be written off.

Chairman Housman reiterated the Commission's intent to protect the long-term viability of the Base. Vice Chairman Ballance stated that he had seen Mr. Kenton at March JPA meetings. He noted that the golf course has, unfortunately, been a losing proposition, but that March is an economic engine for the area. Commissioner Holmes suggested caution, citing the recent closure of Rialto Airport.

Ed Cooper, ALUC Director, advised that the California Energy Commission (CEC) has released its Preliminary Staff Assessment (PSM) regarding the Sonoran Energy Project east of Blythe Airport. March 1 is the deadline for comments, and staff intends to respond. John Guerin clarified that Sonoran is the new name for what was originally called Blythe II, and the new applicant is proposing changes in the project. ALUC had reviewed Blythe II more than a decade ago and found the project inconsistent.

IV. 7.0 COMMISSIONER'S COMMENTS

7.1 March Joint Powers Authority TAC Report Update by Commissioner Ballance

Commissioner Ballance reported that he met with General Muncy, Commander of the 452nd Air Mobility Wing at March Air Reserve Base, regarding the proposed textile products facility in the City of Perris.

V. 8.0 ADJOURNMENT

Chairman Housman adjourned the meeting at 9:39 a.m.

VI. CD

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ITEM 4.0: TIME IS 9:12 A.M.