

# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administration Center  
4080 Lemon St., Hearing Room (1st Floor)  
Riverside, California

Thursday, 9:00 a.m., August 10, 2006

CHAIR  
Simon Housman  
Rancho Mirage

VICE CHAIRMAN  
Rod Ballance  
Riverside

COMMISSIONERS

Arthur Butler  
Riverside

Robin Lowe  
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Ed Cooper  
John Guerin  
Cecilia Lara  
Sophia Nolasco  
Barbara Santos

County Administrative Center  
4080 Lemon St., 9<sup>th</sup> Floor.  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the Plan. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s).

In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Barbara Santos at (951) 955-5132 or E-mail at [basantos@rctlma.org](mailto:basantos@rctlma.org). Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

1.0 INTRODUCTIONS

1.1 CALL TO ORDER

1.2 SALUTE TO FLAG

1.3 ROLL CALL

2.0 APPROVAL OF MINUTES FOR: July 13, 2006

3.0 EXECUTIVE SESSION: Conference with legal counsel regarding existing litigation (Government Code section 54956.9): Silverhawk Land & Acquisitions, LLC v. Riverside County Airport Land Use Commission et al. (Riverside Superior Court case no. RIC 431176) and potential litigation.

3.1 OPEN SESSION: ALUC Legal Counsel – Suspension of the French Valley Airport Land Use Compatibility Plan – 2004. Recommendation: See Motion.

3.2 OPEN SESSION: ALUC Legal Counsel – Interim Use of French Valley Airport Comprehensive Land Use Plan (1996)

4.0 9:00 A.M. CONSENT CALENDAR AND PUBLIC HEARING ITEMS FOR WHICH STAFF RECOMMENDS CONSISTENCY UNDER ONE MOTION UNLESS A COMMISSION MEMBER OR MEMBER OF THE PUBLIC DESIRES TO DISCUSS THE MATTER.

**JACQUELINE COCHRAN REGIONAL AIRPORT**

- 4.1 Resolution for TH-06-105 – Riverside County Planning Department and Environmental Assessment No. 40817. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: ADOPTION of Resolution No. TH-06-001 Adopting a De Minimis Finding, Adopting a Mitigated Negative Declaration for Environmental Assessment No. 40817, Denying the amendment as proposed, and approving Alternative Three.

**MARCH AIR RESERVE BASE**

- 4.2 MA-06-124 – Silver Oak Development - Case No. P06-0713 (Design Review) - Development of small office buildings with a total of 84,600 square feet total gross building area on 6.0 acres located south of Mission Grove Parkway, easterly of Trautwein Road, westerly of Lindbergh Drive, and northerly of Jesse Lane, in the City of Riverside. Airport Area II. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

- 4.3 MA-06-126 – Spectrum Surveying and Engineering – Case No. PP21714 - Installation of an unmanned telecommunications facility. Site will include a 65 ft. mono-pole disguised as a broadleaf tree, outdoor equipment cabinets, GPS antennas, and fencing. The site is located south of Oleander Avenue, westerly of Harvill Avenue, in unincorporated Riverside County. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

- 4.4 MA-06-127 – City of Riverside/Philip Hannawi - Case No. EPW-06-003 (Public Street Right of Way) - Widening of Canyon Crest Drive between Via Vista Drive and Country Club Drive, in the City of Riverside, from two to four lanes with a raised median. Street lighting is also proposed with the project. Airport Areas II and III. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

- 4.5 MA-06-128 – Gregory S. Hann - Case No. CUP #P06-0815 - Addition of a 1,866 square foot drive thru car wash and vacuum area for five cars to a fully developed Shell gas station with a convenience store located southerly of State Highway 60, westerly of Day Street, northerly of Canyon Springs Parkway, in the City of Riverside. Airport Area II. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org).

Staff Recommendation: CONSISTENT

**PALM SPRINGS INTERNATIONAL AIRPORT**

- 4.6 Resolution for PS-05-100 – ALUC Staff. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: ADOPTION of Resolution No. PS-06-001

5.0 PUBLIC HEARING: 9:30 a.m. or as soon as possible thereafter: OLD BUSINESS**FRENCH VALLEY AIRPORT**

5.1 FV-06-106 –Pointe Murrieta Partners – Commercial/Industrial (Schedule E) Parcel Map No. 34461 and Plot Plan No. 21352 for 170,000 sq. ft. of commercial/service industrial buildings, northerly of Murrieta Hot Springs Road and westerly of Town View Avenue. County of Riverside unincorporated area. Airport Zone B1. Emergency Touchdown Zone and Outer Safety Zone. (Continued from July 13, 2006, June 8, 2006, May 11, 2006 and April 13, 2006). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONDITIONALLY CONSISTENT with 1997 CLUP due to exemption within specific plans, but not advisable.

5.2 FV-06-108 Garrett Group, LLC/Silverhawk Investments, LLC - Plot Plan No. 21733 proposing development of one two-story office building with a total floor area of 39,140 square feet on up to 3.06 gross acres located easterly of Sky Canyon Drive and southerly of Technology Drive in the French Valley area of unincorporated Riverside County. Airport Zone C. Traffic Pattern Zone (Continued from July 13 and June 8, 2006). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONSISTENT WITH 1997 CLUP

5.3 FV-06-109 Garrett Group, LLC/Silverhawk Investments, LLC– Plot Plan No. 21731 proposing development of three single-story buildings with a total floor area of 57,354 square feet on up to 7.63 gross acres located easterly of Sky Canyon Drive and northerly of Murrieta Hot Springs Road in the French Valley area of unincorporated Riverside County. Airport Zones C and B1. Outer Safety Zone and Traffic Pattern Zone. (Continued from July 13 and June 8, 2006). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONDITIONALLY CONSISTENT with 1997 CLUP; redesign preferable

5.4 FV-06-107 – Justice Center Plaza LLC/Sunbelt Properties Mgmt. – (RECONSIDERATION) - GPA 00758 (CR to CO), CZ 06969 (A-1-5 to C-P-S), Plot Plan 19414 to develop 78,000 square ft. 3-story office building with retail use on first floor on 4.17 acres at the southeast corner of Auld Road/Leon Road, within the County of Riverside. Airport Zone C and Traffic Pattern Zone. (Found inconsistent with 2004 Plan on May 25, 2006). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONDITIONALLY CONSISTENT with 1997 CLUP, with referral to staff for FAA clearance.

**BERMUDA DUNES AIRPORT**

- 5.5 BD-06-100 – Marsha Vincelette – Plot Plan 21072 for 90,000 sq. ft. office building, at 38752 El Cerrito Road, within the County of Riverside. (Continued from May 8, 2006, April 13, 2006 and March 9, 2006) ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONTINUANCE to September 14, 2006, with applicant concurrence.

**MARCH AIR RESERVE BASE**

- 5.6 MA-06-112 – The Magnon Companies – (RECONSIDERATION) - P06-0375 - Proposes 15,700 square foot office building for Department of Motor Vehicles with 243 parking spaces on 3.8 acres located west of Sycamore Canyon Blvd., north of Eastridge Avenue in the City of Riverside. Area I (Found inconsistent on July 13, 2006). John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: INCONSISTENT or DECLINE TO ACT

**6.0 NEW BUSINESS**

**BERMUDA DUNES AIRPORT**

- 6.1 BD-06-103 – Valley Landscape Service - Plot Plan No. 20513, a proposal to develop a three-suite building 7,530 square feet in floor area on a 0.76 acre property located southwesterly of Country Club Drive and northeasterly of Bermuda Dunes Airport, in the unincorporated Riverside County community of Bermuda Dunes. Airport Zones B2 and A. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: INCONSISTENT, but consider finding of CONSISTENCY pursuant to Policy 3.3.6.

**FRENCH VALLEY AIRPORT**

- 6.2 FV-06-111 – NNR Briggs, LLC - GPA No. 00806 amending designation from Commercial Retail to Medium Density Residential (2 to 5 dwelling units per acre) and Change of Zone Case No. 7328 from A-1-10 (Light Agriculture, 10 acre minimum lot size) to R-1 (One-family Dwellings) on 2 ½ acres located westerly of Leon Road and northerly of Los Alamos Road in French Valley, unincorporated Riverside County. Airport Zone C. Extended Runway Centerline Zone (1996). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONDITIONALLY CONSISTENT with 1996 Plan, but NOT ADVISABLE pursuant to 2002 handbook.

**HEMET RYAN AIRPORT**

- 6.3 HR-06-100 – Hemet 63 Investments, LLC/Corman Leigh Communities - Case Nos. GPA 05-4 and ZC 05-4 – Amend General Plan designation from Commercial/Industrial to Mixed Use, and change zoning from M-2 to C-2, R-1 and R-3 on 63 acres located westerly of Cawston Avenue and southerly of Florida Avenue and Acacia Avenue, in the City of Hemet. Transition Area. John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONSISTENT, but not preferable.

- 6.4 HR-06-101 – JAKS, LLC/Meyers, Nave, Riback, Silver and Wilson - GPA 04-07 amending the General Plan designation on 25.6 acres from Industrial to Commercial, and CZ 04-13 changing the zoning of 25.6 acres from M-2 to C-2 and changing the zoning of 10.4 acres from C-1 to C-2. The 36-acre area is located easterly of Sanderson Avenue and southerly of Acacia Avenue, in the City of Hemet. Area I, Area II, and Transition Area. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONDITIONALLY CONSISTENT, but NOT ADVISABLE; large commercial retail facilities would be found inconsistent.

**RIVERSIDE MUNICIPAL AIRPORT**

- 6.5 RI-05-133 – MMI Titan, Inc. - Case No. P-05-1070 (Conditional Use Permit) – Install rooftop antennas for wireless telecommunications on the roof of the Riverside Municipal Airport terminal building, and add an equipment shelter with GPS antennas near Gate 3. Building address: 6951 Flight Road, at Riverside Municipal Airport, in the City of Riverside. Airport Zones B2 and A. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONTINUANCE to September 14, 2006, pending receipt of FAA clearance.

- 6.6 RI-06-116 – Lindborg and Urbano – Case Nos. P-06-0719 and P-06-0714- Change zoning from R-1-65 to MP and develop a three-building, multi-tenant industrial project (28,125 square feet in floor area) on 2.27 acres located on the south side of Arlington Avenue, westerly of Monroe Street, in the City of Riverside. Airport Zones B1 and A. John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: CONTINUANCE to September 14, 2006 for redesign; otherwise inconsistent.

- 6.7 RI-06-119 – Hogle – Ireland Inc., for Birtcher Riverside General LLC - CZ 07312 and PP21371 – Change zoning from M-SC to M-H and develop five industrial buildings with a total floor area of 344,605 sq. ft. along segments of General Dr. and Clay St., located east of Van Buren Blvd., north of the Santa Ana River, and south of the Metrolink rail line in the community of Pedley in unincorporated Riverside County. Airport Zone D. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at [clara@rctlma.org](mailto:clara@rctlma.org)

Staff Recommendation: CONDITIONAL CONSISTENCY with referral to staff if FAA Notice sent; otherwise, CONTINUANCE to September 14, 2006.

**JACQUELINE COCHRAN REGIONAL AIRPORT**

6.8 TH-06-106 – Van Buren Estates, LLC - Case Nos. GPA 00787, CZ 07291, and Tract Map No. 34556 – Amend the General Plan designation from Agriculture with Community Development Overlay to Medium Density Residential, change zoning from A-1-20 to R-1, and divide 163.87 acres located east of Van Buren Street and north of 60<sup>th</sup> Avenue into 301 lots. Unincorporated Riverside County. Airport Zones D and E. John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

Staff Recommendation: INCONSISTENT within Airport Zone D; consider CONTINUANCE to allow for redesign.

7.0 ADMINISTRATIVE ITEMS

7.1 March Joint Land Use Study Presentation – Dan Fairbanks, March JPA

7.2 Mentor Aviation Airport Presentation – Paul Pribble

7.3 Vote for new ALUC Logos

7.4 Executive Director’s Approvals

8.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

9.0 COMMISSIONER’S COMMENTS

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.1

**HEARING DATE:** August 10, 2006

**CASE SUMMARY:**

**CASE NUMBER:** Resolution for TH-06-105 – Riverside County Planning Department and Environmental Assessment No. 40817

**APPROVING JURISDICTION:** Airport Land Use Commission

**JURISDICTION CASE NO:** Not Applicable

**RECOMMENDATION:** **ADOPTION** of Resolution No. TH-06-001 Adopting a De Minimis Finding, Adopting a Mitigated Negative Declaration for Environmental Assessment No. 40817, Denying the amendment as proposed, and Approving Alternative Three.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 4.2

**HEARING DATE:** August 10, 2006

### CASE SUMMARY:

**CASE NUMBER:** MA-06-124- Silver Oak Development

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO.:** P06-0713

**RECOMMENDATION:** Staff recommends a finding of consistency for the above referenced project, subject to the conditions herein.

### PROJECT DESCRIPTION:

The project involves the development of six acres with a total of 84,600 gross square feet of building area that will house offices, both general and medical. The medical office buildings are grouped together in the north-east portion of the site, while the remaining buildings on the western edge of the site will house general offices. All buildings submitted are two stories, range in size from 5700 square feet to 9800 square feet and do not exceed thirty-four (34) feet in height to the top of parapet. Construction of all buildings will be by tilt-up concrete panels.

### PROJECT LOCATION:

The site is located southerly of Mission Grove Parkway, westerly of Lindbergh Drive, northerly of Jesse Lane, and easterly of Trautwein Road, approximately 16,800 feet northwesterly of Runway 14-32.

Adjacent Airport:

- a. Airport Influence Area: March Air Reserve Base/ March Inland Port
- b. Land Use Policy: Influence Area II
- c. Noise Levels: Outside the 55 CNEL

### DOCUMENTS REFERENCED:

Staff utilized five resources for its review:

1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. Caltrans Airport Land Use Planning Handbook: 2002



3. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base.
4. Map dated July 12, 1999 prepared by Transportation and Land Management Agency, GIS Division.
5. DRAFT March Joint Land Use Study (advisory only)

### **BACKGROUND:**

Land Use - Intensity: The site is in Airport Area II, as depicted on the map illustrated at [www.rcaluc.org](http://www.rcaluc.org). Airport Area II allows commercial and industrial development. The average use intensity is 70.5 persons per acre average and 91 persons per single acre. Airport Area II has no population intensity restrictions for most commercial and industrial uses. The proposed project is consistent with Area II restrictions.

The Draft March Land Use Study prepared by Mead and Hunt depicts this property as being within Airport Zones C2 & D. Both Zones allow office buildings three floors or less in height. Airport Zone C2 as proposed would allow nonresidential average intensity of 150 persons per acre and single acre intensity of 375 persons per acre. The proposed project is also consistent with this Draft Study

Part 77: The elevation at this site is approximately 1608 feet MSL, and the proposed maximum structure height is 35 feet. The runway elevation is 1535 feet. At a distance of 16,800 feet from the runway, in order to be an obstruction, a structure would need to exceed 1703 feet. Part 77 obstruction criteria are not a concern for this project.

Noise: The site is outside the 60 CNEL contour for the airport as depicted in the AICUZ study, and is outside the 55 CNEL contour as shown on the 1999 map. The proposed use is an acceptable use with noise not being an issue.

### **CONDITIONS OF APPROVAL:**

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the MARB/MIP Airport.
2. Any outdoor lighting installed shall be hooded or shielded to assure that no lights are above the horizontal plane.
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 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
4. The attached notice shall be given to all prospective buyers and tenants.

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 4.3

**HEARING DATE:** August 10, 2006

**CASE SUMMARY:**  
**CASE NUMBER:** MA-06-126 – Spectrum Surveying & Engineering

**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** PP21714

**RECOMMENDATION:** **Staff recommends a finding of consistency for the above referenced project, subject to the conditions herein.**

### PROJECT DESCRIPTION:

The applicant proposes the installation of an unmanned wireless telecommunications facility, consisting of a 65 foot monopole disguised as a broadleaf tree, with outdoor equipment cabinets, GPS antennas, and generator pad concealed behind a 6 foot high chain link fence.

### PROJECT LOCATION:

This site is located southerly of Oleander Avenue and westerly of Harvill Avenue, approximately 4,400 feet southwesterly of the southerly terminus of Runway 14-32 at March Air Reserve Base/March Inland Port.

Adjacent Airport:	March Air Reserve Base/March Inland Port
a. Airport Influence Area:	Within Area of Influence
b. Land Use Policy:	Airport Area II
c. Noise Levels:	Less than 60 CNEL (1998 AICUZ)

### DOCUMENTS REFERENCED:

Staff utilized two resources for its review:

1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base.

## **BACKGROUND:**

Noise: The 1998 AICUZ indicated the property to be outside the 60 CNEL contour. In any event, the proposed use is not noise-sensitive.

Staff Report

Page 2

Part 77: The elevation at this site is approximately 1522 feet above mean sea level (AMSL), and the maximum structure height is 65 feet. (The tree "leaves" would increase the height not more than ten feet.) The runway elevation at the south end is 1488 feet. The applicant has obtained FAA aeronautical review of this project (attached). The FAA has determined that the structure will not be a hazard to air navigation and does not exceed obstruction standards.

## **CONDITIONS OF APPROVAL:**

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the MARB/MIP Airport.
2. If any outdoor lighting is installed on the monopole structure/broadleaf "tree", such lighting shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 70/7460-1K.
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 FAA-approved lighting as specified above, 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.
4. The height of the proposed structure to top of "leaf" shall not exceed seventy-five (75) feet above ground level and an elevation of 1,609 feet above mean sea level.
5. Temporary construction equipment used during actual construction of the

structure shall not exceed the height of the proposed structure.

6. The attached notice shall be given to all prospective buyers and tenants.

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**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.4

**HEARING DATE:** August 10, 2006

**CASE SUMMARY:**

**CASE NUMBER:** MA-06-127 – Philip Hannawi, Principal  
Engineer **APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** EPW-06-003

**RECOMMENDATION:** **Staff recommends a finding of consistency,  
subject to the conditions specified herein.**

**PROJECT DESCRIPTION:**

The City of Riverside is proposing to widen Canyon Crest Drive between Via Vista Drive and Country Club Drive from two to four lanes with a raised center median. Street lighting is also proposed with the project.

**PROJECT LOCATION:**

The road segment is located in Riverside, southerly of Martin Luther King Jr. Boulevard, westerly of Interstate 215 Freeway, and easterly of Chicago Avenue, approximately 23,200 feet northwesterly of the north end of Runway 14/32 at March Air Reserve Base/March Inland Port.

Adjacent Airport: March Air Reserve Base/March Inland Port  
a. Airport Influence Area: Within Area of Influence Study Area  
b. Land Use Policy: Influence Area II  
c. Noise Levels: Outside the 60 CNEL contour

**DOCUMENTS REFERENCED:**

Staff utilized two resources for its review:

1. The RCALUP: 1984 with Interim Boundaries for March Air Force Base: 1986
2. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base.

**BACKGROUND:**

Land Use - Intensity: Not an issue.

Part 77: The elevation at this site is approximately 1498 feet above mean sea level (AMSL), and the maximum pole height is 37 feet. The runway elevation is 1535 feet AMSL. Given the distance of this project from the runway, in order to be an obstruction, a structure would need to exceed 1767 feet AMSL in elevation. Part 77 obstruction criteria are not a concern with this project.

Noise: Not an issue.

**CONDITIONS OF APPROVAL:**

1. Provide Avigation Easements to March ARB/MIP prior to any permits being issued or sale to any entity exempt from the Subdivision Map Act.
2. Any new outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane.
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 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.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 4.5

**HEARING DATE:** August 10, 2006

**CASE NUMBER:** MA-06-128- Gregory S. Hann

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO.:** P06-0815

**RECOMMENDATION:** Staff recommends a finding of consistency for this project, subject to the conditions specified herein.

### PROJECT DESCRIPTION:

The applicant proposes an addition of a drive-thru car wash (1,866 square feet) and a vacuum area for five cars on a site that includes an existing convenience store and gasoline station.

### PROJECT LOCATION:

The site is located at 6189 Day Street in the City of Riverside, northerly of Canyon Springs Parkway and southerly of Highway 60, approximately 16,000 feet northwesterly of Runway 14/32 at March Air Reserve Base/March Inland Port.

Adjacent Airport: March Air Reserve Base/March Inland Port

- a. Airport Influence Area: Within Area of Influence
- b. Land Use Policy: Airport Area II
- c. Noise Level: Outside the 55 dBA Contour from Airport (1999 Map)

### DOCUMENTS REFERENCED:

Staff utilized five resources in its review:

1. RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. Caltrans Airport Land Use Planning Handbook:2002

3. Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base
4. DRAFT March Joint Land Use Study (advisory only)
5. Map dated July 12, 1999 prepared by Transportation and Land Management Agency, GIS Division

**BACKGROUND:**

Land Use –Intensity: The proposed land use is a 1,866 square foot drive-thru car wash to be added to an already existing Shell gasoline station with a 3,232 square foot convenience store and a 3,976 square foot detached gasoline canopy. The site is in Airport Area II, as depicted on the map illustrated at [www.rcaluc.org](http://www.rcaluc.org). Airport Area II allows commercial and industrial development with no restrictions on nonresidential land use intensities for most uses.

The Draft March Land Use Study prepared by Mead and Hunt depicts this property as being within Airport Zone D. This zone would allow gas stations, retail sales, and auto services, with no restrictions on nonresidential use intensities. The proposed project is also consistent with this Draft Study.

Part 77: The elevation at this site is approximately 1601 MSL, and the proposed maximum structure height is 21 feet. The runway elevation is 1535 feet. At a distance of 16,000 feet from the runway, in order to be an obstruction, a structure would need to exceed 1695 feet above mean sea level. Part 77 obstruction criteria are not a concern for this project.

Noise: The site is outside the 60 CNEL contour as depicted in the 1988 AICUZ study, and is outside the 55 CNEL contour as shown on the 1999 map.

**CONDITIONS OF APPROVAL:**

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the MARB/MIP Airport.
2. Any outdoor lighting installed shall be hooded or shielded to assure that no lights are above the horizontal plane.
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 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
4. The attached notice shall be given to all prospective buyers or tenants.

**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 4.6

**HEARING DATE:** August 10, 2006

**CASE SUMMARY:**

**CASE NUMBER:** Resolution for PS-05-100 – Riverside County ALUC Staff

**APPROVING JURISDICTION:** Airport Land Use Commission

**JURISDICTION CASE NO:** Not Applicable

**RECOMMENDATION:** **ADOPTION** of Resolution No. PS-06-001 Approving the calculation of residential densities in Airport Zone D within the Airport Influence Area of Palm Springs International Airport on a net, rather than on a gross, basis.

Y:\ALUC\Palm Springs\ResoPS-05-100augsr

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

AGENDA ITEM: 5.1 3.3V.F.VI.C.

HEARING DATE: AUGUST 10, 2006 July 13, 2006 June 8, 2006 May 11, 2006 (continued from April 13 and May 11 and June 8 and July 13, 2006)

### CASE SUMMARY:

CASE NUMBER: FV-06-106 – Pointe Murrieta Partners, LLC  
APPROVING JURISDICTION: County of Riverside  
JURISDICTION CASE NO: Plot Plan No. 21352 (PP21352)/Parcel Map No. 33461 (PM 33461)

**RECOMMENDATION: STAFF RECOMMENDS A FINDING OF CONDITIONALLY CONSISTENT (DUE TO THE EXEMPTION FOR PROPERTIES IN ADOPTED SPECIFIC PLANS), BUT NOT ADVISABLE IN THE ABSENCE OF OCCUPANCY RESTRICTIONS, ESPECIALLY WITHIN 250 FEET OF THE EXTENDED RUNWAY CENTERLINE.**

**RECOMMENDATION: CONTINUANCE to August 10, 2006 with applicant concurrence to allow for further clarification from the applicant. An additional continuance may be necessary at that time if the applicant wishes that the project be considered in conjunction with an amendment to the French Valley ALUCP establishing additional compatibility standards for Zone B1 and Zone C modifying single-acre occupancy standards for nonresidential development.**

**RECOMMENDATIONS: Provided that written or oral authorization is received from the applicant, staff recommends CONTINUANCE to July 13, 2006 to allow for further clarification of intended land uses within the proposed buildings and to await comment from ALUC consultant Mead & Hunt with regard to whether further disaggregation of retail occupancy levels would be appropriate and whether vehicle occupancy levels less than 1.5 persons per vehicle should be considered in this case. The applicant has provided some additional information regarding occupancy of some of the types of uses envisioned for the buildings but has not submitted revised calculations at this time, other than to acknowledge that the “all other” space would not be entirely warehousing and storage uses.**

**LITIGATION ISSUES: This project is within the French Valley Airport Land Use Compatibility Plan area. Due to ongoing litigation, there is a possibility that the applicability of the adopted 2004 French Valley ALUCP will be suspended by court**

**order. THE APPLICABILITY OF THE 2004 FRENCH VALLEY AIRPORT LAND USE COMPATIBILITY PLAN HAS BEEN SUSPENDED BY COURT ORDER. Staff has, therefore, also reviewed the project in light of the previously adopted (1997) FRENCH VALLEY AIRPORT COMPREHENSIVE LAND USE PLAN (FVACLUP) ALUCP and has determined that a portion of the property would have been considered to be in the Emergency Touchdown Zone, where new structures were prohibited, and a portion would have been considered to be in the Outer Safety Zone, which limited uses in structures to 25 persons per acre (essentially equivalent to Airport Zone B1, but without the single-acre occupancy allowance) and also limited lot coverage by structures to a maximum of 25% of net lot area. Based on these provisions, the project would have been recommended for a finding of INCONSISTENCY in the absence of the Specific Plan exemption. However, the 1997 FVACLUP ALUCP exempted properties within adopted specific plans from “all requirements of this Comprehensive Land Use Plan with respect to land use, development density, and development intensity.” (Section 7.4.1 on page 7-6) The validity of this exemption is questionable, given the Attorney General’s opinion regarding such exemptions as provided to Riverside County during the period in which the 2004 Plan was being prepared. NEVERTHELESS, THIS EXEMPTION WAS CLEARLY INCLUDED IN THE CLUP**

**PROJECT DESCRIPTION:**

Development of 13.28 net acres (15.65 gross acres including adjoining street half-widths) as a light industrial business park comprised of approximately 170,000 square feet of floor area in a total of nineteen (19) buildings, and divide the property into six commercial/industrial parcels.

**PROJECT LOCATION:**

The site is located northerly of Murrieta Hot Springs Road, westerly of Town View Avenue, and southerly of Commerce Court in unincorporated Riverside County, approximately 4,400 feet southerly of extended Runway 18-36 at French Valley Airport.

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Zone B1 (**EMERGENCY TOUCHDOWN ZONE AND OUTER SAFETY ZONE ON FVACLUP**)
- c. Noise Levels: 55-60 CNEL (Year 2022)

**BACKGROUND:**

This project site is within Specific Plan No. 213 (Winchester Properties/Silverhawk) and was included in the area designated Town Center on that Plan.

**MAJOR ISSUES:**

Land Use – Average Occupancy: **PURSUANT TO THE FVACLUP, THE SITE WOULD BE CONSIDERED TO BE PARTIALLY WITHIN THE EMERGENCY TOUCHDOWN ZONE (WHERE STRUCTURES WERE PROHIBITED) AND PARTIALLY WITHIN THE OUTER SAFETY ZONE (WHERE NONRESIDENTIAL LAND USE INTENSITY WAS LIMITED TO 25 PERSONS PER ACRE FOR USES IN STRUCTURES). HOWEVER, THE SITE WOULD HAVE BEEN SUBJECT TO THE EXEMPTION FOR LAND IN ADOPTED SPECIFIC PLANS.** The proposed project site is located in Airport Zone B1. Nonresidential development intensity in this zone is restricted to an average of 25 persons per acre, with a maximum of 50 persons per acre for any given acre of the property. Thus, the maximum number of persons allowed on this property would be 332 utilizing the net acreage of the property, or 391 utilizing the gross acreage of the property. The applicant has attempted to meet this standard and believes that the project meets this standard. However, the calculations submitted by the applicant (copy attached) assume that “all other uses” have an occupancy load pursuant to the California Building Code of one person per 500 square feet rather than one person per 100 square feet, as shown in Table C-1 in Appendix C of the Riverside County Airport Land Use Compatibility Plan. If “all other uses” are assumed to result in an occupancy level of one person per 100 square feet, the maximum number of people on-site prior to the application of the standard 50% reduction would be 1,250 persons. Application of the 50% reduction results in an occupancy of 625, or 40 persons per gross acre (47 persons per net acre).

A second possible approach is to consider the proposal using the parking space method. Under this simplified method for determining average occupancy, occupancy is considered to be 1.50 times the number of parking spaces provided. The applicant proposes to provide 482 parking spaces. This formula would indicate a total of 723 persons on the site, or 46 persons per gross acre (54 persons per net acre). The number of parking spaces provided exceeds the number required – 400 parking spaces. This would translate into 600 persons on the site, or 38 persons per gross acre.

Each of these average occupancy levels is acceptable in Airport Zone C, but not in Airport Zone B1. With respect to the County proposal to increase allowable average occupancy in Zone B1 to 40 persons per acre, this project would meet that average occupancy standard if one utilizes the Building Code method and the gross acreage of the property or the number of required parking spaces method, but does not meet the standard if one utilizes the provided parking space standard.

The real concern here is that there are no internal floor plans available and no known users. Speculative or “shell” buildings pose the potential for giant loopholes as individual occupants move their businesses into these units or spaces. The Airport Land Use Commission has no guarantee that the proportions of office, storage, and “other” use of any unit will remain stable over time. The provision of parking spaces in excess of the required number serves as a further incentive for higher-intensity land uses to consider locating at this site. Therefore, in the event that the Commission were to consider a finding of consistency for this proposal, staff recommends that the use of each unit be subject to the

review of Airport Land Use Commission staff (at the building permit review rate per unit) to ensure that overall and single-acre occupancy limits are not exceeded. It is further recommended that all uses with occupancy levels greater than one person per 100 square feet (such as churches, restaurants, and most types of retail sales) be prohibited in the absence of further review by ALUC staff.

Land Use – Single-Lot Occupancy: **THE FVACLUP USED AVERAGE OCCUPANCY CRITERIA, SO THIS WOULD NOT HAVE BEEN RELEVANT.** The applicant has wisely separated the occupancy of this site into multiple buildings in an attempt to avoid exceeding the single-acre maximum occupancy level of 50 persons, and each lot conforms to the 50 person per acre maximum, or has a total occupancy below 50 persons even when the value of “all other” is set to one person per 100 square feet. The multi-tenant buildings on parcels 3 and 4 have pro-rated occupancies of 51 and 50 persons per acre, respectively, in this situation, but in accordance with the example in the ALUCP, the compliance of sites smaller than one acre is based on total occupancy rather than pro-rated occupancy. Thus, consideration of individual lots does not result in any violations of the single-acre standard when evaluated pursuant to the Building Code method.

Open Area: **THE FVACLUP DID NOT HAVE A MINIMUM OPEN AREA STANDARD, BUT DID INCLUDE LIMITS TO MAXIMUM COVERAGE OF 25% IN THE OUTER SAFETY ZONE. OVERALL SITE COVERAGE FOR THIS PROJECT IS 30-34%. HOWEVER, THIS ASPECT ALSO WOULD HAVE BEEN SUBJECT TO THE SPECIFIC PLAN EXEMPTION.** Countywide land use compatibility criteria require that a minimum of 30% of land area consist of open land as defined in Policy 4.2.4 of the ALUCP. Notes for this Policy state that “open land requirements are intended to be applied with respect to an entire zone” and that this standard is “typically accomplished as part of a community general plan or specific plan, but may also apply to large (10 acres or more) development projects.” This project site is ten acres or larger, so the Commission could choose to apply this standard in this situation. This project does not provide “open area” as defined in Policy 4.2.4, to wit an area having minimum dimensions of approximately 75 feet by 300 feet free of major obstacles such as walls, large trees, and poles. The project site is adjacent to Tualota Creek flood control channel, which may meet the length and width standard but has steeply sloping edges and riparian vegetation that would present difficulties in the event of an emergency touchdown.

Extended Runway Centerline: **THE FVACLUP DID NOT INCLUDE A SPECIFIC STANDARD BUT ITS SAFETY ZONES WERE BASED ON DISTANCE FROM THE EXTENDED RUNWAY CENTERLINE, INCLUDING THE PROHIBITION OF STRUCTURES WITHIN 250 FEET ON EITHER SIDE OF THE EXTENDED RUNWAY CENTERLINE. THIS ASPECT WOULD ALSO HAVE BEEN SUBJECT TO THE SPECIFIC PLAN EXEMPTION.** Countywide land use compatibility criteria require that structures located in Airport Zone B1 be located a maximum distance **from** the extended runway centerline. This project does not adhere to this policy, and the extended runway centerline would overlie this site. The project could conceivably be redesigned to



~~move structures away from the extended runway centerline and to provide an open area below the centerline, but such a design would likely result in either a reduced square footage or exceedance of the single-acre occupancy criteria.~~

~~Prohibited Uses: **THE FVACLUP HAD A DIFFERENT LIST OF PROHIBITED USES BY SAFETY ZONE, BUT, AGAIN, PROPERTIES WITHIN SPECIFIC PLANS WOULD HAVE BEEN SUBJECT TO THE SPECIFIC PLAN EXEMPTION.** The applicant does not propose any prohibited uses (children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, or critical community infrastructure facilities). No aboveground bulk storage of hazardous materials is proposed. No flight hazards are proposed.~~

~~Part 77: The highest elevation on the proposed site is 1,168 feet above MSL and the height of the tallest building as depicted on project elevations would not exceed 35 feet, except for parapets that may reach a height of 40 feet. The runway elevation is 1,350 feet. The highest point of any structure would be over 140 feet lower than the runway elevation. Therefore, Part 77 obstruction criteria are not a concern.~~

~~Noise: **THE FVACLUP DID NOT ADDRESS PROPERTIES OUTSIDE THE 60 CNEL CONTOUR, SO THERE WOULD NOT HAVE BEEN REQUIREMENTS FOR SPECIAL MITIGATION IN THOSE AREAS.** Noise levels on this site from aircraft operations would be between 55 and 60 CNEL, but this is not a concern for fre commercial and industrial uses expected to occur on the site, and office uses are considered "normally acceptable" within this noise range. (Table 2B: Supporting Compatibility Criteria: Noise).~~

~~**RECOMMENDATION:** Staff recommends a finding of inconsistency for this project as presently designed, but would be amenable to a continuance to allow for redesign or for further elaboration that would indicate that the one person per 500 square feet standard is appropriate for the "all other" space in the multi-tenant, service industrial, and showroom industrial buildings. Alternatively, the applicant may wish to consider a continuance for not less than 60 days to allow consideration following consideration of the County's proposal for amendments to the allowable nonresidential intensities in Airport Zones B1 and C. In the event that the Commission chooses to find this proposal consistent with the ALUCP pursuant to Policy 3.3.6, or in the event that the Commission finds the proposal inconsistent with the French Valley ALUCP but is overruled by the Riverside County Board of Supervisors or its successor-in-interest, staff would recommend that the following conditions be applied:~~

**CONDITIONS:**

- ~~1. Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the County relative to French Valley Airport.~~
- ~~2. Incorporate noise attenuation measures into any office portions of the building~~

construction to ensure interior noise levels **from aircraft operations** are at or below ~~45 decibel levels~~ **CNEL**.

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 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.

~~(e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, and critical community infrastructure facilities such as power plants, electrical substations, and public communications facilities other than facilities providing on-site services only.~~

~~(f) Retail sales facilities, dormitories, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, locker rooms, exercising rooms, 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, unless it can be demonstrated that other portions of the unit are occupied at a level less than the level assumed in the analysis submitted by the applicant for this project.~~

~~(g) The above ground storage of explosive or flammable materials.~~

4. ~~All tenant improvement or occupancy permit requests shall be subject to review by the staff of the Airport Land Use Commission for conformance with the occupancy limitations.~~

5. ~~Any and all Covenants, Conditions, and Restrictions prepared for this project~~

~~shall specifically reference the requirement for occupancy review by Airport **Land** land Use Commission staff subject to review fees for building permits.~~

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

~~**ADDENDUM May 11, 2006: At the April 13 public hearing, the Airport Land Use Commission determined that it would not be appropriate to penalize applicants on the basis of provision of more than the required number of parking spaces, such that if the UBC standard is met, a project would be considered consistent. Counsel expressed concern with the provisions of Conditions Nos. 4 and 5 above. The applicant agreed to review occupancy calculations. Since the meeting, staff met with the applicant once, but, as of May 1, revised calculations have not been officially submitted. Staff would be amenable to a further continuance if this is acceptable to the applicant, but as this is the last meeting within the 60 day period since project submittal, applicant concurrence is required for a continuance. Otherwise, staff recommends a finding of inconsistency in the absence of further information and clarifications from the applicant.**~~

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

AGENDA ITEM: 5.2 6-2

HEARING DATE: ~~August 10~~ July 13, 2006 (continued from July 13 and June 8, 2006)

### CASE SUMMARY:

CASE NUMBER: FV-06-108 – The Garrett Group, LLC/Silverhawk Investments, LLC

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: Plot Plan No. 21733 (PP21733)

**RECOMMENDATION:** *Provided that the Airport Land Use Commission decides to utilize the French Valley Airport Comprehensive Land Use Plan during the period that the applicability of the 2004 French Valley Airport Land Use Compatibility Plan is suspended, staff recommends a finding of CONSISTENCY for this project, subject to the conditions stated herein, including the requirement for recordation of an avigation easement.*

~~RECOMMENDATION: Staff recommends a finding of INCONSISTENCY with the 2004 French Valley Airport Land Use Compatibility Plan unless the Airport Land Use Commission finds that the project qualifies for a 30% density bonus, but would be amenable to a Continuance for at least two months to allow consideration in conjunction with an amendment to the French Valley ALUCP establishing additional compatibility standards for Zone B1 and Zone C modifying single-acre occupancy standards for nonresidential development.~~

~~RECOMMENDATION: Staff recommends CONTINUANCE to July 13, 2006, with applicant concurrence, to allow the applicant additional time to explain the 1.3 acre reference in the single-acre occupancy calculations provided or to demonstrate that the project qualifies for the 30% bonus. If this can be provided to the satisfaction of staff prior to the June 8 hearing, staff will recommend a finding of consistency. If this cannot be provided and the applicant does not agree to a continuance, staff must recommend a finding of inconsistency with the single-acre standard.~~

~~LITIGATION ISSUES: This project is within the French Valley Airport Land Use Compatibility Plan area. Due to ongoing litigation, there is a possibility that the applicability of the adopted 2004 French Valley ALUCP will be suspended by court order. The applicability of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended by court order. Staff has, therefore, also reviewed the~~

project in light of the previously adopted (1997) *French Valley Airport Comprehensive Land Use Plan ALUCP* and has determined that, as the project site is located more than 750 feet from the extended runway centerline, the site would have been in the Traffic Pattern Zone, but not in one of the safety zones. Therefore, the project would be considered to be CONSISTENT with the previously adopted Plan.

#### PROJECT DESCRIPTION:

Development of one two-story 39,140 square foot office building on a site of 2.63 – 2.69 net acres (3.06 gross acres including adjoining street half-width).

#### PROJECT LOCATION:

The site is located northerly of Murrieta Hot Springs Road, easterly of Sky Canyon Drive, and southerly of Technology Drive in unincorporated Riverside County, approximately 3,515 feet southwesterly of extended Runway 18-36 at French Valley Airport.

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: **Zone C Traffic Pattern Zone**
- c. Noise Levels: 55-60 CNEL (Year 2022)

#### BACKGROUND:

This project site is within Specific Plan No. 213 (Winchester Properties/Silverhawk) and is designated Business Park as a portion of Planning Area 2. ***However, pursuant to the 1997 FVACLUP, the project is consistent without having to rely on the exemption for projects in specific plans.***

Land Use Intensity – Average Occupancy: ***Pursuant to the 1997 FVACLUP, the proposed project is located in the Traffic Pattern Zone, where land use intensity is not restricted.*** ~~The proposed project site is located in Airport Zone C. Nonresidential development intensity in this zone is restricted to an average of 75 persons per acre, with a maximum of 150 persons per acre for any given acre of the property. Thus, the maximum number of persons allowed on this property would be 197-202 utilizing the net acreage of the property, or 230 utilizing the gross acreage of the property. The project is a 39,140 square foot office building. Offices are assumed to result in an occupancy level of one person per 100 square feet, as shown in Table C-1 in Appendix C of the Riverside County Airport Land Use Compatibility Plan. The maximum number of people on-site prior to the application of the standard 50% reduction would be 391 persons. Application of the 50% reduction results in an occupancy of 196, or 64 persons per gross acre (74 persons per net acre). This is consistent with criteria for Zone C. Pursuant to recent Commission determinations, if a project is consistent with this methodology, the parking space method need not be utilized.~~

In order to maintain long-term consistency, staff recommends that all uses with occupancy levels greater than one person per 100 square feet (such as churches, restaurants, and most types of retail sales) be prohibited in the absence of further review by ALUC staff.

Land Use Intensity – Single-Acre Occupancy: ***This consideration is not relevant to the 1997 French Valley Airport Comprehensive Land Use Plan, which did not provide for density restrictions in the Traffic Pattern Zone.*** The use of this property is concentrated into one structure, which presents issues relative to single-acre occupancy limits. The maximum allowable number of persons on any single acre within Zone C is limited to 150. A 30% bonus is allowed for buildings designed in a manner so as to be more resistant to aircraft accidents. The 196 occupants are concentrated in one building. If one utilizes the overall square footage of the first-floor area, it may be concluded that the entirety of the building is located within a one-acre area, so that the single-acre occupancy is 196. However, the structure may qualify for the 30% bonus, depending on design. In the absence of a bonus, the project is inconsistent with the single-acre occupancy standard of 150 persons in Airport Zone C. The applicant's architect has prepared calculations, but they are based on the building footprint being spread over 1.3 acres. At this time, staff sees no evidence that the building is spread over such an area. The applicant has been requested to provide additional information, either to support the 1.3-acre statement or to support a request for design bonus. It should be noted that, since the issue is with single-acre occupancy rather than average occupancy, one method of addressing this would be to construct two one-story buildings at opposite ends of the property, rather than one two-story building.

Intensity Bonus/Risk Reduction: ~~Section 4.2.6 of the Riverside County Airport Land Use Compatibility Plan Countywide Policies, entitled Risk Reduction through Building Design, states as follows:~~

~~“The number of people permitted to occupy a single nonresidential building may be increased by a factor of up to 1.3 times the limitations set by the preceding policy on clustering if special measures are taken to reduce the risks to building occupants in the event that the building is struck by an aircraft.”~~

~~Features that may enable application of an intensity bonus (which is not applicable to runways routinely used by aircraft having a maximum certificated takeoff weight of more than 12,500 pounds) include: (1) using concrete walls; (2) limiting the number and size of windows; (3) upgrading the strength of the building roof; (4) avoiding skylights; (5) enhancing the fire sprinkler system; (6) limiting buildings to a single story, and (7) increasing the number of emergency exits. (Item (6) is not applicable in this situation.)~~

~~Section 4.2.6(c) states that project proponents wishing to request an intensity bonus must include appropriate details of the building design along with their project~~

**review application.**

~~Although not specifically stated, a review of the building design by an aviation consultant could be of assistance.~~

~~Section 4.2.6(d) states that intensity bonuses should be “considered and approved by local jurisdictions on a case-by-case basis”, with the criteria to be used by each jurisdiction when considering intensity bonus requests to be “reviewed and approved by the ALUC as part of the general plan consistency process or subsequent action.”~~

~~At this point, the applicant has requested an intensity bonus, but has not submitted documentation as to the special features that would qualify this project for such a bonus.~~

~~Open Area: Countywide land use compatibility criteria for Airport Zone C require that a minimum of 20% of land area consist of open land as defined in Policy 4.2.4 of the ALUCP. However, Notes for this Policy state that “open land requirements are intended to be applied with respect to an entire zone” and that this standard is “typically accomplished as part of a community general plan or specific plan, but may also apply to large (10 acres or more) development projects.” This project site is less than ten acres in area, so this standard need not be applied in this situation.~~

***Maximum Coverage by Structures: Land use compatibility standards for the Traffic Pattern Zone limit lot coverage by structures to 50% of gross area or 65% of net area, whichever is greater. Actual lot coverage here is less than 20% of gross area, so this project is clearly in conformance with this criterion.***

***Prohibited and Discouraged Uses:*** The applicant does not propose any prohibited ***or discouraged*** uses (***schools, auditoriums, amphitheaters, stadiums, and uses involving, as the primary activity, manufacture, storage, or distribution of explosives or flammable materials***). (~~children’s schools, day care centers, libraries, hospitals, or nursing homes~~). No aboveground bulk storage of hazardous materials is proposed. No flight hazards are proposed.

***Part 77:*** The highest elevation on the site is 1,220 feet above MSL and the height of the tallest building as depicted on project elevations would not exceed 37 feet, six inches. The application lists the highest on-site elevation as 1,246.75 feet above MSL. The runway elevation is 1,340 feet. The highest point of any structure would be over 55 feet lower than the runway elevation. Therefore, Part 77 obstruction criteria are not a concern.

***Noise:*** Noise levels on this site from aircraft operations would be between 55 and 60 CNEL, but office uses are considered “normally acceptable” within this noise range, as standard construction is usually sufficient to reduce interior noise levels to 45 CNEL.

~~(Table 2B: Supporting Compatibility Criteria: Noise).~~

**Avigation Easements: Pursuant to the 1997 French Valley Airport Comprehensive Land Use Plan, avigation easements are required for any development in the Airport Influence Area.**

~~In the event that the Commission chooses to find this proposal consistent with the ALUCP, or in the event that the Commission finds the proposal inconsistent with the French Valley ALUCP but is overruled by the Riverside County Board of Supervisors or its successor in interest, staff would recommend that the following conditions be applied:~~

**CONDITIONS:**

1. ***Prior to the issuance of building permits, the landowner shall convey an avigation easement to the County relative to French Valley Airport. Such conveyance shall be recorded in the Office of the Riverside County Recorder. (Contact the Riverside County Economic Development Agency – Aviation Division at (951) 343-5493 for additional information.)*** ~~Incorporate noise attenuation measures into the building construction to ensure interior noise levels from aircraft operations are at or below 45 CNEL.~~
2. Any outdoor lighting installed shall be hooded or shielded to assure that no light rays are directed above the horizontal plane and shall conform to Riverside County Ordinance No. 655.
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 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.



- (e) ***Schools, auditoriums, amphitheaters, and stadiums.*** Children's schools, day care centers, libraries, hospitals, and nursing homes.
- (f) ~~Retail sales facilities, dormitories, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, locker rooms, exercising rooms, 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, unless it can be demonstrated that other portions of the structure are occupied at a level less than the level assumed in the analysis submitted by the applicant for this project.~~

***(f)(g) Uses involving, as the primary activity, the manufacture, distribution, or***  
~~The above ground storage of explosive or flammable materials.~~

~~4. All tenant improvement or occupancy permit requests for uses other than offices shall be subject to review by the staff of the Airport Land Use Commission for conformance with the occupancy limitations.~~

~~4.5.~~ The attached notice shall be provided to all potential purchasers and tenants.

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

AGENDA ITEM: 5.3 ~~6-3~~

HEARING DATE: *August 10, July 13, 2006 (continued from July 13 and June 8, 2006)*

### CASE SUMMARY:

CASE NUMBER: FV-06-109 – The Garrett Group, LLC/Silverhawk Investments, LLC

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: Plot Plan No. 21731 (PP21731)

**MAJOR ISSUES:** *From an airport land use planning perspective, it would be preferable if a larger proportion of Building C could be sited at least 750 feet from the extended runway centerline.*

**RECOMMENDATION:** *Provided that the Airport Land Use Commission decides to utilize the French Valley Airport Comprehensive Land Use Plan (FVACLUP) during the period that the applicability of the 2004 French Valley Airport Land Use Compatibility Plan is suspended, staff recommends a finding of CONDITIONALLY CONSISTENT, given the exemption for properties in adopted specific plans.*

**RECOMMENDATION:** ~~Staff recommends a finding of CONDITIONAL CONSISTENCY with the 2004 French Valley Airport Land Use Compatibility Plan, provided that the project is developed in accordance with the square footage breakdown specified in the conditions included herein.~~

**RECOMMENDATION:** ~~Staff recommends CONTINUANCE to July 13, 2006, with applicant concurrence, to allow the applicant additional time to explain the discrepancies between the calculations and the site plan square footages and for redesign or change in proposed occupancy so as to meet the occupancy standards of Airport Zones B1 and C. If the “commercial” identified is a retail use, the calculations provided by the applicant are incorrect, and the project is inconsistent with the average occupancy and single-acre occupancy standards of Airport Zone B1 and the single-acre occupancy standard of Airport Zone C.~~

**LITIGATION ISSUES:** ~~This project is within the French Valley Airport Land Use Compatibility Plan area. Due to ongoing litigation, there is a possibility that the applicability of the adopted 2004 French Valley ALUCP will be suspended by court order. The applicability of the 2004 French Valley Airport Land Use Compatibility~~

~~*Plan has been suspended by court order.* Staff has, therefore, also reviewed the project in light of the previously adopted (1997) *French Valley Airport Comprehensive Land Use Plan ALUCP* and has determined that a portion of the property would have been considered to be in the Outer Safety Zone, which limited uses in structures to 25 persons per acre (essentially equivalent to Airport Zone B1, but without the single-acre occupancy allowance) but also limited lot coverage by structures to a maximum of 25% of net lot area. ~~If the previously adopted ALUCP is placed in effect as a result of court action, staff would recommend a CONTINUANCE to August 10, 2006 to allow sufficient time for the applicant to either (a) demonstrate that the portion of Building C in the Outer Safety Zone occupies less than 25% of the total project area within the Outer Safety Zone or (b) redesign the project so as to site Building C outside the Outer Safety Zone.~~ It should also be noted that the 1997 ALUCP exempted properties within adopted specific plans from “all requirements of this Comprehensive Land Use Plan with respect to land use, development density, and development intensity.” (Section 7.4.1 on page 7-6) ~~However, the validity of this exemption is questionable, given the Attorney General’s opinion regarding such exemptions as provided to Riverside County during the period in which the 2004 Plan was being prepared.~~~~

#### **PROJECT DESCRIPTION:**

Development of three one-story buildings (total floor area of ~~57,354~~ 64,350 square feet) for restaurant, commercial, office, and warehouse uses on a site of 6.74 – 6.98 net acres (7.63 gross acres including adjoining street half-width).

#### **PROJECT LOCATION:**

The site is located northerly of Murrieta Hot Springs Road, easterly of Sky Canyon Drive, and southerly of Technology Drive in unincorporated Riverside County, approximately 4,113 feet southwesterly of extended Runway 18-36 at French Valley Airport.

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: ~~Zones B1 and C~~ **Traffic Pattern Zone and Outer Safety Zone**
- c. Noise Levels: less than 55 CNEL to 55-60 CNEL (Year 2022)

#### **BACKGROUND:**

This project site is within Specific Plan No. 213 (Winchester Properties/Silverhawk) and is designated Commercial as a portion of Planning Area 10.

#### **MAJOR ISSUES:**

Land Use Intensity – Average Occupancy: The proposed project site is located partially in ***the Outer Safety Zone and partially in the Traffic Pattern Zone. Land use intensity in the Traffic Pattern Zone is not restricted pursuant to the 1997 FVACLUP. Land use intensity in the Outer Safety Zone for uses in structures is limited to 25 persons per acre; however, as stated above, properties within adopted specific plans were exempted from development intensity restrictions. It would be preferable for Building C to be located outside the Outer Safety Zone or for the portion of the structure in the Outer Safety Zone to be minimized to the extent possible.*** Airport Zone B1 and partially in Airport Zone C. Nonresidential development intensity in Airport Zone B1 is restricted to an average of 25 persons per acre, with a maximum of 50 persons per acre for any given acre of the property. Nonresidential development intensity in Airport Zone C is restricted to an average of 75 persons per acre, with a maximum of 150 persons per acre for any given acre of the property. The applicant's architect has advised that ~~1.81~~ 1.58 acres of the property are in Airport Zone B1, with the remainder of the property (~~5.82~~ 6.05 acres) in Airport Zone C. Based on this breakdown, the maximum number of persons allowed within the Airport Zone B1 portion of the property would be on this property would be ~~about 45~~ 39.5 (say 40). The maximum number of persons allowed within the Airport Zone C portion of the property would be ~~436.5~~ 453.75 (say ~~437~~ 454).

~~The applicant has provided calculations, but there are some issues with the calculations. It appears that "commercial" use has been treated as "all other" (assumed to result in an occupancy of one person per 100 square feet) rather than as retail sales rooms, ground floor (assumed to result in an occupancy of one person per 30 square feet). If one accepts the concept that the portion of Building C extending into Airport Zone B1 includes 19,927 square feet (5,143 square feet of commercial uses and 14,784 square feet of warehouse space), there would be 101 persons within the Airport Zone B1 portion of the project. However, if the commercial space were changed to office space rather than retail space, this would reduce the total occupancy within Airport Zone B1 to 40.5 persons – essentially in compliance with the adopted criteria.~~

~~There are also some concerns with the calculations utilized by the applicant for Airport Zone C, but with corrections, the project would accommodate 406 persons, or approximately 67 persons per gross acre, which is consistent with the adopted average occupancy criteria.~~

**The applicant has provided revised calculations specifying the uses of each building as follows: Building A: 9,600 square feet, evenly divided among restaurant, retail, and office uses at 3,200 square feet each, with half of the restaurant being serving area and half being kitchen area.**

**Building B: 11,760 square feet of office space.**

**Building C: 35,994 square feet, including 18,894 square feet of warehouse space, 10,100 square feet of office space, 3,800 square feet of retail space, and 3,200 square feet of restaurant space, with 1,500 square feet of the restaurant being serving area and 1,700 square feet being kitchen area.**

~~Furthermore, Building C is identified as being split between Airport Zones B1 and C. The Airport Zone B1 portion of Building C would include 20,206 square feet of floor area, while the Airport Zone C portion of Building C would include 15,788 square feet. Restaurant and retail uses would be confined to the Airport Zone C portion of Building C, with the remainder of Building C limited to office and warehouse uses. In particular, the Airport Zone B1 portion of Building C would be limited to 13,706 square feet of warehouse space and 6,500 square feet of office space.~~

~~Based on the above information, the Airport Zone C portion of the site would accommodate 331 persons, and the Airport Zone B1 portion of the site would accommodate 46 persons. This brings the average occupancy within Airport Zone C into consistency with the Countywide compatibility criteria, and brings average occupancy in Airport Zone B1 into essential consistency.~~

The nature of the site plan provided by the applicant is not conducive to counting parking spaces, but it does not appear to provide excessive parking, such that application of the 1.5 person per automobile parking space standard would not result in more than 454 persons on the property.

~~The applicant has now provided a larger version of the site plan that clearly indicates that 265 parking spaces are being provided. This is consistent with an overall occupancy not exceeding 400, which would be consistent with the average occupancy standard.~~

In order to maintain long-term consistency, staff recommends that all uses with occupancy levels greater than one person per 100 square feet (such as churches, restaurants, and most types of retail sales) be prohibited in Buildings **Building B** and ~~that portion of Building C in Airport Zone B1~~ in the absence of further review by ALUC staff.

Land Use Intensity – Single-Acre Occupancy: ***This consideration is not relevant to the 1997 French Valley Airport Comprehensive Land Use Plan.*** ~~The proposed project appears to be inconsistent~~ **consistent** with single-acre occupancy limits, ~~provided that the project is developed in accordance with the square footages specified in the conditions herein.~~ The maximum allowable number of persons on any single acre within Airport Zone B1 is 50 persons. The maximum allowable number of persons on any single acre within Airport Zone C is 150 persons. A 30% bonus is allowed for buildings designed in a manner so as to be more resistant to aircraft accidents.

~~Consistency with the single-acre occupancy limit in Airport Zone B1 once again is contingent on the proposed use of the portion of the building **Building C** extending into that zone. If the “commercial” space is interpreted to be retail floor space, the occupancy would be 101 persons, or at least 64 persons per acre, which would be in excess of allowable single-acre occupancy levels. However, if the commercial space is limited to office uses (or~~

uses of equivalent or lower intensity), the number of persons in the building drops to 40, which is below the single-acre occupancy limit. As an alternative to a change in use, the project could be redesigned to move the building wholly or largely out of Airport Zone B1. ~~With the new information that the portion of Building C in Airport Zone B1 will consist of 13,706 square feet of warehouse space and 6,500 square feet of office space, this area will accommodate 46 persons, which clearly meets the Airport Zone B1 single-acre occupancy limit of 50 persons.~~

The project is also slightly in excess of ~~also meets~~ the single-acre occupancy limit for Airport Zone C. Considering Building A as a separate structure on its own acre, this structure would accommodate ~~128~~ 182 people after application of the 50% reduction. This exceeds ~~complies with~~ the standard of 150 persons. ~~Building A is sufficiently distant from the other buildings that no reasonably square single-acre area including all of Building A would include more than 10% of Building B, which would still keep occupancy in that single acre below 150.~~ However, the structure may qualify for the 30% bonus, depending on design. Additionally, since the restaurant occupancy is based on dining area, this may be an overestimate of occupancy, since kitchen areas and storage areas would have a lower level of occupancy than dining areas. Staff access to floor plans could assist in addressing this issue. Otherwise, in the absence of a bonus, the project is inconsistent with the single-acre occupancy standard of 150 persons in Airport Zone C.

~~Building B would have an occupancy of 59 persons. Building B is sufficiently distant from Building C that no reasonably square single-acre area including all of Building B would include more than one unit in Building C, which would still keep occupancy in that single acre below 150, as long as the most westerly unit in Building C is not used as a restaurant or other high occupancy activity.~~

~~With the new information that the portion of Building C within Airport Zone C includes 15,788 square feet, broken down as 5,188 square feet of warehousing, 3,800 square feet of retail uses, 3,600 square feet of office space, and a 3,200 square foot restaurant, divided equally between serving area and kitchen area, this portion of the building will accommodate 144 persons, which clearly meets the Airport Zone C single-acre occupancy limit of 150.~~

Additionally, if Building B is considered to be located within the same acre as the portion of Building C located in Airport Zone C, they would be considered to be in excess of the single-acre occupancy limit, as Building B and the remaining portion of Building C would together have an occupancy of 198 persons. This is slightly over the 30% bonus number.

The applicant's architect has prepared calculations that seem to indicate compliance, but in the case of Airport Zone B1, they are based on the assumption of 100 square feet per occupant for the commercial area and on the assumption that the footprint of the portion of Building C is spread over the full 1.58-acre area within Airport Zone B1. At this time, staff sees no evidence that the building is spread over such an area. Additionally, the

~~calculations for Airport Zone C use the office building as the maximum intensity, when, in fact, it is the commercial and restaurant uses that, for the most part, result in the exceedance of the maximum occupancy.~~

~~There has been some discussion as to whether single-acre occupancy criteria should be raised in the future. If the single-acre occupancy criteria were raised from two times average occupancy to three times average occupancy in Zones B1 and C, this would resolve their apparent inconsistency. However, at this time, the project must be evaluated based on the adopted Plan.~~

~~Open Area: Countywide land use compatibility criteria for Airport Zone C require that a minimum of 30% of land area in Airport Zone B1 and 20% of land area in Airport Zone C consist of open land as defined in Policy 4.2.4 of the ALUCP. However, Notes for this Policy state that “open land requirements are intended to be applied with respect to an entire zone” and that this standard is “typically accomplished as part of a community general plan or specific plan, but may also apply to large (10 acres or more) development projects.” This project site is less than ten acres in area, so this standard need not be applied in this situation.~~

***Maximum Coverage by Structures: Land use compatibility standards limit maximum coverage by structures to 25% of net area in the Outer Safety Zone and 50% of gross area or 65% of net area, whichever is greater, in the Traffic Pattern Zone. Actual lot coverage here is less than 20% of gross area, so this project is clearly in conformance with lot coverage limitations in the Traffic Pattern Zone. It is also likely that the project conforms to the standard for the Outer Safety Zone, although the standard is rendered moot by the exemption for properties within adopted specific plans.***

Prohibited Uses: The applicant does not propose any prohibited uses, ***which in specific plans are limited to hazards to flight.*** (children’s schools, day care centers, libraries, hospitals, or nursing homes). No aboveground bulk storage of hazardous materials is proposed. No flight hazards are proposed.

***For properties not located within adopted specific plans, prohibited uses in the Outer Safety Zone include residential uses, hotels, motels, restaurants, bars, schools, hospitals, government services, concert halls, auditoriums, stadiums, arenas, public utility stations and plants, public communications facilities and uses involving, as the primary activity, manufacture, storage, or distribution of explosives or flammable materials. The applicant is not proposing any of these uses, other than restaurants.***

Part 77: The highest elevation on the site is 1,158 feet above MSL and the height of the tallest building as depicted on project elevations would not exceed 38 feet. The application lists the highest on-site elevation as 1,187.50 feet above MSL. The runway elevation is

1,340 feet. The highest point of any structure would be over 114 feet lower than the runway elevation. Therefore, Part 77 obstruction criteria are not a concern.

Noise: The 55 CNEL contour line crosses the site. Noise levels from aircraft operations would be between 55 and 60 CNEL on the easterly portion of the site, but office uses are considered “normally acceptable” within this noise range, as standard construction is usually sufficient to reduce interior noise levels to 45 CNEL. (Table 2B: Supporting Compatibility Criteria: Noise).

**Avigation Easements: Pursuant to the 1997 French Valley Airport Comprehensive Land Use Plan, avigation easements are required for any development in the Airport Influence Area.**

In the event that the Commission chooses to find this proposal consistent with the ALUCP, or in the event that the Commission finds the proposal inconsistent with the French Valley ALUCP but is overruled by the Riverside County Board of Supervisors or its successor-in-interest,

staff ~~Staff~~ would recommends that the following conditions be applied:

**CONDITIONS:**

1. ***Prior to the issuance of building permits, the landowner shall convey an avigation easement to the County relative to French Valley Airport. Such conveyance shall be recorded in the Office of the Riverside County Recorder. (Contact the Riverside County Economic Development Agency – Aviation Division at (951) 343-5493 for additional information.)*** ~~Incorporate noise attenuation measures into the office portions of the building construction to ensure interior noise levels from aircraft operations are at or below 45 CNEL.~~
2. ~~Land use within Building A shall consist of 3,200 square feet of office space, 3,200 square feet of retail space, and 3,200 square feet of restaurant space, including not more than 1,600 square feet of serving area, unless otherwise approved by the Riverside County Airport Land Use Commission or its staff.~~
3. ~~Land use within Building B shall consist of 11,760 square feet of office space, unless otherwise approved by the Riverside County Airport Land Use Commission or its staff.~~
4. ~~Land use within the portion of Building C located in Airport Zone B1 shall consist of 13,706 square feet of warehouse space and 6,500 square feet of office space, unless otherwise approved by the Riverside County Airport Land Use Commission or its staff.~~



~~5. Land use within the portion of Building C located in Airport Zone C shall consist of 5,188 square feet of warehouse space, 3,800 square feet of retail space, 3,600 square feet of office space, and 3,200 square feet of restaurant space, including not more than 1,600 square feet of serving area, unless otherwise approved by the Riverside County Airport Land Use Commission or its staff.~~

~~6. 2. 2.~~ Any outdoor lighting installed shall be hooded or shielded to assure that no light rays are directed above the horizontal plane and shall conform to Riverside County Ordinance No. 655.

~~7. 3.3.~~ 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 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.
- ~~(e) Children's schools, day care centers, libraries, hospitals, and nursing homes.~~
- ~~(f) The following uses would be prohibited in Buildings B and the portion of Building C located in Airport Zone B1: Retail sales facilities, dormitories, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, locker rooms, exercising rooms, 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, unless it can be demonstrated that other portions of the structure are occupied at a level less than the level assumed in the analysis submitted by the applicant for this project.~~

~~(g) The above ground storage of explosive or flammable materials.~~

~~8. 4. All tenant improvement or occupancy permit requests shall be subject to review by the staff of the Airport Land Use Commission for conformance with the occupancy limitations.~~

~~9. 5. 4. The attached notice shall be provided to all potential purchasers and tenants.~~

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

AGENDA ITEM: 5.4 3.3 VII.E.

HEARING DATE: August 10, 2006 (RECONSIDERATION) Previously considered on May 25, 2006 (originally advertised for May 11, 2006)

### CASE SUMMARY:

CASE NUMBER: FV-06-107 – Justice Center Plaza LLC/Sunbelt Properties Management

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: General Plan Amendment No. 758 (GPA00758), Change of Zone Case No. 6969 (CZ06969), and Plot Plan No. 19414 (PP14914)

**RECONSIDERATION:** *This case is being reconsidered at the request of the applicant, in accordance with an authorization from Commissioner Bradley, who was present at the May 25 meeting when this project was found inconsistent with the 2004 French Valley Airport Land Use Compatibility Plan. The applicant is requesting reconsideration pursuant to the 1996 French Valley Airport Comprehensive Land Use Plan. The applicability of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended by court order, and the Airport Land Use Commission has the option of reviewing projects pursuant to the previous Plan until such time as an adequate environmental document has been prepared and adopted following a duly noticed public hearing.*

*Pursuant to the French Valley Airport Comprehensive Land Use Plan (FVACLUP), this project is located in the Traffic Pattern Zone. The population intensity of nonresidential uses in the Traffic Pattern Zone is not limited pursuant to that Plan. Maximum coverage is limited to 50% of gross area or 65% of net area, whichever is greater. Avigation easements are required.*

**RECOMMENDATION** (contingent on Airport Land Use Commission utilizing FVACLUP on an interim basis): *Staff recommends a finding of Conditional Consistency, subject to the amended conditions specified herein, with referral to staff for receipt of FAA clearance prior to issuance of a final letter of consistency. The final letter of consistency may include additional or amended conditions to assure compliance with FAA requirements.*

~~RECOMMENDATION: Staff recommends that the Airport Land Use Commission~~

~~open the public hearing, consider public testimony, and provide direction to staff as to whether this project should be considered pursuant to Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan, based on the fact that the boundary between Zones C and D in this area is based on a runway that EDA no longer intends to construct. Otherwise, staff must recommend that the previous ALUC determination of inconsistency be upheld, based on the proposed land use intensity. In the event that the Commission finds that the status of the secondary runway is a special condition, staff would recommend a continuance to allow for redesign to reduce the retail square footage of the proposed building and to allow for FAA review.~~

~~**MAY 11 ACTION SUMMARY:** Due to the time required to consider testimony on items scheduled earlier on the agenda, the Commission was unable to address many of the New Business items on the agenda. This item was continued to May 25, 2006, in Indio, in response to a request from project representative James Venable that the item be considered at that time.~~

#### **PROJECT DESCRIPTION:**

General Plan Amendment from Commercial Retail to Commercial Office (to allow an increased floor area ratio), Change of Zone from A-1-5 (Light Agriculture, five acre minimum lot size) to C-P-S (Scenic Highway Commercial), and Plot Plan for development of a 78,410 square foot three-story office building (with retail use on the first floor) on 4.17 acres (previously reviewed without general plan amendment).

#### **PROJECT LOCATION:**

The site is located at the southeast corner of Auld Road and Leon Road, in the unincorporated French Valley area of Riverside County, approximately 2,435 feet easterly of Runway 18-36 at French Valley Airport.

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: **Traffic Pattern Zone** ~~Zones C and D~~
- c. Noise Levels: Outside 55 CNEL (Year **2013** ~~2022~~)

#### **BACKGROUND:**

This site was previously reviewed through Case No. FV-04-110. On December 9, 2004, the project was determined to be inconsistent with the French Valley Airport Land Use Compatibility Plan adopted on that day. ~~The applicant is requesting review pursuant to Policy 3.3.6.~~ **A Land Use Compatibility Report prepared by Aviation Systems, Inc. on behalf of the applicant is included in this staff report package.**

Consideration is being given to a revision to the French Valley Airport Master Plan to delete the planned, but as-yet unbuilt parallel runway. The Economic Development Agency has advised that there is no longer any intention to build this parallel runway, but that it will be some time—perhaps 1 to 2 years—before the Master Plan will be amended to reflect this.

### **MAJOR ISSUES:**

~~Land Use – Average Occupancy:~~ The proposed project site is located largely in Airport Zone C and partially in Airport Zone D. Nonresidential development intensity in Zone C is restricted to an average of 75 persons per acre, with a maximum of 150 persons per acre for any given acre of the property. Thus, the maximum number of persons allowed on this property would be 313 utilizing the net acreage of the property. The site plan indicates 50,917 square feet of office floor area and 11,235 square feet of retail floor area, with the remainder consisting of non-leasable area. Based on Table 2C, this would translate into an occupancy of 442 persons, or 106 persons per acre, which would exceed the Zone C standard for average occupancy. This actually also exceeds the average occupancy standard for Zone D; however, if the retail area were reduced from 11,235 square feet to 6,000 square feet (with conversion of such area to office space), occupancy would be reduced to 381 persons, or 91 persons per acre, which would be consistent with Zone D.

A second possible approach is to consider the proposal using the parking space method. Under this simplified method for determining average occupancy, occupancy is considered to be 1.50 times the number of parking spaces provided or required (whichever is greater). The site plan indicates that 317 parking spaces are required, based on the retail and office square footage. This would indicate a total of 476 persons on the site, or 114 persons per acre. This also exceeds the standard for both Zone C and Zone D.

~~Land Use – Single-Acre Occupancy:~~ As the project is a three-story building, it concentrates occupancy within a fairly small area of the property. With a ground floor area of 24,809 square feet, the single-acre occupancy is technically the same as the overall occupancy of the site—anywhere from 442 to 476 persons. This exceeds the single-acre occupancy standard for both Zones C and D. However, a case could be made that due to the “dogleg” design, the building should be considered as essentially covering more than one acre. If one were to assume that the building is actually stretching across two acres of the project site, the intensity would be reduced to 221 to 238 persons per acre—still well above the Zone C standard of 150 persons per acre.

If the retail square footage were reduced to 6,000 square feet, the overall occupancy level would drop to 381, which would be consistent with Zone D **single-acre occupancy limits, provided that the structure qualifies for a 30% occupancy bonus.**

***Site Coverage:*** *The gross floor area of the building is 78,410 square feet, and the site area is 156,267 square feet net, or 181,267 square feet gross. Thus, lot coverage (more precisely, floor area ratio) is 51% of net area and 43% of gross area. This is consistent with the Traffic Pattern Zone limits of 65% of net area or 50% of gross*

**area. In this case, the gross floor area of 78,410 square feet reflects the total floor area of the three-story building, so the actual lot coverage at ground level is less than 20% of net area.**

Prohibited and Discouraged Uses: The applicant does not propose any **discouraged prohibited** uses (children's schools, **auditoriums, amphitheatres, stadiums, and uses involving, as the primary activity, manufacture, storage, or distribution of explosives or flammable materials** day care centers, libraries, hospitals, nursing homes, places of worship, or critical community infrastructure facilities). No aboveground bulk storage of hazardous materials is proposed. No flight hazards are proposed.

Part 77: The highest elevation on the proposed site is 1,365 feet above MSL and the height of the tallest building as depicted on project elevations would not exceed 52 feet. The runway elevation is 1,338 feet. FAA aeronautical review is required.

Noise: Noise levels on this site from aircraft operations would be less than 55 CNEL, so this is not a concern for office and commercial uses.

Status of Parallel Runway and Zone Boundaries: It is apparent from the mapped configurations of the airport zones in the vicinity of French Valley Airport that the inclusion of the secondary parallel runway in the Airport Master Plan is primarily responsible for the inclusion of the site in Airport Zone C. This project is clearly inconsistent with Zone C occupancy limitations, but with an amendment to reduce the retail square footage, would meet Zone D occupancy limitations.

**Additional Special Circumstances for Consideration: Presence of unlit, unmarked 75-foot high electrical transmission lines within 50 feet of the proposed building site; existence of the considerably more intensely occupied Southwest Justice Center (which includes a juvenile detention facility) across the street; proximity of San Diego Aqueduct easement as open land that could potentially be used for emergency landing.**

**RECOMMENDATION:** Staff recommends that the Airport Land Use Commission open the public hearing, consider public testimony, and provide direction to staff as to whether this project should be considered pursuant to Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan, based on the fact that the boundary between Zones C and D in this area is based on a runway that EDA no longer intends to construct. Otherwise, staff must recommend that the previous ALUC determination of inconsistency be upheld, based on the proposed land use intensity. In the event that the Commission finds that the status of the secondary runway is a special condition, staff would recommend a continuance to allow for redesign to reduce the retail square footage of the proposed building.

**CONDITIONS:**

1. FAA 7460 review shall be conducted. No obstruction of any FAR Part 77 surface shall be permitted, and any required marking shall be installed.
2. Install hooded or shielded outdoor lighting to prevent the spillage of lumens or reflection into the sky. (Lights must 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 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.
  - (e) **Schools, auditoriums, amphitheaters, and stadiums** ~~Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, and critical community infrastructure facilities such as power plants, electrical substations, and public communications facilities other than facilities providing on-site services only.~~
  - (f) **Uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials** ~~Auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, public conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, and other uses that would be considered to have an occupancy level greater than one person per 30 square feet (minimum square feet per occupant less than 30) pursuant to California Building Code (1998) Table 10-A, unless it can be demonstrated that other portions of the tenancy are occupied at a level less than the level assumed in the analysis submitted by the applicant for this project.~~
  - (g) ~~The above ground storage of explosive or flammable materials.~~
4. ~~All tenant improvement or occupancy permit requests shall be subject to review~~

by the staff of the Airport Land Use Commission for conformance with the occupancy limitations.

4. ***Prior to issuance of building permits, the landowner shall convey an aviation easement to the French Valley Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for additional information.)***
5. The attached notice shall be provided to all potential purchasers and tenants.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 5.5 ~~V.C.~~

**HEARING DATE:** ~~August 10~~ ~~May 11~~ ~~April 13~~, 2006 (continued from ~~May 11~~, ~~April 13~~ and March 9, 2006) - **REVISED**

### CASE SUMMARY:

**CASE NUMBER:** BD-06-100 – Marsha Vincelette  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** Plot Plan 21072

**RECOMMENDATION:** *Staff recommends CONTINUANCE to September 14, 2006 to allow for redesign, in accordance with the applicant's request.*

### PROJECT DESCRIPTION:

The project is a Plot Plan for **one three-story** office building **with a gross floor area of 90,165 square feet** totaling ~~90,000 sq. ft.~~ on 4.68 acres.

### PROJECT LOCATION:

The site is located north of Wildcat Road, east of El Cerrito Road in the County of Riverside, approximately 8,500 ft. northwest of Runway 10-28 at the Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport

Land Use Policy: RCALUCP (Adopted Dec. 2004)

a. Airport Influence Area: Zone **D** ~~G~~

b. Noise Levels: Outside 55 DB CNEL – **just barely outside the contour**

### MAJOR ISSUES:

LAND USE: The proposal is a Plot Plan **for a three-story** an office building totaling 90,000 sq. ft. on **4.68** ~~4.46~~ acres. The proposed use will include office/warehouse and manufacturing. The proposed site is located within Zone D. Zone D allows up to 90% lot coverage and an average non-residential density of 100 persons per acre with clustering on a single acre of 300 persons. The project has a density of 100 per acre overall and a highest acre density of 450 or 500 per acre. The proposal is consistent with allowed overall density and land use within Zone D, but exceeds the density for the single acre of 300.

**The above analysis is based on the assumption that the occupancy for the entire building is for office use. If a portion of the building area is to be used for manufacturing, assembly, storage, or warehouse uses, this analysis should be re-evaluated.**

**There may be a possibility of redesign, which would allow the project to comply with the occupancy standards of the Airport Land Use Compatibility Plan. Specifically, if the square footage on any given 43,560-square foot portion of the property is reduced to 60,000, the single acre occupancy would be reduced to 300. Therefore, if this project were redesigned as one 60,000 square foot (perhaps two-story) building and one 30,000 square foot building on opposite sides of the property, the occupancy standards could be met. However, this may not be feasible due to the resultant loss of parking spaces. The applicant is exploring other redesign possibilities.**

**NOISE:** The proposal is outside 55 CNEL as indicated by Noise Impact Data for Bermuda Dunes Airport. The proposed use is acceptable in that noise category, but will get some annoyance from aircraft.

**PART 77:** The highest elevation of any object, terrain or structure at the site is approximately **165** 464 MSL and the height of the tallest structure is 55 ft. The airport elevation is 73 MSL.

Structures exceeding 70 feet in height or of a height exceeding a 100:1 slope from the end of the runway (155 MSL) require FAA review. **Therefore, FAA notice and review are required prior to any determination of consistency.**

**RECOMMENDATION:** ~~Staff would recommend that the proposal be found Inconsistent with the ALUCP.~~

**ADDENDUM April 13:** The application was continued at the request of the applicant. Staff met with the applicant.

**ADDENDUM May 11:** The project, as proposed, is inconsistent with the ALUCP. The applicant has requested a three month continuance to allow for redesign of the project and has agreed to waive the 60 day time limit for action. Staff concurs and recommends Continuance to the meeting of August 10, 2006,

**CONDITIONS:** If the county wishes to override the Commission as per PUC 21676.5. These do not make the project consistent.

~~1. Provide Avigation Easements to the Bermuda Dunes Airport.~~

**1. *Any outdoor lighting installed shall be hooded and shielded so as not to result in the spillage of lumens or reflection into the sky.***

**2. Incorporate noise attenuation measures into the office portions of the building**

construction, **if necessary**, to ensure interior noise levels **from aircraft operations** are at or below 45 **CNEL**. ~~—decibel levels.~~

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 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 a 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 any operation of aircraft and/or aircraft instrumentation.
4. The attached **notice** ~~notation regarding proximity to the airport~~ shall be **provided to all potential purchasers and tenants**. ~~given to each potential property purchaser or tenant.~~
5. **The project proponent shall file Form 7460-1, “Notice of Proposed Construction or Alteration” with the Federal Aviation Administration.**

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

AGENDA ITEM: 5.6 ~~5.75.3VII.G.~~

HEARING DATE: August 10, 2006 (RECONSIDERATION) ~~July 13, 2006~~ (continued from June 8, 2006) (originally advertised for May 11, 2006)

### CASE SUMMARY:

CASE NUMBER: MA-06-112 – The Magnon Companies  
APPROVING JURISDICTION: City of Riverside  
JURISDICTION CASE NO: P06-0375

**RECONSIDERATION: This project was determined to be inconsistent with the 1984 Riverside County Airport Land Use Plan as applicable within the March Air Force Base Airport Influence Area at the July 13, 2006 meeting. The architect/representative sent an e-mail objecting to the Commission's taking action without first inquiring as to whether anyone representing the applicant wished to address the Commission and requesting reconsideration so that he might have an opportunity to testify. The Chairman has authorized reconsideration to allow the applicant an opportunity to testify.**

**Staff maintains its position that the land use is high-risk pursuant to the definition in the 1984 Plan and, therefore, inconsistent with the 1984 RCALUP, but that the property is outside the Accident Potential Zones identified by Federal authorities through the AICUZ study, that the structural coverage is very low, and that the project would be consistent with the nonresidential occupancy limits proposed in the Draft March Land Use Study. It should also be noted that the use already exists in the vicinity. (The projected new use for the existing DMV facility has not been stated.) In light of these facts, there is reason to question whether the operation of the proposed facility at this location would in fact be hazardous to the safety and welfare of the public, based on the projected level of aircraft activity. Therefore, the Commission may wish to consider declining to make either a finding of consistency or a finding of inconsistency, thereby avoiding the need for the City to pursue a formal override action, while recommending that the City of Riverside apply the conditions included in this staff report.**

**RECOMMENDATION: Provided that the Airport Land Use Commission determines that a Department of Motor Vehicles office is a high-risk land use in terms of number of persons per acre that would likely be present on the property, the project is**

~~*inconsistent with the 1984 RCALUP. However, given*~~ Given that the Draft March Joint Land Use Study would allow for this land use on the property, the Airport Land Use Commission may choose to elect to take no action on this case in lieu of recommending inconsistency with Area I standards based on the 1984 RCALUP. ~~*After consulting with Executive Director Emeritus Keith Downs and with ALUC consultant Ken Brody of Mead & Hunt (see attached e-mail correspondence), staff concludes that the map on the [www.rcaluc.org](http://www.rcaluc.org) website correctly depicts the boundaries between Airport Zones I, II, and III. However, the apparent official boundary between Airport Zones I and II does not match the boundary between areas within and outside the Accident Potential Zones identified on the then-applicable AICUZ study. Most recently, March Joint Powers Authority officials have advised the applicant that the property actually lies in Airport Area II, and, if so, then the project is eligible for a finding of consistency. If that is the case, then the map on the [www.rcaluc.org](http://www.rcaluc.org) website is erroneous.*~~

**ADDENDUM June 8:** On May 23, 2006, the applicant requested review based on errors in staff's interpretation of the Draft March Joint Land Use Study. Staff has reviewed this matter and can now confirm that the site is in proposed Airport Zone C1, rather than Airport Zone B1. The project would be consistent with the DRAFT Plan.

#### **PROJECT DESCRIPTION:**

A 15,700 square foot office building for the Department of Motor Vehicles with 243 parking spaces on 3.8 acres.

#### **PROJECT LOCATION:**

The site is located westerly of Sycamore Canyon Boulevard and northerly of Eastridge Avenue within the City of Riverside, approximately 15,860 feet northwest of Runway 14/32 at March Air Reserve Base/March Inland Port.

- Adjacent Airport: March Air Reserve Base/March Inland Port
- a. Airport Influence Area: Within Area of Influence Area
  - b. Land Use Policy: Area I based on map on [www.rcaluc.org](http://www.rcaluc.org) website
  - c. Noise Levels: 55-65 dB CNEL (1998)

#### **DOCUMENTS UTILIZED FOR REVIEW:**

We will utilize five resources for our review:

1. RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986 with map on [www.rcaluc.org](http://www.rcaluc.org) website.
2. Caltrans Airport Land Use Planning Handbook: 2002
3. Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base
4. DRAFT March Joint Land Use Study (advisory only)

5. Riverside County Airport Land Use Compatibility Plan (advisory only for this airport)

Note that the Countywide Plan adopted in 2004 is not applicable to March Air Reserve Base Airport Influence Area at this time. The new DRAFT Plan, once adopted, would be integrated into the Countywide Plan. However, the Countywide Plan offers insights into review of land use proposals.

**MAJOR ISSUES:**

Land Use – Safety Considerations: The 3.8-acre project site is located approximately 15,860 feet northwesterly of Runway 14-32. The site is under a major approach and departure track. The proposed land use is a 15,700 square foot office building for the Department of Motor Vehicles with 243 parking spaces. The site is located in Area I, as depicted on the map illustrated at [www.rcaluc.org](http://www.rcaluc.org). The Plan states that the boundaries of Area I are based on the “imaginary approach surface defined by FAR Part 77, Objects Affecting Navigable Airspace, as the approach surface for the size and type of runways at each airport. These areas are always centered on the runway centerlines extended.”

Policy 1 in Chapter III of the 1984 RCALUP states that Area I shall be kept free of all “high risk land uses.” This policy is based on the following analysis included therein:

“The approach surfaces are specifically defined by Federal Aviation Regulations. These areas carry the highest volume of air traffic due to the fact that all aircraft have to align with these areas to land or take-off on the runways. Aircraft have a higher tendency to have problems within these zones due to changing power settings to take-off or land. The convergence of all aircraft landing and taking-off within these narrow zones also means that the noise levels are highest in these zones. Due to these factors and the accepted Federal definition of the boundary of these surfaces, the area was deemed inappropriate for housing and high risk land uses.”

High risk land uses are conceptually defined in Appendix B of the 1984 RCALUCP titled HIGH RISK LAND USE EXAMPLES. Appendix B states that high risk land uses have one or more of the following characteristics:

- (1) high concentration of people,
- (2) critical facilities, and
- (3) flammable or explosive materials.

Type (1) includes “high patronage services”. These uses are listed as including “bowling alleys, restaurants, theaters, motels, banks, etc.”

Normally, an office building would not be considered a high risk land use. However, a public office of the Department of Motor Vehicles may be expected to have a much higher occupancy level during business hours than, say, a corporate headquarters or a research and development firm, or even most professional office buildings. This is recognized by the applicant in providing for 243 parking spaces, when the standard for the office use would

only require 63 parking spaces.

~~The DRAFT March Joint Land Use Study prepared by Mead and Hunt depicts this property as being within Airport Zone B1, which would limit average density to 50 persons per acre outside Accident Potential Zone I and 25 persons per acre inside Accident Potential Zone I. Single-acre occupancy would be limited to 100 persons.~~

**The DRAFT March Joint Land Use Study prepared by Mead and Hunt depicts this property as being within Airport Zone C1, which would allow for an average density of 100 persons per acre and single-acre occupancy of 250 persons. Exhibit 3-5, Compatibility Determinations for Specific Land Uses, would allow for government services and public buildings in Airport Zone C1, as well as gas stations, fast food restaurants, retail stores, office buildings, banks, hotels and motels.**

Generally, a 15,700 square foot office building would be evaluated as having an occupancy load of 79 persons based on one person per 100 square feet of floor area and a 50% reduction factor. However, in the case of a DMV building, there is some question as to whether a 50% reduction factor is appropriate. If one were to utilize the number of parking spaces as a guideline and apply the 1.5 persons per vehicle factor (not unreasonable since persons attempting to obtain a driver's license would be accompanied by a licensed driver), there could be as many as 366 persons on this property at any given time (96 persons per acre). The single-acre occupancy level would be the building occupancy, since there is only one building, and it is less than one acre in area. Without the 50% reduction factor, this would be 157 persons. **Even with these conservative assumptions, the project would be consistent within proposed Airport Zone C1.**

The critical issue for the Commission's consideration here is whether or not the proposed project constitutes a high risk land use. Staff has been advised by the project architect that the proposal constitutes a relocation of the DMV from its present location, also within the March Air Reserve Base Airport Influence Area.

Open Area and Coverage: There is no issue with the structural coverage here, which is only 9.61% of the DMV site area. (It may be noted that the existing Assessor's parcel is 5 acres in area, but that the parcel boundaries are being adjusted, such that the DMV facility would occupy 3.8 acres and the other 1.2 acres would be added to an adjacent property.)

Part 77: The highest elevation on the proposed site is 1,529 feet MSL and the height of the tallest portion of the building is 26 feet. A flagpole would extend to a greater height. The runway elevation at the north end is 1,535 MSL. In order to be an obstruction, a structure would need to exceed 1,693 feet MSL in elevation. Part 77 obstruction criteria is not a concern.

Noise: The site has been shown to have significant noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to be crossed by the 60 CNEL contour; thus, portions of the property would be subject to noise levels between 55 and 60, while other portions would be subject to noise levels between 60 and 65. The structure itself would appear to be in the area outside the 60 CNEL contour.

**RECOMMENDATION:** ~~Staff recommends a finding of inconsistency, based on the proposed use being a high risk land use of a property in Airport Zone I.~~

In the event that the Commission determines that the proposed use of a Department of Motor Vehicles office is not a high risk land use, or in the event that the Commission finds the proposal inconsistent with the 1984 Riverside County Airport Land Use Compatibility Plan as it applies to March Air Reserve Base but is overruled by the Riverside City Council, staff would recommend that the following conditions be applied:

**CONDITIONS:**

1. Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels **from aircraft operations** are at or below 45 **CNEL**. ~~—decibel levels.~~
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 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.
4. The above ground storage of explosive or flammable materials is prohibited.
5. The attached notice shall be provided to all potential purchasers and tenants.
6. The uses specified in the attached Appendix B of the Riverside County Airport Land Use Plan shall not be allowed.
7. Until such time as an Airport Protection Overlay Zone is applied to the property



by the City of Riverside, any proposed change in the use of this structure shall be submitted to the Airport Land Use Commission staff for consistency review.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 6.1  
**HEARING DATE:** August 10, 2006

### CASE SUMMARY

**CASE NUMBER:** BD-06-103 – Valley Landscape Service  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** Plot Plan 20513

**MAJOR ISSUES:** Location of a structure partially within Airport Zone A less than 250 feet from the runway centerline.

**RECOMMENDATION:** Staff recommends that the Airport Land Use Commission open the public hearing, consider public testimony, and provide direction to staff as to whether this project should be considered pursuant to Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan, based on the location of other structures within the same corridor along the southerly side of Country Club Drive and the variance included in the Bermuda Dunes Airport's operating permit, and the enhancement to air safety resulting from the removal of tall tamarisk trees along the southerly property line. Otherwise, staff must recommend a finding of inconsistency as presently designed, due to the location of the structure within 250 feet from the runway centerline, an area within Airport Zone A. In the event that the Commission chooses to find this proposal consistent with the ALUCP pursuant to Policy 3.3.6, or in the event that the Commission finds the proposal inconsistent with the Bermuda Dunes ALUCP but is overruled by the Riverside County Board of Supervisors or its successor-in-interest, staff would recommend that the conditions included in this staff report be applied.

### PROJECT DESCRIPTION:

The project is a Plot Plan for a 7,530 square foot industrial building on a 0.76-acre site. Valley Landscape Service would occupy approximately one-third of the building, with the other two suites rented to other users. The majority of area within the building would be for warehouse or storage uses.

### PROJECT LOCATION:

The site is located southwesterly of Country Club Drive and northeasterly of Bermuda Dunes Airport in the community of Bermuda Dunes in the County of Riverside, approximately 124 feet northeasterly of Runway 10-28 at the Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport  
Land Use Policy: Bermuda Dunes ALUCP (Adopted Dec. 2004)  
a. Airport Influence Area: Zones B2 and A  
b. Noise Levels: Greater than 65 dB CNEL at ultimate traffic level

**BACKGROUND:**

Land Use Intensity: The proposal is a Plot Plan for a 7,530 square foot industrial building on a 0.76-acre site. The site is split by the boundary between Airport Zone A and Airport Zone B2. Airport Zone A prohibits all structures except those with location set by aeronautical function. Airport Zone B2 allows an average non-residential density of 100 persons per acre with clustering on a single acre of up to 200 persons. In this case, the site is less than one acre in area, so the single-acre clustering allowance is not applicable. With a total site area of 0.76 acre, the maximum number of persons that would be allowed on the site if the site were entirely in Airport Zone B2 is 76 persons. However, a portion of the site is in Airport Zone A. Under the worst-case scenario, the majority of the property is in Airport Zone A, and 0.32 acres is in Airport Zone B2. This would still allow an occupancy of 32 persons. The project proposes 20 parking spaces, which would translate as 30 persons using the standard parking space methodology of 1.5 occupants per parking space. Therefore, even under the worst-case scenario, the project meets intensity standards using the parking space method.

Based on the site plan, it would appear that approximately 5,400 square feet of the proposed structure would be in warehousing or storage use, with only 2,130 square feet of office uses. Utilizing the UBC method, with the 50% reduction, the storage area would have an intensity of 9 persons and the office area would have an intensity of 11 persons, for a total occupancy of 20 persons. Therefore, the project is clearly consistent with intensity criteria for Airport Zone B2.

Airport Zone A: The major issue for this project is that Airport Zone A, as mapped on the Bermuda Dunes Airport Land Use Compatibility Plan (BDALUCP) extends onto this property, perhaps to a depth of as much as 120 feet. The project as designed is inconsistent with the provisions of the BDALUCP and the Countywide Policies, which prohibit new occupiable buildings in Airport Zone A. Staff has consulted with Mr. Kenneth Brody of Mead & Hunt, who has verified that Airport Zone A at this location extends a distance of 250 feet from the centerline of the runway. It is the project architect's contention that the proposal should be found consistent, in light of previous consistency determinations for other projects in this corridor and the variance included in the State's Airport Permit. The variance in the airport permit is for "existing...imaginary surface penetrations." Staff has been in contact with Airport Manager Mike Smith, who has no concerns with the project, including the carport, trash enclosure, and rear wall, provided that the proponent removes the tamarisk trees located along the southerly boundary of the property.

Noise: The site is subject to extremely high noise levels from aircraft operations due to its

Staff Report

Page 3 of 6

proximity to the runway. Noise levels are projected to exceed 65 CNEL at ultimate traffic levels, and would not be suitable for residential or other noise-sensitive uses. In accordance with criteria for Airport Zone B2, the structure will be required to be designed to provide a minimum noise level reduction of 25dB for the office and reception area portions of the building construction.

PART 77: The ground level elevation of the site is 49 feet above sea level. The height of the tallest structure is 24 feet, but the finished floor elevation may be as high as 61 feet, which would bring the height at top of structure to 85 feet. The runway elevation varies from 45.1 feet at its easterly end to 73.4 feet at its westerly end. An FAA review (Aeronautical Study No. 2006-AWP-1040-OE) has been completed and is attached. The FAA determined that the project is identified as an obstruction due to its exceedance of the "7:1 side transition surface". The structure was granted a "determination of no hazard to air navigation" provided that the maximum height at top of building not exceed 85 feet above mean sea level (AMSL). However, the review also stated that the structure is located 272 feet from the runway centerline, which is not correct and raises questions as to the information provided to or utilized by that agency. In reaching this conclusion, the FAA considered the existence of a tree line located 125 feet northerly of, and parallel to, the runway, the existence of other structures at similar heights at similar distances from the runway, and a variance granted to the airport by the Caltrans Division of Aeronautics permitting surface penetrations 125 feet or more northerly of the runway centerline. As a condition of the consistency finding, staff has included a condition limiting the height of the structure to 24 feet above ground level and a maximum elevation at top of structure of 85 feet above mean sea level.

Additional Design/Layout Considerations: From an airport land use compatibility planning perspective, the layout is not the most preferable. The Compatibility Plan recommends that structures be located a maximum distance from the runway, which would be better accomplished by siting the structure at the front of the property (along Country Club Drive), with parking in the rear. A second concern is the location of covered parking spaces, a trash enclosure, and an eight foot wall within the area that is clearly within Airport Zone A. These features are not known to have been reviewed by FAA officials. However, they are clearly not as tall as the tree row between the site and the airport.

#### **CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall record an aviation easement to Bermuda Dunes Airport.
2. Noise attenuation measures shall be incorporated into the office and reception areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
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, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.

- 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 a 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 any operation of aircraft and/or aircraft instrumentation.
4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.
  5. Not more than 50 percent of the floor area of each suite or unit shall be utilized for office space or reception areas, with the remaining areas used for storage or warehousing of goods or supplies.
  6. The maximum height of the proposed building shall not exceed 24 feet above ground level, and the maximum elevation at the top of structure shall not exceed 85 feet above mean sea level.
  7. The proposed building shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K, Obstruction Marking and Lighting, a med-dual system – Chapters 4, 8 (Med-Dual), and 12.
  8. At least ten (10) days prior to construction, and again, 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.
  9. The specific coordinates and height of the proposed building shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height shall not require further review by the Airport Land Use Commission.
  10. Temporary construction equipment used during actual construction of the building shall not exceed the height of the proposed building.

Staff Report

Page 6 of 6

11. The rear wall, carport or parking space cover, and trash enclosure shall not exceed a height of ten (10) feet.
  
12. Prior to final building inspection approval, the applicant shall provide evidence to the satisfaction of the Department of Building and Safety that all tamarisk trees within the southerly 120 feet of the site and adjacent portions of the Bermuda Dunes Airport property have been removed.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 6.2

**HEARING DATE:** August 10, 2006

### CASE SUMMARY:

**CASE NUMBER:** FV-06-111 – NNR-Briggs, LLC/Saba and Shirley Saba  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO:** General Plan Amendment No. 00806 and Change of Zone Case No. 07328

**MAJOR ISSUES:** The 1996 French Valley CLUP predates the 2002 California Airport Land Use Planning Handbook, which would recommend a density of one dwelling unit per two to five acres for areas within 500 feet of the extended runway centerline.

**RECOMMENDATION:** This project is not consistent with the 2004 French Valley Airport Land Use Compatibility Plan, but the effectiveness of that Plan has been suspended. The project is conditionally consistent with the 1996 French Valley CLUP, but in light of the Handbook recommendations, the proposal is Not Advisable.

In the event that the Airport Land Use Commission decides to withhold action on items within this Airport Influence Area pending completion of environmental documentation, the applicant needs to be aware that the project is not consistent with that Plan, unless that Plan is further modified in conjunction with the adoption of the environmental determination. In that situation, staff recommends Continuance to the meeting of October 2006.

### PROJECT DESCRIPTION:

General Plan Amendment No. 00806 proposes to amend the designation of the northerly 2½ acres of this 12.14-acre property from Commercial Retail to Medium Density Residential (2 to 5 dwelling units per acre). Change of Zone Case No. 07328 proposes to change the zoning of the same area from A-1-10 (Light Agriculture, 10 acre minimum lot size) to R-1 (One-family Dwellings).

### PROJECT LOCATION:



Staff Report

Page 2 of 5

The site is located westerly of Leon Road and northerly of Los Alamos Road in the community of French Valley, unincorporated Riverside County, approximately 6,817 feet north-northeasterly of French Valley Airport.

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Zone C on suspended 2004 Plan; partially in Extended Runway Centerline zone and partially in Traffic Pattern Zone in 1996 Plan
- c. Noise Levels: Below 60 CNEL and crossed by 55 CNEL contour

**BACKGROUND:**

Land Use – Density: The proposed project site is partially located in the Extended Runway Centerline zone, where density is restricted to a maximum of three dwelling units per net acre. The proposed general plan amendment and change of zone are consistent with this limitation, provided that not more than seven lots are established within this area. It should be noted, however, that the 1996 French Valley Plan predates the 2002 California Airport Land Use Planning Handbook, which recommends a density of one dwelling unit per two to five acres for properties within 500 feet of the extended runway centerline at distances of 6,000 to 10,000 feet from the runway.

Furthermore, while the project is consistent with the 1996 French Valley Plan, it must be stated that the general plan amendment and zone change move the direction of development on this property in a manner that is not advisable from an airport land use planning perspective. From the point of view of minimizing risk to the public health, safety, and welfare, it would be preferable to maintain the Commercial designation and zoning, which would allow for nonresidential development at an intensity of 100 persons per net acre under the provisions of the 1996 Plan.

Structural Coverage: In the Extended Runway Centerline zone, maximum coverage by structures is limited to 50% of gross area or 65% of net area, whichever is greater. The proposal is consistent with this provision.

Prohibited and Discouraged Uses: The applicant does not propose any prohibited uses (hazards to flight and uses involving manufacturing, storage, or distribution of hazardous or flammable materials).

Part 77: The highest elevation on the proposed site is 1,355 feet above MSL. The elevation of the runway at the northerly end is 1,347 feet. At a distance of 6,817 feet from the northerly end of the runway to the southwesterly corner of the area proposed for amendment, FAA review would be required for structures with top of roof exceeding 1,415 feet. Therefore, FAA review is not required in this situation, provided that the elevation at top of structure does not exceed that level (60 feet above existing ground elevation).

Noise: Noise levels on this site from aircraft operations would be less than 60 CNEL, but single-event noise may result in annoyance for some residents. The 1996 French Valley CLUP does not restrict uses in areas subject to noise levels less than 60 CNEL.

**CONDITIONS:**

1. Incorporate noise attenuation measures where necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
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.
  - (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 and tenants.
4. Prior to project development, recordation of a final map, or sale of property to an entity exempt from the Subdivision Map Act, the property owner shall convey an avigation easement to the County relative to French Valley Airport.
5. The number of dwelling units established within the area subject to this general plan amendment shall not exceed seven (7).
6. Lot coverage by structures shall be limited to 50% of gross area or 65% of net area, whichever is greater.
7. Uses involving the manufacturing, storage, or distribution of explosive or flammable materials as a primary activity are prohibited.
8. The elevation at the top of any structure on this property shall not exceed 1,415 feet above mean sea level.

9. Any outdoor lighting that is installed shall be hooded or shielded to assure that no lights are above the horizontal plane, and shall comply with Riverside County Ordinance No. 655.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 6.3  
**HEARING DATE:** August 10, 2006

### CASE SUMMARY

**CASE NUMBER:** HR-06-100 Corman Leigh Communities  
**APPROVING JURISDICTION:** City of Hemet  
**JURISDICTION CASE NO.:** GPA 05-4 and ZC 05-4

**MAJOR ISSUES:** Conversion of land designated for industrial and commercial use to residential and commercial uses, with the residential uses in the area closest to the airport, including areas within 500 feet of airport runways, normally does not contribute to the objectives of airport land use compatibility planning. A portion of the property would be within the Inner Turning Zone of the main runway using standard diagrams from the Airport Land Use Planning Handbook.

**RECOMMENDATION:** Given that the Transition Area allows residential development at densities up to twenty dwelling units per acre and commercial development, staff recommends that the project be found Consistent, subject to the conditions herein, but Not Preferable.

### PROJECT DESCRIPTION:

GPA 05-4 proposes to amend the designation of a 63.02-acre property from Commercial/Industrial to Mixed Use. ZC 05-4 proposes to change the zoning of the property from M-2 (Heavy Manufacturing) to R-1 (Single Family Residential), R-3 (Multi-Family Residential), and C-2 (General Commercial).

### PROJECT LOCATION:

The site is located southerly of Florida Avenue and Acacia Street, westerly of Cawston Avenue, and northerly of Hemet-Ryan Airport. The airport boundary is located directly southerly of the amendment site.

Adjacent Airport: Hemet-Ryan Airport  
Land Use Policy:  
a. Airport Influence Area: Transition Area and Area III  
c. Noise Levels: From below 55 CNEL to above 60 CNEL

## **BACKGROUND:**

The Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) was adopted in 1992. The Plan defines areas of extreme risk (Area I), high risk (Area II), and moderate risk (Area III), as well as a Transition Area between areas of high and moderate risk. This property lies just outside the area of extreme risk extending easterly from the runways. The property also lies outside the area of high risk, which is narrow on the area parallel to the airport because aircraft approaching or departing from the airport would not normally fly over the property. The Transition Area includes the outer 330 feet of Area II and the inner 660 feet of Area III adjacent to the outer boundary of Area II.

Land Use: The site is located largely within the Transition Area, with the remainder in Area III. In accordance with the policies for Transition Areas specified on pages 27 through 29 of the HRACALUP, "if 50% or more of the project site is in the Transition Area, it shall be considered part of the Transition Area." Commercial, industrial, and manufacturing uses, other than institutional uses, places of assembly, public and private schools, and hazardous material facilities, are permitted in this area. Residential uses and the special nonresidential uses specified above are subject to discretionary review, with maximum residential density limited to twenty (20) dwelling units per acre. The HRACALUP requires that the Airport Land Use Commission hold a public hearing on each application for discretionary use. Given this provision, residential uses are potentially consistent with the HRACALUP requirements for this area, provided that density is limited to twenty dwelling units per acre.

Having acknowledged this, it must be stated that the general plan amendment and zone change move the direction of development on this property in a manner that is not preferable from an airport land use planning perspective. From the point of view of minimizing risk to the public health, safety, and welfare, it would be preferable to maintain the existing zoning and establish an Industrial designation. If residential development is to occur here, it would be preferable for the residential development to be located within the portion of the site farthest from the airport, rather than the portion closest to the airport. Additionally, the applicant's analysis of the project relative to the 2002 Airport Land Use Planning Handbook reveals that a portion of the area planned for residential development would fall into the Inner Turning Zone for the main runway.

Noise: The HRACALUP includes six CNEL contour maps based on various scenarios. Noise levels are expected to be higher during the fire season, with most of the site within the 55 CNEL contour on such days. At other times, most of the site would be beyond the 55 CNEL contour, although some portions would experience noise in excess of 60 CNEL. The site does not underlie a primary approach and departure flight track, but future residents would experience noise from over flying and adjacent aircraft.

Part 77: The elevation on the site varies from 1,486 to 1,509 feet above mean sea level (AMSL). No structures are proposed at this time, but the Transition Area policies limit structure height to 35 feet. Thus, it is expected that the top of any structure will not exceed 1,544 feet AMSL. The site is approximately 200 feet from the runway, although it is directly

adjacent to an identified sailplane operations area. The surface of the runway varies from 1,499 feet to 1,515 feet AMSL. It would appear that all structures at this location will require an FAA 7460 review. However, no structures are proposed at this time.

**CONDITIONS:**

1. Prior to final adoption of the general plan amendment, the landowner shall record Avigation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)
2. Any habitable structures to be constructed within areas of the site within the year 2005 average annual day 60 CNEL noise contour (as depicted on Figure 5 of Appendix C of the Hemet Ryan Airport Comprehensive Airport Land Use Plan) shall be soundproofed as necessary to achieve 45 Ldn interior sound levels or quieter relative to aircraft operations. All building plans within those areas shall be signed by a qualified acoustical engineer certifying that the 45 Ldn level will be achieved, based on construction materials and design of the proposed structure.
3. Unless otherwise determined inapplicable by Airport Land Use Commission staff, all structures at this location shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
4. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. All lighting plans should be reviewed and approved by the airport manager prior to approval.
5. 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.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
6. The attached notice shall be given to all prospective buyers and tenants.

7. All future structures at the site shall be limited to thirty-five (35) feet in height or two stories, whichever is less.
8. Residential density within the site shall be limited to not more than twenty (20) dwelling units per acre.
9. The portion of the site within the Inner Turning Zone of the main runway at Hemet-Ryan Airport, as such zone is defined and delineated for runways of that size in the State of California Airport Land Use Planning Handbook, shall be limited to a density not exceeding one dwelling unit per two acres unless developed as an airpark residential use where residents would have access to hangars.
10. Future discretionary development applications within this area, including tract maps and such permits as may require a public hearing pursuant to City of Hemet codes and ordinances, including, but not limited to, applications proposing the establishment of institutional uses, places of assembly, or any structure with a Uniform Building Code capacity of 100 persons or more, shall require subsequent review by the Airport Land Use Commission.



# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 6.4  
**HEARING DATE:** August 10, 2006

### CASE SUMMARY

**CASE NUMBER:** HR-06-101 JAKS, LLC/Nave, Riback, Silver and Wilson  
**APPROVING JURISDICTION:** City of Hemet  
**JURISDICTION CASE NO.:** GPA 04-07 and ZC 04-13

**MAJOR ISSUES:** Places of assembly as defined in the Hemet-Ryan Airport Comprehensive Airport Land Use Plan include most types of commercial uses, and they are prohibited in Areas I and II.

**RECOMMENDATION:** Given that some types of commercial development may be allowable in Areas I and II, staff recommends that the project be found Conditionally Consistent, subject to the conditions herein including structure occupancy limitations, but Not Advisable. If the City of Hemet approves these cases, it is recommended that any proposed land use involving the development of a structure exceeding 3,000 square feet in floor area be referred to the Airport Land Use Commission for review. Large commercial retail facilities would be found INCONSISTENT within most portions of the site.

### PROJECT DESCRIPTION:

GPA 04-07 proposes to amend the General Plan designation of a 25.6-acre property from Industrial to Commercial. ZC 05-4 proposes to change the zoning of 25.6 acres from M-2 (Heavy Manufacturing) to C-2 (General Commercial) and 10.4 acres from C-1 (Neighborhood Commercial) to C-2.

### PROJECT LOCATION:

The 36-acre site is located easterly of Sanderson Avenue and southerly of Acacia Avenue, approximately 3,320 feet northeasterly of Hemet-Ryan Airport.

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Area I, Area II, and Transition Area
- c. Noise Levels: From below 55 CNEL to below 60 CNEL (site is crossed by 55 CNEL contour)

### BACKGROUND:

The Hemet-Ryan Airport Comprehensive Airport Land Use Plan (HRACALUP) was adopted

in 1992. The Plan defines areas of extreme risk (Area I), high risk (Area II), and moderate risk (Area

III), as well as a Transition Area between areas of high and moderate risk. This property lies partially within the area of extreme risk and partially within the area of high risk, with the area within 330 feet of Acacia Avenue depicted as a Transition Area.

Land Use Intensity: The site is located partially within Area I, areas of extreme risk. Area I is centered on the extended runway centerline, with its boundaries defined by the FAR Part 77 imaginary approach surfaces. This area was designated as the highest relative risk area in the HRACALUP “due to the convergence of flight paths and the resultant high volume of aircraft. Aircraft are descending or ascending, changing power settings, and performing critical turns; thus, the possibility of an aircraft related incident occurring is higher in these areas.” (HRACALUP page 15) Policies for Area I prohibit residential uses, places of assembly, institutional uses, critical facilities, and hazardous material facilities. However, it should be noted that the definition of “places of assembly” in the HRACALUP is broader than in some other ALUCPs. It includes “any structure, public or private, or premise, or portion thereof with a capacity for occupancy of over 50 persons which is designed or used for entertainment, amusement, instruction, education, worship, deliberation, display, meeting, awaiting transportation or for the consumption of food and drink.” The examples given include shopping malls, major retail outlets, restaurants, motels, banks, bowling alleys, and even professional office buildings and funeral homes, as well as auditoriums, theaters, recreation/entertainment facilities, churches, clubhouses, arenas, and stadiums.

The site is located partially in Area II. Area II is an area of high risk, which together with Area I consists of the area of greatest safety concerns. Area II covers the remainder of the site, although the portion of the site within 330 feet of Acacia Avenue is within a Transition Area. Exhibit 2 on page 18 of the HRACALUP depicts the boundaries of Area II and shows that the site would be overflowed by aircraft turning to make their final approach, as well as aircraft flying a straight-in approach pattern. The boundaries of Area II were “established to coincide as much as possible to areas where aircraft would be in the landing – takeoff generalized pattern and would be turning and applying or reducing power...” (HRACALUP page 17) Policies for Area II permit industrial uses, indicate that commercial uses are “discretionary”, and prohibit schools, institutional uses, places of assembly, and hazardous material facilities. Residential development is limited to a maximum density of one dwelling unit per 2½ acres.

The northerly 330 feet adjacent to Acacia Avenue is within the Transition Area, where commercial, industrial, and manufacturing uses, other than institutional uses, places of assembly, public and private schools, and hazardous material facilities, are permitted. Residential uses and the special nonresidential uses specified above are subject to discretionary review. The HRACALUP requires that the Airport Land Use Commission hold a public hearing on each application for discretionary use.

With no specific proposed land uses, it is difficult to rule out commercial use of this property. However, major stores such as Wal-Mart, Lowe’s, or even a supermarket would be inconsistent with the limitations of Area I and Area II. There may be some commercial

uses that would not qualify as places of assembly as defined above, but they would be exceptions to the norm. In particular, a 3,000 square foot retail facility would have an occupancy of 50 persons based on 50% of Uniform Building Code occupancy limits, so any larger retail facility would be inconsistent.

Furthermore, it must be stated that the general plan amendment and zone change move the direction of development on this property in a manner that is not advisable from an airport land use planning perspective. From the point of view of minimizing risk to the public health, safety, and welfare, it would be preferable to maintain the Industrial designation and zoning on the 26-acre parcel and change the zoning on the 10-acre parcel to M-2. If commercial development is to occur here, it would be preferable for such development to be located within the Transition Area near Acacia Avenue, where structures with occupancy exceeding fifty persons might be allowable.

Since the adoption of the HRACALUP, the State of California Department of Transportation, Division of Aeronautics has issued the 2002 California Airport Land Use Planning Handbook. It would appear that portions of this site would be considered as being within the standard Zones 2 and 4 (Inner and Outer Approach/Departure Zones). The Handbook recommends that nonresidential intensity levels in partially developed areas be limited to 25-40 persons per acre in Zone 2 (similar to Zone B1 in the 2004 Countywide Plan) and 40-80 persons per acre in Zone 4 (similar to Zone C in the 2004 Countywide Plan).

Noise: The HRACALUP includes six CNEL contour maps based on various scenarios. Figure 5 (Average Annual Day – 2005) is the one that is intended to be utilized for planning purposes under most circumstances. This exhibit shows the property being crossed by the 55 CNEL contour, suggesting that average noise levels would be between 50 and 55 CNEL in some portions of the site and between 55 and 60 CNEL in other portions of the site. Noise levels are expected to be higher during the fire season, with almost all of the site within the 55 CNEL contour on such days and some areas experiencing noise levels above 60 CNEL. On the worst case fire day, the site would be entirely within the 60 CNEL contour and largely within the 65 CNEL contour. The site underlies a primary approach and departure flight track, so future employees and patrons would experience noise from overflying aircraft.

Part 77: The elevation on the site varies from 1,506 to 1,539 feet above mean sea level (AMSL). No structures are proposed at this time, but there are existing Southern California Edison electrical distribution lines approximately 45 feet in height. The proposed City of Hemet zoning limits structures to a height of 35 feet. Thus, it is expected that the top of any structure will not exceed 1,574 feet AMSL. The elevation of the runway at its easterly terminus is 1,515 feet AMSL. At a distance of 3,320 feet from the runway, any structure with a top elevation greater than 1,548 feet AMSL would require FAA review. However, no structures are proposed at this time.

**CONDITIONS:**

1. Prior to final adoption of the general plan amendment, the landowner shall record Avigation Easements covering the entire parcel proposed for development to the

County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)

2. Any habitable structures to be constructed within areas of the site within the year 2005 average annual day 60 CNEL noise contour (as depicted on Figure 5 of Appendix C of the Hemet Ryan Airport Comprehensive Airport Land Use Plan) shall be soundproofed as necessary to achieve 45 Ldn interior sound levels or quieter relative to aircraft operations. All building plans within those areas shall be signed by a qualified acoustical engineer certifying that the 45 Ldn level will be achieved, based on construction materials and design of the proposed structure.
3. Unless otherwise determined inapplicable by Airport Land Use Commission staff, all structures at this location with an elevation above 1,548 feet above mean sea level at top of structure shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
4. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. All lighting plans should be reviewed and approved by the airport manager prior to approval.
5. 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.
  - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
6. The attached notice shall be given to all prospective buyers and tenants.
7. All future structures at the site shall be limited to thirty-five (35) feet in height or two stories, whichever is less.
8. All proposals for discretionary review of development of structures 3,000 square feet or greater in floor area shall be referred to the Airport Land Use Commission for review.

Staff Report

Page 5 of 5

9. No structure located partially or wholly more than 330 feet southerly of Acacia Avenue shall be designed with a capacity greater than 100 persons, pursuant to the Uniform Building Code.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 6.5  
**HEARING DATE:** August 10, 2006

### CASE SUMMARY:

**CASE NUMBER:** RI-05-133 – MMI Titan Inc.  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO:** P-05-1070

**MAJOR ISSUES:** Applicant is unable to provide copy of FAA clearance at this time.

**RECOMMENDATION:** Staff recommends a CONTINUANCE to September 14, 2006 to allow the applicant additional time to obtain FAA clearance.

### PROJECT DESCRIPTION:

Install rooftop antennas for wireless telecommunications on the roof of the Riverside Municipal Airport terminal building and add an equipment shelter with GPS antennas near Gate 3.

### PROJECT LOCATION:

6951 Flight Road, at Riverside Municipal Airport.

Nearest Airport: Riverside Municipal Airport  
a. Airport Influence Area: Same  
b. Land Use Policy: Airport Zone B2  
c. Noise Levels: Greater than 65 CNEL; however, proposed use is not noise-sensitive.

### BACKGROUND:

Part 77: At this time, the applicant is unable to find or to provide documentation demonstrating that the Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, and has determined that the proposed structures do not exceed obstruction standards and would not be a hazard to air navigation. This is the only issue of concern. The highest elevation will not exceed 818 feet above mean sea level (AMSL).

**CONDITIONS:**

1. New antenna facilities shall be marked and/or lighted in accordance with FAA Advisory Circulars regarding Obstruction Marking and Lighting, Chapters 4 and 12, in accordance with the Federal Aviation Administration letter dated xx/xx/xxxx.
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. 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.
4. Temporary construction equipment used during actual construction of the facilities shall not exceed the height of the proposed facilities.
5. The proposed facilities shall not generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
6. 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.
7. Antennas 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.
8. The proposed facilities shall not generate smoke or water vapor and shall be designed so as not to attract large concentrations of birds.
9. To coordinate frequency activation and verify that no interference is caused to FAA facilities, prior to beginning any transmission from the site, the permittee shall contact ONTARIO SYSTEM SUPPORT CENTER at (909) 605-1966.

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 6.6

**HEARING DATE:** August 10, 2006

### CASE SUMMARY:

**CASE NUMBER:** RI-06-116 – Lindborg and Urbano (Cole & Frick Architects)

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO:** P-06-0714 (Design Review) and P-06-0719 (Change of Zone)

**MAJOR ISSUES:** Proposed Building A extends into Airport Zone A, where new occupiable structures are prohibited, the applicant has not identified land use splits for use of the proposed buildings, and FAA review has not yet commenced.

**RECOMMENDATION:** Staff recommends **CONTINUANCE** to September 14, 2006 to allow the project proponent an opportunity to redesign the proposed project so as to remove all occupiable structures from Airport Zone A and comply with Compatibility Zone occupancy restrictions, and to submit a Notice of Proposed Construction or Alteration Form 7460-1 to the Federal Aviation Administration. Otherwise, staff must recommend a finding of inconsistency, at least for Building A.

### PROJECT DESCRIPTION:

Change of zone from R-1-65 to MP (Manufacturing Park) and development of three multi-tenant industrial buildings with a total of 28,125 square feet of floor area on 2.27 acres.

### PROJECT LOCATION:

The site is located on the south side of Arlington Avenue, westerly of Monroe Street in the City of Riverside, approximately 619 feet southeasterly of the southerly terminus of Runway 16-34 at Riverside Municipal Airport.

Adjacent Airport:

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Policy: Zones B1 and A
- c. Noise Levels: 55-60 CNEL (Ultimate)

### MAJOR ISSUES:

Airport Zone A: The major issue for this project is that Building A is partially located within Airport Zone A, as mapped on the Riverside Municipal Airport Land Use Compatibility Plan (RMALUCP). The project as designed is, therefore, inconsistent with the provisions of the RMALUCP and the Countywide Policies, which prohibit new occupiable buildings in Airport Zone A. The project architect has been asked to verify the location of Airport Zone A on the property and return with a redesign that moves the building out of Airport Zone A.

Land Use – Average Occupancy: The proposed project site is split between Airport Zones A and B1. Nonresidential development intensity in Zone B1 is restricted to an average of 25 persons per acre, with a maximum of 50 persons per acre for any given acre of the property.

There are two possible means of determining nonresidential intensity. Using the Building Code method of estimating occupancy, including the 50% reduction, if the structures were entirely occupied by office uses, the site would accommodate 140 persons, which would be clearly inconsistent with Airport Zone B1 occupancy limitations. However, if the buildings were split with a mix of 40% fabrication, 40% storage, and 20% office uses, the site would accommodate 75 persons, which would be closer to the standard, which for this site is 57 persons assuming a gross acreage (excluding Zone A areas) of 2.27 acres. There is a possibility that the total structural area may need to be reduced to bring development into compliance with the Airport Zone B1 criteria.

Staff has asked the project architect to provide calculations relative to the gross area of the site and the area in Airport Zone A and relative to the use split within the buildings so that consistency may be analyzed.

A second possible approach is to consider the proposal using the parking space method. Under this simplified method for determining average occupancy, occupancy is considered to be 1.50 times the number of parking spaces provided. The applicant is providing 70 parking spaces. Based on the number of parking spaces provided, a total of 105 persons may be expected on the site. This is not consistent with the provisions of Airport Zone B1; however, the Airport Land Use Commission has previously determined that, if the project is determined to be consistent using the UBC method, the second approach need not be used.

Land Use – Single-Acre Occupancy: Given the low average occupancy level of Airport Zone B1 and the use of three buildings rather than one building on the site, it is likely that most design layouts meeting the average occupancy standard of 25 persons per acre will comply with the 50 persons per acre single-acre standard in this situation.

Extended Runway Centerline: Criteria for Airport Zone B1 state that structures should be located a maximum distance from the extended runway centerline. This project does not meet this criterion in that the majority of structural square footage is within the westerly half of the property – the portion closest to the extended runway centerline.

**Prohibited Uses:** The applicant does not propose any prohibited uses (children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, aboveground bulk storage of hazardous materials, and critical community infrastructure facilities). No flight hazards are proposed.

**Part 77:** The highest elevation on the proposed site is 748 feet above mean sea level (AMSL), and the height of the tallest building as depicted on project elevations would not exceed 20 feet. Thus, the highest point at buildout would be 768 feet AMSL. The elevation of Runway 16-34, a 2,851-foot long runway, at its southerly end is 750.5 feet. Thus, the top point of the buildings could be at an elevation of up to 18 feet greater than the runway. At a distance of 619 feet from this runway, with a 50:1 slope criterion, any structure above 762.5 feet top elevation will require FAA aeronautical review. The project architect has been advised of the need to submit Form 7460-1 to the Federal Aviation Administration.

**Noise:** Noise levels on this site from aircraft operations would exceed 55 CNEL. (Single-event noise levels would, of course, be significantly greater.) Office uses are considered to be "normally acceptable" in this noise range, while general manufacturing and warehousing are considered "clearly acceptable" (Table 2B, Supporting Compatibility Criteria: Noise). Slight interference with outdoor activities and conversation may occur.

**CONDITIONS:**

1. 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.
  - (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, highly noise-sensitive outdoor nonresidential uses, aboveground bulk storage of hazardous materials, and critical community

infrastructure facilities.

2. The City of Riverside shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following facilities on this property:

Retail sales facilities, dormitories, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, locker rooms, exercising rooms, 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, unless it can be demonstrated that other portions of the structure are occupied at a level less intense than the level assumed in this staff report.

3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
4. Noise attenuation measures shall be incorporated into the office areas of the building construction to ensure a minimum noise level reduction of 25dB, or such reduction as may be necessary so as to reduce interior noise levels within any unit to 45 CNEL or below.
5. Prior to the scheduling of the proposed change of zone for hearing before the Riverside City Council, the proponent shall file Form 7460-1, Notice of Proposed Construction or Alteration, with the Federal Aviation Administration and shall present evidence of a finding of "Not a Hazard to Air Navigation" to Airport Land Use Commission staff.
6. Prior to issuance of building permits, the landowner shall record an aviation easement to Riverside Municipal Airport.
7. The attached notice shall be provided to all potential purchasers and tenants.

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

## STAFF REPORT

**AGENDA ITEM:** 6.7

**HEARING DATE:** August 10, 2006

**CASE SUMMARY:**

**CASE NUMBER:** RI-06-119 – Birtcher Riverside General LLC

**APPROVING JURISDICTION:** County of Riverside

**JURISDICTION CASE NO:** CZ07312 and PP21371, and additional development

**MAJOR ISSUES:** Need for FAA Review for buildings whose elevation at top of roof exceeds 801 feet above mean sea level. This is otherwise exactly the type of project that is appropriate in Airport Influence Areas.

**RECOMMENDATION:** The proposed change of zone is Consistent. In regard to the plot plan, staff must recommend a Continuance to September 14, 2006 if the applicant has not yet submitted Form 7460-1 to the FAA. However, if the applicant can provide documentation of submittal to FAA by the date of this hearing, staff will recommend a finding of Conditional Consistency for the development proposal, with referral back to staff for receipt of FAA clearance prior to issuance of a final letter of consistency. The final letter of consistency may include additional conditions to assure compliance with FAA requirements.

**PROJECT DESCRIPTION:**

Change of zoning from M-SC (Manufacturing – Service Commercial) to M-H (Manufacturing – Heavy) on 21.42 acres, and development of five industrial buildings with a total of 344,205 square feet of floor area on five parcels with a combined area of 25.21 acres. Plot Plan No. 21371 includes three buildings on 21.42 acres with a total of 269,520 square feet. The other two buildings are proposed on other lots in the vicinity not included within Plot Plan No. 21371.

**PROJECT LOCATION:**

The site is located along General Drive and Clay Street, easterly of Van Buren Boulevard, northerly of the Santa Ana River, and southerly of the Union Pacific/Metrolink rail line, in the unincorporated Riverside County community of Pedley, approximately 4,413 feet northwesterly of Runway 9-27 at Riverside Municipal Airport.

Adjacent Airport:

a. Airport Influence Area: Riverside Municipal Airport

- b. Land Use Policy: Zone D
- c. Noise Levels: From below 55 CNEL to 55-60 CNEL (Ultimate); site is crossed by 55 CNEL contour

**BACKGROUND:**

Land Use – Average Occupancy: The proposed project site is located in Airport Zone D. Nonresidential development intensity in Zone D is restricted to an average of 100 persons per acre, with a maximum of 300 persons per acre for any given acre of the property.

This ALUC case actually covers five distinct buildings on separate parcels. The plot plan addresses three buildings, while the other two buildings are not yet the subject of an official Planning Department application.

Building 1 is a 79,735 square foot building on a 4.7-acre site. Using the Building Code method of estimating occupancy, including the 50% reduction, and the office/fabrication/storage splits indicated by the applicant, a total of 154 persons would be expected to occupy the property at any one time. (Using the parking space method, a total of 153 persons would be expected.) This is well within the occupancy limit for a site of this size in Airport Zone D.

Building 2 is a 113,069 square foot building on a 9.51-acre site. Using the Building Code method of estimating occupancy, including the 50% reduction, and the office/fabrication/storage splits indicated by the applicant, a total of 225 persons would be expected to occupy the property at any one time. (Using the parking space method, a total of 231 persons would be expected.) This is well within the occupancy limit for a site of this size in Airport Zone D.

Building 3 is a 76,716 square foot building on a 7.64-acre site. Using the Building Code method of estimating occupancy, including the 50% reduction, and the office/fabrication/storage splits indicated by the applicant, a total of 166 persons would be expected to occupy the property at any one time. (Using the parking space method, a total of 180 persons would be expected.) This is well within the occupancy limit for a site of this size in Airport Zone D.

The building on Lot 9 is a 60,750 square foot building on a 3.57-acre site. Using the Building Code method of estimating occupancy, including the 50% reduction, and the office/fabrication/storage splits indicated by the applicant, a total of 135 persons would be expected to occupy the property at any one time. (Using the parking space method, a total of 147 persons would be expected.) This is well within the occupancy limit for a site of this size in Airport Zone D.

The building on Lot 11 is a 13,935 square foot building on a 0.85-acre site. Using the Building Code method of estimating occupancy, including the 50% reduction, and the office/fabrication/storage splits indicated by the applicant, a total of 60 persons would be

expected to occupy the site. (Using the parking space method, a total of 42 persons would be expected.) This is well within the occupancy limit for a site of this size in Airport Zone D.

Land Use – Single-Acre Occupancy: Since the total number of persons on any given site will not exceed 300, the project clearly meets the single-acre occupancy standard.

Prohibited Uses: The applicant does not propose any highly noise-sensitive outdoor nonresidential uses, and no flight hazards are proposed. The applicant does not propose any discouraged uses (children’s schools, hospitals, or nursing homes).

Part 77: The highest elevation on the proposed site is 768 feet above mean sea level (AMSL) and the height of the tallest building as depicted on project elevations would not exceed 38.5 feet. The highest finished floor elevation would not exceed 773.28 feet. Thus, the highest point at buildout would be 811.78 feet AMSL. The elevation of Runway 9-27, a 5,401-foot long runway, is 757.6 feet AMSL at its westerly terminus. Thus, the tallest structure on-site could be at an elevation of up to 55 feet greater than the runway. At a distance of 4,413 feet from this runway, with a 100:1 slope criterion, any structure above 801 feet top elevation may require FAA aeronautical review.

Noise: Noise levels on this site from aircraft operations would exceed 55 CNEL. (Single-event noise levels would, of course, be significantly greater.) Office uses are considered to be “normally acceptable” in this noise range, while light industrial, general manufacturing, and warehousing uses are considered to be “clearly acceptable” (Table 2B, Supporting Compatibility Criteria: Noise). Slight interference with outdoor activities and conversation may occur.

**CONDITIONS:**

1. 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.
  - (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, hospitals, and nursing homes.

2. Additional review by the Airport Land Use Commission staff shall be required prior to the establishment of any of the following facilities on this property:

Retail sales facilities, dormitories, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, locker rooms, exercising rooms, 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, unless it can be demonstrated that other portions of the structure are occupied at a level less intense than the level assumed in the analysis submitted by the applicant for this project.

3. The attached notice shall be provided to all potential purchasers and tenants.
4. Prior to the scheduling of the proposed plot plan for hearing before the Riverside County Planning Director, the proponent shall file Form 7460-1, Notice of Proposed Construction or Alteration, with the Federal Aviation Administration and shall present evidence of a finding of "Not a Hazard to Air Navigation" to Airport Land Use Commission staff.



**COUNTY OF RIVERSIDE  
AIRPORT LAND USE COMMISSION**

**STAFF REPORT**

**AGENDA ITEM:** 6.8  
**HEARING DATE:** August 10, 2006

**CASE SUMMARY:**

**CASE NUMBER:** TH-06-106 – Van Buren Estates, LLC  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO:** GPA00787/CZ07291/Tract Map No. 34556

**MAJOR ISSUES:** The project design does not achieve a net density of five dwelling units per acre in the Zone D areas and is, therefore, inconsistent with the provisions of Zone D requiring either densities of five or more dwelling units per acre or 0.2 or less dwelling units per acre.

**RECOMMENDATION:** The portion of the project in Airport Zone E is consistent with the JCRALUCP, but the portion within Airport Zone D as presently designed is inconsistent. Therefore, staff must recommend a finding of inconsistency unless the applicant is willing to redesign, in which case a continuance for such period as the applicant may request would be appropriate.

**PROJECT DESCRIPTION:** General Plan Amendment No. 00787 proposes to amend the General Plan designation from Agriculture with Community Development Overlay to Medium Density Residential. Change if Zone Case No. 07291 proposes to change the zoning on the site from A-1-20 (Light Agriculture, 20 acre minimum lot size) to R-1 (One-family Dwellings). Tentative Tract Map No. 34556 proposes to divide 163.87 acres into 301 residential lots.

**PROJECT LOCATION:** The site is situated easterly of Van Buren Street and northerly of 60<sup>th</sup> Avenue, approximately 6,586 feet (about 1¼ miles) southwesterly of Runway 12-30 at Jacqueline Cochran Regional Airport.

Adjacent Airport: Jacqueline Cochran Regional Airport  
Land Use Policy: JCRALUCP 2005  
a. Compatibility Zone: Airport Zones D and E  
b. Noise Levels: Outside 55CNEL

**BACKGROUND:** Residential Density: The site is located largely in Airport Zone E, but also partially in Zone D.

Residential density in Airport Zone D is restricted to either a rural density not exceeding one dwelling unit per five acres or an urban density of not less than five dwelling units per acre. Intermediate densities (less than five dwelling units per acre net and more than one dwelling unit per five acres gross) are prohibited in Airport Zone D. This project has an overall gross density of slightly less than two dwelling units per acre. The residential lots in the Airport Zone D portion of the project are all 10,000 square feet or larger, well above the 8,712 square foot maximum lot size that translates as 0.2 acre.

Noise: The site underlies traffic patterns and will experience some annoyance from over flying aircraft, but it is outside the area subject to average noise levels of 55 CNEL or greater.

PART 77: The maximum elevation of the site is – 98 (98 feet below mean sea level). The elevation of the nearest runway at its low point is – 136 feet. At a distance of 6,586 feet from the runway to the area proposed for amendment, FAA review would be required for any structures with top of roof exceeding – 71 (71 feet below mean sea level). Therefore, some of the residences on this site may require FAA review.

In the event that the Commission chooses to find this proposal consistent with the JCRALUCP, or in the event that the Commission finds the proposal inconsistent with the JCRALUCP but is overruled by the Riverside County Board of Supervisors or its successor-in-interest, staff would recommend that the following conditions be applied:

**CONDITIONS:**

1. Incorporate noise attenuation measures where necessary to ensure interior noise levels from aircraft operations are at or below 45-decibel levels CNEL.
2. Prior to scheduling of these cases before the Board of Supervisors, the developer shall provide to Airport Land Use Commission staff documentation demonstrating that the Federal Aviation Administration has made a finding of “not a hazard to air navigation” for each structure whose elevation at highest point exceeds “X” feet above mean sea level, where “X” =  $-136 + (\text{distance in feet from highest point of structure to nearest point of existing airport runway}/100)$ .
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 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.
4. The attached notice shall be provided to all potential purchasers and tenants.