

**AIRPORT LAND USE COMMISSION
MINUTE ORDER JULY 13, 2017
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on July 13, 2017 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Rod Ballance, Chairman
Steve Manos, Vice Chairman
Arthur Butler
Russell Betts
Glen Holmes
John Lyon
Steven Stewart

COMMISSIONERS ABSENT: None

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

OTHERS PRESENT: Daryl Brown, Northtown Housing Development
John Burcher, Other Interested Person
Jeff Gordon, Other Interested Person
Lisa Gordon, City of Menifee

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- I. **AGENDA ITEM 2.1:** ZAP1031FL17 – Northtown Housing Development Corp. (Representatives: Debi Myers and Darryl Brown) – City of Jurupa Valley Major Application 16224 consisting of GPA 16006 (General Plan Amendment), CZ16011 (Change of Zone), SDP 16043 (Site Development Permit), and TPM37126 (Tentative Parcel Map). Through SDP 16043, the applicant proposes development of: (a) a 68-unit multi-family housing development (apartments) with a 3,818 square foot community center building and pool and maintenance buildings on 5.16 acres and, (b) a 31,375 square foot commercial building on 1.79 acres. The site is located northerly of Mission Boulevard and easterly of Crestmore Road in the community of Rubidoux. The site is currently split between Commercial Retail (6.27 acres) and Medium High Density Residential (1 acre) designations. GPA 16006 would retain the Commercial Retail designation on 1.79 acres, while amending the General Plan designation of 4.16 acres of Commercial Retail and one acre of Medium High Density Residential to High Density Residential. The site is currently split among three zones: R-VC (Rubidoux-Village Commercial), R-2 (Multiple Family Dwellings), and A-1 (Light Agriculture). CZ 16011 would maintain R-VC zoning on 1.79 acres, change the zoning of 4.16 acres from R-VC to R-2, and change the zoning of one acre from A-1 and R-2 to R-2. Tentative Parcel Map No. 37126 would reconfigure the existing parcel boundaries to establish two new parcels (1.79 and 5.16 acres). (Compatibility Zone C of the Flabob Airport Influence Area). Continued from May 11, 2017.

II. **MAJOR ISSUES**

The proposed commercial building exceeds allowable single-acre intensity limits for areas within Compatibility Zone C of the Flabob Airport Influence Area. (A 30,000 square foot office building or a 9,000 square foot retail commercial building without restaurant area or places of assembly would meet the single-acre intensity limit.) Additionally, the site would normally be restricted to a maximum residential density of 0.2 dwelling units per acre (or, in this case, one dwelling per existing legal lot). However, the site previously accommodated a 66-unit mobile home community and two single-family residences. The project proposes a total of 68 *residential* units, which would not increase the number of dwelling units (*including mobile home spaces*) that existed on the site at the time of adoption of the Flabob Airport Land Use Compatibility Plan (Flabob ALUCP).

In June 2011, ALUC determined that a 66-unit apartment project with associated General Plan Amendment and Change of Zone were consistent with the Flabob ALUCP with special findings, pursuant to Section 3.3.6 of the Countywide Policies (ZAP1020FL11). This determination occurred when the property was under the jurisdiction of the County.

The proposed project includes two additional parcels, increasing the overall acreage to 7.27 acres and the residential area to 5.16 acres, reducing the overall density within the area proposed for residential use from 15.17 to 13.18 dwelling units per acre. The proposed project also adds a commercial element and two additional units (relative to the project considered in 2011).

At the May 11 hearing, a representative of the Tom Wathen Foundation, which owns and operates Flabob Airport, noted that there has been a change in the character of airport operations since 2011, with 55 hangars relocated from the now-defunct Rialto Airport and a new operator maintaining and flying DC-3 aircraft utilizing a straight in-out pattern that would overfly this site at a height of 300 or less feet above ground level. He also pointed out that the City Council, following incorporation, voted down the previous apartment project and that the mobile home park cannot be cited as an existing use, since it has not existed for a number of years. Therefore, in his opinion, a finding that the residential portion of the project would not result in new excessive safety and noise hazards would be false.

The applicant requested a continuance at the May 11 meeting to allow time to meet with City officials

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as to whether they would insist on retaining a commercial element within this project at this time. (Staff had advised that Countywide Zone C nonresidential intensity limits could potentially be increased by the end of 2018.)

As of June 20, 2017, staff has no information that would indicate that the City is willing to support deletion of the commercial element from this project.

III. STAFF RECOMMENDATION

Staff must recommend a finding of INCONSISTENCY for the Site Development Permit, based on the nonresidential intensity limits being exceeded by the proposed commercial building.

The residential density is also incompatible, so staff must also recommend a finding of INCONSISTENCY for the General Plan Amendment and Change of Zone, unless the Commission is willing to reaffirm its special findings for the residential portion of the project pursuant to Section 3.3.6 and thereby render a finding of CONSISTENCY for the General Plan Amendment and Change of Zone, subject to the understanding that the number of dwelling units on this site will not exceed 68.

Such findings should include that the proposed project would not increase the number of residential units in relation to the number of units existing or authorized at the time that the 2004 Flabob Airport Land Use Compatibility Plan was adopted and, therefore, would not expose additional people to potential hazards from aircraft relative to the number of persons in the previously existing dwelling units and would not expose people to excessive noise levels, and that the project is located adjacent to the Santa Ana River, which provides a large amount of open area for emergency landings. (However, the Commission must also weigh whether the time that the majority of the site has remained vacant has rendered the 2004 site character finding irrelevant.)

IV. PROJECT DESCRIPTION

Site Development Permit No. 16043 is a proposal to develop a 68-unit multi-family housing development (apartments) with a 3,818 square foot community center building and pool and maintenance buildings on 5.16 acres and a 31,375 square foot commercial building on 1.79 acres. The site consists of five Assessor's parcels. Four parcels with a total of 6.27 acres are designated Commercial Retail and a one-acre parcel is designated Medium High Density Residential. General Plan Amendment No. 16006 would retain the Commercial Retail designation on 1.79 acres, while amending the General Plan designation of 4.16 acres of Commercial Retail and one acre of Medium High Density Residential to High Density Residential. The four parcels designated Commercial Retail are currently zoned R-VC (Rubidoux – Village Commercial), while the one-acre parcel is zoned R-2 (Multiple Family Dwellings), and A-1 (Light Agriculture). Change of Zone No. 16011 would maintain R-VC zoning on 1.79 acres, change the zoning of 4.16 acres from R-VC to R-2, and change the zoning of one acre from R-2 and A-1 to R-2. Finally, Tentative Parcel Map No. 37126 would reconfigure the existing parcel boundaries to establish two new parcels (1.79 acres and 5.16 acres, respectively).

V. MEETING SUMMARY

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Daryl Brown, Northtown Housing Development Corp., 10808 Foothill Blvd., STE 160-495, Rancho Cucamonga, CA

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The following spoke in opposition to the project:
John Burcher, Other Interested Person

No one spoke in neutral to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission by a vote of 6-0 found the project **INCONSISTENT**. Recuse: Commissioner Lyon

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@rivco.org.

ITEM 2.1: TIME: 9:01 A.M.

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- I. **AGENDA ITEM 3.1:** ZAP1268MA17 – ADJ Holdings, Inc. (Representative: NAI Capital, David Moore) – County of Riverside Case No. PP26174 (Plot Plan). A proposal to establish a construction storage yard for wood powerline poles with a 240 square foot office trailer on 13.94 acres located on the southeast corner of Harley Knox Boulevard and Harvill Avenue. (Airport Compatibility Zones C1 and C2 of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**
None

- III. **STAFF RECOMMENDATION**
Staff recommends that the proposed Plot Plan 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 proposes to establish a construction storage yard for wood powerline poles with a 240 square foot office trailer on 13.94 acres.

CONDITIONS: (new conditions, as added pursuant to FAA letter subsequent to hearing shown in **bold type**).

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note A on Table 4 of the Mead Valley Area Plan.
 - (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.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The following uses/activities are specifically prohibited at this site: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators.
4. Additionally, the following uses are prohibited within the Compatibility Zone C1 portion of the site: Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate

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care facilities, places of assembly (including churches and theaters), and critical community infrastructure facilities.

5. The attached notice shall be given to all prospective purchasers of the property and tenants or lessees of the building, and shall be recorded as a deed notice.
6. 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.
7. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
8. Any additional structures or change in use will require an amended review by the Airport Land Use Commission.
9. The project does not proposed rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.

The following conditions have been added subsequent to the ALUC hearing pursuant to the terms of the FAA Obstruction Evaluation Service letter issued on July 12, 2017 for Aeronautical Study No. 2017-AWP-6135-OE.

10. **The Federal Aviation Administration has conducted an aeronautical study of the proposed project (Aeronautical Study No. 2017-AWP-6135-OE) and has determined that neither marking nor lighting of the structure(s) is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 1 and shall be maintained in accordance therewith for the life of the project.**
11. **The proposed structure(s) shall not exceed a height of 15 feet above ground level and a maximum elevation at top point (including all roof-mounted equipment, if any) of 1,541 feet above mean sea level.**
12. **The maximum height and top point elevation specified above shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.**
13. **Temporary construction equipment used during actual construction of the structure(s) shall not exceed 15 feet in height and a maximum elevation of 1,541 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.**

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14. Within five (5) days after construction reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structure(s).

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

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

No one spoke in favor, 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** subject to the conditions herein and FAA review.

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@rivco.org.

ITEM 3.1: TIME: 9:33 A.M.

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I. **AGENDA ITEM 3.2:** ZAP1269MA17 – Meridian Park, LLC (Representative: Jeff Gordon) – March Joint Powers Authority Case Nos. General Plan Amendment No. 17-01, Specific Plan Case No. 17-04, (Amendment No. 6 to Specific Plan No. 1), Amendment No. 4 to Tentative Tract Map No. 30857, and Amendment No. 1 to PP16-07 (Plot Plan). The amended Plot Plan proposes to add 78.18 acres to a previous 48.02-acre approval for development of a parking lot for an adjacent 1,000,000 square foot building to facilitate its use as a Parcel Delivery Terminal, along with a 5,000 square foot customer service/security building and a 12,000 square foot vehicle maintenance facility. The project site is located easterly of Barton Street, southerly of Krameria Avenue, and northerly of Larry Parrish Parkway (an easterly extension of Mariposa Avenue). The applicant also proposes amending the General Plan Circulation Element to modify the road configuration of Krameria Avenue and amending the March Business Center Specific Plan to define and specifically allow parcel delivery terminals as approved uses and make various other changes, and revising Tentative Tract Map No. 30857 by reconfiguring parcels 67 through 71 and revising the circulation pattern. (Airport Compatibility Zones C2 and D of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed General Plan Amendment and Specific Plan Amendment CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and find the proposed Tentative Tract Map and Plot Plan CONSISTENT, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

A proposal to add 78.18 acres to a previous 48.02-acre approval for development of a parking lot for an adjacent 1,000,000 square foot building to facilitate its use as a Parcel Delivery Terminal, along with a 5,000 square foot customer service/security building and a 12,000 square foot vehicle maintenance facility. The area would provide 1,699 vehicle parking spaces and 965 trailer storage spaces. The applicant also proposes amending the General Plan Circulation Element to modify the road configuration of Krameria Avenue and amending the March Business Center Specific Plan to define and specifically allow parcel delivery terminals as approved uses within the Industrial and Business Park designations, and make various other changes. The applicant also proposes to revise approved Tentative Tract Map No. 30857 by reconfiguring the boundaries of parcels 67 through 71 and revising the circulation pattern.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
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.

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- (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.
 - (e) Hazards to flight. Children's schools are discouraged in Compatibility Zone C2.
3. The attached notice shall be provided to all prospective purchasers of the property and tenants or lessees of the building, and shall be recorded as a deed notice.
 4. 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.
 5. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
 6. This project has been evaluated for a total of 17,000 square feet of building area. Any increase in building area or change in use will require an amended review by the Airport Land Use Commission.
 7. Any roof-top equipment or change in height that exceeds a total height of 39 feet will require Form 7460-1 submittal, review, and issuance of a "Determination of No Hazard to Air Navigation" by the Federal Aviation Administration Obstruction Evaluation Service.
 8. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.

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V. **MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Jeff Gordon, Other Interested Person, Newport Beach, CA 92663

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** subject to conditions herein.

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@rivco.org.

ITEM 3.2: TIME: 9:34 A.M.

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- I. **AGENDA ITEM 3.3:** ZAP1243MA17 – City of Menifee (Representative: Cheryl Kitzerow). City of Menifee Case No. GPA 2017-172 (General Plan Amendment). A proposal to amend the text and diagrams of the City's General Plan in order to establish consistency with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and the 2011 Perris Valley Airport Land Use Compatibility Plan, and with the compatibility criteria therein. (Compatibility Zones D and E).
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends that the Commission open the public hearing, consider testimony, and find that the proposed General Plan Amendment, including the airport land use implementation actions, upon adoption by the Menifee City Council, will render the City's General Plan CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and with the Perris Valley Airport Land Use Compatibility Plan. The specific implementation actions to be included in the City's General Plan are Airport Influence Area Actions LU-19 through and including LU-23 and Disaster Response Action S-67, along with deletion of Transportation Noise Action N-12.
- IV. **PROJECT DESCRIPTION**
The City of Menifee proposes to amend its General Plan so as to bring it into consistency with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and the 2011 Perris Valley Airport Land Use Compatibility Plan.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rivco.org
- The following spoke in favor of the project:
Lisa Gordon, City of Menifee, Menifee CA
- 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.
- 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@rivco.org.
- ITEM 3.3: TIME: 9:41 A.M.

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- I. **AGENDA ITEM 3.4:** ZAP1025BA17 – Burgess Family Trust (Representative: Marcell & Associates) – City of Banning Case No. BR179502 (Billboard Review). The applicant proposes to remove the existing static billboard sign located at 1680 Ramsey Street, and replace it with a 55 foot tall dual “V” shaped dynamic LED billboard sign located on a 0.89 acre parcel. The project site is located southerly of Ramsey Street, easterly of Hathaway Street, and northerly of Interstate 10 (Airport Compatibility Zone D of the Banning Municipal Airport Influence Area).

II. **MAJOR ISSUES**

The proposed digital LED sign may have the potential to create glare and act as a distraction to pilots which could constitute a hazard to flight. However, at this time, there is no indication that the sign would impact aircraft navigation that would result in a direct conflict with aviation regulation standards relating to glare and distraction.

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the proposed Billboard Review CONDITIONALLY CONSISTENT, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

STAFF RECOMMENDED AT HEARING
CONSISTENT

IV. **PROJECT DESCRIPTION**

The applicant proposes to remove the existing static billboard sign on a 0.89 acre parcel located at 1680 Ramsey Street, and replace it with a 55 foot tall dual “V” shaped dynamic LED billboard sign.

CONDITIONS: (Conditions added at the hearing [subsequent to release of the staff report] are shown in **bold type**.)

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities 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,

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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. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.
- 4. In the event that any incidence of glint, glare, or flash affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such glint, glare, or flash. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. Suggested measures may include, but are not limited to, realignment of the sign, covering them at the time of day when incidences of glare occur, to diminish or eliminate the source of the glint, glare, or flash. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
- 5. In the event that any incidence of electrical interference affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such interference. An "incidence" includes any situation that results in an accident, incident, "near-miss," report by airport personnel, or specific safety complaint to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
- 6. The LED sign shall prohibit any advertisements that utilizes colors and graphics that could be misinterpreted by aircraft pilots as aviation related signs/symbols.
- 7. **The Federal Aviation Administration has conducted an aeronautical study of the proposed project (Aeronautical Study No. 2017-AWP-5818-OE) and has determined that neither marking nor lighting of the structure(s) is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 1 and shall be maintained in accordance therewith for the life of the project.**
- 8. **The proposed structure(s) shall not exceed a height of 55 feet above ground level and a maximum elevation at top point (including all roof-mounted equipment, if any) of 2,304 feet above mean sea level.**

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9. The maximum height and top point elevation specified above shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
10. Temporary construction equipment used during actual construction of the structure(s) shall not exceed 55 feet in height and a maximum elevation of 2,304 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
11. Within five (5) days after construction reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structure(s).

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

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

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

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0 found the project **CONSISTENT** subject to revised conditions submitted at meeting.

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@rivco.org.

ITEM 3.4: TIME: 9:51 A.M.

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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals – Information only

II. **5.0 APPROVAL OF MINUTES**

The ALUC Commission by a unanimous vote of 7-0 approved the June 8, 2017 minutes.

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

None

IV. **7.0 COMMISSIONER'S COMMENTS**

None

V. **CLOSED SESSION**

8.1 Conference with Legal Counsel-Anticipated Litigation (d)(2) of Government Code Section 54956.9. One potential case.

8.2 Conference with Legal Counsel-Anticipated Litigation (d)(4) of Government Code Section 54956.9. One potential case.

There was no reportable action for Item 8.1 and 8.2

VI. **9.0 ADJOURNMENT**

Chairman Ballance adjourned the meeting at 10:03 a.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@rivco.org.

ITEM 4.0: TIME IS: 9:59 A.M.