



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., February 11, 2010

CHAIR
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Rancho Mirage

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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 item under consideration. 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). Also please be aware that the indicated staff recommendation shown below may differ from that presented to the Commission during the public hearing.

Non-exempt materials related to an item on this agenda submitted to the Airport Land Use Commission or its staff after distribution of the agenda packet are available for public inspection in the Airport Land Use Commission's office located at 4080 Lemon Street, 9th Floor, Riverside, CA 92501 during normal business hours.

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 PUBLIC HEARING: NEW BUSINESS

MARCH AIR RESERVE BASE

- 2.1 MA-06-114A – Western Realco (Representative: Vance Mape) – City of Riverside Case No. P07-0102 (General Plan Amendment) – A proposal to amend the General Plan designation of 10.28 acres within an 80.07-acre property located northerly of Alessandro Boulevard and westerly of San Gorgonio Drive in the City of Riverside. The property is currently split between two designations: B/OP (Business Office Park) and P (Public Parks). The proposal would amend the designation of 6.25 acres from P to B/OP, and amend the designation of 4.03 acres from B/OP to P to facilitate development of the subject 80.07 acre site with a 36.91-acre business center for light industrial, warehouse distribution, and office uses. Additionally, 36.23 acres would be dedicated to the City of Riverside Parks, Recreation, and Community Services Department for incorporation into the adjacent Sycamore Canyon Wilderness Park. (Airport Areas II and I, March Air Reserve Base Airport Influence Area). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONSISTENT

3.0 PUBLIC HEARING: OLD BUSINESS**FRENCH VALLEY AIRPORT**

- 3.1 ZAP1035FV09 and ZAP1004FV06 – H.G. Fenton Development Co./Fred J. Fleming (Representatives: Allen Jones and Karen Ruggels) - ZAP1035FV09: County Case Nos. CZ07690 (Change of Zone) and SP00265S1 (Substantial Conformance to Specific Plan). ZAP1004FV06: County Case No. PM35212 (Commercial/Industrial Parcel Map). These cases relate to a 56.95-acre site located easterly of Winchester Road, southerly of Sparkman Way (Airport Entrance Road), westerly of French Valley Airport, and northerly of an easterly straight-line extension of Hunter Road, in the unincorporated French Valley area. The site comprises Planning Areas 11.1 and 21.1 along with a portion of Planning Area 21.2, within the Borel Airpark Specific Plan. The site is and would remain zoned SP (Specific Plan), but the allowed land uses and development standards would change from a basis of A-1-10 (Light Agriculture, 10 acre minimum lot size) and C-P-S (Scenic Highway Commercial) to C-O (Commercial-Office) and C-P-S, in accordance with the Specific Plan. Offices, health and exercise centers, and laboratories would be among the permitted uses. PM35212 would divide the site into 20 commercial/industrial lots, with 8.43 acres of road rights-of-way. Airport Compatibility Zones B2 and D. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE TO MARCH 11, 2010

4.0 PUBLIC HEARING: NEW BUSINESS**FRENCH VALLEY AIRPORT**

- 4.1 ZAP1037FV09 – Agriscape, Inc. (Ricardo Almejo) (Representative: Ralph Megna/The Jamieson Group, Inc.) – County Case No. PP24389 (Plot Plan) – A proposal to allow use of approximately 2.34 acres of a 42.03-acre property located easterly of Sky Canyon Drive and southerly of Borel Road and the southerly terminus of Runway 18-36 for the sale of mulch and landscaping supplies. A 400 square foot office trailer or commercial coach would be the only structure on-site. Seven parking spaces would be provided, with additional graveled area that could potentially accommodate additional vehicles. The site is located within Airport Compatibility Zones B1 and C of the French Valley Airport Influence Area, in unincorporated Riverside County. ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE TO MARCH 11, 2010

MARCH AIR RESERVE BASE

- 4.2 ZAP1063MA09 – City of Perris (Representative: Brad Eckhardt, Planning Manager) – City Case Nos. 08-10-007 (Specific Plan), 08-10-008 (General Plan Amendment), and 08-10-009 (Change of Zone). The City proposes to adopt the Perris Valley Commerce Center Specific Plan, which would apply to a 3,517.22-acre area (approximately 5.23 square miles) located southerly of the City of Moreno Valley and March Air Reserve Base, easterly of Interstate 215, northerly of Placentia Street, and westerly of the Perris Valley Storm Drain Channel. The Specific Plan would establish a land use plan (thereby modifying General Plan land uses), designate Planning Areas, establish a list of permitted uses, modify development standards, and establish design guidelines, infrastructure plans, landscaping guidelines, and administrative procedures. The general plan amendment would designate the project area as a Specific Plan, and the change of zone

would establish Specific Plan zoning. The majority of the area would continue to be designated for industrial use. (Airport Areas I, II, and III of the March Air Reserve Base Airport Influence Area). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE TO MARCH 11, 2010 FOR RE-ADVERTISEMENT

JACQUELINE COCHRAN REGIONAL AIRPORT

- 4.3 ZAP1014TH09 – Kohl Ranch II, LLC (Representative: Emily Hemphill) – County Case No. SP00303S2 (Specific Plan No. 303, Substantial Conformance No. 2). A proposal to develop a portion of the Kohl Ranch Specific Plan (approximately 294 acres located southerly of Avenue 60, northerly of Avenue 62, and westerly of Polk Street) as a private (membership) auto racing track, and to find such a facility to be in substantial conformance with the Specific Plan (with text amendments to reflect such a determination). The project would include establishment of “founders’ lots” and “corporate lots” for ground lease, clubhouse and pool area, tuning shop, club garages, observation tower, pavilions, an alternative energy park, and a vintage car showroom. (Airport Compatibility Zones A, B1, C and D of Jacqueline Cochran Regional Airport Influence Area). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE TO MARCH 11, 2010

BLYTHE AIRPORT

- 4.4 ZAP1005BL09 – US Solar Holdings, LLC (Representative: Tanya Martinez) – City Case No. CUP 2009-01 (Conditional Use Permit). A proposal to develop a 100 megawatt (MW) solar photovoltaic (PV) renewable energy facility (to be built in 20 MW phases) on 640 acres within an 829-acre area on the grounds of the Blythe Airport, to the east of Runway 17-35 and to the north of Runway 8-26, in portions of Township 6 South, Range 22 East, Sections 20 and 29. The project will include maintenance enclosures less than 25 feet in height. Blythe Airport is located northerly of Interstate 10 and Hobsonway and easterly of Mesa Drive. (Airport Compatibility Zones C and D of the Blythe Airport Influence Area). ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

Staff Recommendation: CONTINUE TO MARCH 11, 2010

5.0 **ADMINISTRATIVE ITEMS**

- 5.1 Oral Communication on County Budget (Update)

6.0 **APPROVAL OF MINUTES**

January 14, 2010

7.0 **ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

8.0 **COMMISSIONER’S COMMENTS**

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 2.1

HEARING DATE: February 11, 2010

CASE NUMBER: MA-06-114A – Western Realco (Representative: Vance Mape)

APPROVING JURISDICTION: City of Riverside

JURISDICTION CASE NO.: P07-0102 (General Plan Amendment)

MAJOR ISSUES: No ALUC-related issues.

RECOMMENDATION: Staff recommends a finding of Consistency with the 1984 Riverside County Airport Land Use Plan.

PROJECT DESCRIPTION:

A proposal to amend the General Plan designation of 10.28 acres within an 80.07-acre property currently split between two designations: B/OP (Business Office Park) and P (Public Parks). The proposal would amend the designation of 6.25 acres from P to B/OP and amend the designation of 4.03 acres from B/OP to P. This amendment would facilitate development of the subject 80.07-acre site with a 36.91-acre business center for light industrial, warehouse distribution, and office uses. Additionally, 36.23 acres would be dedicated to the City of Riverside Parks, Recreation, and Community Services Department for incorporation into the adjacent Sycamore Canyon Wilderness Park.

PROJECT LOCATION:

The project site is located northerly of Alessandro Boulevard and westerly of San Gorgonio Drive in the City of Riverside, approximately 10,496 feet northwesterly of the northerly end of the runway at March Air Reserve Base.

BACKGROUND:

Four associated cases (an amendment to the Sycamore Canyon Business Park Specific Plan, rezoning from MP and O to MP, a parcel map to divide the property into six parcels, and the development of four warehouse/distribution buildings with a total floor area of 671,875 square feet) were previously reviewed by ALUC in June 2006 and found consistent. In 2007, the City of Riverside determined that a general plan amendment would also be required.

General plan amendments are subject to mandatory review; therefore, this case has been submitted to ALUC pursuant to Public Utilities Code requirements.

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: Areas II and I (parcel);
II (GPA area)
- c. Noise Levels: Over 65 dB(A) CNEL

Land Use/Intensity: The parcel is split between Airport Areas I and II, but the general plan amendment area is entirely located in Airport Area II. Policy II in chapter II of the 1984 RCALUCP states that Area II is an acceptable area for industrial uses.

The 2005 Airport Installation Compatibility Use Zone report for March Air Reserve Base, a U. S. Air Force publication, identifies Accident Potential Zones (APZ) in the airport vicinity. The general plan amendment area is not located within an APZ. The northeastern corner of the parcel is located in APZ II.

The Draft March Land Use Study (Draft JLUS) prepared by Mead and Hunt depicts this property as being within Airport Compatibility Zone B1, due to the site being located in a turning area for aircraft departing March Air Reserve Base. Airport Zone B1 would limit nonresidential intensity outside APZs to 50 persons per acre average, with a maximum of 100 persons in any given acre.

Warehouse/distribution buildings would generally meet this standard.

Part 77: The general plan amendment itself does not authorize development of structures. Given the site's distance from the runway, obstruction review would only be required for structures whose apex elevation exceeds 1,639 feet above mean sea level (AMSL).

Noise: The site is subject to average noise levels exceeding 65dB(A) CNEL; however, warehousing is not considered to be a noise-sensitive use. Conditions recommended by ALUC for the cases reviewed in 2006 require incorporation of noise attenuation measures into any office areas within the proposed buildings, so as to ensure that interior noise levels will not exceed 45-decibel levels.

General plan amendments are not subject to conditions.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 3.1 4-1

HEARING DATE: February 11, 2010 (continued from January 14, 2010)

CASE NUMBER: ZAP1035FV09 and ZAP1004FV06 – H.G. Fenton Development Company/Fred J. Fleming
(Representatives: Allen Jones and Karen Ruggels)

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: For ZAP1035FV09: CZ07690 (Change of Zone) and SP00265S1 (Specific Plan No. 265, Substantial Conformance No. 1); For ZAP1004FV06: PM35212 (Commercial/Industrial Parcel Map)

MAJOR ISSUES:

1. **Given that the site is located within a Specific Plan, ALUC staff initially proposed that the zoning ordinance be amended to prohibit places of worship, day care centers, and libraries within the portion of the property in Compatibility Zone B2, and to prohibit children’s schools, hospitals, and nursing homes anywhere within the applicable Planning Areas. Following the issuance of public notices, ALUC staff was advised by Planning staff that the Specific Plan has expired. Thus, it is now likely that the Specific Plan zoning ordinance will be rescinded and conventional zoning applied to properties formerly subject to the Specific Plan. As a result, the nature of CZ07690 will be altered, and re-advertisement will be required once the revised proposal has been selected.**
2. **The project site is split by the boundary between Compatibility Zones B2 and D. The tentative parcel map does not depict the Compatibility Zone boundary and does not provide for a set-aside of open area. Projects of ten acres or greater in Compatibility Zone D must set aside 10% of their gross land area as ALUC-qualified open area. The applicant has proposed an alternative condition formulation whereby the open land area requirement would be addressed in the course of plot plan review.**

UPDATE: The issues relating to the expiration of the Specific Plan and the applicant’s revised course of action have not yet been settled.

RECOMMENDATION: Staff recommends CONTINUANCE to ~~February~~ *March 11, 2010*, pending resolution of the matters cited above.

PROJECT DESCRIPTION:

The site comprises Planning Areas 11.1 and 21.1, along with a portion of Planning Area 21.2, within the Borel Airpark Specific Plan, as adopted in 1994. As proposed by the applicant, the site would retain its SP (Specific Plan) zoning, but the allowed land uses and development standards would change from a basis of A-1-10 (Light Agriculture, 10 acre minimum lot size) and C-P-S (Scenic Highway Commercial) to C-O (Commercial-Office) and C-P-S, in accordance with the land use designations in the Specific Plan, as reflected in the Southwest Area Plan Land Use Map of the Riverside County Integrated Project (RCIP) General Plan. The applicant proposed to amend the zoning ordinance provisions to provide for offices, health and exercise centers, and laboratories as among the permitted uses. Parcel Map No. 35212 would divide the 56.95-acre site into 20 commercial/industrial lots, with 8.43 acres of road rights-of-way.

PROJECT LOCATION:

The project is located easterly of Winchester Road, southerly of Sparkman Way (Airport Entrance Road), westerly of French Valley Airport, and northerly of an easterly straight-line extension of Hunter Road, approximately 997 feet westerly of Runway 18-36, in the unincorporated Riverside County community of French Valley.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan (FVALUCP)

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Compatibility Zones B2 and D
- c. Noise Levels: 55-65 CNEL

BACKGROUND:

Borel Airpark Specific Plan was adopted by the Riverside County Board of Supervisors in 1994. The Specific Plan provided for industrial park, restricted light industrial, office park, and commercial uses within a 783-acre area that included lands on the easterly, westerly, and southerly boundaries of French Valley Airport. Planning Area 11.1 is designated for office park uses, and Planning Areas 21.1 and 21.2 are designated for commercial uses. However, at the time the Specific Plan was adopted, Planning Area 11.1 was entirely located within an agricultural preserve with an active contract, as were portions of Planning Areas 21.1 and 21.2. Therefore, the zoning ordinance adopted for the Specific Plan allowed only those uses permitted within the agricultural preserve (A-1-10 zoning uses and densities) within Planning Area 11.1. For Planning Areas 21.1 and 21.2, the ordinance was written in such a way as to permit only the A-1-10 uses and

densities until the agricultural preserve was diminished or disestablished, and to subsequently allow C-P-S uses.

Eventually, the Notices of Non-Renewal for the agricultural preserve contract matured, the contract expired, and the applicable agricultural preserve was disestablished. With this action, the C-P-S base use became applicable in those portions of Planning Areas 21.1 and 21.2 previously subject to the A-1-10 use and density restrictions. There was no automatic rollover for Planning Area 11.1.

To be consistent with Specific Plan land uses, the applicant filed Change of Zone Case No. 07690, which sought to amend the Specific Plan zoning ordinance to allow all of the uses permitted by the County's C-O (Commercial Office) zone, except hotels, resort hotels, and motels, in Planning Area 11.1. Additionally, laboratories "including film, dental, medical, research, or testing" would be permitted in that Planning Area. Development standards would be those of the C-O zone, with revisions to setback requirements. The zoning ordinance would also be amended to allow all of the uses permitted by the County's C-P-S (Scenic Highway Commercial) zone in Planning Areas 21.1 and 21.2. Additionally, offices, "including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate," and health and exercise centers (within an enclosed building) would be permitted in that Planning Area. Development standards would be those of the C-P-S zone. These ordinance changes would enable development of Planning Area 11.1 as an office park and development of Planning Areas 21.1 and 21.2 for commercial uses, as envisioned in the Specific Plan.

The substantial conformance to the Specific Plan related solely to the ordinance changes; no other changes to the text of the Specific Plan document were proposed by the applicant and, therefore, no other changes were submitted for ALUC review.

The parcel map was initially submitted to ALUC for review in 2006, but ALUC was unable to take action due to the court-ordered suspension of the 2004 FVALUCP. Therefore, a "no action" letter was issued by ALUC. However, the applicant at that time failed to obtain approval of the parcel map prior to the adoption of the 2007 FVALUCP. As a result, the matter is once again before ALUC, in conjunction with legislative cases subsequently submitted to the Planning Department.

Following the issuance of the notice of hearing, ALUC staff was advised by Planning Department staff that the Specific Plan has expired. The applicant has the option of either filing a Specific Plan Amendment to extend the Specific Plan or amending the change of zone to provide for conventional zoning on the property consistent with the underlying General Plan designations.

Land Use: The site is located in Airport Compatibility Zones B2 and D of the French Valley Airport Influence Area. Excluding the rights-of-way, the site consists of 28.10 acres within Zone B2 and 22.45 acres within Zone D.

The applicant anticipates that the majority of building square footage at the development stage would be for office uses, along with a hotel, restaurants, and a fitness center. The land use intensity of this site can only be evaluated at the plot plan or use permit stage; no buildings are proposed through the parcel map process.

Since the applicant's proposed project initially constituted an ordinance amendment within the Specific Plan zone, ALUC staff realized that this proposal represented an opportunity to prohibit through County zoning those uses that are prohibited pursuant to the Compatibility Plan. Specifically, prohibited uses in Compatibility Zone B2 include places of worship, day care centers, and libraries, as well as children's schools, hospitals, and nursing homes. Children's schools, hospitals, and nursing homes are listed as "discouraged" uses within Compatibility Zone D. However, both of the County zones underlying the SP zoning proposal (C-P-S and C-O) allow "churches, temples, and other places of religious worship" and day care centers, subject to plot plan approval, and the C-O zone allows libraries, subject to plot plan approval.

Therefore, ALUC staff recommended that the ordinance be amended to exclude these uses (at least within the portion of the project site within Compatibility Zone B2). However, it is now likely that the applicant will opt for application of conventional zoning, and ALUC staff will provide for the exclusion of prohibited land uses through conditions applied to the commercial/industrial parcel map.

Open Area Requirement: As the proposed site is located partially within Compatibility Zone D and is larger than 10 acres, compliance with ALUCP open land criteria is required. A minimum of 10 percent of the land area within Compatibility Zone D must qualify as open area. ALUC staff requested that this issue be addressed at the parcel map level, as the individual lots are smaller than 10 acres. Other than road rights-of-way, the parcel map does not illustrate or set aside open areas. A minimum of 2.25 acres within the net area within Compatibility Zone D needs to be set aside as ALUC-qualified open area. The applicant is envisioning that the initial plot plan would address an area of at least ten acres, and is requesting that demonstration of compliance be addressed at the plot plan level.

Part 77: The substantial conformance and change of zone are not subject to FAA review, and no buildings are proposed through the parcel map process. However, the applicant filed a Form 7460-1 for a building site located at latitude 33-34-21.360N NAD 83 and longitude 117-07-58.410W with a height of 45 feet above ground level and a maximum elevation of 1,568 feet above mean sea level, and received a Determination of No Hazard to Air Navigation.

At a distance of 997 feet from the runway, FAA notice and review would be required for any future structures exceeding a maximum elevation of 1,350 feet AMSL at top of roof.

Noise: The site is located within an area subject to average noise levels of 55-65 CNEL from aircraft operations, and the 60 CNEL crosses the site. As the project is partially located in Compatibility Zone B2, recommended conditions include a requirement for an

exterior to interior noise reduction of 25 dB in all office buildings located wholly or partially in that zone.

CONDITIONS (to be applied to the parcel map):

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, including landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, composting operations, fly ash disposal, and incinerators.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor uses, and within the portion of the site in Compatibility Zone B2, places of worship, day care centers, libraries, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.
2. Prior to recordation of a final map, the landowner shall convey an avigation easement to French Valley Airport, which shall be recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department and to the Riverside County Airport Land Use Commission.
3. The attached notice shall be provided to all potential purchasers and tenants.
4. Noise attenuation measures shall be incorporated into the office areas of future buildings located wholly or partially within Compatibility Zone B2 to ensure a minimum exterior-to-interior noise level reduction of 25 dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.

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, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans shall be transmitted to the Riverside County Economic Development Agency – Aviation Division for review and comment.
6. Stormwater retention areas shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
7. No building permits for structures for human occupancy shall be issued prior to approval of a Plot Plan, Conditional Use Permit, or Public Use Permit. The first such Plot Plan or Use Permit shall be for an area at least ten (10) acres in size and shall demonstrate compliance with the ALUC open land area requirements by allocating at least ten (10) percent of that portion of its area within Compatibility Zone D to ALUC-qualifying open land. Each subsequent Plot Plan or Use Permit shall demonstrate that the ALUC open land area requirement for Compatibility Zone D is met either on an individual Plot Plan/Use Permit basis, or as an aggregate of all Plot Plans/Use Permits in process or previously approved within the Parcel Map area.

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 4.1
HEARING DATE: February 11, 2010

CASE SUMMARY

CASE NUMBER: ZAP1037FV09 – Agriscape, Inc. (Ricardo Almejo)
(Representative: Ralph Megna/The Jamieson Group)
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: Plot Plan No. 24389

MAJOR ISSUES: The mulch and compost materials being sold will be stored outside buildings. The project is located very close to the Runway Protection Zone southerly of the runway terminus. It is vital that the property be utilized in a manner that will not attract birds. According to Federal Aviation Administration Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or near Airports*, putrescible-waste disposal operations should not be sited near airports. However, the report also states that “composting operations that accept only yard waste (e.g., leaves, lawn clippings, or branches) generally do not attract hazardous wildlife.” Riverside County EDA officials have advised that the facility has been in operation for some time, and there have been no wildlife-related complaints to date. (Concern was expressed regarding the applicant’s use of a “light tower” during nighttime operations.)

Although not an ALUC issue, the County Planning Department has deferred evaluation of this project pending a HANS (Habitat Assessment and Negotiation Strategy) review. Such reviews could potentially affect the ultimate location of structures and site improvements.

RECOMMENDATION: Staff recommends CONTINUANCE to the meeting of March 11, 2010. The applicant’s representative has agreed to a continuance due to the potential effect of HANS review on site design and structure placement.

Staff has included a condition prohibiting use of any food or municipal solid waste in the mulch or compost materials, and requests that the Commission provide direction as to whether additional information is needed pertaining to the potential wildlife hazard (such as development of a Wildlife Hazard Assessment prepared by a qualified wildlife damage management biologist) or whether to obtain an opinion from a U.S. Department of Agriculture Wildlife Services representative.

PROJECT DESCRIPTION:

Plot Plan No. 24389 proposes the use of approximately 2.34 acres of a 42.03-acre property for the sale of mulch and landscaping supplies. The only associated structure would be a 400 square foot office trailer or commercial coach. The mulch, consisting of decomposing vegetation, would be

stored outdoors. Seven parking spaces would be provided, with additional graveled area that could potentially accommodate additional vehicles.

PROJECT LOCATION:

The site is located easterly of Sky Canyon Drive and southerly of Borel Road, in the unincorporated Riverside County community of French Valley, approximately 1,188 feet southerly of the southerly terminus of Runway 18-36 at French Valley Airport.

LAND USE PLAN : 2007 French Valley Airport Land Use Compatibility Plan (2007 FVALUCP)

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Airport Compatibility Zones B1 and C
- c. Noise Levels: Greater than 55 dB(A) CNEL to 65 dB(A) CNEL

BACKGROUND:

Land Use/Intensity: The site is split by the boundary between Airport Compatibility Zone B1 and Airport Compatibility Zone C. Airport Compatibility Zone B1 is the more restrictive of these zones, allowing an average of up to 40 persons per acre and a maximum single-acre intensity of 80 persons, pursuant to the Additional Compatibility Policies of the 2007 FVALUCP. Given the square footage of the office trailer and the proposed number of parking spaces, it is doubtful that the total number of persons on the site would ever exceed forty (40).

Hazards to flight are prohibited in Airport Compatibility Zone B1 and throughout the Airport Influence Area.

Noise: The site is subject to noise from aircraft operations due to its proximity to the runway. Noise levels are projected to exceed 60 CNEL in most portions of the property. However, the proposed use is not noise-sensitive.

PART 77: The site plan depicts a “finish grade” elevation of 1,324 feet above sea level at the southeasterly corner of the “office trailer.” Assuming that the height of the “office trailer” does not exceed 17 feet, the elevation at the top of this structure would not exceed 1,341 feet above mean sea level. The runway elevation is 1,340 feet above mean sea level at its southerly terminus. At a distance of 1,188 feet from the runway, any structure exceeding an elevation of 1,351 feet above sea level at top point would require FAA review. The proposed structure would not require FAA obstruction evaluation review, based on the above assumptions.

Prohibited Uses: Uses that would attract large concentrations of birds or otherwise affect safe air navigation within the area are prohibited in Airport Influence Areas. These uses include composting operations, recycling centers containing putrescible wastes, and construction and demolition debris facilities. The proponent had previously proposed use of the property for compost manufacturing and recycling of green waste, construction waste, and concrete through Conditional Use Permit No. 03395, which was denied by the Board of Supervisors in 2006. This project would involve the

outdoor storage and sale of mulch and compost, but not a compost processing operation.

However, if the mulch contains “putrescible waste” attractive to birds, the effect would be the same as that of a processing operation. According to FAA Advisory Circular 150/5200-33B (a copy of which is attached), composting operations that only accept yard waste (leaves, lawn clippings, branches, etc.) generally do not attract hazardous wildlife. However, if the stored materials include food or municipal solid waste, this facility could present a major problem for the safety of aircraft operations in the area.

An additional concern is that lighting during nighttime operations be directed downward so as to not shine into the eyes of pilots preparing to land at the airport, and so as not to be confused with airport lighting.

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, including trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, composting operations utilizing waste other than yard waste, fly ash disposal, artificial marshes, production of cereal grains, sunflower, and row crops, livestock operations, aquaculture, landscaping utilizing water features, and wastewater management facilities.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - e. Children’s schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.

2. Prior to issuance of building permits, the landowner shall convey an avigation easement to French Valley Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department and to the Riverside County Airport Land Use Commission.
3. The attached notice shall be provided to all potential purchasers and tenants.
4. The maximum elevation of the proposed building, including all roof-mounted appurtenances and obstruction lighting (if any), and any temporary structures shall not exceed 1,350 feet above mean sea level. The building shall maintain a minimum distance of 1,188 feet from the southerly terminus of Runway 18-36.
5. Any outdoor lighting (including any temporary lighting for nighttime operations) that is installed shall be hooded or shielded and directed downward so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel at French Valley Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
6. Any detention or retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
7. The mulch or compost material shall consist solely of “yard waste” and shall not include food or other municipal solid waste.

COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

STAFF REPORT

AGENDA ITEM: 4.2

HEARING DATE: February 11, 2010

CASE SUMMARY:

CASE NUMBER: ZAP1063MA09 – City of Perris (Representative: Brad Eckhardt, Planning Manager)

APPROVING JURISDICTION: City of Perris

JURISDICTION CASE NO: 08-10-007 (Specific Plan), 08-10-008 (General Plan Amendment), and 08-10-009 (Change of Zone)

MAJOR ISSUES: Staff is evaluating the draft Specific Plan document, but had not completed its review of the document at press time. Staff anticipates completion of its review of the draft document by Monday, February 8. However, this would not leave sufficient time for the City to evaluate staff's requests. The major issues here relate mainly to text statements. The overall effect of the project is a positive one, in that the project would restrict the acreage designated for residential use to existing residential neighborhoods. Some changes to the document will be necessary to bring the document into compliance with U.S. Air Force Air Installation Compatible Use Zones report recommendations.

Staff received phone calls and one visit from property owners within the 300-foot radius outside the project boundary, but no contacts from property owners within the project boundary. Upon further analysis, ALUC staff has determined that only the property owners within the 300-foot radius were notified. Property owners within the project boundary, who would be most affected by the adoption of the Specific Plan, were not included in the notification.

RECOMMENDATION: Staff recommends that the Commission open the public hearing, consider testimony, and CONTINUE this item to March 11, 2010, with re-advertisement to include property owners inside the project boundary, as well as those within 300 feet of the outer boundaries of the project.

PROJECT DESCRIPTION:

The City of Perris proposes to adopt the Perris Valley Commerce Center Specific Plan, which would establish a land use plan (thereby modifying General Plan land uses), designate Planning Areas, establish a list of permitted uses, modify development standards, and establish design guidelines, infrastructure plans, landscaping guidelines, and administrative procedures applicable to a 3,517.22-acre area (approximately 5.23 square miles). The general plan amendment would designate the project

area as a Specific Plan, and the change of zone would establish Specific Plan zoning. The majority of the area would continue to be designated for industrial use.

PROJECT LOCATION:

The area included within the proposed Specific Plan is located southerly of the City of Moreno Valley and March Air Reserve Base, easterly of Interstate 215, northerly of Placentia Street, and westerly of the Perris Valley Storm Drain Channel in the City of Perris, and, at its closest point, approximately 400 feet westerly of the westerly edge of Runway 14/32 at March Air Reserve Base/March Inland Port.

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

Adjacent Airport:

- a. Airport Influence Area: March Air Reserve Base/Inland Port Airport
- b. Land Use Policy: Airport Areas I, II, and III based on map on www.rcaluc.org website
- c. Noise Levels: From below 60 dB(A) CNEL to above 75 dB(A) CNEL, based on the 2005 Air Installation Compatible Use Zone (AICUZ) Study.

ADDITIONAL DOCUMENTS REVIEWED:

Air Installation Compatibility Use Zone Report, U.S. Air Force, 2005 (AICUZ)

BACKGROUND:

Land Use – Safety Considerations: The project site is located within Airport Areas I, II, and III, as depicted on the map illustrated at www.rcaluc.org.

Airport Area I corresponds in this area to the combination of the Clear Zone, Accident Potential Zone I, and Accident Potential Zone II, as those areas are defined by the United States Air Force and as mapped in the 2005 March Air Reserve Base Air Installation Compatible Use Zone (AICUZ) study (2005 AICUZ). As stated on page 3-1 of the 2005 AICUZ, the Department of Defense (DOD) “has determined that the areas immediately beyond the ends of the runways and along the approach and departure flight paths have the highest potential for aircraft accidents. Based on this analysis, DOD developed three zones that have a relative potential for accidents.” The Clear Zone extends from 0 to 3,000 feet beyond the runway terminus; this is an area that is generally acquired to prevent development. Accident Potential Zone I is located 3,000 to 8,000 feet from the runway terminus, and Accident Potential Zone is located 8,000 to 15,000 feet from the runway terminus. Each zone covers land within 1,500 feet on each side of the line formed by extending the runway centerline in a straight line to a point 15,000 feet from the runway terminus.

The 1984 Riverside County Airport Land Use Plan (1984 RCALUP) states that Airport Area I shall be kept free of all “high risk land uses” (Chapter III, Policy 1). For facilities serving large aircraft

like March Air Reserve Base, these zones “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.”

High risk land uses are conceptually defined in Appendix B of the 1984 RCALUP titled HIGH RISK LAND USE EXAMPLES. These are uses that are either critical facilities, are characterized by high concentrations of people, and/or involve the use or storage of flammable or explosive materials. Some uses, such as schools and hospitals, qualify as both critical facilities and uses characterized by high concentrations of people. Places of assembly such as churches, restaurants, theaters, and auditoriums, large retail outlets such as department and discount department stores, supermarkets, drug stores, and dollar stores, and other high patronage facilities fit into the first category. Facilities that either serve an important purpose in emergency situations or are characterized by vulnerable populations fit into the second category, while the third category includes the types of facilities that could exacerbate the direct impact of an aircraft accident, such as service stations, bulk fuel storage, manufacturing of plastics, and breweries.

The 2005 AICUZ includes a table containing guidelines for land use compatibility in the Clear Zone and the Accident Potential Zones. Within the Clear Zone, buildings are not permitted, and allowable uses are limited to agriculture (except livestock), forestry and fishing, transportation facilities, and parking.

Within Accident Potential Zone I, certain commercial and industrial uses are acceptable, and others are not. Potentially compatible industrial uses include the manufacturing of lumber and wood products, furniture and fixtures, paper and allied products, miscellaneous manufacturing, printing and publishing, and wholesale trade, subject to further deliberation relating to intensities. Industrial uses that are generally incompatible, depending on intensities, include the manufacturing of food and kindred products, textile mill products, rubber and plastic products, stone, clay, and glass products, fabricated metal products, and primary metals. The manufacturing of apparel and other finished products made from fabrics, leather, and similar materials and the manufacturing of professional, scientific, and controlling instruments, photographic and optical goods, clocks, and watches are prohibited due to the characteristic high employment intensity of such operations, while the manufacturing of chemicals and allied products and petroleum refining are prohibited for other reasons.

Intensity is also the primary issue in the retail and services sectors. Uses that are potentially compatible include sales of building materials, hardware, farm equipment, automobiles, automobile parts and accessories, marine craft, and aircraft, repair services, business services, and contract construction offices. Uses that are generally incompatible due to intensities include sales of general merchandise, food, apparel and accessories, furniture, home furnishings, and other goods, and miscellaneous services. Eating and drinking establishments, finance, insurance, and real estate services, personal and professional services, and governmental services are listed as prohibited uses, along with educational services (schools), hospitals and nursing homes, other medical services, cultural activities, churches, auditoriums, concert halls, resorts, hotels, lodgings, places of amusement, and places of assembly.

The 2005 AICUZ indicates that residential uses are incompatible in all of the Accident Potential Zones, with a potential exception for single-family detached residential development at densities not exceeding one to two dwelling units per acre (or possibly higher within a Planned Unit Development where maximum lot coverage is limited to 20 percent within Accident Potential Zone II. The incompatibility extends to “residential hotels, “transient lodging,” and “resorts and group camps,” as well as permanent occupancy residential uses. Most commercial and industrial uses are listed as either compatible or potentially compatible, depending on intensity, in Accident Potential Zone II. Educational services, hospitals, nursing homes, other medical facilities, public assembly uses, petroleum refining, auditoriums, concert halls, outdoor amphitheaters and outdoor spectator sport uses are listed as incompatible uses in Accident Potential Zone II, while uses that are listed as generally incompatible (generally due to intensity) include, in the industrial sector, manufacturing of apparel, professional and scientific instruments, and chemicals.

Adoption of the Perris Valley Commerce Center Specific Plan and its associated General Plan Amendment would reduce the residentially designated acreage within the Specific Plan boundary from 83.26 acres to 62.88 acres. Residentially designated land would be limited to an existing neighborhood of predominantly one-acre lots (located southerly of Markham Street and easterly of Webster Avenue) and an existing, fully developed mobile home park located northerly of Dawes Street and easterly of Perris Boulevard. The residential neighborhood is partially located within Accident Potential Zone I. The mobile home park is not located in an accident potential zone, but is located within Airport Area II.

The Multi-Family Residential designation of the mobile home park is acceptable, since this simply reflects an existing, fully developed land use. The Residential designation of the Markham/Webster neighborhood raises some concerns, since the Specific Plan proposes R-20,000 zoning for that area. Such zoning could potentially allow division into 20,000 square foot lots, thus increasing the number of residentially designated properties in Airport Areas I and II. ALUC staff recommends that the Specific Plan zoning provide for a one-acre minimum lot size, which would, in itself, eliminate the potential for subdivision of all but one of the parcels in the neighborhood. ALUC staff also recommends that the Specific Plan include a policy prohibiting further subdivision of this area for residential purposes.

The Specific Plan proposes to establish an Airport Overlay Zone, which would consist of the Clear Zone, Accident Potential Zone I, and Accident Potential Zone II, considered together. The City’s willingness to establish such a zone is commendable. However, ALUC staff recommends that the Specific Plan document include a disclosure that the proposed Airport Overlay Zone does not cover the full extent of the Airport Influence Area as delineated by the zones established by the Airport Land Use Commission, which includes the entirety of the land area within the Specific Plan.

The proposed Specific Plan includes a Land Use Table (Table 2.0-2) setting forth those uses that would be permitted uses, those that would require a Conditional Use Permit, and those that would be prohibited. The table includes a footnote identifying those use categories that would be prohibited in the Airport Overlay Zone. The footnote appropriately indicates that residential uses (other than a caretaker’s quarters), live-work units, and educational/care facilities such as schools, hospitals, live-

in care facilities, child care centers (other than as an accessory use at a workplace), and medical clinics and offices would be prohibited within the Airport Overlay Zone. Other nonresidential uses would be subject to intensity limits (number of persons per acre). However, there is an internal discrepancy between the criteria specified in Chapter 2 and those specified in Chapter 12. Chapter 2 indicates average intensity limits of 40 persons per acre in Accident Potential Zone I and 80 persons per acre in Accident Potential Zone II. Chapter 12 indicates average intensity limits of 25 persons per acre in Accident Potential Zone I and 50 persons per acre in Accident Potential Zone II.

The footnote is not included for nonresidential uses other than educational/care facilities. Some uses, such as religious institutions, drive-through facilities, liquor stores, and swap meets, would require a Conditional Use Permit, enabling City staff to evaluate the intensity of the proposed land use vis-à-vis the intensity limits, but most commercial and industrial uses are listed as “permitted uses” in one or more zones. Department stores, “big box” variety department stores, supermarkets, drug stores, dollar stores, hotels, motels, and busy sit-down restaurants are all listed as “permitted uses” in one or more zones. In fact, many of these uses would not be able to meet the intensity limitations in the Airport Overlay Zone.

Nonresidential uses are permitted in Airport Area II of the March Air Reserve Base Airport Influence Area. The only land use density or intensity restriction applied by the 1984 RCALUP in Airport Area II is a requirement for a minimum residential lot size of 2½ acres. With an additional policy prohibiting residential subdivision within the Specific Plan area, this requirement would become a non-issue. In the absence of such a policy, the Residential designation and R-20,000 zoning of the Markham/Webster neighborhood would be considered to be inconsistent with the 1984 RCALUP.

Part 77: The Specific Plan does not itself authorize the development of structures. Chapter 12 references the need for Part 77 review and the various airport surfaces.

Standard Conditions: Standard conditions for projects in the Airport Influence Area require conveyance of aviation easements to the March Joint Powers Authority, prohibition of flight hazards, downward direction of lighting, and airport in vicinity disclosure notices. These items are all addressed in Section 12.1.1 of the Specific Plan entitled “Compatibility with March Air Reserve Base.” However, this section is within the Airport Overlay Zone portion of the Specific Plan document. In fact, these criteria apply throughout the Specific Plan area, since the entirety of the Specific Plan is located within the Airport Influence Area.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 4.3

HEARING DATE: February 11, 2010

CASE NUMBER: ZAP1014TH09 – Kohl Ranch II, LLC
(Representative: Emily Hemphill)

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: SP00303S2 (Specific Plan No. 303, Substantial
Conformance No. 2)

MAJOR ISSUES: FAA review of race course in Compatibility Zone A Runway Protection Zone and level of nonresidential intensity

RECOMMENDATION: Staff recommends CONTINUANCE to the meeting of March 11, 2010, pending receipt of comments from the Federal Aviation Administration regarding the acceptability of providing for segments of the race course within the “Future Object Free Area Extended” portion of the Runway Protection Zone. The applicant is in agreement with the continuance.

PROJECT DESCRIPTION:

This is a proposal to develop a portion of the Kohl Ranch Specific Plan (approximately 294 acres) as a private (membership) auto racing track, and to find such a facility to be in substantial conformance with the Specific Plan (with text amendments to reflect such a determination). The project would include establishment of “founders’ lots” and “corporate lots” for ground lease, clubhouse and pool area, tuning shop, club garages, observation tower, pavilions, an alternative energy park, and a vintage car showroom.

PROJECT LOCATION:

The affected portion of the Specific Plan is in the section located northerly of Avenue 62, southerly of Avenue 60, and westerly of Polk Street, within the unincorporated Riverside County community of Thermal, a minimum of either 625 feet directly southerly of the ultimate southerly terminus of Runway 17/35 at Jacqueline Cochran Regional Airport or 625 feet directly easterly or westerly of the centerline of the runway.

LAND USE PLAN: 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan (JCRALUCP), as amended in 2006

- a. Airport Influence Area: Jacqueline Cochran Regional Airport
- b. Land Use Policy: Airport Compatibility Zones A, B1, C, and D
- c. Noise Levels: From below 55 to above 65 dB(A) CNEL

BACKGROUND:

The proposed auto racing track, which would be known as Thermal Motorsports Park, would be located in Planning Areas D-1, E-1, and E-2, and a portion of Planning Area A-9, within the Kohl Ranch Specific Plan. Pursuant to the adopted Specific Plan, Planning Area E-2 is designated as Heavy Industrial, Planning Area A-9 is designated Air Park/Mixed Use, and Planning Areas D-1 and E-1 are designated Open Space.

No buildings would be constructed within those portions of the property within Airport Compatibility Zones A and B1. Structures would be limited to locations in Compatibility Zones C and D.

Airport Compatibility Zone A: A portion of the private auto racing track would be located in the Runway Protection Zone, and partially within the “Future Object Free Area Extended.” Discussions are in progress to assure that allowance for this land use activity in this portion of the Runway Protection Zone (which lies beyond the Runway Safety Area) would not jeopardize the eligibility of the airport for improvement grants.

Airport Compatibility Zone B1: A portion of the private auto racing track would be located in Airport Compatibility Zone B1. This does not present any problems. The land use intensity would clearly be low, and the use is not noise-sensitive.

Airport Compatibility Zone C: Most of the proposed structures would be located in Airport Compatibility Zone C, which allows for an average intensity of 75 persons per acre and a maximum single-acre intensity of 150 persons. This area is proposed to include 111 “founders’ lots”, 10 “corporate lots,” a 6,000 square foot clubhouse with pool, an 18,000 square foot tuning shop, and an observation tower up to three stories in height. Ultimately, three pavilion buildings, a vintage car showroom, and an alternative energy park would also be developed here.

Overnight occupancy would be prohibited on both the “founders’ lots” and “corporate lots.”

Airport Compatibility Zone D: Airport Compatibility Zone D allows for an average intensity of 100 persons per acre and a maximum single-acre intensity of 300 persons. This area is proposed to include 20 “founders’ lots,” 20 “corporate lots,” and two 20,000 square foot club garages for storage of automobiles, tires, parts, tools, etc.

The applicant's aviation consultant has prepared a table indicating that the envisioned project will meet all intensity criteria and open land requirements for these airport compatibility zones. This cannot be verified without review of the plot plan(s) actually proposing these structures, but, at this time, the statement cannot be challenged. At this time, staff is proceeding on the basis that the ultimate plot plan will comply with criteria for all applicable compatibility zones.

CONDITIONS:

1. Prior to the issuance of building permits, the landowner shall convey an aviation easement to Jacqueline Cochran Regional Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded. Copies of the aviation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.
2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the Jacqueline Cochran Regional Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
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. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials
4. The attached notice shall be provided to all potential purchasers and tenants.
 5. Any detention or retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
 6. Noise attenuation measures shall be incorporated into the design of office areas of structures, as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
 7. Federal Aviation Administration clearance shall be required for any roadway or track located within the Runway Protection Zone.
 8. This consistency finding for Specific Plan No. 303, Substantial Conformance No. 2 is based on the representation by the landowner and the representatives of the landowner that the proposed automobile race track would be for the use of a club with limited membership. No use of the racetrack for the purpose of spectator sports, in which guests pay for admission to an event or a series of events, or to which the general public is invited, is included in this determination of consistency.
 9. Development of the area addressed through Specific Plan No. 303, Substantial Conformance No. 2 shall comply with all nonresidential intensity criteria and open area requirements of the applicable airport compatibility zones.

(This paragraph shall not be interpreted as prohibiting the development of a race track course within Compatibility Zone A, provided that the location and layout of said course is acceptable to the Federal Aviation Administration and the Riverside County Economic Development Agency – Aviation Division.)

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 4.4

HEARING DATE: February 11, 2010

CASE NUMBER: ZAP1005BL09 – US Solar Holdings, LLC
(Representative: Tanya Martinez)

APPROVING JURISDICTION: City of Blythe

JURISDICTION CASE NO.: CUP2009-01 (Conditional Use Permit)

MAJOR ISSUES: Federal Aviation Administration (FAA) review has not been completed. Reflectivity, glare, and electrical interference are among the concerns when renewable energy facilities are proposed in the vicinity of airports. While it is likely that the project complies with open area requirements, staff cannot verify compliance without a more detailed site plan. Additional information is also requested regarding duration of construction, concentration of construction workers, and whether construction will occur at night.

RECOMMENDATION: Staff recommends CONTINUANCE to the meeting of March 11, 2010, pending completion of the FAA obstruction evaluation review process and submittal of such additional information as is necessary to verify compliance with intensity limits and open area requirements.

PROJECT DESCRIPTION:

This is a proposal to construct and operate a 100 megawatt (MW) solar photovoltaic (PV) renewable energy facility (to be built in 20 MW phases) on 640 acres within an 829-acre area on the grounds of Blythe Airport. The area is labeled “non-aeronautical” on Exhibit 5 of the Blythe Airport Master Plan. The project will include maintenance enclosures not exceeding 25 feet in height.

PROJECT LOCATION:

The project site is located on the grounds of Blythe Airport, 750 feet easterly of the centerline of Runway 17-35 and 750 feet northerly of the centerline of Runway 8-26, in portions of Sections 20 and 29 of Township 6 South, Range 22 East. Blythe Airport is located northerly of Interstate 10 and Hobsonway and easterly of Mesa Drive, in unincorporated Riverside County.

LAND USE PLAN: 2004 Blythe Airport Land Use Compatibility Plan

- a. Airport Influence Area: Blythe Airport
- b. Land Use Policy: Airport Compatibility Zones C and D
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The project site is located within Compatibility Zones C and D of the Blythe Airport Influence Area. Land use compatibility criteria for Airport Compatibility Zone C allow up to 75 people per acre, while up to 100 people per acre are allowed within Airport Compatibility Zone D. Applicable limits for number of persons in any given acre are 150 in Airport Compatibility Zone C and 300 in Airport Compatibility Zone D. The applicant projects a maximum of 400 people on-site during construction; when considered in relation to an 86-acre phase, the average intensity would be less than five persons per acre. Additional information has been requested regarding concentrations of construction workers in order to address the single-acre intensity maximum.

Flight Hazard Issues: Lighting, glare, and electrical interference are among the issues that renewable energy facilities in the airport influence area must address. The applicant has stated that the proposed PV panels are designed to absorb and not reflect light, and that the proportion of light reflected under most circumstances would be 4%, compared to 7.7% for car windows. The applicant is proposing to use poly-crystalline solar panels that incorporate an “anti-reflective coating to increase conversion efficiency.”

Open Area: Countywide land use compatibility criteria require that a minimum of 20% of land area in Airport Compatibility Zone C and 10% of land area in Airport Compatibility Zone D consist of open land as defined in Policy 4.2.4 of the ALUCP. The project will occupy 640 acres of an 829-acre area, so it would appear that up to 189 acres of the 829-acre area, or 22.8 percent of the larger area, would remain open. However, additional information (a more detailed site plan delineating open areas and a confirmation from the airport operator and/or Riverside County EDA as property owner representative that there are no plans for the remainder of the larger area) is needed to verify compliance with the open area requirements.

Part 77: Federal Aviation Administration obstruction evaluation review is required, because the project is proposed on airport grounds. The applicant has indicated that the Federal Aviation Administration has assigned Aeronautical Study No. 2010-AWP-150-NRA to this project. While the Commission has been willing to grant findings of conditional consistency in situations where an off-airport land use is undergoing obstruction evaluation, as an on-airport land use, staff would recommend that the FAA finding of no hazard to air navigation be a prerequisite to a finding of consistency in this situation.

Noise: The site is located outside the area projected to be subject to average noise levels from aircraft operations in excess of 55 CNEL.

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.
2. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky.
3. If the panels are mounted on a framework, said framework shall have a flat or matte finish so as to minimize reflection of sunlight.
4. In the event that any incidence of glare or electrical interference affecting the safety of air navigation occurs as a result of project operation, the permittee shall be required to take all measures necessary to eliminate such glare or interference.
5. Any new electrical transmission and distribution lines for this project shall be located outside the boundaries of the Runway Protection Zone (a minimum of 2,500 feet easterly of the easterly terminus of Runway 8-26).