

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MARCH 11, 2010
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on March 11, 2010 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Vice Chairman
Arthur Butler
Melanie Fesmire
Glen Holmes
John Lyon
Robin Lowe

COMMISSIONERS ABSENT:

STAFF PRESENT: Ed Cooper, Director
John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Secretary
BT Miller, County Counsel

OTHERS PRESENT: Chad Davies, EDA Aviation
Emily Hemphill, Kohl Ranch Representative
Nick Johnson, Kohl Ranch
Richard Lichtenstein, Other Interested Person
Tanya Martinez, Applicant Representative (US Solar)
Roger Prend, Owners Representative

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I. **AGENDA ITEM 2.1:** ZAP1013FL10 – Affordable Housing Clearinghouse (Representative: Brenda Rodriguez) – County Case Nos. General Plan Amendment 1089, Change of Zone 7719, Plot Plan 24395. A proposal to amend the General Plan land use designation from Medium High Density Residential (MHDR) to Very High Density Residential (VHDR), change the zoning classification from General Commercial (C-1/C-P) to General Residential (R-3), and develop a 22-unit apartment complex, on 1.12 acres located southerly of Mustang Lane and westerly of La Rue Street in the unincorporated Riverside County community of Rubidoux. (Airport Compatibility Zone E of the Flabob Airport Influence Area).

II. **MAJOR ISSUES**
None

III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the general plan amendment, change of zone, and the plot plan, subject to the conditions specified herein for the plot plan.

IV. **PROJECT DESCRIPTION**
The applicant proposes to amend the General Plan land use designation from Medium High Density Residential (MHDR) to Very High Density Residential (VHDR), change the zoning classification from General Commercial (C-1/C-P) to General Residential (R-3), and develop a 22-unit apartment complex.

CONDITIONS:

1. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. The attached notice shall be provided to all potential purchasers and tenants and shall be recorded as a deed notice.
3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.

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4. Prior to issuance of building permits, the applicant shall file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration for any structure whose elevation in feet above mean sea level at top of roof or top point exceeds 860 and shall have received a determination of "No Hazard to Air Navigation."

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or E-mail at rbrady@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a vote of 4-0, found the project **CONSISTENT**. Abstain: Commissioner John Lyon. Absent: Chairman Simon Housman and Commissioner Robin Lowe

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 2.1: TIME IS 9:04 A.M.

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

II. **MAJOR ISSUES**

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

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

UPDATE II: There has been no further progress since the February meeting.

III. **STAFF RECOMMENDATION**

Staff recommends CONTINUANCE OFF-CALENDAR, pending resolution of the matters cited above.

IV. **PROJECT DESCRIPTION**

The site comprises Planning Areas 11.1 and 21.1, along with a portion of Planning Area 21.2, within the Borel Airpark Specific Plan, as adopted in 1994. As proposed by the applicant, the site would retain its SP (Specific Plan) zoning, but the allowed land uses and development standards would change from a basis of A-1-10 (Light Agriculture, 10 acre minimum lot size) and C-P-S (Scenic Highway Commercial) to C-O (Commercial-Office) and C-P-S, in accordance with the land use designations in the Specific Plan, as reflected in the Southwest Area Plan Land Use Map of

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the Riverside County Integrated Project (RCIP) General Plan. The applicant proposed to amend the zoning ordinance provisions to provide for offices, health and exercise centers, and laboratories as among the permitted uses. Parcel Map No. 35212 would divide the 56.95-acre site into 20 commercial/industrial lots, with 8.43 acres of road rights-of-way.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, **CONTINUED OFF-CALENDAR**. Absent: Commissioner Robin Lowe

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.1: TIME IS 9:06 A.M.

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- I. **AGENDA ITEM 3.2:** ZAP1037FV09 – Agriscape, Inc. (Ricardo Almejo) (Representative: Ralph Megna/The Jamieson Group, Inc.) – County Case No. PP24389 (Plot Plan) – A proposal to allow use of approximately 2.34 acres of a 42.03-acre property located easterly of Sky Canyon Drive and southerly of Borel Road and the southerly terminus of Runway 18-36 for the sale of mulch and landscaping supplies. A 400 square foot office trailer or commercial coach would be the only structure on-site. Seven parking spaces would be provided, with additional graveled area that could potentially accommodate additional vehicles. The site is located within Airport Compatibility Zones B1 and C of the French Valley Airport Influence Area, in unincorporated Riverside County.

II. **MAJOR ISSUES**

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

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

III. **STAFF RECOMMENDATION**

Staff recommends CONTINUANCE to the meeting of *May 13, 2010*. The applicant’s representative has agreed to a continuance due to the potential effect of HANS review on site design and structure placement.

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

UPDATE: The project representative advised on February 23 that the HANS application has not yet been submitted and has agreed to an additional two-month continuance to the May hearing.

IV. **PROJECT DESCRIPTION**

Plot Plan No. 24389 proposes the use of approximately 2.34 acres of a 42.03-acre property for the sale of mulch and landscaping supplies. The only associated structure would be a 400 square foot office trailer or commercial coach. The mulch, consisting of decomposing vegetation, would be stored outdoors. Seven parking spaces would be provided, with additional graveled area that could potentially accommodate additional vehicles.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org

No one spoke in favor, neutral or opposition to the project

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote 6-0, **CONTINUED** the project to May 13, 2010.
Absent: Commissioner Robin Lowe

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.2: TIME IS 9:07 A.M.

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- I. **AGENDA ITEM 3.3: ZAP1014TH09 – Kohl Ranch II, LLC** (Representative: Emily Hemphill) – County Case No. SP00303S2 (Specific Plan No. 303, Substantial Conformance No. 2). A proposal to develop a portion of the Kohl Ranch Specific Plan (approximately 294 acres located southerly of Avenue 60, northerly of Avenue 62, and westerly of Polk Street) as a private (membership) auto racing track, no portion of which will be in Zone A, and to find such a facility to be in substantial conformance with the Specific Plan (with text amendments to reflect such a determination). ***Subject to application for, and approval of, a plot plan and specifications, the project may*** include establishment of “founders’ lots” and “corporate lots” for ground lease, clubhouse and pool area, tuning shop, club garages, observation tower, pavilions, an alternative energy park, and a vintage car showroom. (Airport Compatibility Zones A, B1, C and D of Jacqueline Cochran Regional Airport Influence Area).
- II. **MAJOR ISSUES**
The Federal Aviation Administration advised that it would not be able to support the placement of segments of the race course within the “Future Object Free Area Extended” portion of the Runway Protection Zone. The applicant’s representative has redesigned the project to keep all segments of the race course outside the Runway Protection Zone.
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the proposed substantial conformance request, subject to the conditions specified herein.
- IV. **PROJECT DESCRIPTION**
This is a proposal to develop a portion of the Kohl Ranch Specific Plan (approximately 214.7 acres) as a private (membership) auto racing track, no portion of which will be in Zone A, and to find such a facility to be in substantial conformance with the Specific Plan (with text amendments to reflect such a determination). Subject to application for, and approval of a plot plan and specifications, the project may include establishment of “founders’ lots” and “corporate lots” for ground lease, clubhouse and pool area, tuning shop, club garages, observation tower, pavilions, an alternative energy park, and a vintage car showroom.

CONDITIONS: Commission Amended Condition #10

1. Prior to the issuance of building permits, the landowner shall convey an avigation easement to Jacqueline Cochran Regional Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department (Desert office) and to the Riverside County Airport Land Use Commission.
2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the Jacqueline Cochran Regional Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
3. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final

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approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials
4. The attached notice shall be provided to all potential purchasers and tenants.
 5. Any detention or retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
 6. Noise attenuation measures shall be incorporated into the design of office areas of structures, as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
 7. No portion of any roadway or track shall be located within the Runway Protection Zone.
 8. This consistency finding for Specific Plan No. 303, Substantial Conformance No. 2 is based on the representation by the landowner and the representatives of the landowner that the proposed automobile race track would be for the use of a club with limited membership. No use of the racetrack for the purpose of spectator sports, in which guests pay for admission to an event or a series of events, or to which the general public is invited, is included in this determination of consistency.
 9. Development of the area addressed through Specific Plan No. 303, Substantial Conformance No. 2 shall comply with all nonresidential intensity criteria and open area requirements of the applicable airport compatibility zones.

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- 10. All structures shall maintain a minimum *perpendicular* distance of 750 feet from any point *along the centerline* of Runway 17-35 of Jacqueline Cochran Regional Airport, as the runway is depicted on the Airport's Master Plan (including any point *along the centerline* of the runway as extended to the southerly boundary of Zone A).**

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org

The following spoke in favor of the project:

Chad Davies, EDA Aviation

Emily Hemphill, Kohl Ranch Representative, 71780 San Jacinto, Rancho Mirage, CA

Nick Johnson, Kohl Ranch, 6524 Deerbrook Road, Oak Park, CA 91377

Richard Lichtenstein, Other Interested Person, 8436 West Third Street, Los Angeles, CA

No one spoke in neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission, by a unanimous vote of 6-0, found the project **CONSISTENT** as amended, amending Condition #10. Absent: Commissioner Robin Lowe

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.3: TIME IS 9:08 A.M.

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- I. **AGENDA ITEM 3.4:** ZAP1005BL09 – US Solar Holdings, LLC (Representative: Tanya Martinez) – City Case No. CUP 2009-01 (Conditional Use Permit). A proposal to develop a 100 megawatt (MW) solar photovoltaic (PV) renewable energy facility (to be built in 20 MW phases) on 640 acres within an 829-acre area on the grounds of the Blythe Airport, to the east of Runway 17-35 and to the north of Runway 8-26, in portions of Township 6 South, Range 22 East, Sections 20 and 29. The project will include maintenance enclosures less than 25 feet in height. Blythe Airport is located northerly of Interstate 10 and Hobsonway and easterly of Mesa Drive. (Airport Compatibility Zones C and D of the Blythe Airport Influence Area).
- II. **MAJOR ISSUES**
Federal Aviation Administration (FAA) review has not been completed. Reflectivity, glare, and electrical interference are among the concerns when renewable energy facilities are proposed in the vicinity of airports.
- III. **STAFF RECOMMENDATION**
Staff recommends that the Commission authorize a letter requesting that a qualified engineer analyze the probability that the array would create a single beam of reflected light, project the properties of said beam, and plot its daily arc intersecting the aircraft traffic pattern. Staff recommends that the Commission open the public hearing, consider testimony, and CONTINUE this matter to the meeting of April 8, pending completion of the FAA obstruction evaluation review process and to allow further study as to whether the proposed project would constitute a hazard to flight.
- Staff also requests that the Commission provide the applicant and staff with guidance as to its expectations for evidence demonstrating that the project will not be a hazard to flight.
- IV. **PROJECT DESCRIPTION**
This is a proposal to construct and operate a 100 megawatt (MW) solar photovoltaic (PV) renewable energy facility (to be built in 20 MW phases) on 640 acres within an 829-acre area on the grounds of Blythe Airport. The area is labeled “non-aeronautical” on Exhibit 5C of the Blythe Airport Master Plan. The project will include maintenance enclosures not exceeding 25 feet in height.
- V. **MEETING SUMMARY**
The following staff presented the subject proposal:
ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org
- No one spoke in favor, neutral or opposition to the project.
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission, by a unanimous vote of 7-0, CONTINUED the project to April 8, 2010.
- VII. **CD**
The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.4: TIME IS 9:48 A.M.

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- I. **AGENDA ITEM 3.5:** ZAP1063MA09 – City of Perris (Representative: Brad Eckhardt, Planning Manager) – City Case Nos. 08-10-007 (Specific Plan), 08-10-008 (General Plan Amendment), and 08-10-009 (Change of Zone). The City proposes to adopt the Perris Valley Commerce Center Specific Plan, which would apply to a 3,517.22-acre area (approximately 5.23 square miles) located southerly of the City of Moreno Valley and March Air Reserve Base, easterly of Interstate 215, northerly of Placentia Street, and westerly of the Perris Valley Storm Drain Channel. The Specific Plan would establish a land use plan (thereby modifying General Plan land uses), designate Planning Areas, establish a list of permitted uses, modify development standards, and establish design guidelines, infrastructure plans, landscaping guidelines, and administrative procedures. The general plan amendment would designate the project area as a Specific Plan, and the change of zone would establish Specific Plan zoning. The majority of the area would continue to be designated for industrial use. (Airport Areas I, II, and III of the March Air Reserve Base Airport Influence Area).

II. **MAJOR ISSUES**

The major issues here relate mainly to text statements. The overall effect of the project is a positive one, in that the project would restrict the acreage designated for residential use to existing residential neighborhoods. Some changes to the document will be necessary to bring the document into compliance with U.S. Air Force Air Installation Compatible Use Zones report recommendations, and the City agreed to make those changes necessary to bring the project into conformity with Table 3-1 of the 2005 AICUZ report.

ALUC staff provided its comments to the City of Perris in a series of e-mail memoranda sent on January 27, February 3, February 4, and February 8. Subsequently, on February 23, Ed Cooper and John Guerin of ALUC staff met with City of Perris Development Services Director Brad Eckhardt and representatives from Albert A. Webb Associates, the Specific Plan consultant. The City and the consultants agreed to most of the suggested changes. However, six issues remained:

- (a) How to address the potential for subdivision of residential properties in the Residentially designated and zoned neighborhood southerly of Markham Street and easterly of Webster Avenue in an area designated as within Airport Area II by ALUC maps;
- (b) Permissible land uses within the proposed Airport Overlay Zones and potential conflicts with Appendix B of the 1984 Riverside County Airport Land Use Plan (ALUC's Airport Area I and the Accident Potential Zones);
- (c) Maximum dewatering periods for stormwater retention and water quality basins (48 hours vis-à-vis 72 hours);
- (d) Floor area ratios and lot coverage within the Airport Overlay Zones;
- (e) Provision for live-work units within Specific Plan areas in Airport Area II; and:
- (f) Elevation of March Air Reserve Base runway at southerly terminus (since resolved).

ALUC staff is continuing to work with City staff in an attempt to "bridge the gap" so as to enable a finding of consistency or conditional consistency, if possible.

Staff received phone calls and one visit from property owners within the 300-foot radius outside the project boundary, but no contacts from property owners within the project boundary. Upon further analysis, ALUC staff determined that only the property owners within the 300-foot radius were

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notified. Property owners within the project boundary, who would be most affected by the adoption of the Specific Plan, were not included in the notification.

In order to resolve this matter, the City elected to provide for the advertisement of the March hearing through a one-eighth page newspaper advertisement in the Riverside Press-Enterprise. Pursuant to applicable State law, the publication of a one-eighth page advertisement in a newspaper of general circulation constitutes sufficient legal notice when a project affects more than 1,000 property owners.

III. STAFF RECOMMENDATION

Staff recommends that the Commission open the public hearing, consider testimony, and discuss the above issues, and provide feedback to both ALUC staff and the City as to whether further changes to the Specific Plan text will be needed. Following discussion, it is likely that this matter will require an additional CONTINUANCE to April 8, 2010 for finalization of such changes. However, if the Commission finds that the project substantially conforms to the provisions of the 1984 Riverside County Airport Land Use Plan given the text amendments that the City has agreed to undertake, the Commission may choose to render a finding of consistency.

IV. PROJECT DESCRIPTION

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

CONDITIONS: (Amended first sentence of Condition #5, and striking second paragraph of Condition #7 and 8 as of Commission Meeting Date 3/11/10)

1. In accordance with this Specific Plan, prior to the issuance of building permits for any new development within this area, the landowner shall convey an avigation easement to the MARB/MIP Airport. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)

This condition is presently applicable to all properties within the Specific Plan, whether or not they are located within the Airport Overlay Zone. In the event that the March Joint Land Use Study is ultimately adopted by the Riverside County Airport Land Use Commission as the official Airport Land Use Compatibility Plan for this area, this condition shall not be applicable to those properties outside the Airport Overlay Zone for which avigation easements are not required pursuant to that Plan.

2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
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

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approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

- 4. The attached notice shall be provided to all potential purchasers and tenants.
- 5. **Any retention basin shall be designed so as to provide a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls.** Vegetation in and around the retention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 6. Noise attenuation measures shall be incorporated into the design of office areas of structures, as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.
- 7. Development of nonresidential land uses within the Airport Overlay Zone, except for warehousing and distribution center land uses, shall be limited to a maximum lot coverage of 20 percent, unless the proponent demonstrates to the satisfaction of the Director of Development Services that the applicable nonresidential intensity limits (25 persons per acre within Accident Potential Zone I and 50 persons per acre within Accident Potential Zone II) would not be exceeded. Lot coverage for warehousing and distribution center land uses may be as high as 50 percent.
- 8. Not more than sixty-four (64) live-work units will be permitted to be developed within any given quarter-mile (160-acre) area. Live-work units are not permitted within the Airport Overlay Zone, except at a maximum number of one such unit for each legally established lot, in lieu of a conventional residence.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org

The following spoke in favor of the project:

Roger Prend, Owners Representative, 3788 McKay Street, Riverside, CA 92506

No one spoke in neutral or opposition to the project.

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VI. ALUC COMMISSION ACTION

The ALUC Commission, by a vote of 6-0, found the project **CONSISTENT** as amended, striking the second paragraph of Conditions #7 and #8 and amending the first sentence of Condition No. 5. Abstain: Commissioner Glen Holmes

VII. CD

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 3.5: TIME IS 10:33 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MARCH 11, 2010
RIVERSIDE MEETING**

I. **AGENDA ITEM 4.1:** ZAP1006BA10 – OSI Partnership I, LLC (Representative: Stantec Consulting Services/Patrick Osborne) – City of Banning Case Nos. DR 07-708, DR08-401 (Design Reviews), and TPM 36056 (Tentative Parcel Map). The applicant proposes to develop twelve (12) industrial buildings ranging from 14,677 square feet to 786,984 square feet in floor area, for a cumulative 1,194,045 square feet of industrial floor area, within a 63.98-64.5 acre area located easterly of Hathaway Street and northerly of Interstate 10 in the City of Banning. The majority of the square footage for each building would be for manufacturing and/or warehousing uses, but each building would also provide for office areas. Tentative Parcel Map No. 36056 is a proposal to divide the property into twelve lots, so that each building would be located on its individual lot. (Airport Compatibility Zone D of the Banning Municipal Airport Influence Area).

II. **MAJOR ISSUES**

FAA obstruction evaluation review is required.

III. **STAFF RECOMMENDATION**

At press time (February 25), staff had not received documentation that the Federal Aviation Administration was processing obstruction evaluation requests for this property. Therefore, at this time, staff recommends CONTINUANCE to the meeting of April 8, 2010; however, in the event that such evidence is received prior to the hearing, staff would recommend that the Commission find the proposed project conditionally consistent.

STAFF RECOMMENDED AT HEARING: CONDITIONALLY CONSISTENT

IV. **PROJECT DESCRIPTION**

The applicant proposes to develop twelve industrial buildings with a total gross floor area of 1,194,045 square feet on a 63.98-64.50 acre site. The buildings range from 14,677 square feet to 786,984 square feet in floor area. The majority of the square footage for each building would be for manufacturing and/or warehousing uses, but each building would also provide for office areas.

Tentative Parcel Map No. 36056 is a proposal to divide the property into twelve lots, so that each building would be located on its individual lot.

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.

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(Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor nonresidential uses.

3. The City of Banning shall require additional review by the Airport Land Use Commission prior to the establishment of any use other than offices, manufacturing, storage, and warehousing within the proposed buildings. Examples of uses that would require further review include, but are not limited to:

Retail sales, auction rooms, auditoriums, churches and chapels, dance floors, day care or child care centers, libraries, lodge rooms, reviewing stands, conference rooms with capacities of 25 or more persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, swimming pools, skating rinks, locker rooms, and other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to the edition of the Building Code in effect at the time of land use or building permit application, as applicable.

These uses have greater intensity than the uses indicated on the plot plan, such that compliance with single-acre intensity limits would need to be re-evaluated.

- 4. Any changes in the locations of buildings from those shown on the exhibit prepared by HPA, Inc. dated October 1, 2009 shall be subject to further review by the Airport Land Use Commission as an amended project.
- 5. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
- 6. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours (may be less, but not more) and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Landscaping shall utilize plant species that do not produce seeds, fruits, or berries. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.
- 7. Prior to issuance of building permits, the permittee shall provide evidence that the Federal Aviation Administration has issued a "Determination of No Hazard to Air Navigation" for the proposed buildings. Once such a determination has been issued, the latitude, longitude, coordinates, and height of such buildings shall not be changed, and the site elevation of the structure at top point shall not be increased without further notice to, and review by, the Federal Aviation Administration through the Form 7460-1 process.

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8. The open areas indicated on the exhibit prepared by Stantec Consulting Inc. dated February 23, 2010 shall be kept free of most structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires pursuant to Countywide Policy 4.2.4.

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549 or John Guerin at (951) 955-0982, or E-mail at jguerin@rctlma.org.

No one spoke in favor, neutral or opposition to the project.

VI. **ALUC COMMISSION ACTION**

The ALUC Commission, by a vote of 6-0, found the project **CONDITIONALLY CONSISTENT**.
Abstain: Commissioner Glen Holmes

VII. **CD**

The entire discussion of this agenda item can be found on CD and referenced by the meeting time listed below. For a copy of the CD, please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or E-mail at basantos@rctlma.org.

ITEM 4.1: TIME IS 11:05 A.M.

**AIRPORT LAND USE COMMISSION
MINUTE ORDER MARCH 11, 2010
RIVERSIDE MEETING**

I. 5.0 ADMINISTRATIVE ITEMS

5.1 Director's Approvals – Information Only

5.2 Procedures for Mapping to Achieve General Plan Amendment No. 960/Compatibility Plan Consistency: Proposed Method for Addressing Parcels with Split Compatibility Zone Designations

Josh Lee, Riverside County Planning Department presented a Power Point Presentation to the Commission. The Commission raised no objections to the recommended methodology.

II. 6.0 APPROVAL OF MINUTES

The January 14, 2010 minutes were approved by a vote of 4-0. Abstain: Chairman Housman and Commissioners Melanie Fesmire and Robin Lowe.

The February 11, 2010 minutes were approved by a vote of 5-0. Abstain: Vice Chairman Rod Ballance and Commissioner Robin Lowe.

III. 7.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

None

IV. 8.0 COMMISSIONER'S COMMENTS

Vice Chairman Rod Ballance announced the City of Riverside is having an air show on March 27th.

B.T. Miller, County Counsel, announced his forthcoming retirement. His last day to serve the ALUC Commission will be in June 2010.

John Guerin, ALUC staff, reported that Bill Gifford, the father of TLMA Administrative Services Manager Kathy Gifford, passed away. Mr. Gifford was an Aviator in the Service, so Mr. Guerin requested that the Commission adjourn the meeting in his memory.

V. ADJOURNMENT

Chairman Housman adjourned the meeting at 11:30 a.m.

VI. CD

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