

AIRPORT LAND USE COMMISSION

Riverside County Administration Center
4080 Lemon St., Board Room (14th Floor)
Riverside, California

THURSDAY, June 19, 2003
9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on June 19, 2003 at the Palm Springs International Airport.

COMMISSIONERS PRESENT: Ric Stephens, Chairman
Allen Graff, Vice Chairman
Paul Bell
Walter Snyder
Marge Tandy
Jon Goldenbaum

COMMISSIONERS ABSENT: Sam Pratt

STAFF PRESENT: Keith Downs, A.L.U.C. Executive Director
B.T. Miller, Legal Counsel
Beverly Coleman, Development Specialist III
Jackeline Gonzalez, Office Assistant II

OTHERS PRESENT: Dan Fairbanks
Nelson Miller
Robert Bahen
Ellen Michiel
Jeff Adams
Barry Griffith
Jeff Willas
Nelson Miller

- I. CALL TO ORDER: The meeting was called to order at 10:10 a.m. by Chairman Stephens.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR April 17, 2003 and May 22, 2003

April 17, 2003: Chairman Stephens called for comments or corrections from the Commissioners. Hearing no response Chairman Stephens called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to approve the minutes. Commissioner Bell seconded the motion. Motion carried unanimously.

May 22, 2003: The minutes were not available, therefore were continued to next schedule meeting of July 17, 2003.

V. ALUP

A. **Draft Plan Chapter II and 3 Airports**

10:00 A.M.

Keith Downs introduce the consultant Ken Brody, Mead & Hunt who is working with the update of the plans. Coffman & Associates is another of the consultants for the ALUC, which has done the Palm Springs Master Plan and are currently working with Chino's. All of the Master Plans are running about a year late, due to the 9-11 incident. A meeting is being held in about a month for the Hemet/Ryan Master Plan, which might be available by the end of summer. Mr. Downs then indicated that Ken Brody will be presenting draft chapter II and Bermuda Dunes Airport. Chapters I and II are completed, which are the introduction and the bases of the plan.

Ken Brody came forward and indicated that he would like to discuss compatibility criteria. A policy chapter has been put together and B.T. Miller has reviewed it, but until there are airports examples available it will remain at a staff level. Bermuda Dunes is an example that has been worked on and put together. Mr. Brody then gave a presentation on Bermuda Dunes Airport. Mr. Brody covered the policy issues, composite set of maps and criteria, which are different from the previous plans. All the different factors, noise and safety are taken into account in one composite set of maps. A supplemental set of criteria will be available for use as needed and the noise contours will still be in the document. New residential development generally in the long-term 60 CNEL contours should be avoided although with some exceptions. Regards to safety the data in the state handbook is being looked at and tailoring it to each individual airport. Airspace protection is straight forward, which are the federal regulations. Aircraft over flight is a broader topic, which is the primary airport traffic pattern. There are seven composite sets of compatibility zones, which indicate the general location of the areas. Even though the sizes of the zones can vary greatly the extent of the compatibility concern within each respective zone will be consistent from one airport to another.

A discussion ensued between Mr. Downs, Ken Brody and Vice Chairman Graff regards to zones C and D of additional verbiage to include Senior Centers and Churches.

Vice Chairman Graff inquired if additional verbiage can be added to prohibit the development of senior centers, retirement homes and churches on zones "C" and "D". Ken Brody responded that where there is a degree of concern a maximum limit could be implemented to any single structure or acre.

Mr. Brody presented the flight tracks and noise contours for Bermuda Dunes Airport. Due to large number of jets the primarily traffic pattern is on the south side. If the pattern is not busy small aircraft try to follow the canal to go around and land, but the larger aircraft continue almost to the center of Indio before preceding back following along the rail line which is almost along the center line

of the runway a bit of an angle off. The noise contours are substantially larger than the current ones in the compatibility plan, it is about four times the number of operation that are occurring today. Based on the data from the state handbook the risk contours the 20% of the area at the end of the runway is where accidents tend to occur.

Mr. Brody highlighted key issues in determining what is an existing use. There is also significance of none conforming development. How much can be taken into account? Can the local land use plans be tailored without creating none conforming uses? Any infill type of development should be included in the plan. How would an existing use be defined? The real basis comes from state laws and court decisions, but the key point is that a use does not have to be physically existing in order for it to be considered existing. If it's gotten local approval and passed any discretionary types of actions the remaining approval would be ministerial, it's considered an existing use. Within the state handbook it defines set of criteria that can restrict how much you can consider to be existing. A tentative parcel map, vesting tentative parcel, and subdivision map can be considered existing if approved and not expired. Also an approved and remaining in effect development agreement is considered existing, although they are very general allowing a lot of abuse. There is also concern over incremental expansion of non conforming uses, allowing one use to be considered non conforming it allows another one and so on. A suggested approach if including infill, which it is in the preliminary draft it should limit the size of the parcel to about 10 to 20 acres any thing bigger than that should not be qualify as infill. The boundary criteria would have to be defined and stating it to be half of 2/3. To eliminate major conflicts were saying that the ALUC does not want more than double of what the basic criteria would be, even if the surrounding uses were already higher than that.

Mr. Brody informed the Commission on items needed, which are to complete the data gathering and compellation, compare remaining noise contours for the various airports and complete land use mapping, continue to build compatibility maps since only two are done at this point. All of this will be put together into an administrative rap plan that will be reviewed by staff for modifications. At that point it will be presented to the Commission and then made available for public review.

In talking with Keith Downs the direction we are headed is to move quickly on most if not all airports and get a draft plan that's out recognizing that extensive changes may be needed as it works its way through the Commission, public and individual jurisdictions. We will certainly be looking for the public and agencies input through these various methods. Through that process we will identify the type of changes that will be suggested to the administrative rap plan and keeping a log of all the major suggestions. Ultimately the Commission will have a formal adoption process, as well as dealing with CEQA. Mr. Brody then made him self available for question or comments from the commissioners.

Keith Downs indicated that the state budget is in bad shape and ALUC is state funded 90% in this effort. The grant is available, but those not mean it will be reimbursed. As you know from the news in August the state will run out of funding, if that is the case there will not be reimbursement. The Economic

Development Agency (EDA) has no alternative funding backing ALUC, therefore unsure how far this effort will go.

Commissioner Snyder commented indicating that the ALUC has come a long way from what was available and commissioners struggling to find out the rules. The ALUC is on the right path and has done a good job the sooner the drafts get finalized the better. Mr. Brody indicated that the plan slowed down, due to Keith's and himself assisting the Counties General Plan. Commissioner Tandy's concern is that the ALUC does not have enough power to stop all the building being done around the Hemet/Ryan Airport. Keith Downs indicated that even if the ALUC had the power it is ultimately the City or County who make the local decisions. B.T. Miller indicated that having a hard copy of the presentation would help to better make a decision. Chairman Stephens inquired about the secondary units being referred as the new state. Mr. Brody responded that the issue is a large number of residential areas under the state laws have a secondary dwelling unit. B.T. Miller inquired regarding the guiding factor for the Commission on the significance of the current plan. Mr. Brody responded that the approach is focusing on the airports that are up-to-date and follow it as much as possible because the local communities have come to rely upon them. In the case of Bermuda Dunes Airport the plan does not reflect in nature the way that airport operates and in those cases the plan would have to expand to what is already in the plan.

Hearing no further comments Keith Downs briefed the Commission on the review of the Master Plan for the Palm Springs Airport. There are no runway extensions or taxiways that effort occurred in the early 90's the focus is on noise contours. The question for the Commission is whether any components of the airport plan would result in greater noise and safety impacts on surrounding uses that are assumed in the compatibility plan. Mr. Downs then indicated that there are two reasons for wanting a 55 CNEL is that it tracks flight tracks out farther and a person can visually see the noise on an exhibit. Palm Springs was the very first compatibility plan in 1974 a primitive by today's standards and was only a transportation element.

B. PALM SPRINGS AIRPORT (Master Plan)

10:30 A.M.

CASE NUMBER

PS-03-100 – Master Plan

APPROVING JURISDICTION:

City of Palm Springs and Riverside County Airport Land Use Commission (ALUC)

PROJECT DESCRIPTION:

Riverside County Airport Land Use Commission (ALUC) review of the updated Palm Springs International Airport Master Plan.

PROJECT LOCATION:

Generally located between Gene Autry Trail, Vista Chino, Ramon Road and Farrell Drive two miles east of Downtown.

BACKGROUND: *According to Public Utility Code Section No. 21676 (c) the Commission will review the proposed plans for existing airports where a compatibility*

plan has already been prepared. Fundamentally, the question to be examined is whether any components of the airport plan would result in greater noise and safety impacts on surrounding land uses than are assumed in the adopted compatibility plan. The noise contours have been generated for the proposal under existing conditions and long term (See B1 and B2)

At this time the Final version of the Master Plan has been reviewed by the City Planning Commission and scheduled for hearing at the City Council on June 18th. The operations forecast are currently based upon 2020 numbers. Staff recommends that those numbers be utilized and that an additional 'ultimate' forecast of operations closer to capacity be created.

At the meeting staff has asked for a presentation by Coffman and Associates, the consultant for Palm Springs International Airport, of the current proposal. The ALUC adopted the current CLUP in 1974 basing the CLUP upon the Land Noise Contours that was current at the time.

ENVIRONMENTAL: *The proposal will be adopted by the City of Palm Springs (operator) and the City is the Lead Agency. Any subsequent action will require separate analysis at that time.*

CONCLUSION: *The master plan as proposed would not change any existing runway configuration into any areas occupied by people or facilities and no structures or activities encroach upon or adversely affect the use of navigable airspace.*

RECOMMENDATION: *Staff recommends that: 1) the ALUC continues to review the appropriate items within the established CLUP, 2) Amend the CLUP with the current update effort, 3) request that the city supply an additional 55 CNEL, 4) and ask that an additional forecast and attendant noise contours at a greater reasonable capacity be developed. Based upon the finding that the proposed Master Plan would not result in greater noise and safety impacts on surrounding land uses.*

John Barry Griffith, Palm Springs Airport came forward and briefed the Commission with additional information. Mr. Griffith indicated that a master plan summary is available for anyone who would like to review it; it shows the short term, medium term and long term horizons. Mr. Griffith referred to pictures mounted on the walls and indicated that they are security related projects and that is where the airports main focus has been since the September 11th incident. A lot of roadway changes will be occurring in front of the terminal. The goal is to develop a centralized inspection plaza, where the airport will have the ability to meet the department of homeland securities various threat levels. The par 150 plan is still existing, which is based on the 93-baseline contour for both peak season and off-season operations. The 55 CNEL will have to be discussed with the committee since the consultants projected up to the 60 CNEL. What was done as part of the environmental analysis in the EIR was to re-visit noise contours to verify the projections were on track. There are no major runway improvements, but some minor high-speed taxiway in the immediate term horizon. Mr. Griffith then made himself available for questions from the Commissioners.

Hearing no response Chairman Stephens opened the floor for comments from the audience. Hearing no response Chairman Stephens then indicated to Mr. Griffith if he is aware of staff's recommendation. Mr. Griffith responded positively

and indicated although the 55 CNEL is non existing on the plan will work with Keith Downs to try to accommodate this request. Hearing no further comments Chairman Stephens called for a discussion from the Commissioners, hearing no response he called for a motion to be set.

ACTION TAKEN: Commissioner Tandy made a motion to have staff's recommendation move forward. Commissioner Goldenbaum seconded the motion. Motion carried unanimously.

Keith Downs indicated that a response was received from Caltrans, but did not indicate for the ALUC to act on the two following items; therefore staff is recommending a continuance for items VI.A&B., to the July hearing.

Chairman Stephens opened the floor for comments from the audience on CETAP or MSHCP, hearing no response Chairman Stephens called for a discussion from the Commissioners. Hearing no reply he called for a motion to be set.

ACTION TAKEN: Commissioner Tandy made a motion to continue the items to the next scheduled meeting, subject to staff's recommendations. Vice Chairman Graff seconded the motion. Motion carried unanimously.

VI. OLD BUSINESS

REGIONAL WIDE

11:00 A.M.

A. RG and RI-03-100 – MSHCP – Continued see above

CASE NUMBER: RI and RG-03-100 County of Riverside and BA, FL, PV, SK-02-100, CH-02-104, CO-02-100, FV-02-116, MA-02-181 and RI-02-165

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO:

PROJECT DESCRIPTION: *The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP or Plan) is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on Conservation of species and their associated Habitats in Western Riverside County. The MSHCP Plan Area encompasses approximately 1.26 million acres (1,966 square miles); it includes all unincorporated Riverside County land west of the crest of the San Jacinto Mountains to the Orange County line, as well as the jurisdictional areas of the Cities or Temecula, Murrieta, Lake Elsinore, Canyon Lake, Norco, Corona, Riverside, Moreno Valley, Banning, Beaumont, Calimesa, Perris, Hemet, and San Jacinto. It will provide a coordinated MSHCP Conservation Area and implementation program to preserve biological diversity and maintain the region's quality of life. Airports within the affected area are: Banning Municipal, Chino, Corona Municipal, Flabob, French Valley, Hemet/Ryan, MARB/MIP, Perris Valley, Riverside Municipal and Skylark Airports.*

PROJECT LOCATION:

All areas within the Adopted Influence Areas (see Map Attached) Affected Airports: Banning, Chino, Corona, Flabob, French Valley, Hemet/Ryan, MARB/MIP, Perris Valley, Riverside, and Skylark.

BACKGROUND: The County filed their new General Plan effective December 24, 2003. We have contracted with our consultant to review the proposal and that review is attached. That text references the MSHCP through much of the document and EIR. This portion of the project was brought in for review on January 31.

We utilize numerous resources for our review:

1. All Adopted CLUPs
2. The RCALUP: 1984 with 1986 Interim Boundaries for March Air Force Base and Chino
3. The CalTrans Airport Land Use Planning Handbook: 2002
4. Noise data from any source newer than the adopted CLUP

The purpose of the project is to create open space to preserve species and maintain a quality of life. Generally preserving open space around airports is consistent with airport plans and activities except in two cases:

1. The project would create a wildlife attractant that would cause bid strike issues, and
2. When the open space protection conflicts with airport development plans.

The project as submitted, has many portion within Influence Areas, but two that seemingly conflict with adopted airport plans and consequently the CLUP's. The attached comment from Caltrans reiterates the point regarding the necessity of a USDA Wildlife Services review of the proposal and the necessity of that review for any newly created activity that could include attractants. The project designates certain areas with goals for open space retainment and divides the areas into units and cells for focus. The Hemet Ryan and French Valley Airports and use plans developed for those facilities. Chapter 7 of the plan covers existing uses and describes roads, sewers, water, electrical, gas and solid waste facilities that are included or 'covered activities'. Airports are not included. If they were, the conflict would not likely exist. These cells and areas for conservation are show on the attached exhibits.

MAJOR ISSUES: Wildlife Attractant, with Hemet/Ryan and French Valley Airport Master Plans and CLUPs

RECOMMENDATION: Staff recommends that the ALUC notify the County of these concerns and inconsistencies and CONTINUE the proposal until the next meeting of April 17, 2003 in order to complete the review, obtain any text revisions from the County and EIR proposal going to the Board of Supervisors. The consultant has reviewed the proposal with the assistance of staff and the comments are attached.

ADDENDUM: March 20, 2003 At the February hearing a presentation was made by Dudek and Associates, the consultant that prepared the plan. He addressed the issues that are mentioned in the staff report and speculated that the cells may not negatively affect the plans at Hemet/Ryan and French Valley Airports. It was continued in order to review changes the applicant would propose in order to bring it into consistency with the airport land use plans and recognize the wildlife attractant issue. At the time of the staff report writing nothing has been submitted.

RECOMMENDATION: March 20th Staff recommends that the Commission find the current project inconsistent with the various Airport Land Use Plans because of a lack of reference to Wildlife Attractants and because the lack of recognition of the planned airport facilities at the Hemet/Ryan and French Valley Plans. As with the RCIP, staff

recommends that the applicant be advised of this finding and continue to hold the hearings open and continue them until the next hearing on April 17.

ADDENDUM: April 17, 2003 The item was continued at the request of the applicant (County of Riverside) in order for them to prepared a response or changes to the to the MSHCP. The County representatives met with your staff and our consultant (Ken Brody) on March 27th. As of the writing of the staff report (April 8, 2003), that had not been received. When it is received Ken Brody of Mead and Hunt and staff will review the proposed changes and we will forward a separate staff report.

RECOMMENDATION: APRIL 17, 2003 Staff recommends that the Commission find the current project inconsistent with the various Airport Land Use Plans because of a lack of references to Wildlife Attractants and because the lack of recognition of the planned airport facilities at the Hemet/Ryan and French Valley Plans. As with the RCIP, staff recommends that the applicant be advised of this finding and continue to hold the hearings open and continue them until the next hearing on May 22, 2003.

ADDENDUM: MAY 22, 2003 The item was continued at the request of the applicant (County of Riverside) in order for them to prepared a response or changes to the MSHCP. The County representatives met with your staff and our consultant (Ken Brody) on March 27th. As of the writing of the staff report (May 12, 2003), that had not been received. When it is received Ken Brody of Mead and Hunt and staff will review the proposed changes and we will forward a separate staff report.

RECOMMENDATION: MAY 22, 2003 Staff recommends that the Commission find the current project inconsistent with the various Airport Land Use Plans because of a lack of references to Wildlife Attractants and because the lack of recognition of the planned airport facilities at the Hemet/Ryan and French Valley Plans. As with the RCIP, staff recommends that the applicant be advised of this finding and continue to hold the hearings open and continue them until the next hearing on JUNE 19, 2003.

ADDENDUM: June 19, 2003 At the last meeting the Commission found the proposal inconsistent and sent the attached letter. As of the writing of the staff report no response has been received.

B. RG and RI-03-101– C.E.T.A.P. – Continued see page 7

CASE SUMMARY: Countywide Environmental Transportation Acceptability Program (C.E.T.A.P.)

CASE NUMBER: RI and RG-03-101County of Riverside and BA, FL, PV, SK-02-100, CH-02-104, CO-02-100, FV-02-116, MA-02-181 and RI-02-165

APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO: E.I.R. SCH 2000101105 AND 6-08-RIV-CR

PROJECT DESCRIPTION: The Riverside County Transportation Commission (RCTC), in conjunction with the Federal Highway Administration (FHWA), the California Department of Transportation (Caltrans), and the County of Riverside, proposes to preserve right-of-ways for a north south multimodal transportation corridor and east west multimodal transportation corridor in western Riverside County. Airports with Influence Areas in the corridors area are: French Valley, Hemet/Ryan, MARB/MIP, Perris Valley and Skylark Airports.

PROJECT LOCATION:

All areas within the Adopted Influence Areas (see Map Attached) Affected Airports: Banning, Chino, Corona, Flabob, French Valley, Hemet/Ryan, MARB/MIP, PerrisValley, Riverside, and Skylark.

BACKGROUND: The County filed their new General Plan effective December 24, 2003. We have contracted with our consultant to review the proposal and the first review was completed in January for the RCIP text and the Elements of the Plan. That text references the CETAP through much of the document and EIR. This portion of the project was brought in for review on February 5th. The project as submitted has one portion within any Airport Influence Area. That is the March ARB Influence area and the northern alternative of the Hemet to Corona/Lake Elsinore Corridor between Lake Perris and Barton Road.

We utilize numerous resources for our review:

1. All Adopted CLUPs
2. The RCALUP: 1984 with 1986 Interim Boundaries for March Air Force Base
3. The CalTrans Airport Land Use Planning Handbook: 2002
4. Noise data from any source newer than the adopted CLUP

The Corridor would be from 500 to 1,000 feet in width and include many modes of transportation including pedestrian, bikeway, limited-access-highway, transit and utilities. The section through this area would be no closer than 1 mile from the runway at MARB. No station stops are shown on the plan in this area, but one would expect some servicing the population in this area. There could be water detention /retention facilities added to a project this large and those should be reviewed for their potential as a wildlife attractants. The USDA, Wildlife Services review should either be a part of this project or a required mitigation review for any subsequent project within the Influence Area. That FAA Advisory Circular is attached. Staff could not detect any review by Caltrans Aeronautics and that should be completed prior to action by the ALUC.

MAJOR ISSUES: Wildlife Attractant, Assembly area at potential transit stations, and Caltrans Review

RECOMMENDATION: Staff recommends that the ALUC CONTINUE the proposal until the next meeting of April 17, 2003 in order to coordinate the review with the RCIP and MSHCP, obtain the latest recommended version of the plan, text and EIR proposal going to the Board of Supervisors and receive the review from Caltrans Aeronautics. The consultant has reviewed the maps with the assistance of staff and the comments are attached.

ADDENDUM: March 20, 2003 At the February hearing staff presented the concerns about, Wildlife Attractant, Transit Stops and Caltrans Review. At the time of the staff report no new information had been received from the applicant.

RECOMMENDATION: March 20th Staff recommends that the Commission find the project inconsistent with the Airport Land Use Plans and that the staff be directed to inform the applicant and continue to hold the hearings over to the next meeting on April 17.

ADDENDUM: April 17, 2003 The item was continued at the request of the applicant (County of Riverside) in order for them to prepared a response or changes to the to the CETAP. The County representatives met with your staff and our consultant (Ken Brody) on March 27th and as of the writing of the staff report (April 8, 2003), that had not been received. When it is received Ken Brody of Mead and Hunt and staff will review the proposed changes and we will forward a separate staff report to the ALUC.

RECOMMENDATION: APRIL 17, 2003 Staff recommends that the Commission find the current project inconsistent with the various Airport Land Use Plans because of a lack of references to Wildlife Attractants, Assembly Area at Potential Transit Stations, and Caltrans Review. As with the RCIP, staff recommends that the applicant be advised of this finding and continue to hold the hearings open and continue them until the next hearing on May 22, 2003.

ADDENDUM: May 22, 2003 The item was continued at the request of the applicant (County of Riverside) in order for them to prepared a response or changes to the CETAP. The County representatives met with your staff and our consultant (Ken Brody) on March 27th and as of the writing of the staff report (May 12, 2003) that had not been received. When it is received Ken Brody of Mead and Hunt and staff will review the proposed changes and we will forward a separate staff report to the ALUC.

RECOMMENDATION: May 22, 2003 Staff recommends that the Commission find the current project inconsistent with the various Airport Land Use Plans because of a lack of references to Wildlife Attractants, Assembly Area at Potential Transit Stations, and Caltrans Review. As with the RCIP, staff recommends that the applicant be advised of this finding and continue to hold the hearings open and continue them until the next hearing on June 19, 2003.

ADDENDUM: June 19, 2003 At the last meeting the Commission found the proposal inconsistent and sent the attached letter. As of the writing of the staff report no response has been received.

FRENCH VALLEY AIRPORT

11:00 A.M.

Beverly Coleman informed the Commission that a written consent for continuance was received from the applicant.

Chairman Stephens opened the floor for comments from the audience, hearing no response Chairman Stephens called for a discussion from the Commissioners, hearing no reply he called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to continue the items to the next scheduled meeting, subject to staff's recommendation. Commissioner Bell seconded the motion. Motion carried unanimously.

M. FV-03-102 – Spint PCS – Continued see above

CASE NUMBER: FV-03-102– Sprint PCS
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: PP 17367

PROJECT DESCRIPTION:

Installation of a 43-foot Monopine Cellular Antenna

PROJECT LOCATION:

The site is situated north of Auld Road, west of Pourroy Road within the County of Riverside, approximately 8,400 ft. northeast of Runway No. 18-36 at the French Valley Airport.

LAND USE PLAN:

- Adjacent Airport: French Valley
- a. Airport Influence Area: Traffic Pattern Zone (TPZ),
 - b. Noise Levels: Outside 55 CNEL for year 2013

MAJOR ISSUES:

Noise: The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. Newer contours indicate that the property is currently outside of the 55db CNEL. While the site currently is not within the 55 CNEL, it is possible that the airport at ultimate capacity will likely generate a 55 or 60 CNEL that will encroach upon some portion of the project. The CLUP indicates the proposed use is a compatible use in the 60 CNEL.

Land Use: The proposal is for the installation of a monopine cellular antenna and utility equipment within a 1,500 ft. enclosed lease area on approximately 15.9 acres. The densities and usages proposed within the TPZ are consistent with the plan. Coverage for the site is less than 1% of the net, which is below the TPZ standard of 50% (gross) or 65% (net).

Height: The highest elevation within the proposed lease area is 1,486 MSL and the tallest structure is 43 feet in height. The runway elevation is 1,330 MSL. Structures exceeding 1,414 MSL feet in elevation require FAA 7460 review. The Part 77 horizontal surface is overlying this area at 1,500 MSL, and the proposed cellular antenna intrudes upon that airspace. **According to Section 7.3.3 of the CLUP , the imaginary surfaces defined by the F.A.R. Part 77 maps for the airport shall constitute height limits which shall not be exceeded by structures proposed for development beneath them. The applicant provided the attached Determination of No Hazard to Air Navigation dated 11/16/01 for an antenna tower at the proposed location. However, the determination expired 5/16/03, and it appears the determination was not based on the antenna tower currently proposed by the applicant since the height of the proposed structure identified in the determination is 92 feet. Staff has concluded however, that neither an extension of the FAA determination nor a new FAA determination by the applicant based on the proposed structure height would allow for a consistency recommendation due to the height limits contained in the CLUP.**

Conclusion: The proposal is inconsistent with the adopted CLUP for French Valley Airport since the proposed antenna tower is an obstruction.

RECOMMENDATION: Staff recommends that the Commission find the project consistent with the adopted French Valley CLUP.

CONDITIONS OF OVERRIDE: For County utilization

1. Provide Aviation Easements to the French Valley Airport prior to development of the project, or sale to an entity exempt from the Subdivision Map Act.
2. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an

aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*

- 4. *The above ground storage of flammable materials is prohibited.*
- 5. *The Federal Aviation Administration shall conduct a Form 7460 review on the proposed structure, unless that agency determines in writing that such a review is not required or not applicable.*
- 6. *The attached notice shall be given to all potential purchasers and tenants.*

*** CONSENT ITEMS**

Chairman Stephens indicated that the following items are being recommended for consistency. If any of the Commissioners or any one from the audience wishes to speak on an item it will be pulled and addressed separately. Chairman Stephens read the following consent items: VII.A. RI-03-110 – Sprint PCS; VII.B. CH-03-102 – Hunsaker & Associates; VII.C. CH-03-103 – Hunsaker & Associates; VII.E. MA-03-123 – Walgreens; VII.H. MA-03-126 – Chevron Products. Chairman Stephens called for any questions from the Commissioner, hearing no response, Chairman Stephens opened the floor for comments from the audience. Hearing no response he called for a motion to be set.

ACTION TAKEN: Commissioner Snyder made a motion to approve the consent items, subject to staff’s conditions of approval and recommendations. Commissioner Tandy seconded the motion. Motion carried unanimously.

VII. NEW BUSINESS

RIVERSIDE MUNICIPAL AIRPORT

11:00 A.M.

- A. RI-03-110 – Sprint PCS – Consent item see above

CASE NUMBER: RI-03-110 Sprint PCS
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: P 03-0494

PROJECT DESCRIPTION:

The project is a conditional use permit for a 60-foot monopine communication tower.

PROJECT LOCATION:

The site is located at the northwest corner of California Avenue and Jackson Street within the City of Riverside and approximately 5,800 south of Runway 16-34 at Riverside Airport.

Adjacent Airport: Riverside Municipal Airport
Land Use Policy: CLUP adopted April 1998

- a. Airport Influence Area: Traffic Pattern Zone (TPZ)
- b. Land Use Policy: Influence Area
- c. Noise Levels: Outside 60 dB CNEL

MAJOR ISSUES:

LAND USE: The proposed site is located approximately 5,800 feet south of south end of Runway 16-34 and approximately 7,770 feet south of the west end of Runway 9/27. The proposed site is within the Traffic Pattern Zone (TPZ) of the Riverside Municipal Airport Influence Area. The proposal is for a 60-foot monopine communication tower. The TPZ has no population density assigned, but has a lot coverage standard of 50% of the gross or 65% of the net lot. The lot coverage is less than 25% of the gross area.

NOISE: The site is outside of the 60 CNEL contour for the airport. This is acceptable for the usage proposed.

PART 77: The highest elevation of the site is 744 MSL and the height of the tower is 60 ft. The site is within the horizontal surface at this location, which has a surface elevation of 966 MSL. Structures exceeding 873 MSL feet will require an FAA 7460 review.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Riverside Municipal Airport.
2. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.
3. The attached notice regarding proximity to the airport shall be given to each potential purchaser.

RECOMMENDATION: Staff would recommend a finding of consistency of this project subject to the conditions of approval noted above.

CHINO AIRPORT

11:00 A.M.

- B. HR-03-102 – Hunsaker & Associates – Consent item see page 13

CASE NUMBER: CH-03-102 – Hunsaker & Associates

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: GPA 0647, CZ 6748 and Tract Map 30933

PROJECT DESCRIPTION:

General Plan Amendment, Change of Zone, and Tract Map for 65 lots.

PROJECT LOCATION:

The site is situated west of Archibald Avenue, north of Schleisman Road and east of Archibald Ave. within the County of Riverside, approximately 6,700 ft. east of Runway 26L at Chino Airport.

Adjacent Airport:	Chino Airport (County of San Bernardino)
a. Airport Influence Area:	Within Area of Influence Study Area
b. Land Use Policy:	Influence Area
c. Noise Levels:	See Below

BACKGROUND:

Since we have not adopted the CLUP for Chino Airport, we utilize three resources for our review:

1. The San Bernardino CLUP for Chino Airport, 1991
2. The Riverside County Airport Land Use Plan: 1984
3. The current CalTrans Airport Land Use Planning Handbook: 2002

MAJOR ISSUES:

Land Use: The proposed site is located approximately 6,700 feet east of Runway 26L. The touch and go flight tracks are overhead to the west as is one flight track.

The 1991 CLUP places the property outside of Safety Zone III but is within the Area of Influence Study Area. The proposed land use would be allowed within this area contingent upon noise and height issues. The 1984 Plan places an emphasis upon the type of airport, planned and existing approach profiles, actual flight tracks, noise, type of aircraft and expected type of aircraft, FAA criteria or a combination of these factors. With the present configuration of the airport the site will likely end up in the TPZ or an approach category.

Part 77: The highest elevation at this site is 623 MSL feet and no structures are proposed at this time. The runway elevation is 635 MSL at the east end of the runway. The site is within the horizontal surface at this location. Structures exceeding 702 MSL in elevation will require an FAA 7460 review. An instrument approach is near the parcel, and this site can expect overflight from aircraft entering the approaches.

Noise:

1991 Report: The site is outside the 65 CNEL contour developed for the airport in 1991, and likely to be within the 55 CNEL. Page 2-3 of the report discusses these concerns and discusses **prohibiting** residential development within the 60 and 55 CNEL where overflights are conducted, particularly where flights are below 500 feet above ground level.

Master Plan: A new Master Plan at Chino Airport was started last year and is expected to be completed later this year. The site can expect single noise events to disturb indoor and outdoor events.

CONDITIONS:

1. *Provide Avigation Easements to the County of Riverside and Chino Airport prior to the recordation of the tract, issuance of any permit, or sale of any portion to any entity exempt from the Subdivision Map Act.*
2. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.*
3. *Proposals for subsequent development of the site shall be reviewed by ALUC until such time that a CLUP is adopted for the Airport by RCALUC.*
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 regarding proximity to the airport shall be given to each potential purchaser.*

RECOMMENDATION:

Staff would recommend approval of this project subject to the conditions noted above. The project can be approved based upon the following, as identified in Section 21675.1 of the California Public Utilities Code (PUC).

1. *ALUC is making substantial progress toward the completion of the Chino Airport Land Use Plan; and*
2. *There is a reasonable probability that the project will be consistent with the plan; and*
3. *There is little or no probability of substantial detriment to or interference with the plan, if the project is ultimately inconsistent with the plan.*

C. CH-03-103 – Hunsaker & Associates – Consent item see page 13

CASE NUMBER: CH-03-103 – Hunsaker & Associates

APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: GPA 648, CZ 6748 and Tract Map 30893

PROJECT DESCRIPTION: General Plan Amendment, Change of Zone, and

Tract Map for 125 lots.

PROJECT LOCATION:

The site is situated west of Archibald Avenue, north of Schleisman Road and east of Archibald Ave. within the County of Riverside, approximately 7,800 ft. east of Runway 26L at Chino Airport.

Adjacent Airport:	Chino Airport (County of San Bernardino)
a. Airport Influence Area:	Within Area of Influence Study Area
b. Land Use Policy:	Influence Area
c. Noise Levels:	See Below

BACKGROUND:

Since we have not adopted the CLUP for Chino Airport, we utilize three resources for our review:

1. The San Bernardino CLUP for Chino Airport, 1991
2. The Riverside County Airport Land Use Plan: 1984
3. The current CalTrans Airport Land Use Planning Handbook: 2002

MAJOR ISSUES:

Land Use: The proposed site is located approximately 7,800 feet east of Runway 26L. The touch and go flight tracks are overhead to the west as is one flight track.

The 1991 CLUP places the property outside of Safety Zone III but is within the Area of Influence Study Area. The proposed land use would be allowed within this area contingent upon noise and height issues. The 1984 Plan places an emphasis upon the type of airport, planned and existing approach profiles, actual flight tracks, noise, type of aircraft and expected type of aircraft, FAA criteria or a combination of these factors. With the present configuration of the airport the site will likely end up in the TPZ or an approach category.

Part 77: The highest elevation at this site is 626 MSL feet and no structures are proposed at this time. The runway elevation is 635 MSL at the east end of the runway. The site is within the horizontal surface at this location. Structures exceeding 713 MSL in elevation at this location will require an FAA 7460 review. An instrument approach is near the parcel, and this site can expect overflight from aircraft entering the approaches.

Noise:

1991 Report: The site is outside the 65 CNEL contour developed for the airport in 1991, and likely to be within the 55 CNEL. Page 2-3 of the report discusses these concerns and discusses **prohibiting** residential development within the 60 and 55 CNEL where overflights are conducted, particularly where flights are below 500 feet above ground level.

Master Plan: A new Master Plan at Chino Airport was started last year and is expected to be completed later this year. The site can expect single noise events to disturb indoor and outdoor events.

CONDITIONS:

1. *Provide Avigation Easements to the County of Riverside and Chino Airport prior to the recordation of the tract, issuance of any permit, or sale of any portion to any entity exempt from the Subdivision Map Act.*
2. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.*
3. *Proposals for subsequent development of the site shall be reviewed by ALUC until such time that a CLUP is adopted for the Airport by RCALUC.*
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 regarding proximity to the airport shall be given to each potential purchaser.*

RECOMMENDATION:

Staff would recommend approval of this project subject to the conditions noted above. The project can be approved based upon the following, as identified in Section 21675.1 of the California Public Utilities Code (PUC).

1. *The ALUC is making substantial progress toward the completion of the Chino Airport Land Use Plan; and*
2. *There is a reasonable probability that the project will be consistent with the plan; and*
3. *There is little or no probability of substantial detriment to or interference with the plan, if the project is ultimately inconsistent with the plan.*

MARCH AIR RESERVE BASE/MIP

11:00 A.M.

- D. MA-03-122 – Transcan Development – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER:

MA-03-122 Transcan Development

APPROVING JURISDICTION:

City of Riverside

JURISDICTION CASE NO.: Specific Plan Amendment #4-889 and Case #s P03-0502, 03-501,03-0500 and Parcel Map 31387 Change of Zone

PROJECT DESCRIPTION:

A Specific Plan Amendment to add a Cinema Center, Retail Offices, Commercial totaling 260,000 sq. ft. and Residential Apartments on 84.7 acres.

PROJECT LOCATION:

The site is south of SR 60, east of I-215 north of March Air Reserve Base/MIP.

Adjacent Airport: March Air Reserve Base/March Inland Port

- a. Airport Influence Area: Within Area of Influence Study Area
- b. Land Use Policy: Influence Area II
- c. Noise Levels: See Below

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft, which was based upon the 1983 Caltrans Handbook. This was about the time that the second base realignment was announced and it was consequently never adopted. The 98/99 Draft CLUP effort was prepared utilizing the 1994 Draft, and the 1998 AICUZ noise data in conjunction with the 1993 CalTrans Handbook. The current countywide effort we have begun with the balance of the airports will not include an update to the Airport, but we are pursuing separate funding for that portion.

Since we have not adopted the CLUP for MARB, we utilize five resources for our review:

1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. The current CalTrans Airport Land Use Planning Handbook: 2002
3. Draft CLUP for March Air Force Base: 1994
4. Noise Data from the A.I.C.U.Z. Study: 1998 March Air Reserve Base
5. Draft 98/99 CLUP for MARB/MIP

MAJOR ISSUES:

Land Use: The proposed site is located approximately 16,000 –17,000 feet north of the north end of Runway 14-32. The proposal consists of a change that would allow 521

additional dwelling units a Cinema Center with Specialty restaurants and uses as listed in the Exhibit "D." The proposal is near the primary departure track and is within the outer horizontal surface. The 1984 Plan places an emphasis upon the type of airport, type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, and noise levels, or a combination of these factors. The site is located in Area II, which allows limited commercial, industrial and agriculture, but allows no residential below lot sizes of two and one half acres. The 1994 Draft CLUP placed the property outside of the 60 CNEL.

Density and Coverage: The lots range in size from 1.08 to 33.62 acres with a Caltrans dedication of 7.89 acres and the residential lot at 13.64 acres and coverage for the commercial parcels would likely be less than 25%. The residential structures could be up to 62 feet in height with coverage of 40 %.

Part 77: The elevation at this site is between 1,545 and 1,598 MSL feet and the maximum allowed building height is 65 feet with a sign structure height of 93 feet. None of the project is within Part 77 obstruction criteria of the outer horizontal surface elevation of 1,888 MSL. The highest structure on the site is 93feet on a pad elevation of 1568.5 for high point of 1662MSL. Being approximately 16,500 feet from the runway end point anything exceeding 1,700 MSL would need a 7460 review. Part 77 height issues are not a concern.

Noise: The site has been shown to have varying noise over the property with each of the AICUZ reports. The 1986 Map covered most of the property with 65CNEL and the balance would have been within the 60CNEL 1998 AICUZ indicated the property to have below 55 CNEL. The inclusion of another 521 dwellings will likely result in 1,745 new residents (3.35pph x 521= 1,745). The predicted level of noise complaints from the project would likely produce a complaint level of 3% of that population (i.e. 53). This project would likely result in some complaints regarding noise from the airport. The other noise sources Street, Highway and Commercial Activity in and around the project are also likely to produce more noise.

Other: The Traffic Pattern Zones (TPZ's) of other CLUP's define facilities such as churches, amphitheaters, community halls, sports facilities, and outdoor lighting as 'discouraged uses' and require the evaluation of alternative sites.

Environmental: The City of Riverside's staff is preparing an Environmental assessment for the project, which should include an acoustical analysis.

RECOMMENDATION: Staff recommends that the ALUC find the proposed land use change from Commercial to Residential inconsistent with the 1984/86 Airport Land Use Plan and that the city include an acoustical report in their environmental analysis.

APPENDIX

1984 RCALUP: The 1984 RCALUP with the 1986 map identifies all of the project as within AREA II.

Area II, Policy #2 states: "Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable." Policy #4 states: "New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45 dB (CNEL of Ldn) in any inhabited room with windows closed."

Conclusion: The proposed residential density is inconsistent with that proposal. The Matrix Table I identifies all applicable plans and whether the project is consistent with those plans' criteria. The proposal is at a density ten times that designated in the 84/86 RCALUP.

The 1994 Draft CLUP for MAFB

The Draft 1994 plan defined the Traffic Pattern Zone outer boundary as the outer edge of the Military Part 77 Conical Surface. Most of the project is within transitional and approach surfaces that boundary as shown on Exhibit "C." Section 7.3.2. on Page 7-13 and 14 contains the following language: "Uses such as schools, auditoriums, and amphitheatres...shall be discouraged from being developed in this area." Section 7.4.2. states: "Within the TPZ Safety Zone (the area out to the outer edge of the FAR Part 77 Conical Surface – See Figures 14 and 15), a variety of land uses are to be discouraged from being developed. When development of these uses is proposed, the Airport Land Use Commission shall require the applicant to show that alternative locations have been considered and are not feasible. The applicant shall then be directed to consider a development plan that will minimize the exposure to hazard as much as possible. This might involve reducing structure heights, reducing lot coverage, reducing the overall scale of the project, or considering satellite locations for some of the proposed functions of the facility."

The plan places the property outside the 60+ CNEL. Section 7.3.1. (Page 7.4 first bullet states): "With the exception of transient lodgings (e.g., hotels and motels) and caretaker residences, all residential uses are considered incompatible with noise levels 60 dB CNEL. However, all residential uses could be conditionally compatible in the noise range between 60 and 65 dB CNEL, if appropriate noise attenuation measures are incorporated into the construction.

Bullet 4 (Page 7.9) states: "Schools, hospitals, nursing homes, churches, auditoriums, and concert halls shall be considered noise-sensitive institutions. While they are compatible with noise levels between 60 dB and 65 dB CNEL, they are not compatible with noise levels above 65 dB CNEL."

Conclusion: The auditoriums of the proposal as submitted would be inconsistent with the 1994 Draft for safety due to the lack of alternative analysis.

1998/99 Draft CLUP:

This DRAFT was an update to the 1994 document with changes proposed for components of the text and graphic illustrations depicting:

1. 1998 AICUZ Noise Contours.
2. 1999 adjusted Area I (APZ II) boundary on the north end, and
3. The addition of the 55 CNEL added to the graphic (1999).
4. Part 77 boundaries are more detailed.

A "First Draft" of the text was completed for review by CalTrans, but no further text has been completed, but the graphics were completed. The site is within the TPZ and High Risk Uses such as schools, hospitals, nursing homes, churches, auditoriums, and concert halls are discouraged. The text would require an acoustical analysis for all projects within the 60 CNEL.

Conclusion: The project as submitted would be inconsistent with the 98/99 Draft CLUP and would require acoustical analysis.

TABLE 1

<u>DOCUMENT</u>	<u>SAFETY</u>	<u>NOISE</u>	<u>PART 77</u>
1984 RCA.L.U.P.	Not Consistent	Consistent	Consistent
1994 Draft CLUP	*Not Consistent	Consistent	Consistent
1998/99 Draft CLUP	*Not Consistent	Consistent	Consistent

* Alternatives not submitted

CONDITIONS FOR OVERRIDE

Should the City of Riverside wish to pursue an overrule of the Commission (PUC 21675.1), the following conditions are recommended for inclusion:

1. An acoustical analysis shall be required that includes the following components:
 - a. A description of the components necessary to achieve a noise reduction level (CRL) of 25 and 30 for each of the project’s components with noise sensitive uses (i.e., schools, , churches, auditoriums, and concert halls).
 - b. Inclusion of all surrounding noise sources (roadway, industrial) at their ultimate design and buildout capacity.
2. Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.
3. Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an Airport Lighting Consultant/or the airport operator prior to placement.
4. No obstruction of the “FAR Part 77 Conical Surface” shall be permitted.
5. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be

detrimental to the operation of aircraft and/or aircraft instrumentation.

6. *The above ground storage of explosives or flammable materials shall be prohibited.*
7. *The attached NOTICE OF AIRPORT IN VICINITY shall be given to all prospective buyers and tenants.*

Keith informed the Commission that it is known that the applicant wishes to amend their application and if that is the case staff is recommending a continuance.

Jeff Willas, applicant came forward and indicated that what is being withdrawn is the residential zoning change and the entire application is being re-zoned from office to commercial. Keith Downs inquired that if the parcel map and general plan amendment is being deleted from the application. Mr. Willas responded positively and indicated that at this time only seeking for the re-zone. Mr. Downs then indicated that it is not what the application was reviewed for, therefore staff recommends for a continuance unless the Commission wishes to go forward. Robert Bahen, President of Transcan Development came forward and indicated that he would like to have the Commission's approval on part of the application. The proposed changes are changing the zoning from R-3 to C-2, removing the proposed theater and proposing a tenant parcel map. Mr. Bahen then indicated that the March Joint Powers Authority (JPA) provided a letter indicating being in favor of the project with the proposed changes. Chairman Stephens inquired that if the project is changed to C-2 how is the theater formally excluded from development. Mr. Bahen responded that a special use permit would be needed and they would have to come before the ALUC again.

Hearing no further response Chairman Stephens opened the floor for comments from the audience. Dan Fairbanks, Planning Manager from March JPA came forward and indicated that the JPA is in support of the project with the changes reviewed. B.T. Miller inquired that what will be done with the reviewing jurisdiction in terms of making changes to the application. Jeff Adams, project manager came forward and responded that what is being reviewed at the city, planning is a specific plan amendment no reference to residential at all, basically what is being asked now is a change of zone to C-2 and the reason for the tentative parcel map is because its already cut up into parcels.

Vice Chairman Graff's concerned is that there is nothing in writing of the proposed changes, therefore recommends a continuance to allow staff and the Commission to review the project. Chairman Stephens inquired to B.T. Miller, Counsel that the fact that there is a transcription of this hearing to what level is it acceptable. B.T. Miller responded that the ultimate issue is the Commission's comfortable level, in terms of moving forward with the project or delay it. A discussion ensued between the Commissioners in regards to the information transcribed and how it provides sufficient information to allow a decision from the Commission. Keith Downs indicated that the alternative is to describe in the motion what the Commission understands. Another discussion ensued between the Commissioners and Keith Downs regards to the items removed from the project and the use of the remaining property. Keith Downs added that a

condition would be imposed for additional review from the ALUC on any proposed projects. B.T. Miller indicated that a finding of consistency can be made with the additional condition that based on the representation of the applicant the proposed uses has described would be deleted. Robert Bahen interjected that, the information is a public record at this point and been quoted in the newspaper that there would no residential or theater.

Vice Chairman Graff recommended that the project be continued for a month to allow staff to review the project or find the project consistent with the language that the Commission is excising the two areas of health and safety issues. Chairman Stephens then indicated that either way the Commission motions there is eventual consistency of the project. Jeff Adams indicated that there are no problems with a condition indicating, "there shall be no residential uses in this development or any assembly type of uses". Commissioner Bell motioned to find the project consistent. Keith Downs indicated leaving condition #1 in and modifying it "for acoustical analysis if there are noise sensitive uses". Chairman Stephens called for a second motion. Vice Chairman Graff inquired clarification on the motion. Chairman Stephens responded that the motion is to remove the multi family and theater components, add a condition indicating "additional review from the ALUC for subsequent applications", and leaving all conditions including the noise study to identify potential sensitive receptors from noise on the site. Commissioner Tandy seconded the motion.

ACTION TAKEN: Commissioner Bell made a motion to find the project consistent with the additional conditions and modifications listed above. Commissioner Tandy seconded the motion. Motion carried unanimously.

E. MA-03-123 – Walgreens – Consent item see page 13

CASE NUMBER: MA-03-123 - Walgreens
APPROVING JURISDICTION: *City of Riverside*
JURISDICTION CASE NO: *CUP P03-0474*

PROJECT DESCRIPTION:

A Conditional Use Permit for a 14,560 sq. ft. retail store with a drive-up window on 1.4 acres.

PROJECT LOCATION:

The site is located at 8917 Trautwein Road within the City of Riverside, approximately 20,800 ft. west of Runway 14/32 at March Air Reserve Base.

Adjacent Airport: March Air Reserve Base/March Inland Port
a. Airport Influence Area: Within Area of Influence Study Area
b. Land Use Policy: Influence Area III
c. Noise Levels: See Below

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY

USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and it was consequently never adopted. The current 98/99 Draft CLUP effort was prepared utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.

Since we have not adopted the CLUP for MARB, we will utilize five resources for our review:

- 1. RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986*
- 2. CalTrans Airport Land Use Planning Handbook: 2002*
- 3. Draft CLUP for March Air Force Base: 1994*
- 4. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base*
- 5. Draft 98/99 CLUP for MARB/MIP*

MAJOR ISSUES:

Land Use: *The proposal is for a 14,560 sq. ft. retail store with a drive-up window on 1.4 acres. The proposed site is located approximately 20,800 ft. west of Runway 14/32. The proposal is near a major flight track and within the outer horizontal surface.*

The 1984 Plan places an emphasis upon the type of airport, the type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area III, which allows commercial and industrial land use. The 1994 Draft CLUP placed the property outside of the 60 CNEL. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Density and Coverage: *The area of the proposed structure is 14,560 sq. ft. Structural coverage for all proposed structures will be less than 25% of the net lot area.*

Part 77: *The finished floor elevation of the building is 1,673 MSL feet and the height of the tallest structure is 30 feet. The runway elevation at the north end of the runway is 1,535 MSL. Any structures over 1,743 MSL feet in elevation will require an FAA 7460 review. Part 77 obstruction criteria are not a concern with this project.*

Noise: *The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be less than 55 CNEL.*

CONDITIONS:

- 1. Prior to project development or sale to an entity exempt from the Subdivision*

Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport. (Tel. 909- 656-7000)

2. Incorporate noise attenuation measures into the office portions of the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Install hooded or shielded outdoor lighting measures into the building construction to ensure that all light is below the horizontal plane.
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 above ground storage of explosive or flammable materials is prohibited.
6. The attached notice regarding proximity to the airport shall be given to each potential purchaser.

RECOMMENDATION: Staff recommends a finding of consistency for the project subject to the conditions outlined above.

- F. MA-03-124 – Corman Leigh – Keith Downs presented the case by referring to and using exhibits, staff reports and recommendations.

CASE NUMBER:	<u>MA-03-124 Corman Leigh</u>
APPROVING JURISDICTION:	City of Perris
JURISDICTION CASE NO.:	General Plan Amendment #03-0032 and Change of Zone 03-0031 and TM 31241

PROJECT DESCRIPTION:

A General Plan Amendment to change the designation from Commercial Community to Residential. For 227 lots on 53 acres and a detention basin.

PROJECT LOCATION:

The site is north of Placentia Ave., east of Perris Blvd and southeast of March Air

Reserve Base/MIP.

Adjacent Airport: March Air Reserve Base/March Inland Port

a. Airport Influence Area: Within Area of Influence Study Area

b. Land Use Policy: Influence Area I

c. Noise Levels: See Below

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft, which was based upon the 1983 Caltrans Handbook. This was about the time that the second base realignment was announced and it was consequently never adopted. The 98/99 Draft CLUP effort was prepared utilizing the 1994 Draft, and the 1998 AICUZ noise data in conjunction with the 1993 CalTrans Handbook. The current countywide effort we have begun with the balance of the airports will not include an update to the Airport, but we are pursuing separate funding for that portion.

Since we have not adopted the CLUP for MARB, we utilize five resources for our review:

- 1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986*
- 2. The current CalTrans Airport Land Use Planning Handbook: 2002*
- 3. Draft CLUP for March Air Force Base: 1994*
- 4. Noise Data from the A.I.C.U.Z. Study: 1998 March Air Reserve Base*
- 5. Draft 98/99 CLUP for MARB/MIP*

MAJOR ISSUES:

Land Use: *The proposed site is located approximately 16,000 –17,000 feet southeast of the north end of Runway 14-32. The proposal consists of a change that would allow 225 additional homes. The proposal is underlying two approach tracks and near others within the approach surface. The existing designation of 'Community Commercial' is compatible with the CLUP, if limited to non 'high risk' uses. Land use to the north is a mobile home subdivision, to the west is industrial and to the south is single family residential and a park.*

The 1984 Plan places an emphasis upon the type of airport, type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, and noise levels, or a combination of these factors. The site is located in Area I, which allows non 'high risk' commercial and industrial uses and agriculture, but allows no residential below lot sizes of two and one half acres. The 1994 Draft CLUP placed the property inside of the 60

and 65 CNEL.

Density and Coverage: The lots are approximately 6,000 to 8,000 sq. ft and structural coverage would likely be less than 50%.

Part 77: The elevation at this site is between 1,441 and 1,451 MSL feet and the maximum allowed building height is 30 feet. The project is under the approach surface which is approximately 1850 MSL. All of the project is not within Part 77 obstruction review criteria.

Noise: The site has been shown to have noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have from below 60 CNEL to above 65+ CNEL. The inclusion of another 225 homes will likely result in 753 new residents (3.35pph x 225= 753). The predicted level of noise complaints from the project would likely produce a complaint level of 13% of that population (i.e. 98). Since the setting is a suburban community that level is more likely to be 13-23% (98-175). This project would likely result in many new complaints regarding noise from the airport.

Other: The Traffic Pattern Zones (TPZ's) of other CLUP's define facilities such as churches, amphitheaters, community halls, sports facilities, and outdoor lighting as 'discouraged uses' and require the evaluation of alternative sites.

Wildlife Attractant: The project contains a detention basin. A biological report concerning that issue is included and sent to USDA.

Environmental: The City of Perris staff has prepared an Initial Environmental assessment (included) for the project, but erroneously states that the airport is 4.5 miles from the site. It includes a requirement for an acoustical analysis.

RECOMMENDATION: Staff recommends that the ALUC finds the proposed land use change from Commercial to Single-Family Residential inconsistent with the 1984/86 Airport Land Use Plan.

APPENDIX

1984 RCALUP: The 1984 RCALUP with the 1986 map identifies the entire project as within AREA I.

Area I, Policy #1 states: "Area I shall be kept free of all high risk land uses. Residential land uses (lot size of two and one-half acres) will be permitted only within designated by the ALUC to be so far removed from the actual flight paths or to be in areas where aircraft will have gained sufficient altitude that they no longer pose a relative safety threat, should in-flight problems occur. Agricultural, industrial and commercial uses are acceptable." Policy #4 states: "New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45 dB (CNEL of Ldn) in any inhabited room with windows closed."

Conclusion: The proposed residential density is inconsistent with that proposal. The Matrix (Table I) identifies all applicable plans and whether the project is consistent with those plans' criteria. The proposal is at a density ten times that designated in the 84/86 RCALUP.

The 1994 Draft CLUP for MAFB

The Draft 1994 plan defined the Traffic Pattern Zone outer boundary as the outer edge of the Military Part 77 Conical Surface. Most of the project is within that boundary as shown on Exhibit "C."

The plan places the property within the 65-70+ CNEL. Section 7.3.1. (Page 7.4 first bullet states): "With the exception of transient lodgings (e.g., hotels and motels) and caretaker residences, all residential uses are considered incompatible with noise levels 60 dB CNEL. However, all residential uses could be conditionally compatible in the noise range between 60 and 65 dB CNEL, if appropriate noise attenuation measures are incorporated into the construction.

Conclusion: The proposal as submitted would be inconsistent with the 1994 Draft for both safety and noise, due to the lack of alternative analysis and noise.

1998/99 Draft CLUP:

This DRAFT was an update to the 1994 document with changes proposed for components of the text and graphic illustrations depicting:

1. 1998 AICUZ Noise Contours.
2. 1999 adjusted Area I (APZ II) boundary on the north end, and
3. The addition of the 55 CNEL added to the graphic (1999).
4. Part 77 boundaries are more detailed.

A "First Draft" of the text was completed for review by CalTrans, but no further text has been completed, but the graphics were completed. The site is within the TPZ and High Risk Uses such as schools, hospitals, nursing homes, churches, auditoriums, and concert halls are discouraged. The text would require an acoustical analysis for all residential projects within the 60 CNEL.

Conclusion: The project as submitted would be inconsistent with the 98/99 Draft CLUP and would require acoustical analysis.

TABLE 1

<u>DOCUMENT</u>	<u>SAFETY</u>	<u>NOISE</u>	<u>PART 77</u>
1984 RCA.L.U.P.	Not Consistent	Not Consistent	Consistent
1994 Draft CLUP	Not Consistent	Not Consistent	Consistent
1998/99 Draft CLUP	Consistent	Not Consistent	Consistent

CONDITIONS FOR OVERRIDE

Should the City of Perris wish to pursue an overrule of the Commission (PUC 21675.1), the following conditions are recommended for inclusion:

1. An acoustical analysis shall be required that includes the following components:
 - a. A description of the components necessary to achieve a noise reduction level (CRL) of 25 and 30 for each of the project's components with noise sensitive uses
 - b. Inclusion of all surrounding noise sources (roadway, industrial) at their ultimate design and buildout capacity and
 - c. Notice to buyers that there is no effective mitigation for outdoor noise.
2. Prior to project development, recordation of the map, or sale to any entity exempt

from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.

3. *Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an Airport Lighting Consultant prior to placement.*
 - a. *No obstruction of the "FAR Part 77 Conical Surface" shall be permitted*
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 above ground storage of explosives or flammable materials shall be prohibited.*
6. *All prospective buyers and/or tenants shall receive a copy of the enclosed NOTICE OF AIRPORT IN VICINITY.*
7. *Include the availability to homebuyers of an additional noise insulation package (i.e. windows, walls).*
8. *Any conditions required by the USDA wildlife letter shall be accomplished by the project.*

Chairman Stephens called for questions from the Commissioners. Commissioner Tandy inquired if the ALUC previously approved the development to the South and North. Keith Downs indicated that the ALUC has not reviewed anything in the city of Perris for the last eight years.

Hearing no further response Chairman Stephens called for the applicant to come forward and present the case. Nelson Miller, Senior Project Manager City of Perris came forward in response to Chairman Stephens' invitation and indicated that some of his comments would also relate to the following item on the agenda. Mr. Miller indicated that a letter was sent to the staff's office for distribution to the Commissioners. The letter addresses a number of technical corrections to the information in the staff report in various issues. Mr. Miller briefed the Commission on the city's standard process. The city regularly reviews all projects within the city with respect to impacts relating to airports. The City of

Perris regularly addresses impacts to Perris Valley Airport, March JPA and March Air Reserved Base (MARB) facilities for comments and review. This is the first subdivision that has occurred in this area in the last four years, the entire north end of the city within the airport influenced area is zoned industrial. Mr. Miller then indicated that a mobile home subdivision is over 60% of the project, which was done the same time as the project to the north. The City of Perris is in favor of the proposed project for it will be an overall improvement over the existing area. It would be better to have the proposed subdivision as a standard construction residential development than building out the existing mobile home subdivision and leaving a commercial area that is not economically buyable. The City of Perris routinely applies a variety of conditions to projects including an avigation easement for MARB for residential construction. The City of Perris bases its reviews on the 1998 Air Installation Compatibility Use Zone (AICUZ) that was prepared for the MARB and those not understand why the ALUC continues to use the 1984 version. The 1998 AICUZ projects both military and future civilian operations for MARB. Mr. Miller referred to the revised noise contours from the 1984 and 1986 Compatibility Land Use Plan (CLUP), in which it puts the project within the 65 CNEL noise contours. The differences in contours are that the AICUZ does its analysis in incompatibility guidelines in terms of DNL noise contours. DNL is a day night average weighted noise level versus CNEL has different weighing; in essence operations conducted between 7:00 a.m. to 10:00 p.m. have a higher weighing. The city has condition the project to have an acoustical analysis and to specifically identify measures that would be require to further attenuate those noise levels in excess of 65. This project is in a noisy environment, however it is the City's opinion that standard residential construction and some additional attenuation for those areas in the 65 would be adequate to mitigate noise impact in the interiors of homes to 45 decibels. The City also routinely requires full cut off fixtures to be utilize for all lighting, meaning the lights would be shielded facing all lighting downward.

Hearing no further comments Chairman Stephens called for additional questions or comments from the audience. Ellen Michiel came forward and complimented Senior Planner Nelson Miller, City of Perris for his comments. She then indicated for the Commission to take into consideration the 1998 AICUZ for there finding.

Dan Fairbanks, March JPA came forward and indicated that military operations at the MARB are increasing and what hasn't been seen much is civilian operations. Mr. Fairbanks voiced his concerned with the BRAC for realignment and closure. The 2005 BRAC will come out to the MARB and would be looking at encroachment. March Air Reserve Base believes that in order to survive the BRAC process and also for the reserve base to grow is not to have residential encroachment in the area of MARB. March Joint Powers Authority (JPA) has appointed a task force to study the issues relating to MARB and March Inland Port Airport. As the task force progresses over the next few months PR campaigns will be conducted to gain support for MARB, also working closely with home builders to make them aware of the concerns of development around MARB and might be able to update the CLUP. Mr. Fairbanks then made himself available for any questions.

Commissioner Bell inquired if the March JPA is not in support of this project. Mr. Fairbanks responded positively. Chairman Stephens indicated that having an

existing entitlement on the property makes it difficult because if someone wishes to do so they can build 130 plus mobile homes. He then inquired if the choice is between mobile homes and conventional housing would there be something that the ALUC can control and mitigate noise or would it be more of a receptor to noise. Vice Chairman Graff indicated that mobile homes, which are now considered manufactured houses, must meet the same code requirement as a stick build home. He then stated that the mobile homes were built without the ALUC's approval and two wrongs wont make a right. Chairman Stephens called for further questions or comments from the Commission. Hearing no response he called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion of inconsistency, subject to staff recommendations and conditions. Commissioner Goldenbaum seconded the motion. Motion carried unanimously.

G. MA-03-125 – Charles Ware – Keith Downs presented the case by referring to and using exhibits, staff reports and recommendations.

CASE NUMBER: MA-03-125 Charles Ware
APPROVING JURISDICTION: City of Perris
JURISDICTION CASE NO.: General Plan Amendment #03-0032 and Change of Zone 02-0047 and TM 30850

PROJECT DESCRIPTION:

A General Plan Amendment to change the designation from R4 (2-4 DU/acre) to R7 (5-7 DU/acre). For 492 dwellings and detention basins on 158 acres.

PROJECT LOCATION:

The site is south of Orange Ave., east of the Perris Valley Storm drain, west of Evans Rd. and southeast of March Air Reserve Base/MIP.

Adjacent Airport: March Air Reserve Base/March Inland Port

- a. Airport Influence Area: Within Area of Influence Study Area*
- b. Land Use Policy: Influence Area II*
- c. Noise Levels: See Below*

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft, which was based upon the 1983 Caltrans Handbook. This was about the time that the second base realignment was announced and it was consequently never adopted. The 98/99 Draft CLUP effort was prepared utilizing the 1994 Draft, and the 1998 AICUZ noise data in conjunction with the 1993 CalTrans Handbook. The current countywide effort we have begun with the balance of the airports will not include an update to the Airport, but we are pursuing separate funding for that portion.

Since we have not adopted the CLUP for MARB, we utilize five resources for our review:

1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. The current CalTrans Airport Land Use Planning Handbook: 1993
3. Draft CLUP for March Air Force Base: 1994
4. Noise Data from the A.I.C.U.Z. Study: 1998 March Air Reserve Base
5. Draft 98/99 CLUP for MARB/MIP

MAJOR ISSUES:

Land Use: The proposed site is located approximately 22,000 –26,000 feet southeast of the south end of Runway 14-32. The proposal consists of a change that would allow 492 additional homes. The proposal is underlying two approach tracks and near others within the approach surface. The land is vacant to the north, east and south with the Perris Valley Storm drain to the west,

The 1984 Plan places an emphasis upon the type of airport, type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, and noise levels, or a combination of these factors. The site is located in Area II, which disallows 'high risk' commercial and industrial uses and agriculture, but allows no residential below lot sizes of two and one half acres. The 1994 Draft CLUP placed the property inside of the 60, 65 and 70 CNEL.

Density and Coverage: The lots are a minimum of 7,200 sq. ft and the average gross density is 3.10 DU/acre including the 29.2 acres of detention basins and structural coverage would likely be less than 50%.

Part 77: The elevation at this site is between 1,429 and 1,426 MSL feet and the maximum allowed building height is 2000 MSL feet. The site is under the approach surface. The entire project is not within Part 77 obstruction review criteria.

Noise: The site has been shown to have noise over the property with each of the AICUZ reports. The 1986 report showed 65 to 75 CNEL over the property and the 1994 Draft indicated it to be within the 60 and 65+CNEL. The 1998 AICUZ indicated the property to have from below 55 CNEL to 70 CNEL. The inclusion of another 492 homes will likely result in new residents ($3.35\text{pph} \times 225 = 1,648$). The predicted level of noise complaints from the project would likely produce a complaint level of 13% of that population (i.e. 214). Since the setting is a quiet suburban community that level is more likely to be 13-23% (214-379). This project would likely result in many new complaints regarding noise from the airport.

Other: The Traffic Pattern Zones (TPZ's) of other CLUP's define facilities such as churches, amphitheaters, community halls, sports facilities, and outdoor lighting as 'discouraged uses' and require the evaluation of alternative sites.

Wildlife Attractant: The project contains many detention basins. A biological report

concerning that issue was included and sent to USDA.

Environmental: The City of Perris Planning Commission has reviewed (included) the project. It includes a requirement for an acoustical analysis in the areas between 65 and 70CNEL, but not between 60 and 65 CNEL.

RECOMMENDATION: Staff recommends that the ALUC finds the proposed land use change from Commercial to Single-Family Residential inconsistent with the 1984/86 Airport Land Use Plan.

APPENDIX

1984 RCALUP: The 1984 RCALUP with the 1986 map identifies the entire project as within AREA I.

Area II, Policy #2 states: "Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable." Policy #4 states: "New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45 dB (CNEL of Ldn) in any inhabited room with windows closed."

Conclusion: The proposed residential density is inconsistent with that proposal. The Matrix (Table I) identifies all applicable plans and whether the project is consistent with those plans' criteria. The proposal is at a density ten times that designated in the 84/86 RCALUP.

The 1994 Draft CLUP for MAFB

The Draft 1994 plan defined the Traffic Pattern Zone outer boundary as the outer edge of the Military Part 77 Conical Surface. Most of the project is within that boundary as shown on Exhibit "C."

The plan places the property within the 55-65+ CNEL. Section 7.3.1. (Page 7.4 first bullet states): "With the exception of transient lodgings (e.g., hotels and motels) and caretaker residences, all residential uses are considered incompatible with noise levels 60 dB CNEL. However, all residential uses could be conditionally compatible in the noise range between 60 and 65 dB CNEL, if appropriate noise attenuation measures are incorporated into the construction.

Conclusion: The he proposal as submitted would be inconsistent with the 1994 Draft for both safety and noise.

1998/99 Draft CLUP:

This DRAFT was an update to the 1994 document with changes proposed for components of the text and graphic illustrations depicting:

1. 1998 AICUZ Noise Contours.
2. 1999 adjusted Area I (APZ II) boundary on the north end, and
3. The addition of the 55 CNEL added to the graphic (1999).
4. Part 77 boundaries are more detailed.

A "First Draft" of the text was completed for review by CalTrans, but no further text has been completed, but the graphics were completed. The site is within the TPZ and High Risk Uses such as schools, hospitals, nursing homes, churches, auditoriums, and

concert halls are discouraged. The text would require an acoustical analysis for all projects within the 60 CNEL.

Conclusion: The project as submitted would be inconsistent with the 98/99 Draft CLUP and would require acoustical analysis.

TABLE 1

<u>DOCUMENT</u>	<u>SAFETY</u>	<u>NOISE</u>	<u>PART 77</u>
1984 RCA.L.U.P.	Not Consistent	Not Consistent	Consistent
1994 Draft CLUP	Consistent	Not Consistent	Consistent
1998/99 Draft CLUP	Consistent	Not Consistent	Consistent

CONDITIONS FOR OVERRIDE

Should the City of Perris wish to pursue an overrule of the Commission (PUC 21675.1), the following conditions are recommended for inclusion:

1. An acoustical analysis shall be required that includes the following components:
 - a. A description of the components necessary to achieve a noise reduction level (CRL) of 25 and 30 for each of the project’s components with noise sensitive uses
 - b. Inclusion of all surrounding noise sources (roadway, industrial) at their ultimate design and buildout capacity. and
 - c. Notice to buyers that there is no effective mitigation for outdoor noise.
2. Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.
3. Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an Airport Lighting Consultant prior to placement.
4. No obstruction of the “FAR Part 77 Conical Surface” shall be permitted
5. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.

- d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
6. *The above ground storage of explosives or flammable materials shall be prohibited.*
7. *All prospective buyers and/or tenants shall receive a copy of the enclosed NOTICE OF AIRPORT IN VICINITY.*
8. *Include the availability to homebuyers of an additional noise insulation package (i.e. windows, walls).*
9. *Any conditions required by the USDA Wildlife letter shall be accomplished by the project.*

Chairman Stephens indicated that this project is also a problem of infill. Chairman Stephens called for the applicant to come forward and present the case. Nelson Miller, City of Perris came forward in response to Chairman Stephens' invitation and clarified that the project to the west was approved in 1998. The tip of the project is within the 60 CNEL contours, which are six lots being affected. The City of Perris considers this project to be consistent with 1998 AICUZ section 4.3.2. A standard requirement from the City of Perris for the Tract Map is proposing conditions granting an aviation easement to the MARB, an acoustical analysis to ensure noise attenuation measures are included in the design construction and disclosure statements are required for all buyers. The noise levels are projected for future operation level not current.

Hearing no further comments Chairman Stephens opened the floor for comments from the audience. Dan Fairbanks, March JPA came forward and indicated that in his letter to the City of Perris its noted that an additional 17 units would be allowed for this application. The concerned is not with the existing entitlements it's the additional number of units. Commissioner Snyder indicated that the cargo aircrafts at the MARB are being replaced with 12 additional new models for the airport to remain alive and growing. Mr. Miller clarified regarding the additional units. There is a Change of Zone being proposed for this application that allows 17 additional units that are distributed thru out the entire property some in the 55 CNEL and others in the 60 CNEL. John Ford, project manager for Ware Development came forward and indicated that the Commission take notice of Nelson's request in identifying the 1998 AICUZ. In the Zone Change the lots are being changed to 6,000 sq. ft. lots although the average lot size is 8,400. Per the Zone Change and General Plan Amendment another 200 lots can be added, but are not doing so at the direction from the City of Perris.

Chairman Stephens called for any further comments, hearing no response Chairman Stephens called for a discussion among the Commissioners. Vice Chairman Graff stated that the military is going to use the newer and quieter aircrafts, but there is still the noisy airplanes flying out of MARB and cannot be restricted from flying out of the airport, it is not only the noise issue its also a safety issue. Vice Chairman Graff then made a motion.

ACTION TAKEN: Vice Chairman Graff made a motion of inconsistency, subject to staff recommendations and conditions. Commissioner Tandy seconded the motion. Motion carried unanimously.

Chairman Stephens clarified that from the safety issue the 1994 and 1998-99 drafts would state inconsistent.

H. MA-03-126 – Chevron Products – Consent item see page 13

CASE NUMBER: MA-03-126 - Chevron Products
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: CUP 050-023

PROJECT DESCRIPTION:

A Conditional Use Permit for a service station, carwash and shopping center.

PROJECT LOCATION:

The site is located at 19220 Van Buren Blvd., within the City of Riverside, approximately 20,500 ft. west of Runway 14/32 at March Air Reserve Base.

Adjacent Airport: March Air Reserve Base/March Inland Port

- a. Airport Influence Area: Within Area of Influence Study Area*
- b. Land Use Policy: Influence Area III*
- c. Noise Levels: See Below*

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

In 1983 the ALUC redrew the boundaries to reflect the 1979 AICUZ. In April of 1984 the ALUC adopted the Riverside County Airport Land Use Plan (RCALUP). In May of 1986 the ALUC again redrew the boundaries to reflect the 1983 AICUZ. In 1992 and again in 1998 the AICUZ reports were redone to reflect the mission changes of the two Base Realignments: however, no changes were made to the Interim Influence Zone created in 1986.

In 1990 the ALUC was able to obtain Department of Defense funding for a Comprehensive Land Use Plan (CLUP) that resulted in the 1994 Draft. This was about the time that the second base realignment was announced and it was consequently never adopted. The current 98/99 Draft CLUP effort was prepared utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.

Since we have not adopted the CLUP for MARB, we will utilize five resources for our review:

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

3. Draft CLUP for March Air Force Base: 1994
4. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base
5. Draft 98/99 CLUP for MARB/MIP

MAJOR ISSUES:

Land Use: The proposal is for a 3,700 sq. ft. service station, 830 sq. ft. carwash and a 2,800 sq. ft. convenience store. The proposed site is located approximately 20,500 ft. west of Runway 14/32. The proposal is near a major flight track and within the outer horizontal surface.

The 1984 Plan places an emphasis upon the type of airport, the type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area III, which allows commercial and industrial land use. The 1994 Draft CLUP placed the property outside of the 60CNEL. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Density and Coverage: The total area of the proposed structures is approximately 7,330 sq. ft. Structural coverage for all proposed structures will be less than 25% of the net lot area.

Part 77: The highest elevation on the site is 1,652 MSL feet and the height of the tallest structure is approximately 24 feet. The runway elevation at the north end of the runway is 1,535 MSL. Any structures over 1,740 MSL feet in elevation will require an FAA 7460 review. Part 77 obstruction criteria are not a concern with this project.

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be less than 55 CNEL.

Other: An aviation easement for the site was conveyed to March Air Reserve Base/March Inland Port on January 10, 2002.

CONDITIONS:

1. Incorporate noise attenuation measures into the office portions of the building construction to ensure interior noise levels are at or below 45-decibel levels.
2. Install hooded or shielded outdoor lighting measures into the building construction to ensure that all light is below the horizontal plane.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

- c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
- 4. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
- 5. *The above ground storage of explosive or flammable materials is prohibited.*
- 6. *The attached notice regarding proximity to the airport shall be given to each potential purchaser.*

RECOMMENDATION: Staff recommends a finding of consistency for the project subject to the conditions outlined above.

VIII. ADMINISTRATIVE ITEMS

A. MOATF Committee June 2nd and 14th

Keith Downs informed the commission that minutes for the MOATF were distributed. Mr. Downs indicated that he will be attending the next MOATF meeting and are looking into updating the CLUP. The current CLUP is very protective of the airport. The update might be more realistic, but will not be less protective than a 2½-acre designation. There is a strong difficulty with MARB, therefore it must be done properly or it will end up in a courtroom. The numbers in the 20-year forecast that are reflected in the AICUZ are not a forecast there is a ceiling and no one has ever adopted a 20-year forecast. The biggest question will be “what is the 20 year or plus forecast”? Somebody else would need to tell the commission, just like Palm Springs indicated their forecast.

Keith Downs informed the Commission about the overruling of the LDS Church project that was found inconsistent by the ALUC. It has to do with the exemption clause, which are safety and noise violations and some of these are very serious concerns. Keith Downs believes there should be a response and that the exemption clause is inappropriate and probably illegal. B.T. Miller indicated that this issue should be discussed in a close session hearing in the next agenda. Mr. Miller then stated that the County in his review perhaps is not complying with the law at this point. Mr. Miller indicated that since everything the ALUC does should be open to the public, it would be require to notify what provision the Commission is going in close session on.

A discussion ensued between Keith Downs, Chairman Stephen, B.T. Miller and Commissioner Tandy regarding the close session schedule on the agenda. The close session was scheduled to begin at the beginning of the next meeting of July 17th.

IX. ORAL COMMUNICATION FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA. NONE

X. COMMISSIONER'S COMMENTS NONE

XI. Adjournment: Chairman Stephens adjourned the meeting at 1:05 P.M.
NEXT REGULARLY SCHEDULED MEETING: July 17, 2003 at 9:00 a.m.,
Riverside