



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administration Center
4080 Lemon St., Hearing Room (1st Floor)
Riverside, California

Thursday 9:00 a.m., May 14, 2009

CHAIR
Simon Housman
Rancho Mirage

VICE CHAIRMAN
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Riverside

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Robin Lowe
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Director
Ed Cooper

John Guerin
Brenda Ramirez
Barbara Santos

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

www.rcaluc.org

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the item under consideration. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s). Also please be aware that the indicated staff recommendation shown below may differ from that presented to the Commission during the public hearing.

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

In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Barbara Santos at (951) 955-5132 or E-mail at basantos@rctlma.org. Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

1.0 INTRODUCTIONS

1.1 CALL TO ORDER

1.2 SALUTE TO FLAG

1.3 ROLL CALL

2.0 PUBLIC HEARING: NEW BUSINESS

FRENCH VALLEY AIRPORT

- 2.1 ZAP1033FV09 – City of Temecula – (Representative: Dale West) – City Case No. LR09-0007 (Ordinance Amendment). This is a proposed Citywide Ordinance to establish development standards for allowing small wind energy conversion systems within all zoning districts of the City of Temecula, with the exception of the Open Space – Conservation zoning district. The proposed ordinance would define a "small wind energy conversion system" as a wind energy conversion system consisting of a wind turbine, tower, blades, associated controls, and conversion electronics, which has a rated output capacity that does not exceed 30 kilowatts, and which will be used to reduce on-site consumption of utility provided power. ALUC Staff Planner: Brenda Ramirez, Ph: (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT

MARCH AIR RESERVE BASE

- 2.2 ZAP1056MA09 – First Industrial Realty Trust/FirstCal Industrial LLC/Fr. Cal. Ellis – (Representative: John Grace, Natchez Court Land Planning) – City of Perris Case Nos. GPA 08-05-0023 (General Plan Amendment); SPA 08-05-0024 (Specific Plan Amendment); ZC 09-03-0020 (Zone Change); DPR 08-01-0007 (Development Plan Review); and TPM 08-01-0006 (Tentative Parcel Map). DPR 08-01-0007 is a proposal to develop a warehouse/distribution center comprised of four buildings with a cumulative total of up to 3,166,456 square feet and a water quality detention basin on 215.7-218.1 acres located northerly of Ellis Avenue, easterly of Redlands Avenue, southerly of 7th Street, and southwesterly of Interstate 215 in the City of Perris. GPA 08-05-0023 and ZC 09-03-0020 propose to change the designation of the site on the City’s General Plan Land Use Map and the site’s zoning from Specific Plan to General Industrial. SPA 08-05-0024 proposes to remove this site from the adopted New Perris Specific Plan, which had designated the site for Regional Commercial, Industrial, Commercial, and Retail uses. TPM 08-01-0006 proposes to divide the site into four lots. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONSISTENT GPA, SP and CZ; CONTINUANCE DPR and PARCEL MAP.

PERRIS VALLEY AIRPORT

- 2.3 ZAP1002PV09 – First Industrial Realty Trust/FirstCal Industrial LLC/Fr. Cal. Ellis – (Representative: John Grace, Natchez Court Land Planning) – City of Perris Case No. DPR 07-0130 (Development Plan Review). DPR 07-0130 is a proposal to develop a single-structure warehouse/distribution facility with up to 783,700 square feet of floor area on 38.51 acres located westerly of Goetz Road, southerly of Mountain Avenue, and northerly of Artlo Avenue in the City of Perris. ALUC Staff Planner: Brenda Ramirez at (951) 955-0549, or E-mail at brramire@rctlma.org.

Staff Recommendation: CONTINUE TO JUNE 11, 2009

3.0 ADMINISTRATIVE ITEMS

- 3.1 Director’s Approval

4.0 APPROVAL OF MINUTES

April 16, 2009

5.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

6.0 COMMISSIONER’S COMMENTS

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 2.1

HEARING DATE: May 14, 2009

CASE NUMBER: ZAP1033FV09 – City of Temecula (Representative: Dale West)

APPROVING JURISDICTION: City of Temecula

JURISDICTION CASE NO.: LR09-0007 (Small Wind Energy Conversion System Ordinance)

MAJOR ISSUES: Staff had concerns regarding possible need for FAA notice and review at the project level. City staff has agreed to add additional text to the Ordinance that would require all projects within 20,000 feet of the runway whose elevation at top point is greater than, or equal to, the runway elevation to be directed to ALUC staff in order to make a determination of whether FAA review is required.

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the Ordinance LR09-0007.

PROJECT DESCRIPTION:

This is a proposed Citywide Ordinance to establish development standards for allowing small wind energy conversion systems (SWECS) within all zoning districts of the City of Temecula, with the exception of the Open Space- Conservation zoning district. The proposed ordinance would define a small wind energy conversion system consisting of a wind turbine, tower, blades, associated controls, and conversion electronics, which has a rated output capacity that does not exceed 30 kilowatts, and which will be used to reduce on-site consumption of utility provided power.

PROJECT LOCATION:

The Ordinance would apply Citywide. The small wind energy conversion systems could be developed in any zoning district, with the exception of the Open Space-Conservation zoning district.

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

- a. Airport Influence Area: French Valley
- b. Land Use Policy: Airport Compatibility Zones D, E, and a small area within C
- c. Noise Levels: Outside the 55 CNEL contour

BACKGROUND:

Land Use/Intensity: The proposed Citywide Ordinance would establish development standards for allowing small wind energy conversion systems (SWECS) within all zoning districts of the City of Temecula, with the exception of the Open Space- Conservation zoning district. The City’s General Plan was found consistent with the 2004 FVALUCP on April 14, 2005.

The proposed ordinance would define a small wind energy conversion system consisting of a wind turbine, tower, blades, associated controls, and conversion electronics, which has a rated output capacity that does not exceed 30 kilowatts, and which will be used to reduce on-site consumption of utility provided power.

The small wind energy conversion systems would be limited to one per lot. Illumination of the tower or turbine would be prohibited, unless required by FAA standards. (However, the Ordinance also states that the SWECS “shall not be located in an area where FAA regulations would require a beacon”.)

Portions of the City boundaries include Airport Compatibility Zones C, D, and E of the French Valley Airport.

Part 77: The maximum height of a SWECS in most districts shall not exceed the zoning district’s development standards. The City HT zone would allow a height up to 75 feet. The determination of obstructions in navigable space will be referred to ALUC staff on a case by case basis. All proposed SWECS within 20,000 feet of the runway with an elevation at top point that is equal to or greater than the runway elevation would be reviewed by ALUC staff to determine whether FAA review is required.

Noise: The proposed project would not require mitigation of aircraft noise, as the SWECS are noise-generating uses, not noise sensitive uses.

Ordinances are not subject to conditions.

COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION
STAFF REPORT

AGENDA ITEM: 2.2

HEARING DATE: May 14, 2009

CASE NUMBER: ZAP1056MA09 – First Industrial Realty Trust/FirstCal Industrial LLC/Fr. Cal. Ellis – (Representative: John Grace, Natchez Court Land Planning)

APPROVING JURISDICTION: City of Perris

JURISDICTION CASE NO.: GPA 08-05-0023 (General Plan Amendment), SPA 08-05-0024 (Specific Plan Amendment), ZC 09-03-0020 (Zone Change), DPR 08-01-0007 (Development Plan Review), and TPM 08-01-0006 (Tentative Parcel Map)

MAJOR ISSUES: Federal Aviation Administration (FAA) review is required, as the project site's location is in close proximity to the northwestern terminus of the runway at Perris Valley Airport. (In the event that the applicant provides documentation confirming submittal of Form 7460-1 to the FAA prior to the hearing, the staff recommendation for the plot plan and parcel map may be amended.)

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the general plan amendment, specific plan amendment, and zone change, but recommends CONTINUANCE of the Development Plan Review and Parcel Map to the June 11, 2009 hearing, to allow the applicant time to submit Form 7460-1 to the FAA.

PROJECT DESCRIPTION:

The applicant proposes SPA 08-05-0024 to remove this approximately 216-acre site from the adopted New Perris Specific Plan, which had designated the site for Regional Commercial, Industrial, Commercial, and Retail uses. GPA 08-05-0023 and ZC 09-03-0020 propose to change the designation of the site on the City's General Plan Land Use Map and the site's zoning from Specific Plan to General Industrial. TPM 08-01-0006 proposes to divide the site into four lots. DPR 08-01-0007 proposes to construct a warehouse/distribution center comprised of four buildings with a cumulative total of approximately 3,166,456 square feet and a detention basin.

PROJECT LOCATION:

The project site is located northerly of Ellis Avenue, easterly of Redlands Avenue, southerly of 7th Street, and southwesterly of Interstate 215 in the City of Perris, approximately 32,400 feet southerly of the southerly end of the runway at March Air Reserve Base.

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

- a. Airport Influence Area: March Air Reserve Base
- b. Land Use Policy: Partially within Area III
- c. Noise Levels: Outside the 60 CNEL contour, based on the 1998 and 2005 Air Installation Compatible Use Zone (AICUZ) studies.

BACKGROUND:

Land Use/Intensity: The project site is located partially within Area III of the March Air Reserve Base Airport Influence Area. The applicant proposes to divide the site into four industrial lots and to construct four (4) warehouse/distribution buildings with a cumulative total of 3,166,456 square feet and a detention basin.

The site is within the adopted New Perris Specific Plan, which designates the site for Regional Commercial, Industrial, Commercial and Retail uses. The applicant proposes to remove the site from the Specific Plan, thereby necessitating a Specific Plan Amendment, along with a General Plan Amendment and a Zone Change to change the designation and zoning of the project site from Specific Plan to General Industrial.

The portion of the project in Area III is approximately 67.25 acres in area, and would be used as a detention basin.

Additional Information: In addition, the project site is located partially within the Draft Perris Valley Airport Influence Area, specifically Airport Compatibility Zones D and E. Approximately 32.51 acres would be within Airport Compatibility Zone D, and 116.33 acres would be within Airport Compatibility Zone E.

The current project as depicted on the plans could potentially accommodate 16.1 persons per average acre and up to 167 people in any given single acre. This would meet the Countywide basic compatibility criteria for Zones D and E; therefore, the project would be consistent with the Draft Plan.

Part 77: The project site is approximately 32,400 feet southerly of the southerly runway terminus at March Air Reserve Base Airport, and would not require FAA review based on that runway. However, the project site is approximately 1,166 feet northeasterly of the northwesterly terminus of Runway 15-33 at Perris Valley Airport. The site's elevation ranges from 1,416 – 1,420 feet above mean sea level (AMSL), and the proposed structures would have a maximum building height of 38 feet. The runway elevation at the northwesterly end is 1,413 feet AMSL. At this distance from the runway, any structure above 1,424 feet AMSL requires FAA review. Staff has advised the applicant of the requirement for FAA review.

Noise: The site lies outside the 60 CNEL contour. No special noise mitigation measures are required for this industrial development.

CONDITIONS (to be applied to the Development Plan Review and the Tentative Parcel Map):

1. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to the MARB/MIP Airport or provide documentation to the City of Perris and the Airport Land Use Commission that such conveyance has previously been recorded. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. Any 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, or FAA-approved obstruction lighting.
 - 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 of the real property and the proposed structures.
5. Bio-swales and detention basins shall be designed to remain totally dry between rainfalls and shall not be designed to provide a maximum detention period exceeding 48 hours. Vegetation in and around such swales or basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
6. Prior to the issuance of building permits, the applicant shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,424 feet AMSL and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the City of Perris Planning Department and the Riverside County Airport Land Use Commission.

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

AGENDA ITEM: 2.3

HEARING DATE: May 14, 2009

CASE NUMBER: ZAP1002PV09 – First Industrial Realty Trust/
FirstCal Industrial LLC/ Fr. Cal. Ellis
(Representative: John Grace, Natchez Court Land
Planning)

APPROVING JURISDICTION: City of Perris

JURISDICTION CASE NO.: DPR 07-0130 (Development Plan Review)

MAJOR ISSUES: The applicant is required to submit Form 7460-1 to the Federal Aviation Administration (FAA). With regard to the criteria of the Draft Perris Valley Airport Land Use Compatibility Plan, the project is consistent with the criteria therein, provided that (truck) trailer parking areas are included in the calculation of open areas.

RECOMMENDATION: Staff recommends CONTINUANCE to the June 11, 2009 hearing, to allow the applicant time to file Form 7460-1 with the FAA.

PROJECT DESCRIPTION:

The applicant proposes a warehouse/distribution facility with up to 783,700 square feet of floor area on an approximately 38.51 acre parcel.

PROJECT LOCATION:

The project site is located westerly of Goetz Road, southerly of Mountain Avenue, and northerly of Artlo Avenue, in the City of Perris, approximately 1,425 feet westerly of Runway 15-33 at Perris Valley Airport.

LAND USE PLAN: DRAFT 2009 Perris Valley Airport Land Use Compatibility Plan

- a. Airport Influence Area: Perris Valley
- b. Land Use Policy: Airport Compatibility Zone D
- c. Noise Levels: From below 55 CNEL to 60 CNEL

BACKGROUND:

Analysis Relative to Draft Perris Valley Airport Land Use Compatibility Plan

Land Use/Intensity: The project site is within Airport Compatibility Zone D of the DRAFT 2009 Perris Valley Airport Land Use Compatibility Plan. Countywide Policy criteria for Zone D allow an average intensity of 100 persons per acre and a maximum intensity of 300 persons within any single acre.

The applicant proposes a warehouse/distribution facility with up to 783,700 square feet of floor area on an approximately 38.51 acre parcel. Using the Building Code Method (with the standard 50 percent reduction), staff calculates an average intensity of approximately 25.1 persons per average acre, and a maximum intensity of 169 people per single acre. Use of the Parking Space Method would result in an average of 13.7 people per acre. Consequently, staff concludes that the proposed use will not exceed the allowable intensity for Airport Compatibility Zone D.

Open Space: Airport Compatibility Zone D would require that 10 percent of land area within projects ten acres or larger in size be set aside as open land that could potentially serve as emergency landing areas. This criterion would require 3.85 acres of open land on this site. As currently designed, the project has approximately 2 acres designated for retention basins. In addition, the project will have a trailer parking area of approximately 2 acres on the northern boundary. These two areas combined would meet the open land requirement. However, the trailer parking areas would be occupied by vehicles much of the time.

Part 77: The runway elevation is 1,413 feet above mean sea level (AMSL). The site's elevation ranges from 1419-1428 feet AMSL. The structure will have a maximum height of 44 feet. Given the site's distance from the runway (1,420 feet), any structure above 1,427 feet AMSL at top point will require FAA notice and review. Therefore, the proposed project requires FAA review. The applicant is currently compiling the information required for submittal of Form 7460-1 to the FAA.

Noise: The project is located outside the ultimate 60 CNEL noise level contour. Noise mitigation will not be required, as the proposed use is not noise-sensitive.

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. (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.
3. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.
 4. Prior to the issuance of building permits, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,427 feet AMSL and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the City of Perris Planning Department and the Riverside County Airport Land Use Commission.
 5. This finding is based on review of the site plan prepared by Martinez Design Group and dated October 8, 2008, and on the assumption that the proposed building will be utilized for office, manufacturing, and warehousing uses. The City of Perris shall require additional review by the Airport Land Use Commission or its staff prior to the establishment of any of the following uses in the structure proposed through this Development Plan Review:

Retail sales, auction rooms, auditoriums, churches and chapels, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding 100 persons, dining rooms, exhibit rooms, restaurants, drinking establishments, gymnasiums, lounges, stages, gaming, bowling alleys, classrooms, courtrooms, dormitories, exercise rooms, looker rooms, swimming pools, skating rinks, 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 pr such Building Code as may be in effect at the time such use is proposed.

6. It is recommended that the proposed on-site detention/retention basin be designed, engineered, constructed, and maintained so as to provide for a maximum 48 hour detention period after the design storm (may be less, but not more), and to remain totally dry between rainfalls. If this criterion cannot be met, the permittee, in consultation with the owner-operator of Perris Valley Airport, shall contract with a wildlife biologist qualified to conduct Wildlife Hazard Assessments for the preparation of a Wildlife Hazard Management Plan (WHMP), and shall comply with the mitigation measures recommended in such Plan. Vegetation in and around the detention/retention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

STAFF REPORT

ADMINISTRATIVE ITEMS

- 3.1** Director's Approvals. As authorized pursuant to Section 1.5.2(d) of the 2004 Riverside County Airport Land Use Compatibility Plan, ALUC Director Ed Cooper has approved one non-legislative case determined to be consistent with an Airport Land Use Compatibility Plan. Staff is attaching copies, for your Commission's information.