

**AIRPORT LAND USE COMMISSION
MINUTE ORDER FEBRUARY 9, 2017
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on February 9, 2017 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Vice Chairman
Russell Betts
Arthur Butler
Glen Holmes
Beth Larock, alternate for John Lyon

COMMISSIONERS ABSENT: John Lyon
Steve Manos

STAFF PRESENT: Ed Cooper, ALUC Director
John Guerin, Principal Planner
Paul Rull, Urban Regional Planner IV
Barbara Santos, ALUC Commission Secretary
Raymond Mistica, ALUC Counsel

OTHERS PRESENT: Mitch Akkison, Applicant
Deanna Elliano, City of Hemet
Linda Krupa, City of Hemet
Mohamad Younes, Inland Communities Corp.

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- I. **AGENDA ITEM 2.1:** ZAPEA02HR13 – Hemet-Ryan Airport Land Use Compatibility Plan (ALUCP) – SCH#2016111015. The Riverside County Airport Land Use Commission (ALUC) proposes to adopt an ALUCP establishing criteria for the evaluation of the compatibility of land uses proposed to be located in the vicinity of Hemet-Ryan Airport, in accordance with ALUC’s duties as set forth in State law. The proposed ALUCP includes an expansion of the airport influence area within portions of the City of Hemet and nearby unincorporated Riverside County areas. Compatibility criteria in the proposed ALUCP address four types of compatibility concerns: safety, noise, airspace protection, and overflight. The provisions of the ALUCP apply only to future development and not existing land uses. The ALUCP does not propose the development or acquisition of land, nor does the ALUC have any jurisdiction over the operation of the airport or aircraft in flight. Continued from 12-8-16.

II. **MAJOR ISSUES**

The City of Hemet has expressed concerns regarding the prohibition on intermediate residential densities within Compatibility Zone D. The Plan, as originally released for public review, allows for densities of 4.5 to 5.0 dwelling units per acre and higher, but the City would like the Plan to allow densities as low as 3.0 dwelling units per acre in Zone D. The ad hoc subcommittee is recommending that densities as low as 3.0 dwelling units per acre be permitted within Zone D. The Countywide Policies also require that projects at least 10 acres in size incorporate minimum percentages of open area (20% in Zone C and 10% in Zone D). The City objects to this requirement and requests that the Commission waive project-specific open area requirements and instead accept a list of open areas in the general vicinity. The ad hoc subcommittee reviewed a map of permanent open space and is proposing Additional Compatibility Policies that acknowledge such areas and waive open area requirements in Compatibility Zone D and portions of Zones B1 and C. A commercial land owner has noted that the extent of Compatibility Zones B1 and C northeasterly of the runway exceeds California Airport Land Use Planning Handbook guidelines for comparable safety zones and that the proposed intensity allowances are more restrictive than those allowed in the Handbook. The ad hoc subcommittee recommends that the extent of Compatibility Zones B1 and C northeasterly of the runway be reduced and that intensity allowances in Compatibility Zone D be raised to the maximum levels permitted for Traffic Pattern Zones in the Handbook. As a result of the change in the boundaries of Compatibility Zone C, the landowner’s property would be located in Compatibility Zone D. It should be noted in this regard that Hemet-Ryan Airport is also home to a Cal Fire air attack base flying aircraft larger than other general aviation aircraft. The commercial landowner also suggests that Hemet-Ryan should be considered an urban airport, rather than a suburban airport, in light of the existing intensities and traffic levels in the area. The ad hoc subcommittee recommends addition of an Additional Compatibility Policy clarifying that intensities attributable to uses/structures established prior to the adoption date of the Compatibility Plan on a site in Compatibility Zone D shall not be counted against the intensity limits of new development or expansions on that site.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission consider testimony, and, after the close of public hearing, that the Commission:

- (1) Adopt the Negative Declaration for the Hemet-Ryan Airport Land Use Compatibility Plan, and thereby find that:
 - a. Having considered the Initial Study/Negative Declaration, *including the Addendum thereto*, the comments received during the public review process, and the record before the Commission, there is no substantial evidence that adoption of the Hemet-Ryan Airport Land Use Compatibility Plan would have a significant effect on the environment; and

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b. The Initial Study/Negative Declaration, *including the Addendum thereto*, reflects the Commission's independent judgment and analysis;

(2) Adopt the Hemet-Ryan Airport Land Use Compatibility Plan; and

(3) Direct staff and ALUC Counsel to prepare a Resolution memorializing the Commission's actions for adoption on March 9, 2017.

IV. PROJECT DESCRIPTION

The proposed project is the Commission's adoption of the 2016 Hemet-Ryan Airport Land Use Compatibility Plan ("Hemet ALUCP"), which includes "Additional Compatibility Policies" specifically tailored to the land use environs of Hemet-Ryan Airport and an Airport Influence Area ("AIA") with new boundaries. 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, 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 Hemet-Ryan 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 Hemet-Ryan Airport will continue and likely increase over time.

Much of the portion of the City of Hemet located westerly of downtown Hemet, as well as easterly areas of Winchester and Green Acres, are in the vicinity of the Airport and are affected by aircraft noise and overflight. The Commission's charge is to protect the public from excessive noise and safety hazards. Therefore, the Hemet-Ryan ALUCP 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 in favor of the project:

Deanna Elliano, City of Hemet, 445 E. Florida, Hemet, CA

Linda Krupa, City of Hemet, 445 E. Florida, Hemet, CA

No one spoke in neutral or opposition to the project

VI. ALUC COMMISSION ACTION

The ALUC Commission by a unanimous vote of 6-0 **ADOPTED** the Negative Declaration and Compatibility Plan. Directed staff and ALUC Counsel to prepare a Resolution for adoption on March 9, 2017. Absent: Commissioner Manos

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: 9:22 A.M.

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I. **AGENDA ITEM 3.1:** ZAP1023BA16 – Banning Industrial, LP (Representative: William S. Messenger Jr.) – City of Banning Planning Case No. DR16-7002 (Design Review). The applicant is proposing to develop a 1,000,000 square foot industrial distribution warehouse building and detention basins on 63.9 acres. The building will have 990,000 square feet of warehouse area and 10,000 square feet of office area. The project site is located southerly of Interstate 10 Freeway, easterly of John Street, and northerly of Banning Municipal Airport (Airport Compatibility Zones B1, B2, and D of the Banning Municipal Airport Influence Area).

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends that the Design Review be found CONDITIONALLY CONSISTENT, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

IV. **PROJECT DESCRIPTION**
The applicant is proposing to develop a 1,000,000 square foot industrial distribution warehouse building and detention basins on 63.9 acres. The building will have 990,000 square feet of warehouse area and 10,000 square feet of office area.

CONDITIONS: Final Conditions await FAA approval

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 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, 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.
3. Prior to issuance of a building permit, the property owner shall convey an aviation easement

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to Banning Municipal Airport. Copies of the recorded aviation easement shall be forwarded to the Airport Land Use Commission and to the City of Banning.

4. The attached notice shall be provided to all potential purchasers and tenants of the property.
5. The proposed detention basins on the site (including water quality management basins) shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees that produce seeds, fruits, or berries.
6. The ALUC eligible open area shall be kept obstacle and obstruction free per ALUC open area definition.
7. This project has been evaluated as a proposal for 990,000 square feet of industrial distribution warehouse area and 10,000 square feet of office area. Any increase in total building area, increase in office area, or relocation of the building into either Zone B1, Zone B2, or both will require review by the Airport Land Use Commission. In addition, this project shall not store, process or manufacture hazardous materials in the Zone B1 and B2 areas of the project site without review and approval by the Airport Land Use Commission.
8. Noise attenuation measures shall be incorporated into the design of the office areas of the structure, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@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 **CONDITIONALLY CONSISTENT**.

Recused: Chairman Housman; Absent: Commissioner Manos

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: 9:03 A.M.

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I. **AGENDA ITEM 3.2:** ZAP1082RI16 – Jones Wholesale Lumber (Representative: Adkan Engineers) – City of Riverside Planning Case No. P16-0895 (Minor Conditional Use Permit) and P16-0896 (Design Review). The applicant proposes to construct an outdoor storage yard, with a 2-story 3,505 square foot office building, a railroad spur, and an 8,000 gallon underground diesel storage tank on 5.16 acres located at 7027 Central Avenue, situated on the northwest corner of Central Avenue and Wilderness Avenue (Airport Compatibility Zones A, B1, C of the Riverside Municipal Airport Influence Area).

II. **MAJOR ISSUES**

The project proposes perimeter block walls and steel entry gates located within Compatibility Zone A which are identified as prohibited uses, as well as being inconsistent with Compatibility Zone A open area requirements.

III. **STAFF RECOMMENDATION**

Staff recommends that the Minor Conditional Use Permit and Design Review be found INCONSISTENT, based on prohibited structures being located within Compatibility Zone A. If these features were deleted or relocated outside Zone A, the project would be CONDITIONALLY CONSISTENT.

IV. **PROJECT DESCRIPTION**

The applicant proposes to construct an outdoor storage yard, with a 2-story 3,505 square foot office building, a railroad spur, and an 8,000 gallon underground diesel storage tank on 5.6 acres.

CONDITIONS: Final conditions await FAA approval

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. All outdoor lighting plans shall be subject to review by airport management.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - 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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, 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.

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- e. Children's schools, day care centers, libraries, hospitals, nursing homes, highly noise-sensitive outdoor nonresidential uses, places of worship, aboveground bulk storage of 6,000 gallons or more of flammable or hazardous materials, and hazards to flight.
- 3. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
- 4. Prior to issuance of a building permit, the property owner shall convey an avigation easement to Riverside Municipal Airport. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and to the City of Riverside.
- 5. Any new detention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

Trees shall be spaced to avoid creation of a continuous canopy. Landscaping in and around the detention basin shall not include vegetation that produces seeds, fruits, or berries.
- 6. Any subsequent Design Review, Conditional Use Permit, Tenant Improvement, or other permitting that would alter the use and occupancy of the currently proposed project shall require ALUC review.
- 7. The applicant shall submit plans for the proposed underground fueling tanks with the Riverside County Department of Environmental Health Hazardous Materials Branch for review and approval according to their safety regulations and such mitigations shall be in place to protect the public safety in the event that an aircraft ruptures and ignites the fueling tanks.
- 8. Noise attenuation measures shall be incorporated into the design of the office building, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rctlma.org

The following spoke in favor of the project:

Mitch Akkison, applicant, 6879 Airport Drive, Riverside, CA 92504

No one spoke in neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 6-0 found the project **CONDITIONALLY CONSISTENT** with amended conditions. Adding a condition that the proposed 6 foot high block wall located in Compatibility Zone A be replaced with a 6 foot high chainlink fence with slats and frangible breakaway posts. Absent: Commissioner Manos

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ITEM 3.2: TIME: 9:07 A.M.

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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals – Information Only

4.2 Specific Delegation of Authority: Specific Plan Amendment in Zone E of Palm Springs International Airport Influence Area

The ALUC Commission by a vote of 5-0 granted delegation of authority to the ALUC Director for the case regarding the Specific Plan Amendment in Zone E of the Palm Springs International Airport Influence Area. Absent: Manos and Holmes

II. **5.0 APPROVAL OF MINUTES**

The ALUC Commission by a vote of 4-0 approved the January 12, 2017 minutes. Absent: Holmes and Manos; Abstained: Beth Larock, alternate for John Lyon

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

Ed Cooper, ALUC Director announced his retirement after 32 years with the County of Riverside.

IV. **7.0 COMMISSIONER'S COMMENTS**

Chairman Housman announced that in the past month his wife was named Airman of the year in the State of California for the Air National Guard.

V. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 10:19 a.m.

VI. **CD**

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ITEM 4.0: TIME IS: 10:10 A.M.