

AIRPORT LAND USE COMMISSION

Riverside County Administration Center
4080 Lemon St., Board Chambers (1st Floor)
Riverside, California

Thursday, August 10, 2006
9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on August 10, 2006 at the Riverside County Administration Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance
David Bradley (Alternate)
Arthur Butler
John Lyon

COMMISSIONERS ABSENT: Robin Lowe

STAFF PRESENT: Ed. Cooper, ALUC
John J. G. Guerin, Senior Planner
Cecilia Lara, Planner
Barbara Santos, Secretary
B.T. Miller, Legal Counsel

OTHERS PRESENT: Gary Allen – Aviation Systems Inc.
Barry Burnell – T&B Planning
Dan Fairbanks – March JPA
Rick Goacher – RGP Planning
Ricia R. Hager – Garrett Group/Sunbelt
Adam Hemmer – Birtcher Development
Steve Kleeman – Searsville Land Company
Frank Kufrovich – Sunbelt
Douglas Magnon – The Magnon Companies
Gerard Martorano – Sunbelt
Steve Mattas – Counsel for JAKS, LLC
Deirdre McCollister – Hogle – Ireland
Mel Mercado - V.P. Corman Leigh Communities
Paul Pribble – Mentor Aviation Airport, LLS
Carter Redish – Carter Group Architects, Inc.
Robert Ricciardi - Architect
Micha Spano – The Garrett Group, LLC
Jim Venable - Sunbelt

- 1.1 CALL TO ORDER: The meeting was called to order at 9:05 a.m. by Chairman Housman.
- 1.2 SALUTE TO THE FLAG
- 1.3 ROLL CALL was taken
- 2.0 APPROVAL OF MINUTES FOR: July 13, 2006
 - 2.1 July 13, 2006 minutes will be continued to September 14, 2006

3.0 EXECUTIVE SESSION

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

B. T. Miller, Counsel, advised of the results of the executive session.

Ricia Hager came forward in support of item 3.1.

Chairman Housman closes public Hearing at 9:35 a.m.

ACTION TAKEN: Commissioner John Lyon motioned to approve recommendations as amended to also: a) Direct staff to take action necessary to comply with CEQA and b) Authorize County Counsel to proceed with an appeal of Superior Court decision. Seconded by Commission Arthur Butler. Carried unanimously.

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

Ricia Hager came forward in support of item 3.2.

Chairman Housman indicated a concern with the exemption for Specific Plans and Specific Plan Amendments in the prior CLUP and asked Ms. Hager if she had any comments regarding the opinion of the Attorney General that such an exemption was beyond the authority of the Commission. Ms. Hager responded that it is an Attorney General's opinion, that the Commission could choose whether to act on it, and that there are alternatives.

ACTION TAKEN: Commissioner John Lyon motioned to approve recommendation to use the FVACLUP (old plan) during such time that the application of FVALUCP is suspended as directed by the court, "with the proviso that the Commission accepts the opinion of the Attorney General that so much of that CLUP as purports to exempt

Specific Plans is beyond the power of the Commission and void.” Seconded by Rod Ballance. Carried unanimously.

4.0 CONSENT CALENDAR

JACQUELINE COCHRAN REGIONAL AIRPORT

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

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

Chairman Housman commented and made changes on page 3, paragraph 5. The Commission had already separately approved the Kohl Ranch Specific Plan as a separate action item. The reference “including designations within the adopted Kohl Ranch Specific Plan” should be deleted from a resolution intended to apply to the entire plan. (Beginning of Line 7 and line 8 to be deleted). On page 5, line 17, the three words “being reconsidered to”, should be deleted, so it reads “planning in these areas should provide.” Page 5, line 25, the word “unnecessary” should be deleted and the word “unsafe” should be inserted. Page 6, paragraph 15: Chairman Housman expressed concerns regarding the Armtech Plant located in the D Zone around the Jackie Cochran Airport.

Chairman Housman indicated that the Commission had received testimony and correspondence on that issue. His concern is that allowing high density development in this area would create a situation where a future aviator might misinterpret the area of the munitions plant as open space available for emergency landings. He suggested that the Commission consider limiting the area around the munitions facility to use of the low density option, if residential development is proposed.

Staff suggested addressing in a future amendment to the JCRA ALUCP, noting that the City of Coachella General Plan designates the area for industrial use.

Commissioner Lyon stated that the matter being addressed in paragraph 15 became an issue because the proprietors of the munitions plant thought that the Commission’s actions might allow the chance of residential development, which is not actually proposed in that area. He suggested deleting Paragraph 15, as not essential. Chairman Housman agreed. Staff agreed to delete the paragraph, and the chairman agreed that limiting residential development intensities in the portion of Zone D near the munitions plant would be

addressed at a later date.

Chairman Housman indicated concern that the proposed text of paragraph 2.2 of Alternative 3, in its reference to “gross” density, would engender confusion. He asked whether the reference should be to “net” density if paragraph 2.2 is intended to be an alternative to paragraph 2.1. Staff suggested that, if the reference to “gross” density is confusing, an alternative would be to simply end the sentence after the word “option”. Chairman Housman advised that the Commission initially supported only paragraph 2.1, that sometimes “fixes” create more problems, and that there is still uncertainty as to how excluded areas will be calculated.

Chairman Housman commented that he would like to continue for one month so that the Commission can look at calculations as they are supposed to flow and make sure that we have a consensus within the staff, consultant and members of the Commission as to how this thing is supposed to work, so that anyone who has a project in the future can understand.

ACTION TAKEN: Commissioner Rod Ballance motioned to continue to next month. Seconded by Commissioner John Lyon. Carried unanimously.

MARCH AIR RESERVE BASE

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

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

CONDITIONS OF APPROVAL:

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the MARB/MIP Airport.
2. Any outdoor lighting installed shall be hooded or shielded to assure that no lights are above the horizontal plane.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations

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

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

ACTION TAKEN: Chairman Housman motioned to approve consent agenda 4.2, 4.3, 4.4, 4.5 and 4.6. Seconded by Rod Ballance. Carried unanimously.

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

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

CONDITIONS OF APPROVAL:

1. Prior to issuance of building permits, the landowner shall convey an aviation easement to the MARB/MIP Airport.
2. If any outdoor lighting is installed on the monopole structure/broadleaf “tree”, such lighting shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 70/7460-1K.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft

engaged in a straight final approach toward a landing at an airport, other than FAA-approved lighting as specified above, an FAA-approved navigational signal light, or visual approach slope indicator.

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor, or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 4. The height of the proposed structure to top of “leaf” shall not exceed seventy-five (75) feet above ground level and an elevation of 1,609 feet above mean sea level.
 - 5. Temporary construction equipment used during actual construction of the structure shall not exceed the height of the proposed structure.
 - 6. The attached notice shall be given to all prospective buyers and tenants.

ACTION TAKEN: Chairman Housman motioned to approve consent agenda 4.2, 4.3, 4.4, 4.5 and 4.6. Seconded by Rod Ballance. Carried unanimously.

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

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

CONDITIONS OF APPROVAL:

- 1. Provide Avigation Easements to March ARB/MIP prior to any permits being issued or sale to any entity exempt from the Subdivision Map Act.
- 2. Any new outdoor lighting shall be hooded or shielded to assure that no lights are above the horizontal plane.
- 3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white,

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

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

ACTION TAKEN: Chairman Housman motioned to approve consent agenda 4.2, 4.3, 4.4, 4.5 and 4.6. Seconded by Rod Ballance. Carried unanimously.

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

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

CONDITIONS OF APPROVAL:

- 1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the MARB/MIP Airport.
- 2. Any outdoor lighting installed shall be hooded or shielded to assure that no lights are above the horizontal plane.
- 3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal

light or visual approach slope indicator.

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

ACTION TAKEN: Chairman Housman motioned to approve consent agenda 4.2, 4.3, 4.4, 4.5 and 4.6. Seconded by Rod Ballance. Carried unanimously.

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

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

ACTION TAKEN: Chairman Housman motioned to approve consent agenda 4.2, 4.3, 4.4, 4.5 and 4.6. Seconded by Rod Ballance. Carried unanimously.

5.0 PUBLIC HEARING: OLD BUSINESS

FRENCH VALLEY AIRPORT

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

RECOMMENDATION: Staff recommends a finding of conditionally consistent (due to the exemption for properties in adopted specific plans), but not advisable in the absence of occupancy restrictions, especially within 250 feet of the extended

runway centerline.

The applicant has provided some additional information regarding occupancy of some of the types of uses envisioned for the buildings but has not submitted revised calculations at this time, other than to acknowledge that the “all other” space would not be entirely warehousing and storage uses.

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

PROJECT DESCRIPTION:

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

ACTION TAKEN: Chairman Housman motioned that Items 5.1, 5.5 and 6.6 be continued, with the consent of the applicants. Seconded by Rod Ballance. Carried unanimously

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

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

LITIGATION ISSUES: The applicability of the 2004 French Valley Airport Land Use Compatibility Plan has been suspended by court order. Staff has, therefore, also reviewed the project in light of the previously adopted (1997) French Valley Airport Comprehensive Land Use Plan and has determined that, as the project site is located more than 750 feet from the extended runway centerline, the site would have been in the Traffic Pattern Zone, but not in one of the safety zones. Therefore, the project would be considered to be CONSISTENT with the previously adopted Plan.

CONDITIONS:

1. Prior to the issuance of building permits, the landowner shall convey an avigation easement to the County relative to French Valley Airport. Such conveyance shall be recorded in the Office of the Riverside County Recorder. (Contact the Riverside County Economic Development Agency – Aviation Division at (951) 343-5493 for additional information.)
2. Any outdoor lighting installed shall be hooded or shielded to assure that no light rays are directed above the horizontal plane and shall conform to Riverside County Ordinance No. 655.
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be

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

(e) Schools, auditoriums, amphitheaters, and stadiums.

(f) Uses involving, as the primary activity, the manufacture, distribution, or storage of explosive or flammable materials.

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

Staff presented the project, advising that the project was not reviewed relative to the 2002 Handbook.

Ricia Hager representing the Garrett Group came forward in favor of project and supports staff recommendation for a consistency finding. Ms. Hager commented that the consistency finding should be based only on CLUP and the Handbook should not be considered.

Micha Spano representing the Garrett Group came forward for any questions.

There were no questions from the public.

Chairman Housman closes Public Hearing at 10:06 a.m.

ACTION TAKEN: Commissioner Rod Ballance motioned that we adopt staff recommendation to find FV-06-108 consistent with the 1997 CLUP. Commissioner John Lyon seconded the motion. Carried unanimously.

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

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

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

Staff recommended CONTINUANCE at the hearing, due to Commission

decision to consider the specific plan exemption void.

Micha Spano from the Garrett Group came forward in support of the continuance of FV-06-109. Mr. Spano requested that the County identify the boundary of the Outer Safety Zone. Chairman Housman indicated that staff would provide the applicant with the necessary information.

ACTION TAKEN: Commissioner Arthur Butler motioned for continuance. Seconded by Commissioner David Bradley. Carried unanimously.

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

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

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

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

PROJECT DESCRIPTION:

General Plan Amendment from Commercial Retail to Commercial Office (to allow an increased floor area ratio), Change of Zone from A-1-5 (Light Agriculture, five acre minimum lot size) to C-P-S (Scenic Highway Commercial), and Plot Plan for

development of a 78,410 square foot three-story office building (with retail use on the first floor) on 4.17 acres (previously reviewed without general plan amendment).

CONDITIONS:

1. FAA 7460 review shall be conducted. No obstruction of any FAR Part 77 surface shall be permitted, and any required marking shall be installed.
2. Install hooded or shielded outdoor lighting to prevent the spillage of lumens or reflection into the sky. (Lights must be downward facing.)
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Schools, auditoriums, amphitheaters, and stadiums
 - (f) Uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials
4. Prior to issuance of building permits, the landowner shall convey an aviation easement to the French Valley Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for additional information.)
5. The attached notice shall be provided to all potential purchasers and tenants.

ACTION TAKEN: Commissioner Rod Ballance motioned for reconsideration FV-06-107. Seconded by Commissioner David Bradley. Carried

unanimously.

Ricia Hager, Chevalier Allen Lichman, representing Sunbelt came forward in support of staff recommendation of a conditionally consistency finding. She also commented that the ALUC is not required to use the 2002 Handbook to make individual consistency determinations and that the CLUP supersedes that.

Frank Kufrovich representing Sunbelt came forward in favor of project and noted that the design addresses the safety standards.

Gerard Martorano representing Sunbelt came forward in favor of project and advised that he had filed with the FAA.

Jim Venable representing Sunbelt came forward and thanked staff and Commission.

Chairman Housman closed public hearing at 10:30 a.m.

ACTION TAKEN: Commissioner Rod Ballance motioned to find FV-06-107 Conditionally Consistent with the 1997 CLUP as outlined by staff. Seconded by Commissioner David Bradley. Carried unanimously.

BERMUDA DUNES AIRPORT

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

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

PROJECT DESCRIPTION:

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

ACTION TAKEN: Chairman Housman motioned that Items 5.1, 5.5 and 6.6 be continued, with the consent of the applicants. Seconded by Rod Ballance. Carried unanimously

MARCH AIR RESERVE BASE

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

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

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

RECOMMENDATION: Provided that the Airport Land Use Commission determines that a Department of Motor Vehicles office is a high-risk land use in terms of number of persons per acre that would likely be present on the property, the project is inconsistent with the 1984 RCALUP. However, given that the Draft March Joint Land Use Study would allow for this land use on the property, the Airport Land Use Commission may choose to elect to take no action on this case in lieu of recommending inconsistency with Area I standards based on the 1984 RCALUP. After consulting with Executive Director Emeritus Keith Downs and with ALUC consultant Ken Brody of Mead & Hunt (see attached e-mail correspondence), staff concludes that the map on the www.rcaluc.org website correctly depicts the boundaries between Airport Zones I, II, and III. However, the apparent official boundary between Airport Zones I and II does not match the boundary between areas within and outside the Accident Potential Zones identified on the then-applicable

AICUZ study.

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

CONDITIONS:

1. Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
4. The above ground storage of explosive or flammable materials is prohibited.
5. The attached notice shall be provided to all potential purchasers and tenants.
6. The uses specified in the attached Appendix B of the Riverside County Airport Land Use Plan shall not be allowed.
7. Until such time as an Airport Protection Overlay Zone is applied to the

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

ACTION TAKEN: Commissioner Rod Ballance motioned reconsideration for MA-06-112 and to vacate prior motion. Seconded by Commissioner John Lyon. Carried unanimously.

Dan Fairbanks representing March JPA came forward as an interested party and clarified that the facility is essentially relocating a few blocks to the west.

Chairman Housman stated that, in his opinion, the ALUC does not have the ability to act on a proposed plan that has not been processed, vetted, and publicly supported. He proceeded to indicate that, based on the exhibits provided, the location of the project was unclear. He asked whether the project is in Accident Potential Zone I, II, or III.

Carter Redish architect on project came forward requesting the Commission to take a Decline to Act position.

Doug Magnon with the Magnon Companies came forward in favor of project.

Discussion ensued as to the differences between existing and proposed DMV locations. Chairman Housman commented that the issue is whether a DMV office is a high risk activity. He noted that it's not really a place of assembly, where a lot of people are gathered at one time. Most people spend as little time there as possible. Mr. Housman had two questions, 1) Is it the high concentration of people that make it a high risk use? and 2) Under the March Plan, the 1984 book, if it is not a high risk use, would it be consistent? Staff noted that if the application site plan hadn't stated "DMV" and included so many parking spaces, it would not have been considered high risk.

Commissioner Rod Ballance commented that this is not a project that would endanger the public, and that the relocation would not be significant.

ACTION TAKEN: Commissioner Rod Ballance motioned the Commission to Decline to Act. Seconded by Commissioner John Lyon. **OPPOSED:** Chairman Simon Housman. Vote of 4-1.

Staff advised that this avoids the need for an override. Counsel advised of the legal ramifications.

6.0 NEW BUSINESS

BERMUDA DUNES AIRPORT

6.1 BD-06-103 – Valley Landscape Service - Plot Plan No. 20513, a proposal to develop

a three-suite building 7,530 square feet in floor area on a 0.76 acre property located southwesterly of Country Club Drive and northeasterly of Bermuda Dunes Airport, in the unincorporated Riverside County community of Bermuda Dunes. Airport Zones B2 and A. ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at jguerin@rctlma.org.

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

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

PROJECT DESCRIPTION:

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

CONDITIONS:

1. Prior to issuance of building permits, the landowner shall record an avigation easement to Bermuda Dunes Airport.
2. Noise attenuation measures shall be incorporated into the office and reception areas of the building construction to ensure a minimum noise level reduction of 25dB, so as to reduce interior noise levels from aircraft operations to 45 CNEL or below.
3. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations

toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or red light obstruction marking in accordance with the conditions specified herein.

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract a large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.
4. The attached notation regarding proximity to the airport shall be given to each potential property purchaser or tenant.
 5. Not more than 50 percent of the floor area of each suite or unit shall be utilized for office space or reception areas, with the remaining areas used for storage or warehousing of goods or supplies.
 6. The maximum height of the proposed building shall not exceed 24 feet above ground level, and the maximum elevation at the top of structure shall not exceed 85 feet above mean sea level.
 7. The proposed building shall be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K, Obstruction Marking and Lighting, a med-dual system – Chapters 4, 8 (Med-Dual), and 12.
 8. At least ten (10) days prior to construction, and again, within five (5) days after the construction reaches its greatest height, FAA Form 7460-2, Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and submitted to the Federal Aviation Administration Air Traffic Airspace Branch, ASW-520, 2601 Meacham Blvd., Fort Worth TX 76137-0520.
 9. The specific coordinates and height of the proposed building shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height shall not require further review by the Airport Land Use

Commission.

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

Robert Ricciardi architect came forward in favor of project. Mr. Ricciardi expressed FAA was approved with some conditions, they have met those conditions and requirements and requested to be found consistent.

Mr. Ricciardi stated that 75% of the lots along Country Club Drive have already been developed and that the project simply continues the existing pattern of development. He noted that the plan as adopted did not take into account the variance granted by the State, or the fact that none of the buildings there maintain a 250 foot setback from the centerline. He noted that the new building is one story and will not exceed 24 feet in height.

Chairman Housman asked whether there are buildings on each side of the lot. Mr. Ricciardi responded that there is a building on the lot to the east, while the lot to the west is vacant. Chairman Housman asked whether the building to the east is closer to Country Club Drive than the front of this building. Mr. Ricciardi responded affirmatively, adding that the building to the east is a two-story building extending from the 25 foot setback line on the front almost to the back property line against the airport, with the parking on the east. In response to a question from Chairman Housman, he indicated that the building has been there 10 years or more. Commissioner Butler asked whether the tamarisk trees serve as a noise buffer, and whether they are on the airport property. Mr. Ricciardi responded that they were planted on the airport property as protection from the wind, but that they have grown onto the adjacent private property. Commissioner Lyon asked for the location of the Zone A boundary. Mr. Ricciardi advised that the Zone A/B2 boundary runs parallel to the back property line, 120 feet into the development. Commissioner Lyon asked whether it would be feasible to move the building up to the front setback line and move the parking to the back, thereby moving the structure entirely out of Zone A? Mr. Ricciardi stated that visibility in coming out of the parking lot is better and safer if there isn't a building right off the street. While redesign may be possible, this would be the only building straying from the established pattern.

Commissioner Lyon stated that the fact that there are a number of uses like this one is irrelevant. Finding this project to be consistent when it doesn't meet today's criteria would add to the problem. It is his opinion that Section 3.3.6 does not apply because there are no special circumstances that would further the purpose of the State Aeronautics Act, and because it is possible to redesign the project so as to be consistent. Commissioner Lyon concluded that the project as presented is inconsistent.

Chairman Housman advised staff that the trees are at their location to cut down the crosswind factor, so, in the event that the project is approved, the ALUC would not want to include staff's recommended condition for the removal of the trees.

As to the ALUC's previous action in this area, the previous project was found consistent pursuant to infill policies (Section 3.3.1) because there were structures on the lots on either side of that proposed project. As a result, more than 65% of the perimeter of that site was bordered by existing uses, and the perimeter of the area characterized by inconsistent development was not extended by the project. In this situation, the infill condition does not apply.

Chairman Housman also stated that the variance in the airport permit is not applicable, since it pertains specifically to existing structures. He concurred with Commissioner Lyon that the project should be redesigned to better meet the needs of the airport.

ACTION TAKEN: Commissioner Arthur Butler motioned for inconsistency. Seconded by Commissioner Rod Ballance. Carried unanimously.

FRENCH VALLEY

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

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

RECOMMENDATION: This project is not consistent with the 2004 French Valley Airport Land Use Compatibility Plan, but the effectiveness of that Plan has been suspended. The project is conditionally consistent with the 1996 French Valley

CLUP, but in light of the Handbook recommendations, the proposal is Not Advisable.

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

PROJECT DESCRIPTION:

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

CONDITIONS:

1. Incorporate noise attenuation measures where necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
2. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The attached notice shall be provided to all potential purchasers and tenants.
4. Prior to project development, recordation of a final map, or sale of property to an entity exempt from the Subdivision Map Act, the property owner shall

convey an aviation easement to the County relative to French Valley Airport.

5. The number of dwelling units established within the area subject to this general plan amendment shall not exceed seven (7).
6. Lot coverage by structures shall be limited to 50% of gross area or 65% of net area, whichever is greater.
7. Uses involving the manufacturing, storage, or distribution of explosive or flammable materials as a primary activity are prohibited.
8. The elevation at the top of any structure on this property shall not exceed 1,415 feet above mean sea level.
9. Any outdoor lighting that is installed shall be hooded or shielded to assure that no lights are above the horizontal plane, and shall comply with Riverside County Ordinance No. 655.

Barry Burnell, T&B Planning, representing NNP and Saba Saba, came forward in favor of the project, indicating that he concurred with the staff recommendation of Conditionally Consistent and agreed with the recommended conditions. He also concurred with Ms. Hager's comments that Handbook criteria should not be utilized in the review of development projects, only in the preparation of Land Use Compatibility Plans. He stated that the project is consistent with existing and approved development in the Extended Runway Centerline zone and pointed out that the project would provide for open space.

Chairman Housman asked about the area between Lots 5 and 6. Mr. Burnell responded that this would be an open space/slope area. Chairman Housman asked whether there would be more than seven lots. Mr. Burnell responded that the project would meet the criteria. The project would connect with approved development in the area.

Chairman Housman comments that the handbook is not applicable to make a determination regarding the French Valley Airport.

ACTION TAKEN: Commissioner John Lyon motioned for consistency. Seconded by Commissioner Rod Ballance. **OPPOSED:** Commissioner David Bradley. Vote of 4-1.

ACTION TAKEN: Commissioner John Lyon motioned that communication from the Commission be sent to the Planning Department expressing the concerns that Mr. Guerin raised regarding the aeronautical implications of the GPA. Seconded by Rod Ballance. Carried unanimously.

HEMET RYAN AIRPORT

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

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

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

Staff pointed out a new letter from EDA-Aviation.

Rick Goacher representing applicant came forward to answer any questions and agreed with staff report and conditions.

Chairman Housman asked staff to provide a copy of the EDA letter to the applicant. Mr. Goacher agreed that arrangements for an airpark had not been made.

Commissioner Lyon agreed that the site is in the Transition Area relative to the main runway. In reference to the change to residential, he noted that the staff report indicated that the Transition Area allows 20 dwelling units per acre, but may be less pending a discretionary review. He asked Counsel whether the ALUC's authority under this provision would permit consideration of the Airport Land Use Planning Handbook criteria as a guide in exercising its discretion. He noted that the Hemet-Ryan Plan requires discretionary review for multiple family residences. He asked about the Inner Turning Zone and requested that staff clarify the location of the Inner Turning Zone boundary.

Staff referred to Figure 4 in the applicant's booklet and Figure 8 on Page 16 showing Zone 3, the Inner Turning Zone, as crossing the southeasterly portion of the property. B. T. Miller noted that discretionary review does involve the ALUC review activity.

Commissioner Lyon noted that most of the project is in Zone 6, where residential uses are permitted.

Staff noted that Aviation has concerns about sailplane operations and the failure of the staff report to consider this. Chairman Housman indicated that the sailplane operation at this site is one of the busiest in the County. He has flown both powered aircraft and gliders out of this airport. Neither the staff report nor the applicant's study take into account the extensive glider activity that occurs on the adjoining runway closer to the site than the primary runway. This is not on the charts, but the activity is extensive and uses an opposite pattern. They use a left-hand pattern for the power operations and a right-hand pattern for the gliders. That includes the tow plane, which is constantly over flying the project site. The Hemet-Ryan Plan of 1992 is the existing Plan, but it's obsolete. The Handbook was issued in 2002. As distinguished from French Valley, where our discretion is constrained by a court order, in this case, the Commission needs to give heavy weight to the Handbook, when dealing with an old and out-of-date Plan. The Chairman continued.

The project includes residential development in Zone 3. Zone 3 does not allow residential development at densities above one unit per two acres. This project is not consistent with that. It's in the Transition Zone, but I'm not convinced that it's consistent with that, and I'm not convinced that it's consistent with that, and I'm not sure it would be considered to be in the Transition Zone if the glider activity were included. In any event, a portion of the project is clearly inconsistent with Zone 3 of the Handbook. Aviation communities are complex to put together, and it is premature for the Commission to make a decision based on the existence of a flying community that doesn't exist today. I am inclined to find the matter inconsistent with the old Hemet Plan and specifically inconsistent with Zone 3 under the State Handbook, which is appropriately applicable because it was developed and adopted after the plan.

Commissioner Butler supported Chairman Housman's comments on the sailplane operation. He stated that he based his sailplane there for many years, and that there were always at least four airplanes up all day long in the summer.

Chairman Housman reiterated his opinion that the analysis was inadequate regarding the sailplanes and that there is a Zone 3 problem. B.T. Miller interjected that this is a discretionary action, and that no action would constitute an implicit consistency determination. He also noted that findings will be needed if the Commission determines that the project is inconsistent. Chairman Housman asked whether a continuance to the next meeting would result in exceedance of the 60 day action period. Staff responded that it

would, and asked about the possibility of finding a portion of the project inconsistent and the rest consistent. Chairman Housman responded that the Commission does not have the authority to find a portion of the project consistent, as it is limited to an “all or nothing” consistency determination and must make its decision based on the application presented, whose design is at the applicant’s discretion. He asked the applicant whether he would be agreeable to a continuance.

Chairman Housman closes public hearing at 12:00 p.m.

Rick Goacher representing the applicant came forward and agreed for a continuance. He stated that it was his understanding that the 1992 Hemet Ryan Plan was the relevant document.

ACTION TAKEN: Chairman Housman motioned for continuance. Seconded by Commissioner Rod Ballance. Carried unanimously.

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

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

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

Steve Mattas spoke on behalf of the applicant, indicating that the project involves a general plan amendment and zone change, and the site is adjacent to Lowe’s. Dr. Gary Allen of Aviation Systems, Inc. noted that the 2002 Handbook adopted after the Hemet-Ryan Airport Plan is based on a substantial amount of research. The 1992 Hemet-Ryan Airport Plan intensity limitations are much more restrictive than the Handbook provisions. A more modern plan would put most of this site in Zone C. Commissioner Lyon noted that staff found that the project would be in Areas 2 and 4, based on the Handbook. He noted that the 1992 Hemet-Ryan Plan does account for the

secondary runway. He asked whether the applicant would consent to a continuance to give the Commission time to read the report that the Commission had just received and to resolve the issues of the zone and applicable principles. Dr. Allen stated that the staff report assumptions regarding Handbook zones addressed only the length of the runway and not its operational characteristics. He stated that this is a “visual 22” runway. In response to Chairman Housman, Mr. Matis indicated that he would accept a continuance.

ACTION TAKEN: Commissioner John Lyon motioned to continue to September. Seconded by David Bradley. Carried unanimously

RIVERSIDE MUNICIPAL AIRPORT

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

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

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

ACTION TAKEN: Commissioner Rod Ballance motioned a continuance to September, pending receipt of FAA clearance. Seconded by David Bradley. Carried unanimously.

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

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

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

Otherwise, staff must recommend a finding of inconsistency, at least for Building A.

ACTION TAKEN: Chairman Housman motioned that Items 5.1, 5.5 and 6.6 be continued, with the consent of the applicants. Seconded by Rod Ballance. Carried unanimously.

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

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

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

PROJECT DESCRIPTION:

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

CONDITIONS:

1. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - e. Children's schools, hospitals, and nursing homes.
2. Additional review by the Airport Land Use Commission staff shall be required prior to the establishment of any of the following facilities on this property:
- Retail sales facilities, dormitories, courtrooms, community care facilities, auction rooms, auditoriums, dance floors, lodge rooms, reviewing stands, conference rooms, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, swimming pools, locker rooms, exercising rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A, unless it can be demonstrated that other portions of the structure are occupied at a level less intense than the level assumed in the analysis submitted by the applicant for this project.
3. The attached notice shall be provided to all potential purchasers and tenants.
4. Prior to the scheduling of the proposed plot plan for hearing before the Riverside County Planning Director, the proponent shall file Form 7460-1, Notice of Proposed Construction or Alteration, with the Federal Aviation Administration and shall present evidence of a finding of "Not a Hazard to Air Navigation" to Airport Land Use Commission staff.

Adam Hemmer stated that FAA Form 7460-1 has been submitted for three of the buildings. Deirdre McCollister of Hogle-Ireland noted that site elevations are only available for those three buildings. Chairman Housman stated that the application proposes five buildings and indicated that if the applicant wished to make a change, he would need to continue the case so that the application can be amended.

In response to Commissioner Lyon, Ms. McCollister advised that the applicant would seek FAA approval for the other two buildings once final elevations have been determined. Commissioner Lyon asked whether a finding of consistency

with deferral to staff subject to FAA approval would be in order. Chairman Housman asked staff whether such a determination would be possible under these circumstances. Staff advised that it would be possible for the three buildings for which FAA Form 7460-1 has been submitted, if the other two buildings are deleted.

Deirdre McCollister requested that the other 2 buildings be dropped from the application and the three be approved.

ACTION TAKEN: Chairman Housman motioned that 3 buildings are conditionally consistent based on the condition that you obtain FAA approval for those 3 buildings and that the application be amended to delete reference to the other two buildings. Seconded by Rod Ballance. Carried unanimously.

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

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

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

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

Due to lack of time Chairman Housman requested that Item 6.8 be continued to September. Steve Kleeman representing Searsville Land Company agreed to a continuance.

7.0 ADMINISTRATIVE ITEMS

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

Dan Fairbanks came forward and advised that the March JPA is in the process of revising the Draft March Joint Land Use Study and would schedule a community meeting at a future date. The JPA would like ALUC to serve as lead agency in CEQA review, with adoption of the project in the January/February time frame.

7.2 Mentor Aviation Airport Presentation – Paul Pribble

Mr. Pribble came forward with information only (gave Commission some historical material), and informed Commission that he will be on next month's agenda.

7.3 Vote for new ALUC Logos

Commission voted for Composition number 7 (new ALUC Logo).

7.4 Executive Director's Approvals

8.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

None

9.0 COMMISSIONER'S COMMENTS

Commissioner Rod Ballance would like to revisit our hours of operation or limit the size of agendas to provide for a three hour meeting.. Chairman Housman suggested a second meeting for long agendas (where there would be more than eight presentation items) and to have executive sessions separate and communicated by telephone. BT Miller expressed that executive sessions can be moved to a second meeting or communicated by telephone. Rod Ballance commented that he would prefer executive session and administrative items held separately at a second meeting. John Lyon suggested for those traveling a long distance to have the executive sessions on the same day (maybe after a lunch).

Ed Cooper from the Planning Department suggested ALUC meetings start at 8:00 a.m.

BT Miller commented that we need to amend the By-laws to reflect all the changes.

ACTION TAKEN: Commissioner Rod Ballance motioned to have a special meeting in September starting at 8:00 am – 12:00 pm and the Executive Session/Administrative Items be held at a second meeting date, either a week before or following the ALUC meeting date. Seconded by Commissioner John Lyon. Carried unanimously.

ACTION TAKEN: Commissioner John Lyon motioned for adjournment of the meeting at 1:10 pm. Seconded by Rod Ballance. Carried unanimously.