



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., May 10, 2007

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS
Arthur Butler
Riverside

Robin Lowe
Hemet

John Lyon
Riverside

Glen Holmes
Hemet

Melanie Fesmire
Indio

STAFF

Interim
Executive Director
Ed Cooper

John Guerin
Cecilia Lara
Sophia Nolasco
Barbara Santos

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

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. 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 **EXECUTIVE SESSION:** Conference with legal counsel with respect to every item of business to be discussed in closed session pursuant to 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).

3.0 PUBLIC HEARING: 9:00 A.M.

CHINO AIRPORT

3.1 ZAP1004CH07 – MDC Eastvale, LLC/Master Development Corp. – County Case Nos. SP00358, GPA00827, CZ07345. Proposal to adopt "The Ranch at Eastvale" Specific Plan No. 358 proposing development of 42.9 acres of business park uses, 36.8 acres of light industrial uses, and 17.5 acres of commercial retail uses on a 116.9-acre site located at the northwestern edge of Riverside County, southerly and easterly of the San Bernardino County line, westerly of the flood control channel westerly of Archibald Avenue, in unincorporated Riverside County. General Plan Amendment No. 00827 from Light Industrial and Medium Density Residential to Business Park, Light Industrial, and Commercial Retail. Change of Zone Case No. 07345 from A-2-10 to SP. Airport Areas II and III. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT with 1984 Plan.

- 3.2 ZAP1005CH07 – Hillcrest Nexus 2 LLC/Steve Hathaway/Stelzer Family Trust - County Case No. PP 22277 (Amended) – Development of a commercial/industrial center with 268,480 square feet of building floor area (including retail stores, market, drug store, bank, restaurant, car wash, three fast food restaurants, research and development office/industrial buildings, and mini-storage) on 37.9–38.1 acres located at the southeast corner of Archibald Avenue and Limonite Avenue in Eastvale, in unincorporated Riverside County. Airport Areas II and III. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org

Staff Recommendation: CONSISTENT with 1984 Plan.

HEMET-RYAN AIRPORT

- 3.3 ZAP1005HR07 – Jason Shelley – City Case No. CUP-07-001 – Proposal to develop a recreational vehicle and boat storage facility, including a two-story 2,042 square foot office, 40 garages with a total of 8,000 square feet, and up to 50 covered RV and boat parking spaces on 2.8 net acres (3.26 gross acres) located southerly of Stetson Avenue opposite the Hemet-Ryan Airport, northwesterly of the rail line and easterly of a straight-line extension of Fisher Street in the City of Hemet. Transition Zone. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: CONTINUANCE to June 14, 2007 unless documentation of FAA submittal is provided.

- 3.4 ZAP1006HR07- Seven Hills Resorts Corporation - City Case No. SPA 06-003 - Proposal to amend the Seven Hills Planned Community Development Master Plan to allow a multiple – family residential use in an area designated as Neighborhood Commercial, and to construct and operate a 40-unit senior apartment complex on 1.7-1.8 acres located westerly of south Lyon Avenue at Chambers Street, southerly of Pepper Tree Drive, and easterly of the existing Seven Hills Golf Resort Clubhouse, and both easterly and southerly of the clubhouse parking area in the City of Hemet. Airport Area III. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: CONSISTENT

MARCH AIR RESERVE BASE

- 3.5 ZAP1026MA07 – Alessandro Investments LLC/Cottonwood Development LLC/Hunsaker Associates – City Case Nos. P07-0327 and P07-0301. Tentative Parcel Map No. 35484 and Design Review Case No. P07-0301 propose the development of six office buildings with a gross floor area of 65,090 square feet for condominium purposes on 7.47 acres located easterly of the current alignment of Interstate 215, westerly of the old I-215 Frontage Road and northerly of Alessandro Boulevard, in an unincorporated area proposed for annexation to the City of Riverside. Airport Area I. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT

RIVERSIDE MUNICIPAL AIRPORT

- 3.6 ZAP1016RI07 - Alamo Development/Ed Bonanni - City Case No. P04-1493 (Parcel Map No. 33033) - A proposal to develop eight industrial buildings with a total floor area of 74,463 square feet on approximately 4.3 acres situated on the west side of Doolittle Avenue, southerly of Morris Street, and to divide the property into 8 parcels, with each building on its own lot, in the City of Riverside. Airport Zone C. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: CONSISTENT

4.0 **PUBLIC HEARING: 9:30 A.M.**

FRENCH VALLEY AIRPORT

- 4.1 ZAPEA01FV06 - Environmental Assessment (E.A.) – Airport Land Use Commission Initiative – PROPOSAL: Adopt a Land Use Compatibility Plan for French Valley Airport. The project proposal is the adoption of the French Valley Airport Land Use Compatibility Plan as adopted by the Commission in December 2004 and amended in December 2005; however, the Commission will also consider Additional Compatibility Policies (amendments) proposed by ALUC staff, the County of Riverside, and the City of Murrieta. The ALUC will determine whether to adopt a De Minimis Finding and a Negative Declaration. (Continued from October 26, 2006, December 14, 2006, January 11, 2007, February 8, 2007 and March 8, 2007). ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE without discussion to June 14, 2007.

- 4.2 ZAP1009FV07 – Ennio Schiappa/Pourroy Road LLC – County Case No. TR 34689 (Tentative Tract Map No. 34689). Proposal to divide 4.84 acres located on the easterly side of Pourroy Road, northerly of Benton Road and southerly of Thompson Road, in the community of French Valley, in unincorporated Riverside County, into 15 lots. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: TAKE NO ACTION

- 4.3 ZAP1010FV07-Incepta Equities, LLC/Joseph Holasek - City Case No. PP22147 - Proposal to develop a single story medical office building consisting of 10,750 square feet on a 0.87-acre property located northerly of Murrieta Hot Springs Road, easterly of Sky Canyon Drive, and southerly of Technology Drive, in unincorporated Riverside County. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: TAKE NO ACTION

5.0 PUBLIC HEARING: 10:00 A.M.

BERMUDA DUNES AIRPORT

5.1 ZAP1015BD07 – CB Indio Properties, LLC/Industrial West – City Case Nos. GPA 07-4-86, CZ 07-4-655, and DR 07-4-260. Proposal to amend the General Plan designation from Community Commercial (CC) to Industrial Park (IP), change zoning from Business Park (BP) to Industrial Park (IP), and develop 18 industrial buildings with a total gross floor area of 166,130 square feet on 16.65 net acres (22.1 gross acres) located northerly of Indio Boulevard, southerly of Interstate 10, and easterly of Bermuda Dunes Airport in the City of Indio. Airport Zones B1 and A. Airport ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUANCE to June 14, 2007, with consent of the applicant.

PALM SPRINGS AIRPORT

5.2 ZAP1002PS07 – Mountain View Power Partners IV/AES Corporation – City Case No. CUP 5.1081 – A proposal to establish 49 wind turbines (wind energy conversion systems) with a height not to exceed 299 feet on a 991-acre site located northeasterly of State Highway Route 111, westerly of Indian Canyon Drive, and southerly of Interstate 10 in the City of Palm Springs. Zone D and outside AIA. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT

RIVERSIDE MUNICIPAL AIRPORT

5.3 ZAP1015RI07 - Melissa Creacy/Faith Lutheran Church – City Case No. CUP P07-0259 – Revised Conditional Use Permit to add a pre-school to serve up to 65 children weekdays within an existing building on a 4.3 – 4.49 acre site located on the east/northeast side of Jackson Street, southerly of its intersection with Van Buren Boulevard and northerly of Colorado Avenue in the City of Riverside. Airport Zones C and B1. ALUC Staff Planner: Cecilia Lara, Ph: (951) 955-0549, or E-mail at clara@rctlma.org.

Staff Recommendation: INCONSISTENT; but consider possible application of policies 3.3.1 and 3.3.6.

6.0 ADMINISTRATIVE ITEMS

6.1 Development of Compatibility Plan for Perris Valley Airport

6.2 Executive Director's Approvals

6.3 Sample Case Presentation in Power Point Format

7.0 APPROVAL OF MINUTES

April 12, 2007

8.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

COMMISSIONER'S COMMENTS

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COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 3.1

HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1004CH07 – MDC Eastvale, LLC /Master Development Corporation

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: Specific Plan No. 358 (SP00358), “The Ranch at Eastvale”, General Plan Amendment No. 827 (GPA00827), Change of Zone Case No. 7345 (CZ07345)

MAJOR ISSUES: Land use intensities may ultimately be inconsistent with the Draft Chino Airport Land Use Compatibility Plan, based on the projected square footage of development, but this Plan is not yet adopted. The proposed project is potentially inconsistent with the 1991 San Bernardino County Chino Airport Land Use Compatibility Plan, in that it would provide for structures that would hold more than 15 persons within Safety Zone II. However, the project is not inconsistent with the 1984 Riverside County Airport Land Use Plan, which does not restrict commercial or industrial land use intensities within Area II.

RECOMMENDATION: Staff recommends that the Commission find the proposed project CONSISTENT with the 1984 Riverside County Airport Land Use Plan, subject to the conditions included herein. Staff does not recommend use of the special findings for situations where Plans are in process, in that there is insufficient information to confirm that the project would conform to average and single-acre intensity limitations in the proposed Plan.

PROJECT DESCRIPTION:

Specific Plan No. 358 proposes development of 42.9 acres of business park uses, 36.8 acres of light industrial uses, and 17.5 acres of commercial retail uses within a 116.9-acre area. General Plan Amendment No. 827 proposes to change the designation of the property on the Eastvale Area Plan Land Use Map of the Riverside County General Plan from Light Industrial and Medium Density Residential (2 to 5 dwelling units per acre) to Business Park, Light Industrial, and Commercial Retail. Change of Zone Case No. 7345 proposes to change the zoning of the property from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to SP (Specific Plan).

PROJECT LOCATION:

The site is located at the northwestern edge of Riverside County, southerly and easterly of the San Bernardino County line, and westerly of the flood control channel (Cucamonga Creek) located

westerly of Archibald Avenue in the community of Eastvale in unincorporated Riverside County, approximately 3,840 feet southeasterly of the easterly end of Runway 8R-26L at Chino Airport.

LAND USE PLAN: 1984 Riverside County Airport Land Use Plan

- Adjacent Airport: Chino Airport (County of San Bernardino)
- a. Airport Influence Area: Within Adopted Study Area
- b. Land Use Policy: Airport Zones B1, C, and D on Draft Plan; Safety Zones II and III and Referral Areas “B” and “C” on 1991 San Bernardino County Plan
- c. Noise Levels: From below 55 to 60 CNEL (crossed by ultimate 55 CNEL contour on Draft Plan).

BACKGROUND:

Analysis Relative to 1984 Riverside County Airport Land Use Plan

An Airport Influence Area has been established for the portions of Riverside County in the vicinity of Chino Airport, but Riverside County Airport Land Use Commission never officially adopted a Comprehensive Land Use Plan (CLUP) for Chino Airport. This may have been due to the fact that this portion of Riverside County was almost exclusively in agricultural use until the late 1990s when land values and housing demand led to the dairy and other agricultural lands being sold to make way for housing development. To a certain extent, Riverside County has relied on the Plan prepared by San Bernardino County to determine areas that would be the equivalent of Area I or Area II areas as defined by the 1984 Riverside County Airport Land Use Plan. High risk land uses are prohibited in Area I, while commercial and industrial uses of various types are permitted in Area II. Avigation easements are required for all uses. The height of avigation easements will be from 150 feet above runway ground level elevation. The 1984 Plan also addresses noise attenuation for residential development, but the proposed project is not residential in nature. A condition requiring an avigation easement to Chino Airport is included herein.

Analysis Relative to 1991 Chino Airport Comprehensive Land Use Plan (San Bernardino County)

The project site is located partially in Safety Zone II, Referral Area “B” and partially in Safety Zone III, Referral Area “C” as depicted on Figures I-4 and III-7 of the Chino Airport Comprehensive Land Use Plan. The section of that Plan addressing land uses and population densities restricts nonresidential intensities in Safety Zone II, limiting intensities of uses in structures to a maximum of 25 persons per acre and a maximum of 15 persons in any given structure. The Plan recommends that “large assemblies of people in uses such as hospitals, stadiums and arenas, auditoriums and concert halls, outdoor amphitheatres and music shells, regional shopping centers, [and] jails and detention centers” be limited in Zone III, and that hazards to flight and wildlife attractants be avoided. Only a small area within Zone II is proposed to be designated for commercial uses; most of this area is proposed for business park or light industrial use, with the more intense commercial uses primarily in Zone III. With no structural site plans available, there is not sufficient information to determine

whether the project as designed is consistent with the 1991 Chino Airport Comprehensive Land Use Plan. It can be consistent if structures in Zone II meet the above intensity limitations.

Analysis Relative to Draft Chino Airport Land Use Compatibility Plan

Nonresidential Land Use Intensity: The site is located partially in Airport Zone B1, largely in Airport Zone C, and partially in Airport Zone D. Nonresidential intensity in Airport Zone B1 is restricted to an average intensity of 25 persons per acre and a maximum intensity of 50 persons in any given acre. Nonresidential intensity in Airport Zone C is restricted to an average intensity of 75 persons per acre and a maximum intensity of 150 persons in any given acre. Nonresidential intensity in Airport Zone D is restricted to an average intensity of 100 persons per acre and a maximum intensity of 300 persons in any given acre. At this stage, without a site plan, more information would be necessary before a determination of consistency could be made for any building layout. However, given the estimated building square footage provided in Table 3-3 of the Specific Plan (267,200 square feet of commercial retail, 1,121,100 square feet of business park, and 801,500 square feet of light industrial), average nonresidential intensity may be estimated at 133 persons per net acre or 103 persons per gross acre, including internal roadways and half-widths of adjacent roadways.

Prohibited and Discouraged Uses: The applicant does not propose any uses prohibited in Airport Zone B1 (children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, buildings with more than two aboveground habitable floors, highly noise-sensitive outdoor nonresidential uses, aboveground bulk storage of hazardous materials, critical community infrastructure facilities, and hazards to flight) within the project. However, the specific plan zoning (Table 3-2) would allow religious institutions and libraries in the Commercial Retail and Business Park areas, and would allow hospitals, child care centers, and auditoriums and conference halls exceeding capacity of 1,500 persons in all zones.

Noise: The site underlies traffic patterns. Future patrons, customers, and employees will experience annoyance from over flying aircraft. Portions of the site lie within the ultimate 55 CNEL contour for the airport (the area that would be subject to average exterior noise levels of 55 CNEL or greater under ultimate airport development conditions). However, with noise attenuation, interior noise levels from aircraft operations will be at or below 45 CNEL.

Part 77: The maximum elevation of the site is 623 feet above mean sea level (623 feet AMSL). The elevation of the nearest runway at its closest point is 636 feet AMSL. At a distance of 3,840 feet from the runway, FAA review would be required for any structures with top of roof exceeding 674 feet AMSL. At this time, no structures are expected to exceed 50 feet in height; therefore, FAA notice and review is not required at this time.

Open Area: Airport Zone C would require that 20% of major projects be set aside as open land that could potentially serve as emergency landing areas, Airport Zone B1 would require a 30% set aside, and Airport Zone D would require a 10% set aside. It is possible that the project could meet these criteria, but this would depend on the design of the parking lot and its landscaping.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. Additional Airport Land Use Commission review shall be required for subsequent use permits or plot plans proposing structures with a cumulative square footage of 20,000 square feet or greater, and for any structure greater than 35 feet in height.
4. The attached notice shall be provided to all potential purchasers and tenants.
5. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to Chino Airport. (Contact San Bernardino County Department of Airports at (909) 387-7801 for additional information.)
6. Table 3-2 should be amended to delete reference to libraries, religious institutions, assembly facilities exceeding 1,500 capacity, hospitals and hospices, child care centers, nursing homes, disposal service operations, and compostable material handling facilities as permissible uses.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.2

HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1005CH07 – Hillcrest Nexus 2 LLC /Steve Hathaway/
Stelzer Family Trust

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: Plot Plan No. 22277 (Amended)

MAJOR ISSUES: The single-acre land use intensities are still inconsistent with the Draft Chino Airport Land Use Compatibility Plan, as they are as great as 415 persons per acre in portions of the property and up to 352 persons per acre within proposed Airport Zone C; however, the intensity is less than that initially proposed, and the square footage of buildings in the Zone C area has been reduced. The proposed project is also inconsistent with the 1991 San Bernardino County Chino Airport Land Use Compatibility Plan, in that it provides for structures that would hold more than 15 persons within Safety Zone II. However, the project is not inconsistent with the 1984 Riverside County Airport Land Use Plan, which does not restrict commercial or industrial land use intensities within Area II. If risk reduction features are utilized, the project could be consistent with State Handbook criteria for the Outer Approach/Departure Zone if the State's more generous multipliers were utilized.

RECOMMENDATION: Staff recommends that the Commission find the amended project consistent with the 1984 Riverside County Airport Land Use Plan, subject to the conditions included herein. Staff does not recommend use of the special findings for situations where Plans are in process, in that the proposed project design is not consistent with the Draft Chino Airport Land Use Compatibility Plan, given the single-acre land use intensities of this project. However, the applicant has been advised that he may suggest amendments to the Draft Plan during the public hearing process for the Plan's environmental document.

PROJECT DESCRIPTION:

Plot Plan No. 22277, as amended, proposes the development of a commercial and industrial center with 268,480 square feet of building floor area, including retail stores, a market, a drug store, a bank, a fitness center, a sit-down restaurant, a car wash, three fast-food restaurants, 48,000 square feet of research and development office/industrial space, and a 103,965 square foot mini-storage facility on a 37.9-38.1 acre site. This plot plan is associated with General Plan Amendment No. 00834 (GPA00834) proposing to change the designation of the property on the Eastvale Area Plan Land Use Map of the Riverside County General Plan from Light Industrial, Open Space – Recreation, and Medium Density Residential (2 to 5 dwelling units per acre) to Commercial Retail and Light

Industrial and Change of Zone Case No. 07445 (CZ07445) proposing to change the zoning of the property from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to C-1/C-P (General Commercial) and M-SC (Manufacturing – Service Commercial). Both GPA00834 and CZ07445 were considered by the Airport Land Use Commission in December 2006 and found to be consistent. At that time, the ALUC also considered an earlier version of Plot Plan No. 22277, which proposed a different building layout and a greater total floor area (282,770 square feet).

PROJECT LOCATION:

The site consists of 37.9 to 38.1 acres located at the southeast corner of Archibald Avenue and Limonite Avenue (and extending southerly and easterly therefrom) in the community of Eastvale in unincorporated Riverside County, approximately 9,200 feet due east of the easterly end of Runway 8R-26L at Chino Airport.

LAND USE PLAN: 1984 Riverside County Airport Land Use Plan

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|----------------------------|--|
| Adjacent Airport: | Chino Airport (County of San Bernardino) |
| a. Airport Influence Area: | Within Adopted Study Area |
| b. Land Use Policy: | Airport Zones C and D on Draft Plan; Safety Zones II and III and Referral Areas “B” and “C” on 1991 San Bernardino County Plan |
| c. Noise Levels: | Outside ultimate 55 CNEL contour on Draft Plan. |

BACKGROUND:

Project Amendments

The project layout has been amended in a manner that improves the compatibility of this project with the airport environs. The changes include reducing the size of the drug store and bank, reducing the retail square footage in Zone C, moving the fitness center from Zone C to a site that straddles the boundary between Airport Zones C and D, and moving the car wash from Zone D to Zone C while moving a fast food restaurant from Zone C to Zone D

Analysis Relative to 1984 Riverside County Airport Land Use Plan

An Airport Influence Area has been established for the portions of Riverside County in the vicinity of Chino Airport, but Riverside County Airport Land Use Commission never officially adopted a Comprehensive Land Use Plan (CLUP) for Chino Airport. This may have been due to the fact that this portion of Riverside County was almost exclusively in agricultural use until the late 1990s when land values and housing demand led to the dairy and other agricultural lands being sold to make way for housing development. To a certain extent, Riverside County has relied on the Plan prepared by San Bernardino County to determine areas that would be the equivalent of Area I or Area II areas as defined by the 1984 Riverside County Airport Land Use Plan. Staff has no reason to believe that this property should be considered to be within Area I; however, the portion of the property proposed for predominantly retail commercial use is in Area II. Commercial and industrial

development is not restricted in Area II under the terms of the 1984 Plan; however, the 1991 San Bernardino County Plan does impose restrictions on nonresidential building intensities within Area II. Avigation easements are required for all uses. The height of avigation easements will be from 150 feet above runway ground level elevation. The 1984 Plan also addresses noise attenuation; however, special attenuation for aircraft noise is not required in this case because the site is located outside the 55 CNEL contour and normal construction is generally sufficient to reduce exterior noise by at least 10 dB. A condition requiring an avigation easement to Chino Airport is included herein.

Analysis Relative to 1991 Chino Airport Comprehensive Land Use Plan (San Bernardino County)

The project site is located partially in Safety Zone II, Referral Area “B” and partially in Safety Zone III, Referral Area “C” as depicted on Figures I-4 and III-7 of the Chino Airport Comprehensive Land Use Plan. The section of that Plan addressing land uses and population densities restricts nonresidential intensities in Safety Zone II, limiting intensities of uses in structures to a maximum of 25 persons per acre and a maximum of 15 persons in any given structure. The Plan recommends that “large assemblies of people in uses such as hospitals, stadiums and arenas, auditoriums and concert halls, outdoor amphitheatres and music shells, regional shopping centers, [and] jails and detention centers” be limited in Zone III, and that hazards to flight and wildlife attractants be avoided. This project design places the most intense uses in Zone II, with the less intense uses in Zone III. The project as designed is inconsistent with the 1991 Chino Airport Comprehensive Land Use Plan.

Analysis Relative to 2002 State of California Airport Land Use Planning Handbook

As noted in the Aviation Systems, Inc. report submitted by the applicant, the project would be considered to be in the Outer Approach/Departure Zone or safety compatibility zone (4) as illustrated in Figure 9K of the 2002 State of California Airport Land Use Planning Handbook. Pursuant to Table 9C, Safety Compatibility Criteria Guidelines, an average of 60 to 80 persons per gross acre could be accommodated in this zone. As demonstrated in the report, the project meets this standard if developed pursuant to the assumptions therein. However, the State Handbook is more generous than the 2004 Riverside County Airport Land Use Compatibility Plan in its allowances for the single-acre intensity multiplier and the risk-reduction factor in the Outer Approach/Departure Zone. Specifically, the maximum number of persons per single acre pursuant to Table 9C is three times the allowable average (180-240 persons per acre), in comparison to two times the allowable average in Airport Zone C pursuant to Table 2A of the 2004 ALUCP. Additionally, “the bonus for special risk-reduction building design” pursuant to Table 9C is two times, rather than 1.3 times as provided in Table 2A. Thus, use of these risk-reduction factors could raise the allowable single-acre intensity to 360-480. Provided that special risk-reduction design features are incorporated into the project, it may be possible for the project to be found consistent with the State Handbook recommended criteria.

Analysis Relative to Draft Chino Airport Land Use Compatibility Plan

Nonresidential Land Use Intensity: The site would be located partially in Airport Zone C and partially in Airport Zone D. The westerly portion of the property (22.17 acres, according to the

Aviation Systems, Inc. report) would be within Airport Zone C, with the remainder in Airport Zone D. Nonresidential intensity in Airport Zone C is proposed to be restricted to an average intensity of 75 persons per acre and a maximum intensity of 150 persons in any given acre. Nonresidential intensity in Airport Zone D is proposed to be restricted to an average intensity of 100 persons per acre and a maximum intensity of 300 persons in any given acre.

The project is not consistent with the single-acre intensity limitations for Zone C as proposed for the Chino Airport environs and as utilized for all of the airports evaluated pursuant to the 2004 Riverside County Land Use Compatibility Plan, except for Palm Springs International Airport. There are at least five areas of the property where the single-acre intensity would exceed 150 persons per acre. The fitness center acre would have a potential intensity of 415 persons, an acre including the sit-down restaurant would have an intensity of 352 persons, and an acre including the market would have an intensity of 324 persons.

The basic problem here is attributable at least in part to the applicant's (or his client's) marketing decision that the commercial uses require visibility and accessibility from Archibald Avenue, rather than Limonite Avenue, with the result that the more intense uses are sited in the westerly Zone C portion of the project site rather than the easterly Zone D portion. From an airport land use compatibility planning perspective, the more intense uses should be sited farther from the end of the runway in Zone D.

Staff would note that CVS Pharmacy has written a letter stating that its pharmacy/drug store would have an average occupancy of 20 persons and a peak occupancy of 50. This seems to be intuitively correct in terms of real world conditions. In contrast, the use of the Building Code method yields an occupancy of 215 persons for this store if entirely used for retail sales, or 176 if 20% of the building is used for storage.

Prohibited and Discouraged Uses: The applicant does not propose any uses prohibited in Airport Zone C (children's schools, day care centers, libraries, hospitals, nursing homes, buildings with more than three aboveground habitable floors, highly noise-sensitive outdoor nonresidential uses and hazards to flight) within the project.

Noise: The site underlies traffic patterns. Future patrons, customers, and employees will experience some annoyance from over flying aircraft, but the site lies just outside the ultimate 55 CNEL contour for the airport (the area that would be subject to average exterior noise levels of 55 CNEL or greater under ultimate airport development conditions). Therefore, it is not expected that there will be any difficulty in assuring that interior noise levels from aircraft operations will be at or below 45 CNEL.

Part 77: The maximum elevation of the site is 636 feet above mean sea level (636feet AMSL). The elevation of the nearest runway at its closest point is 636 feet AMSL. At a distance of 9,200 feet from the runway, FAA review would be required for any structures with top of roof exceeding 728 feet AMSL. At this time, no structures are expected to exceed 40 feet in height, and finished floor elevations are not expected to exceed 646 feet AMSL (height to top of roof not exceeding 686 feet AMSL). Therefore, FAA notice and review is not required at this time.

Open Area: Airport Zone C requires that 20% of major projects be set aside as open land that could potentially serve as emergency landing areas, and Airport Zone D requires a 10% set aside. It is possible that the project could meet these criteria, but this would depend on the design of the parking lot and its landscaping.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instruments: 1:100 slope from the end of the runway.
3. Additional Airport Land Use Commission staff review shall be required at the tentative map, plot plan, or use permit stage for any structure greater than 70 feet in height.

4. The attached notice shall be provided to all potential purchasers and tenants.
5. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to Chino Airport. (Contact San Bernardino County Department of Airports at (909) 387-7801 for additional information.)
6. The structure labeled as “fitness center” shall not be converted to any of the following uses without further review by the Airport Land Use Commission in conjunction with the plot plan or use permit process: retail sales, auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, dining rooms, drinking establishments, exhibit rooms, lounges, stages, spectator sporting events, bowling alleys, classrooms, courtrooms, and day care nurseries.

County of Riverside
Airport Land Use Commission
STAFF REPORT

AGENDA ITEM: 3.3

HEARING DATE: May 10, 2007

CASE NUMBER: ZAP1005HR07-Jason Shelley

APPROVING JURISDICTION: City of Hemet

JURISDICTION CASE NO: CUP-07-001 (Conditional Use Permit)

MAJOR ISSUES: FAA review required for structures with top elevation above 1519 feet.

RECOMMENDATION: Staff recommends a CONTINUANCE to June 14, 2007 unless documentation of FAA submittal is provided.

PROJECT DESCRIPTION:

A proposal to develop a recreational vehicle and boat storage facility, including a two-story 2,042 square foot office, 40 garages with a total of 8,000 square feet, and up to 50 covered RV and boat parking spaces on 2.8 net acres (3.26 gross acres).

PROJECT LOCATION:

The site is located southerly of Stetson Avenue opposite the Hemet-Ryan Airport, northwesterly of the rail line and easterly of a straight-line extension of Fisher Street, approximately 1184 feet southerly of Runway 5-23 at the Hemet-Ryan Airport, in the City of Hemet.

LAND USE PLAN: 1992 Hemet Ryan Airport Comprehensive Airport Land Use Plan

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Area II/Transition Zone 660 feet
- c. Noise Levels: Outside the 55 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. 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-Intensity: It has been determined that the site is in Area II/Transition Zone, of the Hemet-Ryan Airport Influence Area. Land Use Compatibility Policies for the Hemet-Ryan Airport Influence Area include a wide range of uses.

Permitted uses include: Commercial, Industrial, Manufacturing, and Agriculture.

There will be an intensity of 10 persons maximum on site and 3 people per acre average using the Uniform Building Code method.

Policy 7 states: Commercial, Industrial, Manufacturing, and Agriculture uses which are two stories in height or less shall be permitted in this area subject to relevant standards.

Part 77: The maximum elevation on site is 1,499 feet above mean sea level (AMSL). The runway elevation is 1,507 feet AMSL. At a distance of 1184 feet from the runway, any structure with a top elevation greater than 1,519 feet AMSL would require FAA review. FAA review is required.

Noise: The site is outside the 55 CNEL contour. No special acoustical mitigation measures for aircraft noise are required.

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall record Aviation 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. All structures at this location with an elevation above 1,519 feet above mean sea level at top of structure shall require FAA aeronautical review through the Form 7460-1 FAA notice process.
3. 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.

4. 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.
5. The attached notice shall be given to all prospective buyers and tenants.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.4

HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1006HR07-Seven Hills Resort/Frank Bruno

APPROVING JURISDICTION: City of Hemet

JURISDICTION CASE NO: SPA 06-003 (Specific Plan Amendment)

MAJOR ISSUES: None

RECOMMENDATION: Staff recommends a finding of Consistency subject to the conditions specified herein.

PROJECT DESCRIPTION:

A specific plan amendment to the Seven Hills Planned Community Development Master Plan to allow a multiple-family residential use in an area designated as Neighborhood Commercial, and to construct and operate a 40-unit senior apartment complex totaling approximately 30,640 square feet, on a 1.7-1.8 acre portion of an existing golf course and club house facility.

PROJECT LOCATION:

The project site is located westerly of south Lyon Avenue at Chambers Street, southerly of Pepper Tree Drive, and easterly of the existing Seven Hills Golf Resort Clubhouse, and both easterly and southerly of the clubhouse parking area in the City of Hemet, approximately 9,230 feet easterly of the easterly terminus of the main runway at Hemet-Ryan Airport.

LAND USE PLAN: 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan

- a. Airport Influence Area: Hemet-Ryan Airport
- b. Land Use Policy: Area III
- c. Noise Levels: Outside the 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. 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/Density: The site is located in Area III which permits a wide range of uses. Residential densities in Area III are not restricted, although densities greater than 20 dwelling units per acre are subject to review.

Part 77: The maximum elevation on site is 1539 feet above mean sea level (AMSL). The proposed structure height is 25 feet, so the elevation at top of structure could be as high as 1564 feet AMSL. The elevation of the runway at its easterly terminus is 1517 feet AMSL. At a distance of 9,230 feet from the runway, any structure with a top elevation greater than 1609 feet AMSL would require FAA review. FAA review is not required.

Noise: The site is outside the 55 CNEL contour. No noise attenuation measures are necessary.

State Handbook Analysis: Pursuant to the standard safety zones in Chapter 9 of the State Airport Land Use Planning Handbook, the site would not be located in an area subject to restrictions on residential densities.

CONDITIONS:

1. Prior to issuance of building permits, 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 outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky.
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: 3.5

HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1026MA07 – Alessandro Investments
LLC/Cottonwood Development, LLC/Hunsaker Associates

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO: P07-0327 (Tentative Tract Map No. 35484) and P07-0301
(Design Review)

MAJOR ISSUES: Lot coverage when considering net acreage is very close to the 20% coverage maximum recommended by the U.S. Air Force AICUZ reports for nonresidential land use intensity in Accident Potential Zones, although gross lot coverage at 17.5% is clearly in compliance. The property lies within Accident Potential Zone II (Airport Area D). The 1984 Riverside County Airport Land Use Plan does not restrict commercial or industrial land use intensities, other than by prohibiting “high risk” land uses, including those characterized by “high concentrations of people”.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY with the 1984 Riverside County Airport Land Use Plan, subject to the conditions included herein.

PROJECT DESCRIPTION:

Development of six office buildings for condominium purposes on 7.32-7.47 acres (single lot subdivision). The buildings range from 6,660 to 18,890 square feet in gross floor area, with a total area of 65,090 square feet.

PROJECT LOCATION:

The site is located easterly of the current alignment of Interstate 215, westerly of the Old I-215 Frontage Road, northerly of Alessandro Boulevard, and southerly of Cottonwood Avenue, approximately 8,240 feet northwesterly of the northerly terminus of the runway at March Air Reserve Base. The site is currently in an unincorporated area, but the unincorporated area is an “island strip” proposed for annexation to the City through an annexation and pre-zoning case determined to be consistent by the ALUC at its December 2006 hearing.

LAND USE PLAN: 1984 Riverside County Airport Land Use Plan, as applied to March Air Reserve Base

Adjacent Airport:

- a. Airport Influence Area: March Air Reserve Base/March Inland Port
- b. Land Use Policy: Area I
- c. Noise Levels: 65-70 CNEL (small portion in 60-65 CNEL at northern tip)

BACKGROUND:

Land Use – Safety Considerations: The proposed project site is located within Airport Area I, as depicted on the map illustrated at www.rcaluc.org and is located within Accident Potential Zone II as mapped in the 1998 and 2005 March Air Reserve Base Air Installation Compatible Use Zone (AICUZ) studies. The 1984 Riverside County Airport Land Use Plan (1984 RCALUP) 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 RCALUP titled HIGH RISK LAND USE EXAMPLES. Appendix B (a copy of which is attached) 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.”

The 1984 Riverside County Airport Land Use Plan allows commercial and industrial development, other than high risk land uses, in Area I.

The 2005 AICUZ study is based on a forecast of 69,600 annual operations (44,860 military, 21,000 civilian, and 3,740 California Department of Forestry) at March Air Reserve Base. The property is depicted as being within Accident Potential Zone II – an area located a distance of 8,000 to 15,000 feet from the runway threshold and within 1,500 feet from the extended runway

centerline. The Air Force recommends that buildings in this area be limited to one story and that lot coverage not exceed 20%. In this case, the buildings are one story in height, and the design provides for lot coverage of less than 20% of the site's gross area. (Staff calculates net coverage as 20.41%, but gross coverage including the adjoining half-width would be less than 17.5%.)

The AICUZ study recommends that certain types of industrial uses be prohibited in APZ II, including apparel, chemicals, rubber and plastic products, and the manufacturing of professional, scientific, and controlling instruments, photographic and optical goods, watches, and clocks. Additional prohibited uses would include: restaurants; hospitals, nursing homes, and other medical facilities; educational services; churches; resorts and group camps; and public assembly uses such as auditoriums, concert halls, amphitheaters, outdoor music shells, sports arenas and stadiums for spectator sport viewing.

The DRAFT March Joint Land Use Study prepared by Mead & Hunt depicts this property as being within Airport Zone B1, which would limit average intensity outside APZ I to 50 persons per acre and single-acre intensity to 100 persons per acre.

If the structures constitute office space, the average intensity at this site is projected to be 44 persons per net acre, and the single-acre intensity is projected to be approximately 95 persons per acre in the most intensive acre area including portions of Buildings U and V. Average and single-acre intensity would be lower if portions of these structures are utilized for manufacturing, storage, or warehousing.

Prohibited and Discouraged Uses: The applicant does not propose any of the uses specifically listed in Appendix B as being prohibited uses in Area I. However, the site plan references as conditionally permitted uses restaurants, cafes, and cafeterias. ALUC staff recommends conditions that would prohibit these uses.

The recommended conditions reflect the amended condition regarding flammable or explosive materials applied to the project directly to the north (ZAP1022MA07) in March 2007.

Part 77: The highest existing elevation on the site is 1,539 feet above mean sea level (AMSL), and the height of the tallest building as depicted on project elevations would not exceed 35 feet. Thus, the highest point would be expected to be approximately 1,574 feet AMSL unless substantial fill is being imported to the site to raise building pads. The elevation of the runway at its northerly end is 1,535 feet AMSL. At a distance of 8,240 feet from the runway, any structure above 1,617 feet top elevation would require FAA aeronautical review. In this case, FAA review is not required.

Noise: Average noise levels on this site from aircraft operations would exceed 65 CNEL in most portions of the site. (Single-event noise levels would, of course, be considerably greater.) Mitigation is required to provide for an acceptable acoustical environment within the offices.

CONDITIONS:

1. Prior to recordation of the final map, development of any structures, or sale to an entity exempt from the Subdivision Map Act, whichever comes first, the landowner shall convey an aviation easement to the MARB/MIP Airport.
2. Noise attenuation measures shall be incorporated into the building construction as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL in office areas of the buildings.
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, hospitals, nursing homes, churches and chapels, auditoriums, restaurants, cafes, cafeterias, theaters, bowling alleys, motels, banks, department stores, supermarkets, drug stores, service stations, and public assembly uses such as amphitheaters, outdoor music shells, and sports stadiums.
4. 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:

Auction rooms, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding 100 persons pursuant to the Uniform Building Code, dining rooms, exhibit rooms, drinking establishments, retail sales facilities, gymnasiums, lounges, stages, gaming, congregate residences, and swimming pools.

The manufacturing of apparel, chemicals, rubber and plastics products, professional, scientific, and controlling instruments, photographic and optical goods, watches, and clocks.

Any 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.

5. 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.
6. The aboveground storage of explosive or flammable materials is prohibited, except in accordance with quantities permitted in Airport Zone B1 pursuant to the provisions of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan (shall be less than 6,000 gallons). Such storage shall only be in conjunction with a permitted use.
7. The uses specified in the attached Appendix B of the Riverside County Airport Land Use Plan shall be prohibited, except as otherwise modified by Condition No. 6 above.
8. The total gross floor area of all structures on the site shall not exceed 65,090 square feet. Any increases in the gross floor area of Buildings U and V shall be reviewed by the Airport Land Use Commission through an amended project review.
9. No structure shall exceed one story or thirty-five (35) feet in height.
10. The attached notice shall be provided to all potential purchasers and tenants.
11. Until such time as an Airport Protection Overlay Zone is applied to the property by the City of Riverside, proposed uses of space within the structures, other than offices and industrial uses including, but not limited to, manufacturing, fabrication, storage, and warehousing, shall be submitted to Airport Land Use Commission staff for consistency review. Where the use would not require any discretionary action by the City, the staff consistency review shall be at the building permit review fee level.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.6

HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1016RI07-Alamo Development/Ed Bonanni

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: P04-1493 (Parcel Map No. 33033)

MAJOR ISSUES: None

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

PROJECT DESCRIPTION:

A proposal to develop eight industrial buildings with a total floor area of 74,463 square feet on approximately 3.9-4.3 acres, and to divide the property into eight parcels, with each building on its own lot.

PROJECT LOCATION:

The site is located on the west side of Doolittle Avenue, southerly of Morris Street, approximately 1,278 feet from Runway 9-27 at Riverside Municipal Airport.

LAND USE PLAN:

Adjacent Airport:

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Policy: Airport Zone C
- c. Noise Levels: Between 60-65 CNEL

BACKGROUND:

Land Use/Intensity: The site is located in Airport Zone C. Land use compatibility criteria for Airport Zone C permit an average of 75 people per acre and a maximum of 150 people per single-acre. The applicant is proposing a total floor area of 74,463 square feet on 4.3 acres. Given the square footage of office, manufacturing, and warehouse space, the project will result in a total occupancy of 122 persons and an average occupancy of 31 persons per net acre. Intensity is clearly consistent.

PART 77: The highest elevation on the proposed site is 732 feet above mean sea level (AMSL), and the height of the tallest building as depicted on project elevations would not exceed 31 feet. Thus, the highest point at buildout would be 763 feet AMSL. The runway elevation, at its closest point to the property is 757 feet. At a distance of 1237.5 feet from the proposed extension of Runway 9-27, a structure would have to exceed 769.3 feet AMSL to require FAA review. Therefore, FAA review is not required.

Noise: The site lies between the 60 and 65 CNEL contour. A Noise Level Reduction (NLR) of 20 dB in the office portion is required.

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, nursing homes, day care centers, libraries, and highly noise-sensitive outdoor nonresidential uses.
2. 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.
 3. The maximum structure height for any structure or addition thereto constructed pursuant to this project shall not exceed 37 feet, and the highest point (top of roof) shall not exceed an elevation of 769 feet above mean sea level..
 4. The attached notice shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
 5. Not more than eight percent (8%) of the building shall be office area.
 6. Not more than twenty-two percent (22%) of the building area shall be manufacturing.
 7. Additional review by the Airport Land Use Commission shall be recorded prior to the establishment of any of the following facilities on this property:
Retail sales facilities, dormitories, churches, chapels, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 11 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, lounges, stages, gaming, bowling alleys, swimming pools, classrooms, 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.
 8. Noise attenuation measures shall be incorporated into the office areas of the buildings to ensure a minimum noise level reduction of 20 dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 4.1

HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAPEA01FV06 – Airport Land Use Commission

LEAD AGENCY: Riverside County Airport Land Use Commission
(ALUC)

JURISDICTION CASE NO: Not Applicable

MAJOR ISSUES: Whether to approve the 2004 French Valley Airport Land Use Compatibility Plan as originally adopted in 2004 and amended in 2005 or with additional amendments, including all or portions of the amendments proposed jointly by the County of Riverside and City of Murrieta in 2006.

RECOMMENDATION:

CONTINUE WITHOUT DISCUSSION TO JUNE 14, 2007. Staff was unable to make progress during the last month due to attention being given to the Silverhawk litigation settlement proposal.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 5-2 4.2

HEARING DATE: ~~April 12, 2007~~ **May 10, 2007** (originally scheduled for consideration on April 12, 2007).

CASE NUMBER: ZAP1009FV07-Ennio Schiappa

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: Tentative Tract Map No. 34689

MAJOR ISSUES: The use of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended pursuant to Court action; as a result, there is no Plan against which projects may be evaluated for consistency. There is a possibility of reinstatement in the near future once an environmental document is adopted. Until such time as such a document is adopted, the Commission is legally unable to make a determination of consistency or inconsistency.

This project would normally have been a staff review if the French Valley Plan were in effect. As such, it was submitted without labels for surrounding property owners. ~~While the project was advertised in the newspaper, surrounding property owners did not receive notice, as the labels were not provided to staff in sufficient time to permit property owners to receive ten-day notice.~~ The applicant has provided staff with labels for the surrounding property owners. The project has been advertised in the newspaper, and the surrounding property owners have now been notified.

RECOMMENDATION: ~~Staff recommends that this item be re-advertised for consideration in May.~~ Staff recommends that the Commission authorize staff to send the attached letter to the applicant stating that it will TAKE NO ACTION on this matter at this time because of the ruling of the Riverside Superior Court in Silverhawk Land and Acquisitions LLC v. Riverside County Airport Land Use Commission suspending any and all land use review activity under the 2004 French Valley Airport Land Use Compatibility Plan until the ALUC has taken necessary action to bring its approval of the 2004 Airport Land Use Compatibility Plan into compliance with the California Environmental Quality Act. The project is reported back to the County of Riverside for appropriate action.

PROJECT DESCRIPTION:

Divide 4.84 acres into 15 residential lots.

PROJECT LOCATION:

The site is located at 36220 Pourroy Road, on the east side of Pourroy Road, northerly of Benton Road and southerly of Thompson Road, in the community of French Valley, in unincorporated Riverside County, approximately 8,923 feet from Runway 18-36 at French Valley Airport.

Staff Report
Page 2 of 2

LAND USE PLAN: Suspended French Valley Airport Land Use Compatibility Plan (FVALUCP)

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: **Suspended**
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use Density: Tentative Tract Map No. 34689 proposes to divide 4.84 acres into 15 residential lots.

Noise: The site lies outside the 55 CNEL contour; no special acoustical mitigation measures for aircraft noise are required.

PART 77: The maximum elevation of the site is approximately 1,368 feet above mean sea level (AMSL). The runway elevation at its closest point is 1,347 feet AMSL. At a distance of 8,923 feet from the runway, FAA notice and review would be required for new structures exceeding a maximum elevation of 1,436 feet AMSL at top of roof. Proposed pad elevations do not exceed 1,370.8 feet AMSL, and structures will not exceed 40 feet in height. Therefore, FAA review is not required.

Attachment: Regardless of the status of the Compatibility Plan, State law requires notification that the property is located in an Airport Influence Area in the course of real estate transactions. A sample notice is attached for the applicant's use.

Summary: If the 2004 French Valley Land Use Compatibility Plan were in effect, staff would recommend a finding of consistency, given that the residential lot areas would be within Zone E.

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 4.3

HEARING DATE: May 10, 2007

CASE NUMBER: ZAP1010FV07-Incepta Equities/Joseph Holasek

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: PP22147 (Plot Plan 22147)

MAJOR ISSUES: The use of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended pursuant to Court action; as a result, there is no Plan against which projects may be evaluated for consistency. There is a possibility of reinstatement in the near future once an environmental document is adopted. Until such time as such a document is adopted, the Commission is legally unable to make a determination of consistency or inconsistency.

RECOMMENDATION: Staff recommends that the Commission authorize staff to send the attached letter to the applicant stating that it will TAKE NO ACTION on this matter at this time because of the ruling of the Riverside Superior Court in Silverhawk Land and Acquisitions LLC v. Riverside County Airport Land Use Commission suspending any and all land use review activity under the 2004 French Valley Airport Land Use Compatibility Plan until the ALUC has taken necessary action to bring its approval of the 2004 Airport Land Use Compatibility Plan into compliance with the California Environmental Quality Act. The project is reported back to the County of Riverside for appropriate action.

PROJECT DESCRIPTION:

The plot plan proposes to construct a 10,750 square foot single story medical office building with a maximum height of 30 feet on 0.87 acres.

PROJECT LOCATION:

The site is located northerly of Murrieta Hot Springs Road, easterly of Sky Canyon Drive, and southerly of Technology Drive, in the community of French Valley, in unincorporated Riverside County, approximately 3,303 feet from Runway 18-36 at French Valley Airport.

LAND USE PLAN: Suspended French Valley Airport Land Use Compatibility Plan (FVALUCP)

Adjacent Airport:

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: **Suspended**
- c. Noise Levels: Between 55-60 CNEL contour

BACKGROUND:

Land Use/Density: Plot Plan 22147 proposes to construct a medical office building consisting of 10,750 square feet. The potential intensity is estimated at 54 persons.

Noise: According to Exhibit FV-5 (Ultimate Future Noise Impacts), the site is located between 55 and 60 CNEL contours. Noise attenuation to 45 dB is required for offices.

PART 77: The maximum elevation on site is 1,230 feet above mean sea level (AMSL). The runway elevation at its closest point is 1,347. At a distance of 3,303 feet from the runway, FAA notice and review would be required for new structures exceeding a maximum elevation of 1,380 feet AMSL at top of roof. Proposed pad elevations do not exceed 1233.60 feet AMSL, and structures will not exceed 29 feet in height. Therefore, FAA review is not required.

Attachment: Regardless of the status of the Compatibility Plan, State law requires notification that the property is located in an Airport Influence Area in the course of real estate transactions. A sample notice is attached for the applicant's use.

Summary: If the 2004 French Valley Land Use Compatibility Plan were in effect, staff would recommend a finding of consistency, given the land use is acceptable in Zone C.

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 5.1

HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1015BD07 – CB Indio Properties, LLC/Industrial West

APPROVING JURISDICTION: City of Indio

JURISDICTION CASE NO: General Plan Amendment: GPA 07-4-86

Change of Zone: CZ 07-4-655

Design Review: DR 07-4-260

MAJOR ISSUES: The most westerly building appears to encroach into Airport Zone A, as mapped. The property directly underlies the extended runway centerline for Bermuda Dunes Airport and is the first privately-owned non-airport property crossed by the extended runway centerline. Conformance with ALUCP intensity criteria is dependent upon occupancy assumptions, as floor plans are undifferentiated as to office, manufacturing, and warehouse areas. Use of the Parking Space Method with an assumption of 1.5 persons per vehicle would indicate a net average intensity of up to 40 persons per acre. Use of the Building Code method indicates consistency, provided that the 40/60 split of office and warehousing uses occur. Using the 40/60 ratio above, only one area could conceivably have a single-acre intensity greater than 50 persons, at 52, necessitating the use of risk-reduction design measures. While lot coverage, at 23% of site area, is low, conformance with the open land standard may be impeded by requirements for landscaping and shading of parking areas. FAA review may be required for the structures within 1500 feet of the runway, unless they are shielded by the road overcrossing directly west of this property. The general plan amendment and zone change are clearly consistent.

RECOMMENDATION: Staff recommends CONTINUANCE to June 14, 2007, in accordance with the applicant's letter requesting postponement of consideration.

PROJECT DESCRIPTION: General Plan Amendment No. GPA 07-4-86 proposes to amend the General Plan designation of an area of 16.65 net acres from Community Commercial (CC) to Industrial Park (IP). Change of Zone No. CZ 07-4-655 proposes to change the zoning of that same area from Business Park (BP) to Industrial Park (IP). Design Review Case No. DR-07-4-260 proposes development of 18 industrial buildings with a total gross floor area of 166,130 square feet on the property.

PROJECT LOCATION: The site is located northerly of Indio Boulevard, southerly of Interstate 10 and the rail line, and easterly of Bermuda Dunes Airport and the Jefferson Street/Indio Boulevard overcrossing in the City of Indio. The nearest point of the property is approximately 990 feet

easterly of Runway 10-28 at Bermuda Dunes Airport.

LAND USE PLAN: 2004 Bermuda Dunes Airport Land Use Compatibility Plan

Adjacent Airport:

- a. Airport Influence Area: Bermuda Dunes Airport
- b. Land Use Policy: Airport Zones B1 and A
- c. Noise Levels: 60-70 CNEL (The site is crossed by the 65 CNEL contour.)

BACKGROUND:

Nonresidential Average Intensity: The site is located largely in Airport Zone B1 and partially in Airport Zone A. Nonresidential intensity in Airport Zone B1 is restricted to an average of 25 persons per acre and a maximum of 50 persons in any given acre. No new structures are permitted in Airport Zone A. According to the Background Data – Bermuda Dunes Airport section of the Riverside County Airport Land Use Compatibility Plan, the Runway Protection Zone for Bermuda Dunes Airport is 1,000 feet long, and the applicant has been careful to avoid proposing structures in the Runway Protection Zone. However, Airport Zone A as mapped extends approximately 1,188 feet easterly of the easterly end of the runway, and the most westerly proposed building (Building Q) appears to extend into Airport Zone A. (It should be noted that the standard safety zone diagram for medium general aviation runways in the CALTRANS Division of Aeronautics Airport Land Use Planning Handbook– Figure 9K in Chapter 9 – recommends a 1,700 foot long runway protection zone for such runways.) Only a portion (1.34 acres) of the most westerly parcel (Assessor’s Parcel Number 691-190-027) is located in Zone A, with the rest of the property (2.18 acres) in Zone B1.

The architect has indicated on the site plan that the buildings on the site will consist of 66,452 square feet of office space and 99,678 square feet of warehouse space. He has also indicated that the total acreage of the site, including the half-width of adjacent existing Indio Boulevard, is 22.1 acres. If these figures are correct, then, subtracting the net area in Airport Zone A (1.34 acres), the average intensity for this project would be 26 persons per acre without the 50% correction for warehousing (531 total persons) and 21 persons per acre (432 total persons) with the 50% correction for warehousing.

In this case, the Parking Space Method would appear to indicate a higher intensity on the site. The applicant proposes to provide 443 parking spaces. Application of the standard 1.5 persons per vehicle factor results in a total occupancy of 665 persons and an average intensity of 32 persons per acre. While this is not less than 25 persons per acre, it is still within range if the applicant can demonstrate that risk-reduction design measures are being implemented.

The real concern here, as with so many other projects of this type, is that there are no internal floor plans available and no known users. Speculative or “shell” buildings pose the potential for increased occupancy as individual occupants move their businesses into these units or spaces. The Airport Land Use Commission has no guarantee that the proportions of office and warehouse use of any

building or unit will remain stable over time. It is suggested that the City of Indio monitor tenant improvement plans to ensure that the proportion of each building devoted to warehousing of goods does not fall below 60%.

Nonresidential Single-Acre Intensity: The site is located partially in Airport Zone B1 and partially in Airport Zone A. Nonresidential single-acre intensity is restricted to 50 persons per acre in Zone B1, and no structures for human occupancy are authorized in Airport Zone A. Using the Building Code method, and based on an evenly distributed 40% office/60% warehouse split in all buildings, the on-site placement of the buildings allows the 50-person single-acre limitation to be clearly met everywhere except possibly within the single-acre area including Building F and portions of Buildings G and J, where staff estimates a single-acre intensity not exceeding 52 persons. While this level exceeds the allowable intensity standard, the levels are not greater than 10% above the standard, so this can be mitigated through the use of risk-reduction design features, including, but not limited to, the following possible mitigation measures: limiting buildings to a single story; enhancing the fire sprinkler system; increasing the number of emergency exits; upgrading the strength of the building roof; avoiding skylights; limiting the number and size of windows; and using concrete walls.

Open Area: Countywide land use compatibility criteria require that a minimum of 30% of land area in Airport Zone B1 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”. While this standard is “typically accomplished as part of a community general plan or specific plan”, it is also applicable to development projects covering 10 acres or more. The project does provide open area at its westerly and easterly margins, and additionally provides for driveways and parking areas that are linear and oriented parallel to the extended runway centerline. Unfortunately, from the aviation safety standpoint, it appears that this area will include landscaped islands, trees, trash enclosures, and other features that would detract from the potential to serve as an emergency landing area.

Extended Runway Centerline: Countywide land use compatibility criteria require that structures located in Airport Zone B1 be located a maximum distance from the extended runway centerline. In this case, the extended runway centerline overlies the site. While there are buildings underlying the extended centerline, as noted above, the applicant proposes a corridor with no structures between the northerly and southerly rows of buildings. This corridor also serves to minimize the single-acre intensity. (The only acre where single-acre intensities are not clearly consistent is the acre where the distance between the two rows of buildings is the least.) Given these circumstances, staff believes that a redesign that would move structures away from the extended runway centerline but result in an increased intensity within building areas may be counterproductive.

Noise: The site is located entirely within the area subject to aircraft noise levels greater than 60 CNEL, and partially within the area subject to aircraft noise levels greater than 65 CNEL. As a property adjacent to the freeway, rail line, and a major roadway, there are a number of heavy noise sources impacting the ambient environment at this location. Staff recommends a condition requiring

mitigation of aircraft noise levels so as to provide for interior noise levels from aircraft operations not exceeding 45 CNEL within office areas of the proposed buildings.

PART 77: The maximum elevation of the site is 36 feet above mean sea level (AMSL). The structure height may be as high as twenty-six (26) feet. While no grading plans were submitted with the application, the applicant has indicated a top elevation of 63 feet AMSL. The elevation at the easterly end of the runway is 49.1 feet AMSL. Assuming that no building has an elevation at top of roof exceeding 63 feet AMSL, FAA review would only be required for those buildings within 1500 feet from the runway – Buildings A, P, Q, and R. However, there is a possibility that these buildings would be shielded from the runway by the existing Indio Boulevard/Jefferson Street overcrossing.

CONDITIONS (Design Review case):

1. Prior to issuance of building permits, the landowner shall record an avigation easement to Bermuda Dunes Airport. Copies of the recorded avigation easement shall be forwarded to the Airport Land Use Commission and to the City of Indio.
2. Noise attenuation measures shall be incorporated into the office areas of the building to ensure a minimum noise level reduction of 25 dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below. (Such noise attenuation will also assist in reducing noise from railroad operations.)
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. All outdoor lighting plans shall be subject to review by airport management.
4. 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 such red light obstruction marking as may be permitted by the Federal Aviation Administration.
 - (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 uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
5. Subsequent Airport Land Use Commission review shall be required for any structure with a height exceeding twenty-six (26) feet.
 6. The City of Indio shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in any of the structures proposed through this design review:

Retail sales, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms with capacities of 28 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, swimming pools, skating rinks, locker 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.
 7. The attached notice shall be provided to all potential purchasers and tenants.
 8. Not more than 40 percent of the floor area of each unit or suite shall be utilized for office space, with the remaining area used for warehousing of goods.

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 5.2
HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1002PS07 – Mountain View Power Partners IV/AES Corporation
APPROVING JURISDICTION: City of Palm Springs
JURISDICTION CASE NO: CUP (Conditional Use Permit) No. 5.1081

MAJOR ISSUES: Tower height, visual impacts from required lighting, and potential for radar interference (as well as non-aviation noise generated by wind turbines and impacts on birds) have been general issues associated with development of wind turbine arrays; however, the project does not conflict with any adopted Airport Land Use Compatibility Plan policies.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY, subject to the conditions included herein.

PROJECT DESCRIPTION:

The applicant proposes to establish 49 wind turbines (wind energy conversion systems) with a height (to top of blade at 12 o'clock position) not to exceed 299 feet, a hub height of approximately 197 feet, and a rotor diameter of 201.44 feet in an array of five rows on 991 acres in the wind energy area of Western Coachella Valley. The westerly 21 wind turbines are proposed for federal land managed by the Bureau of Land Management. To that extent, the project is outside the ALUC jurisdiction; however, one of the rows of turbines extends across the boundary between lands subject to federal jurisdiction and lands subject to local jurisdiction, thus providing for a seamless design.

PROJECT LOCATION:

The site is located northeasterly of State Highway Route 111, westerly of Indian Canyon Drive (known northerly of Interstate 10 as Indian Avenue), and southerly of Interstate 10 in the City of Palm Springs located northerly of Interstate 10, approximately 14,520 feet northwesterly of the northwesterly end of Runway 13R/31L at Palm Springs International Airport. The Federal Aviation Administration Air Traffic Airspace Branch has advised that the turbines will be 3.6-4.8 nautical miles northwesterly of the airport and underlie the final approach course to Runway 13R/31L.

LAND USE PLAN: 2005 Palm Springs Airport Land Use Compatibility Plan and 2004 Countywide Policies

- Nearest Airport: Palm Springs International Airport
- a. Airport Influence Area: Partially in Palm Springs International Airport Influence Area (AIA)
- b. Land Use Policy: Airport Zone D (southeast portion of project only) and outside AIA
- c. Noise Levels: WECS are noise generators and are not noise-sensitive receptors.

BACKGROUND:

Most of the project site is located outside the Palm Springs International Airport Influence Area, but the project is being reviewed as a Major Land Use Action pursuant to Policy 1.5.3 (c) of the Countywide Airport Land Use Compatibility Policies (construction or alteration of a structure taller than 200 feet above the ground level at the site.)

Part 77: The Federal Aviation Administration has completed aeronautical studies for each “WECS and tower” 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 13 of the proposed structures exceed obstruction standards – specifically Section 77.23(a)(2). However, it was determined that they “do not exceed the VFR (visual flight rules) traffic pattern airspace for the nearest public use landing area”, and so would not be a hazard to air navigation, provided that the array is marked and lighted in accordance with FAA Advisory Circular 70/7460-1K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4, 12 & 13. This involves white coloration of all turbines for easy visibility in the daytime and synchronized flashing red lights on 11 turbines at night.

The FAA also found that the structures would not affect the normal operation of aircraft to or from the airport or while in the traffic pattern, that they would not adversely impact any VFR or IFR terminal or en route procedure, and that they would not have a cumulative impact on any existing or planned airport.

CONDITIONS:

1. All WECS shall be marked in accordance with FAA Advisory Circular 70/7460-1K, Change 2, Obstruction Marking and Lighting, white paint – Chapters 12 & 13, in accordance with the Federal Aviation Administration letters dated March 26, 2007. In addition, the eleven WECS referenced in Condition No. 6 below shall be lighted in accordance with FAA Advisory Circular 70/7460-1K, Change 2, Obstruction Marking and Lighting, synchronized red lights – Chapters 4, 12 & 13.
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. Due to the specification of turbines to be lighted using the Red Synchronized Lighting System, any change to the development in terms of turbine height, physical layout and design of the development, or turbine obstruction lighting designation, including, but not limited to, the deletion of any turbines included in the Red Synchronized Lighting System as referenced in Condition No. 6 below, shall require the entire development to be resubmitted to the FAA for airspace evaluation.
5. Each wind turbine shall be painted in a bright white color for daytime conspicuity.
6. The eleven wind turbines identified in FAA Aeronautical Study Numbers 2006-AWP-6343-OE, 2006-AWP-6347-OE, 2006-AWP-6348-OE, 2006-AWP-6356-OE, 2006-AWP-6357-OE, 2006-AWP-6369-OE, 2006-AWP-6370-OE, 2006-AWP-6379-OE, 2006-AWP-6380-OE, 2006-AWP-6385-OE, and 2006-AWP-6391-OE shall be obstruction lighted for nighttime conspicuity using single-fixture L-864 Red Synchronized Lighting, as outlined in the report prepared by the FAA William J. Hughes Technical Center titled "Development of Obstruction Lighting Standards for Wind Turbine Farms", or such alternative lighting as may be approved by the Federal Aviation Administration. Minimum intensities of 2,000 candelas for nighttime red flashing are required. The lighting shall be continuously monitored.
7. Light outage notification by the project sponsor and/or operator to the FAA Automated Flight Service Station (AFSS) facility is required for either light outages on any of the individual turbines and/or the failure of the synchronization system.
8. Temporary construction equipment used during actual construction of the facilities shall not exceed the height of the proposed facilities, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
9. The proposed WECS shall not generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
10. 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.
11. Rotor blades 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

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takeoff or towards an aircraft engaged in a straight final approach toward a landing at an airport.

12. The WECS and any accessory uses shall not generate smoke or water vapor and shall be designed so as not to attract large concentrations of birds.
13. The maximum height of any WECS and tower shall not exceed 299 feet to top of blade at 12 o'clock position.

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**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT**

AGENDA ITEM: 5.3

HEARING DATE: May 10, 2007

CASE SUMMARY:

CASE NUMBER: ZAP1015RI07-Melissa Creacy/Faith Lutheran Church

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: P07-0259 (Revised Conditional Use Permit)

MAJOR ISSUES: Children's schools and day care centers are prohibited uses in Airport Zone C.

RECOMMENDATION: As this is a prohibited use, staff must recommend a finding of inconsistency based on the Countywide Policies for Airport Zones B1 and C. However, the applicant requests consideration pursuant to Sections 3.3.1 (Infill) and 3.3.6 (Other Special Conditions).

PROJECT DESCRIPTION:

The revised conditional use permit proposes a pre-school to serve up to 65 children weekdays within an existing building on a 4.3-4.9 acre property. The other building on the property is an existing church.

PROJECT LOCATION:

The site is located on the east/northeast side of Jackson Street, southerly of its intersection with Van Buren Boulevard and northerly of Colorado Avenue, approximately 2,277 feet southwesterly of Runway 16-34, in the City of Riverside.

LAND USE PLAN:

Adjacent Airport:

- a. Airport Influence Area: Riverside Municipal Airport
- b. Land Use Policy: Airport Zone B1 and Zone C
(Both buildings in Zone C)

- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The site is split by Airport Zones B1 and C. Children's schools are prohibited in both zones. The existing church and Sunday school classroom buildings are located in the C zone. The compatibility criteria for Airport Zone C permit 75 people per acre (average) and a maximum of 150 people in any given acre. The total floor area of the classrooms is 3,067 square feet. Given the square footage of the classrooms, a total occupancy of 77 persons (average of 17 persons per acre) is projected for the proposed use. (This does not count occupancy within the existing church.)

Policy 3.3.1 states as follows:

“Where development not in conformance with the criteria set forth in this Compatibility Plan already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone.”

The criteria for infill are as follows:

1. “The parcel size is no longer than 20 acres.” The project site meets this standard, as it is less than 5 acres in area.
2. “At least 65% of the site's perimeter is bounded (disregarding roads) by existing uses similar to, or more intensive than, those proposed.” The site is bordered on the north by a 136- unit condominium complex, on the south by a 74-unit condominium project, on the west (on the opposite side of Jackson Street) by a 268-unit senior citizen apartment complex, and on the east by a single-family residential subdivision. All of the multi family residential uses are more intensive in persons per acre than the proposed school. (However, they are not schools.)
3. “The proposed project would not extend the perimeter of the area defined by the surrounding, already incompatible, land use.” The senior citizen apartment complex to the west is in Airport Zone D and is, therefore, compatible, but the other uses cited above are nonconforming uses (relative to the ALUCP) in Zones B1 and C. The project would not extend the perimeter.
4. “Further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics... are prohibited.” This seems to reference repeated use of the infill provision for a particular property. If approved, this would be the first use of the infill provision for this property, but this also implies that further increases in intensity, such as a church expansion, would not be allowed.
5. “The area to be developed cannot previously have been set aside as open land...” The site has not previously been set aside as open land.

Section 3.3.2 (c) states that ALUC review is required for any proposed expansion of a nonconforming use in terms of the number of people on the site. The church is an existing use and is not subject to ALUC review, but if the combined occupancy of the church and the preschool exceeds 336 persons (4.49 times 75), this would be an additional factor to consider.

Section 3.3.6 states that “there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location, or other extraordinary factors or circumstances related to the site.” In the event that an exception pursuant to Section 3.3.6 is made, the Commission must make specific findings as to why the exception is being made, that the land use will not create a safety hazard to people on the ground or aircraft in flight, and that the occupants will not be subject to excessive noise exposure.

In addition to urban intensities of surrounding land uses, the Commission may wish to consider the fact that only 3% of airport operations (approximately 18 flights per day) are expected to use Runway 16-34. Location of this site in Zone C and partially in Zone B1 appears to be solely attributable to this lower-use runway.

Part 77: No new structures are proposed through this application.

Noise: The site is outside the 55 CNEL contour. Noise mitigation is not required.

In the event that the City of Riverside overrules an ALUC determination of inconsistency, or in the event that the ALUC utilizes Section 3.3.1, Section 3.3.6, or both to make a determination of consistency, staff recommends application of the following conditions:

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) Hospitals, nursing homes, and highly noise-sensitive outdoor nonresidential uses.
2. 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.
 3. The attached notice shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
 4. The total number of children permitted to be enrolled at any given time shall not exceed sixty-five (65) persons, and the total number of persons permitted to be in the building shall not exceed one hundred (100).

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 6.1** Report from B.T. Miller, ALUC Counsel, regarding the need for preparation of a Land Use Compatibility Plan for Perris Valley Airport.
- 6.2** Executive Director's Approvals. Copies of administrative "staff review" approvals are included for your Commission's information.
- 6.3** ALUC staff planner Cecilia Lara will present a sample case in Power Point format for the Commission's information at the May 10 meeting.

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