

AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY ADMINISTRATION CENTER
4080 Lemon St., Board Room (14th Floor)
Riverside, California

THURSDAY, October 17, 2002

9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on October 17, 2002 at Riverside County Administration Center, Board Room (14th Floor).

COMMISSIONERS PRESENT: William Cobb, Chairman
Allen Graff, Vice-Chairman
Marge Tandy
Paul Bell
B.T. Miller, Legal Counsel
Rick Stephens
Jack Houston, Alternate

COMMISSIONERS ABSENT: Sam Pratt
Walter Snyder

OTHERS PRESENT: Joanna Crombie, City of Hemet
Tom Mc Donough
D. Horenstein
David Sawyer, City of Hemet
Deanna Elliano, Sierra Consulting
Russell Rumansoff
Kent Cornwall
Dan Mc Kinney
Sherry Maurer, Community South West
Kevin Milligan
Holly Klug
Thomas Weber
Kathy Stowers-Weber
Dawn Kolles
Peter Flax
Sandra Schulz
John Cotton
Patti Nahill
David Gilbert, City of Indio
Ken Brody, Consultant

STAFF PRESENT: Keith Downs, A.L.U.C. Executive Director
Beverly Coleman, Development Specialist III
Bernadette Cruz, Secretary
Jackeline Gonzalez, Office Assistant II

- I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Chairman Cobb.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR JULY 18, 2002

ACTION TAKEN: Commissioner Tandy made a motion to approve the minutes. Vice-Chairman Graff seconded the motion.

APPROVAL OF MINUTES FOR AUGUST 15, 2002

Chairman Cobb called for any correction to the minutes. Commissioner Stephens indicated a correction to June Stephens name instead of Judy it should be June.

ACTION TAKEN: Commissioner Tandy made a motion to approve the minutes. Vice-Chairman Graff seconded the motion. Minutes were approved by Commissioner's Tandy, Bell, Alternate Stephens and Vice Chairman Graff, which were the only members present for the August meeting.

APPROVAL OF MINUTES FOR SEPTEMBER 19, 2002: Due to the minutes being distributed at the meeting to the Commissioner's, Chairman Cobb continued the approval of the minutes to next meeting of November 21, 2002.

V. OLD BUSINESS

MARCH AIR RESERVE BASE / M.I.P.

9:00 A.M.

- A. MA-02-168 – Communities Southwest – (Re advertised from September 19th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER:	<i>MA-02-168 Communities Southwest</i>
APPROVING JURISDICTION:	<i>City of Riverside</i>
JURISDICTION CASE NO:	<i>Tract Map 30717 (Previous case MA-01-168 was Specific Plan Amendment and Change of Zone)</i>

PROJECT DESCRIPTION:

A Tract Map of 288 lots on 100.12 acres

PROJECT LOCATION:

The site is north of Siegal Ave., east of Barton Road and west of March Air Reserve Base/MIP.

<i>Adjacent Airport:</i>	<i>March Air Reserve Base/March Inland Port</i>
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<i>a. Airport Influence Area:</i>	<i>Within Area of Influence Study Area</i>
<i>b. Land Use Policy:</i>	<i>Influence Area II</i>

c. Noise Levels: See Below

BACKGROUND:

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

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

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

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

1. The RCALUP: 1984 with Interim boundaries for March Air Force Base: 1986
2. The current CalTrans Airport Land Use Planning Handbook: 1993
3. Draft CLUP for March Air Force Base: 1994 and 98/99
4. Noise Data from the Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base

MAJOR ISSUES:

Land Use: The proposed site is located approximately 4,800- 10,500 feet west of the north end of Runway 14-32. The proposal consists of a change that would allow 288 additional homes on 100.12 acres (2.9/acre). The proposal is underlying two approach tracks and near others within the conical surface. The previous designation of 'Manufacturing Park' was compatible with the CLUP and the Commission found the proposal to change the area to Residential inconsistent.

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

Density and Coverage: The lots are approximately 7,200 to 29,000 sq. ft and overall coverage would likely be less than 50%.

Part 77: The elevation at this site is between 1,775 and 1,638 MSL feet and the maximum allowed building height is 35 feet. All of the area in the shaded portion of Exhibit "C" is an 'obstruction' and any structure within that area or within the added area would be an 'obstruction.' The applicant submitted a 'conceptual' FAA Notice to

Construct review to the FAA for a response. Much of the project is within Part 77 obstruction criteria.

Noise: The site has been shown to have noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have from below 55 CNEL to above 60 CNEL. The inclusion of another 288 homes will likely result in 965 new residents (3.35 pph x 288 = 965). The predicted level of noise complaints from the project would likely produce a complaint level of 7% of that population (i.e. 68). Since the setting is a quiet suburban community that level is more likely to be 13-23% (125-222). This project would likely result in new complaints regarding noise from the airport.

Environmental: A preliminary noise report is attached. This report measured existing noise on midday December 21 for ten minutes at each site. The sites were on the eastern portion of the site,

RECOMMENDATION: Staff recommends that the ALUC find the proposed Single-Family Tract Residential inconsistent with the 1984/86 Airport Land Use Plan.

Addendum: October 2002: This item was continued and re advertised due to an error in the legal description. It has been corrected.

APPENDIX

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

Area II, Policy #2 states: "Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable." Policy #4 states: "New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 46 dB (CNEL of Ldn) in any inhabited room with windows closed."

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

The 1994 Draft CLUP for MAFB

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

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

Conclusion: The eastern portion of the proposal as submitted would be inconsistent with the 1994 Draft to noise.

1998/99 Draft CLUP:

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

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

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

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

TABLE 1

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

* Over eastern portion of property

CONDITIONS FOR OVERRIDE

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

1. An acoustical analysis shall be required that includes the following components:
 - a. A description of the components necessary to achieve a noise reduction level (NRL) of 25 for each of the project's components with noise sensitive uses
 - b. Inclusion of all surrounding noise sources (roadway, industrial) at their ultimate design and build out capacity.
 - c. Requiring additional noise insulation in each house to a NLR of 25.
2. Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.
3. Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an Airport Lighting Consultant prior to placement.
4. No obstruction of the "FAR Part 77 Conical Surface" shall be permitted. The following procedure shall be utilized in order to make a determination as to whether a project would result in such obstruction:
 - a. Any proposal for a variance in height limitations of the applicable zone, or for a plot plan or use permit proposing a greater height limit pursuant to

the provisions of the Zoning Ordinance shall be transmitted to the Riverside County ALUC staff for a determination of whether review by the Riverside County Airport Land Use Commission is required. The application for such a proposal shall also provide evidence to the Planning Department that the proposal has been submitted to the Federal Aviation Administration for review and comment relative to the provisions of FAR Part 77, or written documentation from the Federal Aviation Administration that such review is not required.

- b. The Federal Aviation Administration shall conduct a Form 7460 review, unless that agency determines in writing that such a review is not required or not applicable.*

The following uses shall be prohibited:

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.

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.

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.

Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

The above ground storage of explosives or flammable materials shall be prohibited.

The environmental and sales information for this available for this project shall include the noise and flight track information.

Keith Downs indicated that this case was presented to the commission about a year ago as a General Plan, Change of Zone and also the tract to the west, which were denied and found inconsistent by the commission. This Tract Map was on the hearing for the last meeting, but the tract number given by the applicant was incorrect. It has been corrected and re-advertised with the correct tract number.

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb opened the floor for comments from the audience on the case hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Sherry Maurer, Community South West came forward in response to Chairman Cobb's invitation, and indicated that this was the same property same uses that were before the Commission in March since then the City has approved the project taking into considerations the mitigating circumstances, which are already

conditions on the project. The FAA has issued a determination of no hazard to air navigation and it is acceptable for another year.

Chairman Cobb called for questions from the Commissioners for the applicant. Hearing no response from the Commissioners, Chairman Cobb called for comments or discussion from the Commissioner's and upon hearing no reply or response he called for a motion to be set.

Due to Commissioner Tandy Opposing the project and Commissioner Stephens Abstained from the case there were insufficient votes and it was continued to the end of the meeting in order to give Jack Houston, Alternate time to show.

Keith Downs review once more the staff report and recommendations for this project for the Commissioners that weren't present when this particular case was heard.

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb opened the floor for comments on the case hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Sherry Maurer, Community Southwest came forward and asked for clarification on what was taking place with the project. Counsel Miller indicated that a motion would be taking place now that Jack Houston Alternate had arrived. Mrs. Maurer then indicated she had no previous comments than the ones made earlier in the meeting.

Upon hearing no further comments or discussion from the Commissioners, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion of inconsistency subject to staff's recommendations. Commissioner Bell seconded the motion. Motion carried unanimously. Commissioner Tandy Opposed. Commissioner Stephens Abstained.

FRENCH VALLEY AIRPORT

9:00 A.M.

- B. FV-02-103 – Riverside County – (Continued from September 19th). Beverly Coleman presented the case by referring exhibits, staff report and recommendations.

CASE NUMBER: FV-02-103 – Riverside County
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: PP17666

PROJECT DESCRIPTION:

A request for PP 17666 for construction of a 240,000 sq. ft. Business Park with multiple buildings for offices, restaurants, health and exercise center, mini-warehouse, nursery, trailer, boat storage, blueprinting and duplicating services on approximately 61.75 acres.

PROJECT LOCATION:

The site is located at the northeast corner of Briggs Road and Auld Road, southerly of Benton Road in the County of Riverside, 460 - 2600 ft. north of the north end of Runway 18/36 at the French Valley Airport.

LAND USE PLAN

- Adjacent Airport: French Valley
- a. Airport Influence Area: Inner Safety Zone (ISZ), Emergency Touchdown Zone (ETZ), Outer Safety Zone (OSZ) and Traffic Pattern Zone (TPZ)
- b. Noise Levels: Inside 55 and 60 CNEL for year 2013

MAJOR ISSUES:

Noise: The current CLUP analysis was based upon flight tracks in the 1992-93 period of time. Newer contours indicate that a portion of the property is currently inside of the 55db CNEL, with a smaller portion inside of the 60 CNEL. The CLUP indicates that noise sensitive commercial uses in the 60 CNEL are compatible with the appropriate mitigation for noise.

Land Use:

The site is located 460 – 2,600 ft. north of the north end of Runway 18/36, and 1200 ft. north of the north end of the proposed runway, to be located 600 ft. east of Runway 18/36. The proposed land use is commercial, and consists of a 240,000 sq. ft. business park with multiple buildings for offices, restaurants, health and exercise center, mini-warehouse, nursery, trailer, boat storage, blueprinting and duplicating services on approximately 61.75 acres.

The site consists of six Planning Areas, zoned Manufacturing Service Commercial (M-SC), as shown on the attached exhibit. Planning Area 1 (4.93 ac.) is located within the Inner Safety Zone (ISZ) and Traffic Pattern Zone (TPZ). Planning Area 2 (15 ac.) is within the ISZ for Runway 18/36 and is also within the ETZ and Outer Safety Zone (OSZ) for the proposed runway. Planning Area 3 (8.59 ac.) is primarily within the OSZ of the proposed runway, although the southeast corner is within the TPZ. Planning Area 4 (7.86 ac) is within the ISZ of Runway 18/36, and is also within the ETZ and OSZ for the proposed runway. Planning Areas 5 (9.4 ac.) and 6 (13.4 ac.) are within the ISZ and ETZ for Runway 18/36. The proposed buildings on the site or a portion of the proposed buildings are either within the ISZ for Runway 18/36, the ETZ for the proposed runway, or the OSZ for the proposed runway. A portion of the building within Planning Area 1 is in the TPZ, with the remaining portion in the ISZ.

Prohibited and Discouraged Uses

Structures and land uses involving petroleum, explosives or above-grade powerlines are prohibited within the ISZ. Structures, land uses involving concentrations of people, and significant obstructions are prohibited within the ETZ. Prohibited land uses within the OSZ include residences, public assembly uses, hotels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials. Discouraged uses within the TPZ include schools, auditoriums, amphitheatres, stadiums, churches, and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials.

Building coverage for Planning Areas 2, 3 and 4 is less than 25% (net), which is below the OSZ standard of 25% (net). The maximum population density within the OSZ is 25 persons per acre for uses in structures.

There is a GPS approach over the site (non-precision). A 34:1 approach would typically place an approaching aircraft 200 feet ± over the proposed site.

Height: The highest elevation on the site is 1354 MSL. The building, signs and lighting at the proposed site are not expected to exceed 35 feet. The proposed site is located within the Part 77 approach surface overlying this area at 1,350 – 1,410MSL. The runway elevation is 1,347MSL. The distance from Runway 18/36 to the closest building on the proposed site is approximately 950 ft.

Planning Areas 5 and 6, and the western portion of Planning Area 4 lie to the west of the Building Restriction Line (BRL) established in accordance with FAR Part 77 criteria. Buildings to be constructed within Planning Areas 2, 3, 4, 5, and 6 on the proposed site are restricted to those portions of the site east of the BRL. The BRL does not extend into or lie adjacent to Planning Area 1.

The applicant received the attached Determination of No Hazard to Air Navigation from the FAA with the condition that the structure be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1K. As of the date of this staff report (10/08), no comments from Cal Trans Aeronautics have been received.

RECOMMENDATION: Staff recommends continuance of the item until November in order to obtain comments from Cal Trans Aeronautics, and at the request of the applicant.

Jack Houston, Alternate arrived at 9:15 a.m.

Chairman Cobb called for questions from the Commissioners. Hearing no response from the Commissioners, he then asked if applicant was present Keith Downs answered with a negative. Chairman Cobb called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to continue the case for the next scheduled meeting of November 21st. Commissioner Bell seconded the motion. Motion carried unanimously.

- C. FV-02-110 – Regency Centers – (Continued from September 19th). Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: FV-02-110 – Regency Centers
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: CUP 03385

PROJECT DESCRIPTION:

A Conditional Use Permit for a 142,000 sq. ft. retail shopping center on approximately 16 acres, to include a grocery store, three drive-through restaurants, a service station, car wash, beer and alcohol sales and six pads for business/commercial uses.

PROJECT LOCATION:

The site is located north of Benton Road, east of Winchester Road, within the County of Riverside, from approximately 3,200 ft. to 4,400 ft. north of Runway 18/36 at the French Valley Airport.

LAND USE PLAN

Adjacent Airport: French Valley
a. Airport Influence Area: Outer Safety Zone (OSZ), and Emergency Touchdown Zone (ETZ)
b. Noise Levels: Inside 55 CNEL for year 2013

MAJOR ISSUES:

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

Land Use: The proposed land use is commercial, and includes a grocery store, three drive-through restaurants, a service station, a car wash, beer and alcohol sales and six pads for business/commercial uses. The site is currently zoned Scenic Highway Commercial (C-P-S). As shown on Exhibit A, the proposed grocery store, two adjacent shops and a major retail pad (identified as Major 1) on the easterly portion of the site are located within the Outer Safety Zone (OSZ). According to information submitted by the applicant, up to 25% of shops, retail pads, and Major 1 square footage will be dedicated to restaurants engaging in the sale of beer, wine and spirits. Prohibited land uses within the OSZ include residences, public assembly uses, hotels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials. The proposed service station, car wash, drive-through restaurants and three retail pads are within the Emergency Touchdown Zone (ETZ). Structures, land uses involving concentrations of people, and significant obstructions are prohibited within the ETZ.

Density: The proposal is for 142,000 sq. ft. of commercial buildings on approximately 16 acres. Building coverage for the site is less than the OSZ standard of 25% (net). The maximum population density within the OSZ is 25 persons per acre for uses in structures. There is no maximum density requirement within the ETZ, since land uses involving concentrations of people are prohibited. The maximum population density for the entire site based on the OSZ standard is 400. However, if the standard is applied to the portion of the site within the OSZ only (approximately 8 acres), the maximum density is limited to 200 for the buildings/uses that fall within the OSZ. The CLUP provides a methodology for estimating the population density using occupancy requirements established by the building code, however this information was not available at the time of this staff report. Based on the proposed number of parking spaces for the project (776), a population density of 970 persons (1.25 persons per space) has been estimated for the entire site. Based on the square footage and proposed uses of the buildings, over half of this density would apply to the buildings/uses within the OSZ.

Height: The finished floor elevations of the proposed buildings range from 1342 to 1347.5 MSL. The proposed height of the tallest structure is 40 feet. The proposed site is located within the Part 77 approach surface overlying this area at 1435 to 1460 MSL. The runway elevation is 1347MSL.

The applicant has submitted an FAA 7460 Notice of Proposed Construction or Alteration to the FAA for review. **At the time of the staff report writing (10/08/02) the FAA 7460 review had not been received. The applicant has been requested to submit the FAA 7460 review to the County of Riverside, in addition to the copy to be submitted to ALUC staff, once it has been received from the FAA.**

Other: There is a GPS approach over the site (non-precision). A 34:1 approach would typically place an approaching aircraft 200+ feet over the proposed site.

The entire proposed site is located within Specific Plan 106 (Dutch Village). Policies described in Section 7.4 of the French Valley Airport Comprehensive Land Use Plan (CLUP), included as Exhibit B to this staff report, provide for the exemption of projects located within adopted specific plans from all requirements of the CLUP pertaining to land use, development density and development intensity. However, Section 7.4.1 through 7.4.3.d, also included in Exhibit B, require that certain land use restrictions, noise (sound insulation) standards and height standards specified in the CLUP shall be applicable to development approvals within adopted specific plans.

Comments on the proposal from Cal Trans Aeronautics were received 10/08/02 and are provided in Exhibit C. According to the Cal Trans comments a large portion of the site appears to be within the Inner Approach/Departure Zone as designated in the Cal Trans Division of Aeronautics 2002 Airport Land Use Planning Handbook. Uses considered unacceptable according to the Handbook include shopping centers, theaters and most eating establishments. The Cal Trans comments include a recommendation that if the project is approved, the conditions of approval requested by the ALUC should be a requirement.

The land use and height standards of the CLUP applicable to the proposed project are shown in the table below:

A	B	C
SAFETY ZONE	LAND USE AND HEIGHT STANDARDS	
	Applicable Standards for Project Located Within Adopted Specific Plan	Applicable Standards if Project Was Not Located Within Adopted Specific Plan (For Comparison Purposes)
ETZ	Exempt from CLUP requirements applicable to land use, development density, and development intensity. However, development approval is subject to certain land use restrictions (Table 7 A, Notes A & B), sound insulation (Section 7.3.1) and height standards (FAR Part 77) set forth in the CLUP.	Structures, Uses Involving Concentrations of People, Significant Obstructions are Prohibited. Max. Density – 0 Max. Structural Coverage – 0 Max. Height – F.A.R. Part 77 standards apply

OSZ	<p><i>Exempt from CLUP requirements applicable to land use, development density, and development intensity. However, development approval is subject to certain land use restrictions (Table 7 A, Notes A & B) and height standards (FAR Part 77) set forth in the CLUP.</i></p>	<p><i>Residences, concert halls, auditoriums, stadiums, arenas, hotels, motels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, public communication facilities and uses involving, as the primary activity, manufacture, storage or distribution of explosives or flammable materials are prohibited.</i></p> <p><i>Max. Density- 25 persons/ac. (in structures) 50 persons/ac. (not in structures). Max. Structural Coverage– 25% of net area. Max. Height – F.A.R. Part 77 standards apply</i></p>
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Land Use Restrictions Applicable to Projects Within Approved Specific Plans (Notes From Table 7A of French Valley Airport CLUP):

1. The following uses shall be prohibited in all airport safety zones:
 - 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. Avigation easements shall be secured through dedication for all land uses permitted in any safety zone.

RECOMMENDATION: Staff recommends the following findings and actions: 1) Those portions of the proposal that are within the ETZ are inconsistent with the standards of the French Valley Airport CLUP pertaining to land use, development density and development intensity; 2) Those portions of the proposal that are within the OSZ are inconsistent with the standards of the CLUP pertaining to land use and development density; 3) According to Section 7.4 of the CLUP, projects located within adopted specific plans are exempted from the standards of the CLUP pertaining to land use, development density and development intensity; 4) The entire proposal is within SP

106, and is therefore exempt from the standards of the CLUP pertaining to land use, development density and development intensity that would be otherwise applicable; 5) ALUC staff shall forward to the County the land use restrictions set forth in Notes A and B to Table 7A, the applicable Standards for exempted Specific Plan projects in Sections 7.3.3 and 7.4.3 of the CLUP, and the CLUP Consistency Conditions and ALUC Recommended Conditions listed below, along with any additions or changes to the Conditions the members wish to include.

CLUP CONSISTENCY CONDITIONS: For County Utilization

1. *Provide Aviation Easements to the French Valley Airport prior to development of the project, recordation of any map, or sale to an entity exempt from the Subdivision Map Act.*
2. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).*
3. *The following uses shall be prohibited:*
 - a. *Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
 - b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
 - c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
4. *All structures must comply with F.A.R. Part 77 height standards, and no obstruction of the "F.A.R. Part 77 Conical Surface" shall be permitted. The Federal Aviation Administration shall conduct a Form 7460 review, unless that agency determines in writing that such a review is not required or not applicable.*
5. *Any subsequent use proposed shall be reviewed by the ALUC unless a subsequent action of the County and the ALUC determines that unnecessary.*
6. *Approved residences within the 60 DNL contour shall require sound insulation sufficient to achieve a 25 dB outdoor to indoor noise level reduction.*

ALUC RECOMMENDED CONDITIONS: For County Utilization

7. *Noise sensitive institutional uses (i.e. schools, hospitals, auditoriums) shall be prohibited.*

8. *Uses which include residences, concert halls, auditoriums, stadiums, arenas, hotels, motels, restaurants, bars, schools, hospitals, government services, public utility stations, plants, and public communication facilities shall be prohibited.*
9. *The above ground storage of explosives or flammable materials shall be prohibited.*

Chairman Cobb called for questions from the Commissioners. Keith Downs interjected that if appropriate would like to introduce Jack Houston and indicated that Sam Pratt send staff a letter dated October 5th, which read as follow "I am requesting that John A. Houston be my Alternate for the Airport Land Use Commission on the above subject date". Keith Downs indicated to Jack Houston that he would not be eligible to vote on any of the continued cases unless he reads the minutes, which were unavailable to the Commission.

Counsel Miller inquired if the entire project is within the specific plan therefore is it inconsistent because of the exemption. Beverly Coleman replied that its inconsistent with those standards of the CLUP that pertain to land use as well as development density and development intensity. Counsel Miller inquired if there are certain standards, which would apply and are consistent, also if staff's conditions reflected this. Beverly Coleman replied with a positive and indicated that the CLUP consistency conditions are 1 through 6, which are project exempted within adopted specific plans and the remaining conditions are recommended conditions. Chairman Cobb inquired that since this project is exempt from this commission they're forwarding it to the County for their utilization for making their determination. Beverly Coleman replied with a positive and that would include the FAA review one of the conditions that requires the compliance with the Par 77 height standard, which would be forwarded as well.

Hearing no further responses from the Commissioners, Chairman Cobb requested the applicant to come forward and present the case.

Tom Mc Donough, Regency Centers came forward in response to Chairman Cobb's invitation, and indicated that there are in favor with the recommendation of this project being exempt. Although there are a few suggested changes to conditions 4 and 6, which are minor modifications in the wording to make them consistent with the Comprehensive Land Use Plan and conditions 7 and 8 don't feel are appropriate since they are not addressed in the CLUP 741 and because in the past exempt projects there has not been any recommendations like these. Tom passed out a handout of there comments to the Commissioners. Counsel Miller inquired if Mr. Mc Donough is asking for the Commission to reconsider conditions 4 and 6. Mr. Mc Donough replied that conditions 4 and 6 are very specific in the CLUP and the wording that appears in the CLUP is different than the wording in the Staff Report, which are minor modifications and is not necessary to review them, just wanted to point out the differences and feels more comfortable using the wording in the CLUP.

Commissioner Stephens inquired since the projects finding is inconsistent with the CLUP but it is exempt does the commission make that recommendation even though a determination is not being made. Counsel Miller clarified that the staff

report is intended to read as the commission making a recommendation and although an exemption applies there is an exception to the exemption. Vice Chairman Graff indicated that he would like to see condition items added (e) and (f) Item (e) to prohibit seasonal lighting, which can be confused with airport environment and item (f) as no tether, roof mounted balloons or advertisements should be permitted, which increase the height of the buildings and can cause a problem with the approach pattern used most with the proposed runway. Counsel Miller recommended that since items (e) and (f) are not in the CLUP they would have to be forwarded as recommendations to the County rather than tampering with the CLUP. Keith Downs indicated that the first item being added is implemented on (a) and the second item is implemented on number 4. Vice Chairman Graff indicated he would like more emphasis on these items.

Upon hearing no further comments or discussion from the Commissioners, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion for inconsistency due to staff's recommendation of project being exempt and some finding of inconsistency, which project will be forwarded to County. Commissioner Stephens seconded the motion. Motion carried unanimously. Alternate Houston abstained.

Keith Downs indicated going to the consent items under new business for 9:30 A.M. Chino Airport CH-02-101, March Air Reserve Base MA-02-174, MA-02-176 and Riverside Municipal Airport RI-02-150, RI-02-151. Staff recommends finding of consistency with conditions of approval for these cases.

Chairman Cobb explained to the audience that the items recommended for consistency will be approve as stated unless the Commissioners or any one in the audience wishes to address an item separately.

Chairman Cobb called for question from the Commissioner, upon hearing no response from the Commissioners. Chairman Cobb opened the floor for questions from the audience, a woman from the audience asked for CH-02-101 be pulled and addressed separately. Chairman Cobb stated the remaining consent items for approval MA-02-174, MA-02-176, RI-02-150 and RI-02-151, Chairman Cobb called for any further questions from Commissioners, hearing no response, Chairman Cobb opened the floor for further questions from audience upon hearing no response he called for a motion to be set.

ACTION TAKEN: Commissioner Bell made a motion to approve the consent items subject to staff's finding of consistency. Commissioner Stephens seconded the motion. Motion carried unanimously.

- D. FV-02-112 – Sage Community Group – (Continued from September 19th). Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: *FV-02-112 – Sage Community Group*
APPROVING JURISDICTION: *County of Riverside*
JURISDICTION CASE NO.: *Tentative Parcel Map 30629*

PROJECT DESCRIPTION:

A Parcel Map for three lots and a remainder parcel for proposed commercial/industrial/open space use on 71.8 acres.

PROJECT LOCATION:

The site is located east of Tucalota Creek south of Borel Road, west of Calistoga Drive, approximately 1,800 to 3,800 ft. southeast of the Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

- Adjacent Airport: French Valley
- a. Airport Influence Area: Traffic Pattern Zone (TPZ), Inner Safety Zone (ISZ), Outer Safety Zone (OSZ) and Extended Touchdown Zone (ETZ) of the primary and secondary runways
- b. Noise Levels: Within the 55CNEL for 2013 from the Master Plan

MAJOR ISSUES:

Land Use: The proposal is for a three lot Tentative Parcel Map for a commercial/industrial use (29acres gr. 20 acres net) with a remainder parcel (41acres gr.) in open space. No specific usage is proposed at this time. The lot coverage standard for the TPZ is 65% of the net or 50% of the gross. The TPZ only has restrictions for 'discouraged' uses. Prohibited uses in the OSZ include petroleum, explosives, or above grade power lines, hotels, residential, restaurants, schools, auditoriums and public utility or communication stations. The zoning for the site is restricted light industrial (IP) under Specific Plan 213 and does not allow residential, schools, auditoriums, or amphitheatres. Subsequent permits would need a further review when they are submitted. Most of the parcel is in open space with most of the developed parcel in the outer Safety Zone of the proposed secondary runway as shown on exhibit B. A small portion of the project is within the ETZ of the secondary runway and within the ISZ of the primary runway. The 'exemption' clauses in the current CLUP would apply to this property since it is part of a Specific Plan.

Part 77: The highest elevation on the property to be developed is 1285 MSL. The horizontal surface is 1,500 MSL and the runway elevation is 1,347 MSL. The remainder of the site is either under the transitional surface, which ranges between 1450 - 1499 MSL, or the horizontal surface at 1500 MSL. The distance from the ultimate end of Runway 18/36 to the northwest corner of the proposed site is approximately 1,800 ft. Any future structures over the height of 1360 MSL proposed on the site may require FAA review.

Noise: The current noise contours for 2013 include a 55CNEL over some of the site. It is likely to increase to a greater level as the airport reaches capacity.

Conclusion:

The proposal is consistent with the French Valley Comprehensive Land Use Plan (CLUP) and will not have a significant effect on the Airport subject to the following conditions:

CLUP CONSISTENCY CONDITIONS:

1. *Provide Avigation Easements to the French Valley Airport prior to sale of any property to any entity exempt from the Subdivision Map Act, prior to recordation of any map, or issuance of any permit, whichever is first for the entire map including the remainder.*
2. *Any subsequent use proposed shall be reviewed by the ALUC unless a subsequent action of the County and the ALUC determines that unnecessary.*
3. *No obstruction of any "FAR Part 77 Surface" shall be permitted.*
4. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).*
5. *The following uses shall be prohibited:*
 - a. *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
 - b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
 - c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - d. *Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.*

ALUC RECOMMENDED CONDITIONS:

6. *The above ground storage of explosives or flammable materials shall be prohibited.*
7. *The uses listed shall not be allowed: hotels, motels, restaurants, schools, auditoriums, stadiums, amphitheatres, public utility stations and public communication stations.*
8. *Any environmental or sales documentation shall include in the text and shall depict in any graphic form the constraints of the Comprehensive Land Use Plan as depicted in SP213 figure 69A Page V.G-3.*

ADDENDUM: The applicant's representative challenged the appropriateness of the ALUC including and the staff recommending conditions with the finding of consistency. The Commission continued the item in order to provide the staff with adequate time to respond.

As you know, this airport's CLUP is one that has not been implemented by the County and therefore the County must send all items to the ALUC. Also, the existing general Plan of the County (attached pages 132.9, 11 and 12) includes this referral and the

Resolution of Adoption of the Master Plan for the airport includes the continuing referral to the ALUC, as does the Resolution of the ALUC when it adopted the CLUP.

Conditions Nos. 1. through 5. are consistent with the compatibility standards in the airport's CLUP and not exempt from application to the commission's consistency finding because of the CLUP's specific plan exemption.

Conditions Nos. 6. and 7. are consistent with the recently distributed California Airport Land Use Planning Handbook and, if applied, would be consistent with the airport's CLUP.

Condition No. 8 reflects a requirement of SP 213.

*In our efforts to assist the local jurisdiction in planning around airports, we provide all of the available pertinent information **"to assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses"** (PUC 21674). In addition to the compatibility standards of the CLUP, as applicable, the conditions are made pursuant to this intent.*

RECOMMENDATION: *Staff recommends a finding of consistency with the French Valley Airport Comprehensive Land Use Plan on this project subject to the conditions noted above.*

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb opened the floor for comments from the audience on the case hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Patti Nahill, representing Sage Community Group came forward in response to Chairman Cobb's invitation and indicated that they agree with staff's finding, but would like the consistency requirement conditions be consistent with the conditions in the CLUP. Items 1 through 5 listed in the staff report are already part of the project and ask that these conditions be stricken because they would be duplicates of what is already on record. There is an issue with item number 7 due to the CLUP not having these items as prohibitions. Mrs. Nahill then showed an exhibit and asked that a similar exhibit to the one being shown be attached to the conditions of approval, outlining the safety zones and showing the actual prohibitions or matching the language in the CLUP.

Chairman Cobb then called for comments or discussion from the Commissioners. Commissioner Stephens indicated that he would like to hear staff's comments on the case. Keith Downs indicated that the representative is accurate in coding the language out of the CLUP if counsel or the commission wish to exclude the items staff is not in opposition to do so. Counsel Miller indicated that conditions 6 through 8 are recognized has not included in the CLUP, but as a recommendation for the Commission to indicate that they be adopted and do not attach to the Commissions determination of consistency for the project.

Chairman Cobb called for further discussion from the Commissioners, upon hearing no response or reply; he called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion to approve the project, subject to staff's recommendation of consistency and including the recommended conditions items 6,7 and 8. Commissioner Tandy seconded the motion. Alternate Houston abstained. Motion carried unanimously.

HEMET RYAN AIRPORT

9:00 A.M.

- E. HR-02-103 – City of Hemet – (Continued from September 19th). Keith Downs presented the case by using exhibits, staff report and recommendations.

CASE NUMBER: HR-02-103 City of Hemet
APPROVING JURISDICTION: City of Hemet
JURISDICTION CASE NO: GPA 02-01, Addendum to EIR

PROJECT DESCRIPTION: Amend the General Plan, Public Health and Safety Element (8), to incorporate the most recent California Department of Transportation, Division of Aeronautics' 2002 California Airport Land use Planning Handbook guidelines for land use compatibility in areas around airports.

PROJECT LOCATION:

The entire Airport Influence Area which is situated northerly of Simpson Avenue, southerly of Eaton Avenue, west of Palm Avenue and easterly of the section line dividing Sections 2 and 3, 10 and 11, 14 and 15, and 22 and 23 within the City of Hemet for Hemet/Ryan Airport. The attached map of the CLUP boundaries indicate the affected area.

Adjacent Airport: Hemet-Ryan Airport
Land Use Policy: CLUP 1989: Adopted by City of Hemet and County of Riverside

- a. Airport Influence Area: All three areas: Area III, Area of Moderate Risk; Area II, Area of High Risk: and Area I, Area of Extreme Risk
b. Noise Levels: All
c. Height Issues: Not addressed at this time

MAJOR ISSUES: The basis for the ALUC's review of any proposal is whether it is consistent with the Adopted Comprehensive Land Use Plan for that airport, assuming one has been adopted. The Hemet/Ryan airport has had Land Use Plans since 1982 and with an update in 1987 and document reprinted in 1992.

As you know, the ALUC has obtained a state grant to update the land use plan for all of the airports within or affecting the county. Our consultants are in the 'information gathering' stage of the project at this time. A number of the plans will be developed from Master Plans being prepared for the airports at this time and these include: Palm Springs International, Chino Municipal, Desert Resorts, Regional and Hemet/Ryan. Until these Master Plan are adopted by the airport operator the new Airport Land Use Plan cannot move much beyond this stage. All of these Plans are currently being developed, but none are at the draft stage as of this date. The ALUC will review this Master Plan as part of its statutory obligation when they are available. According to the county, the Master Plan for Hemet/Ryan airport is nearing completion, pending resolution with the state and FAA regarding sailplane and runway issues.

The applicant for this case, the City of Hemet, has filed a General Plan Amendment to amend their Public Health and Safety Element to incorporate tables from the 2002 Handbook into that element. At this time no change to the map is proposed. The current

General Plan for the City reflects and incorporates the Adopted Plan Since the proposal is not consistent with the currently adopted plan, it cannot be found consistent.

Addendum: October 17, 2002 the commission continued this item to this meeting in order to: 1) have more time to review the item and 2) to obtain the necessary Environmental Information. The ADDENDUM # 1 was received on the afternoon of October 8, and has only been briefly reviewed by staff and not reviewed by Counsel as of the time of the staff report. Any further comments will be available at the ALUC hearing.

If the ALUC finds the project inconsistent, and the City overrules that finding for this project, then no project except legislative items will come before the ALUC until such time that the ALUC adopts a new plan.

RECOMMENDATION: *At this time staff recommends a finding of inconsistency for the proposal.*

Keith Downs indicated that if the Commission finds the project inconsistent and the City overrides the Commission's decision no items within those boundaries would be coming before the Commission except legislative items and until a new plan is adopted.

Chairman Cobb called for questions from the Commissioners. Vice Chairman Graff inquired what is the current zoning for that area; Keith Downs replied that it is about 12 sq. miles, but those not have the zoning ordinance and general plan available before him. Hearing no further questions Chairman Cobb requested the applicant to come forward and present the case.

David Sawyer, Principal Planner from the City of Hemet came forward in response to Chairman Cobb's invitation, and indicated that they are asking for a determination to be made. Mr. Sawyer clarified that the intent of this project is to bring the cities plan into compliance with the latest information available in the CALUP Handbook and move forward with the cities planning and it is not an attempt to keep projects from coming to the board. Alternate Houston inquired about the future planning for the airport. Mr. Sawyer replied that the City is not involved with the planning of the airport. Commissioner Tandy interjected that it is a county airport. Keith Downs clarified Mr. Houston's inquiry that in the near future he would be reviewing the Hemet Master Plan and that the County in conjunction with the cities participation is developing a new and updated master plan for that airport and no significant changes are expected.

Dan Mc Kinney representing a group of pilots came forward and expressed his opposition with the project. He indicated that the City of Hemet has decided to take the CALUP 2002 Handbook and condense it down to two tables and use the risk zones in the two tables to determine its planning. The City of Hemet does not have the aviation expertise that this Commission has and by state law land use planning around the airports starts with the Commission. The two tables Hemet is using for their planning is to simplistic, they do not consider helicopters, the Santa Ana winds, reversal flight patterns in the event of the Santa Ana winds. Hemet's action jeopardizes the future growth of the airport to the east, funding and grants by making land use decisions that are inconsistent.

David Sawyer came forward and clarified that the amendment does not change land use this amendment affects the density and intensity of that development in the already existing zones. Chairman Cobb inquired for a full explanation of why it's so imperative for an action to take place now knowing that the CLUP is being updated at this time. David Sawyer replied that the City of Hemet is growing at a very fast pace and are beginning to catch up with the planning efforts for the last ten years and are trying to look forward. The time schedule that has been given from the staff is that there will not be a draft to look at for an additional six months and not have a potential airport land use plan for hearings until the end of 2003 that is a considerable length of time. Hemet is trying to move forward in a manner that is consistent with the same guidelines that this board would be looking at in the update of those plans. A specific language is being included in the amendment that specifically states once the plan is done by this board the City of Hemet would go back and re look at the amendment in order to bring it into compliance.

Chairman Cobb called for further discussion from the Commissioners. Commissioner Tandy commented that her vote against the City would cause her removal from the board and does not wish to be removed. She does not agree with Keith's finding of inconsistency and believe that the Commission won't have a corem if Mr. Houston does not vote due to him not knowing sufficient information about the project. Keith Downs suggested for Mr. Houston to read the two pages from the minutes on this case Chairman Cobb concurred. Vice Chairman Graff commented on what he takes as threats made to the Commission by the City of Hemet, which are one if found inconsistent the City will never bring anything back to this board again. A second that if one of the Commissioners votes against the project she will be removed from the panel and that a decision must be made today. Out of ten things built at Hemet about three will come before this board they have a bad tract record. The airport in their eyes is nothing but a thorn although it brings a large amount of revenue to the city during both fire and summer seasons. Aircrafts are being brought from the northern part of Canada to Hemet, which there are two now and more are expected. Hemet is being used more and more by other people in the outline area. The airport itself is to grow as other outline airports in southern California. In all he would find this project inconsistent and hopefully legal and come up with another way to still have Hemet bring any other items before this board. Commissioner Tandy interjected that the City of Hemet does not see the airport as a thorn and is proud of the airport. The airport is needed and is important not for the city but for the whole valley due to anything like floods, fires or catastrophes. She then clarified that her statement of her removal from the panel was not meant as a threat, but has her position as a council member and it probably would be best if she does not vote. Counsel Miller indicated that although Commissioner Tandy has a position on the Council for the City of Hemet does not disqualify her from voting on this project. Chairman Cobb inquired that if finding the project inconsistent no future projects would be brought before the board. Keith Downs clarified that finding the project inconsistent does not cause that action it would be caused if the City of Hemet overrides the Commissions decision. He also noted that the City of Hemet is asking for a decision today within the statutory limits and if a decision cannot be made today by default the Commission is approving the project. Counsel Miller indicated that what the Statue says is if the Commission does not make a decision within a

sixty-day time frame after receiving the project the applicant can go to court and obtain a court order to force an action to be made by the Commission. Keith Downs referred to the clause 21676 D reads as follows: Each Commission determination pursuant to subdivision B or C a legislative item shall be made within sixty-days from the date of the referral of the proposed action. If the Commission fails to make that determination within that period the proposed action should be deemed consistent with the Commissions plan.

Keith Downs noted that a questioned has been raised on when it was an adequate complete document. The General Plan was submitted but with out the environmental information, which was not received till about a week ago. David Sawyer indicated that Keith Downs's office was contacted to begin the process of the application and asked to acquire an application packet. A standard referral application for development review was faxed. He then contacted Keith's office and reviewed the application with the assistant to be sure everything that was being submitted was required. After the submittal he contacted Keith Downs and inquired if any further information was needed Keith Downs did not state he did not. Mr. Sawyer referred to a copy of the application submitted and noted that the check list does not include environmental documentation and makes the argument that indeed it is a complete application. Keith Downs interjected that a conversation was made with Mr. Sawyer about environmental and was referred to a lady which is a planner doing the documents, Mr. Sawyer concurred, Keith continued by stating he had a lengthy conversation with the planner and expected to have that information before the last hearing. David Sawyer indicated that there addendum is in complete compliance with CEQA, which is the California Environmental Quality Act.

Chairman Cobb called for further discussion from the Commissioners. Hearing no response, Chairman Cobb reiterated that staff's recommendation is a finding of inconsistency and if the City chooses to override this finding no projects in this particular zone will be brought back. Keith Downs clarified that the city would no longer be required to do so. Chairman Cobb indicated if insufficient votes are acquire from the Commissioners the project would have to be continued for the next meeting. Hearing no further reply Chairman Cobb called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion of inconsistency, subject to staff's recommendations. Commissioner Bell seconded the motion. Motion carried unanimously. Commissioner Tandy opposed. Commissioner Stephen abstained.

NEW BUSINESS

CHINO AIRPORT **9:30 A.M.**

- B. CH-02-101 – Mark W. Child – Keith Downs presented the case by referring to exhibits, staff report and recommendations.

CASE NUMBER: CH-02-101 Mark W. Child
APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: Tract Map 30480, General Plan Amendment #628 and Change of Zone #6698

PROJECT DESCRIPTION:

A General Plan Amendment from Agriculture/Development Reserve to 2B Residential [2-5 D.U] acres and a Change of Zone from A-2-10 and A-1 to R-1 and R-5 Single-Family Residential, and a request to divide 108 acres into 306 lots and a 5 acre park.

PROJECT LOCATION:

The site is situated west of Archibald Ave., and south of Schleisman Road, within the unincorporated County of Riverside approximately 9,500 – 12,500 feet southeasterly of the east end of Runway 26L at Chino Airport.

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

BACKGROUND:

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

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

MAJOR ISSUES:

Land Use: *The proposed site is located approximately 9,500 – 12,500 feet east of Runway 8-26. The existing site is a vacant dairy. The flight tracks are overhead. The generalized flight tracks are described on Exhibit B.*

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

Part 77: *The elevation at this site varies from approximately 575 to 591 feet and the maximum building height is less than 40. The site is largely underlying the approach zone and in order to exceed obstruction standards a structure would need to exceed approximately 150 feet in height. Part 77 obstruction criteria is not a concern with this project. An approach is over the parcel, and this site can expect overflight from aircraft entering the approaches.*

Noise:

1991 Report: *The site is outside the 65 CNEL contour developed for the airport in 1991, and likely to be within the 55 CNEL.*

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

CONDITIONS OF APPROVAL:

1. *Provide Avigation Easements to the County of Riverside and Chino Airport prior to the recordation of the tract, issuance of any permit, or sale of any portion to any entity exempt from the Subdivision Map Act.*
2. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.*
3. *Should any additional facilities be included at a subsequent date that they are reviewed by ALUC until such time that a CLUP is adopted for the Airport by RCALUC.*
4. *The following uses shall be prohibited:*
 - a. *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
 - b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
 - c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
5. *No amphitheatres or sports lighting shall be allowed unless further reviewed by the ALUC, airport operator and the planning department.*

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

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

Chairman Cobb called for questions from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Deanna Elliano, Sierra Consulting came forward in response to Chairman Cobb’s invitation, and made herself available for any questions from the Commissioner’s. Hearing no response from the Commissioners, Chairman Cobb opened the floor for comments from the audience.

Kathy Stowers, Resident came forward and voiced her concerned to the public notice she received which was not enough information on the project. She is pleased to know that the project is residential not an expansion of the Chino Airport. Vice Chairman Graff inquired what the approximate over flights in the area are. Mrs. Stowers indicated she’s been in this residential area for about a year now and for the past month has noticed more aircraft noise.

Upon hearing no further comments or discussion for the Commissioners, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Stephens made a motion to approve the project, subject to staff’s Conditions of Approval and recommendations. Vice Chairman Graff seconded the motion. Motion carried unanimously.

MARCH AIR RESERVE BASE

9:30 A.M.

B. MA-02-174 – Jefferson booster pumping station – Consent item for approval

CASE NUMBER: MA-02-174 - City of Riverside Public Utilities
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: Conditional Use Permit

PROJECT DESCRIPTION:

A Conditional Use Permit for a booster pumping station and domestic water pipeline.

PROJECT LOCATION:

The site is located west of Grace Street, north of Gage Canal Right-of-Way, south of Dufferin Avenue within the city of Riverside, approximately 37,000 ft. northwest of Runway 14/32 at March Air Reserve Base.

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

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in

November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

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

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

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

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

MAJOR ISSUES:

Land Use: The proposal is for a booster pumping station and domestic water pipeline. The General Plan land use designation for the property is RAR, Agriculture and Rural Residential. The proposal is near a major flight track and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.

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

Density and Coverage: The proposed structure and equipment will be located underground, with the exception of a transformer on a 47 sq. ft. pad surrounded by 4 ft. high barrier posts.

Noise: The 1994 Draft CLUP placed the property outside of the 60 CNEL, and the 1998 AICUZ indicated the noise level at the property to be less 55 CNEL. The proposed use is not a noise sensitive use.

Part 77: The highest elevation at the site is 1006 MSL feet and the tallest structure is 4 ft. An FAA 7460 review would be required for any structure exceeding 1,905 MSL. Part 77 obstruction criteria are not a concern with this project.

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 avigation easement to the MARB/MIP Airport. (Tel. 909- 656-7000)*
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.*

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

ACTION TAKEN: *Approved as a group of consent items.*

C. MA-02-176 – Jeff Holmes – Consent item for approval

CASE NUMBER: MA-02-176-Jeff Holmes
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: Variance

PROJECT DESCRIPTION:

Installation of a sign on an existing pole.

PROJECT LOCATION:

The site is located at 5900 Sycamore Canyon Blvd., east of Lochmoor Dr., south of Box Springs Road, within the City of Riverside, approximately 15,800 ft. northwest of March Air Reserve Base.

Adjacent Airport: March Air Reserve Base/March Inland Port

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

BACKGROUND:

The ALUC has been active in protecting the airport from intrusion since the inception of the Commission in the early 1970's. The first AIR INSTALLATION COMPATIBILITY USES ZONE (AICUZ) protection was initiated by a Board of Supervisors request in

November of 1971. The original Interim Influence Area was designated in February of 1972 and was redrawn in 1975 based upon a 1972 AICUZ.

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

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

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

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

MAJOR ISSUES:

Land Use: The proposed site is located approximately 15,800 feet northwest of Runway 14-32. The proposal is for installation of an 8.3 ft. high sign on an existing pole at an existing auto dealership. The total height of the sign and pole is 42.1 ft. The proposal is under one major track and within the outer horizontal surface. The current generalized flight tracks are described in the AICUZ report and are on Exhibit B.

The 1984 Plan places an emphasis upon the type of airport, the type of aircraft using the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area II, which allows commercial, industrial and agriculture, but allows no residential below lot sizes of two and one half acres. The 1994 Draft CLUP placed the property inside of the 60 CNEL. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Density and Coverage: The proposal is for sign installation at an existing auto dealership. No additional buildings are proposed on the site.

Part 77: The elevation at the site is approximately 1,519MSL feet. The height of the proposed structure is 42.1 ft. Any structures over 1,693 MSL feet in elevation will require an FAA 7460 review. Part 77 obstruction criteria are not a concern with this project.

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the noise level at the property to be 65 CNEL. Previous AICUZ indicated that the noise level was as high as 80CNEL. The proposed use is not a noise sensitive use.

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 avigation easement to the MARB/MIP Airport (Tel.909- 656-7000).
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.

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

ACTION TAKEN: Approved as a group of consent items.

RIVERSIDE MUNICIPAL AIRPORT

9:30 A.M.

- D. RI-02-150 – Riverside Christian Schools – Consent item for approval

CASE NUMBER: RI-02-150 Riverside Christian Schools
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: CUP 034-612 Revision

PROJECT DESCRIPTION:

A request to construct an additional 6,848 sq. ft. of Classrooms to an existing church campus.

PROJECT LOCATION:

The site is situated northerly of SR 91 and west of the extension of Monroe Avenue, within the City of Riverside, and approximately 8400 feet southerly of the east end of the Riverside Airport.

Adjacent Airport: Riverside Municipal Airport

- a. Airport Influence Area: TPZ
- b. Noise Levels: Outside 60 CNEL

MAJOR ISSUES:

Land Use: The proposed site is located approximately 8400 feet south of Runway 9-27 and is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is to build an additional 6,848 sq. ft. teaching facility to replace trailers. The plan as adopted describes churches as 'discouraged uses', but allows those preexisting uses to expand or be modified.

Part 77: The elevation at this site is approximately 795 feet and the maximum building height is 20 feet. The site and is under the horizontal surface at this location, which is approximately 966 MSL. Any structure over 900 MSL would need an FAA review.

Noise: The site is outside of the 60 CNEL contour for the airport. This is acceptable for the usage proposed with the appropriate mitigation for noise.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Riverside Municipal Airport.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45 decibel levels.
3. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.

RECOMMENDATION: Staff would recommend a finding of consistency for the project.

ACTION TAKEN: Approved as a group of consent items.

E. RI-02-151 – Andrew Walker – Consent item for approval

CASE NUMBER:	<u>RI-02-151 – Andrew Walker</u>
APPROVING JURISDICTION:	City of Riverside
JURISDICTION CASE NO.:	PM 30794

PROJECT DESCRIPTION:

Parcel Map 30794 to subdivide .57 acres into 3 residential lots.

PROJECT LOCATION:

The site is situated at 5874 Grand Ave., south of Rubidoux Ave., within the City of Riverside, 6,500 ft. northeast of Riverside Municipal Airport.

Adjacent Airport: Riverside Municipal Airport

- a. Airport Influence Area: TPZ
- b. Noise Levels: Outside 60 CNEL

MAJOR ISSUES:

Land Use: The proposed site is located approximately 6,500 feet northeast of Runway 9-27 and is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is Parcel Map 30794 to subdivide .57 acres into 3 residential lots. The site is currently zoned for residential use. The proposed land use

designation would be consistent with allowed land uses within this area contingent upon noise and height issues.

Part 77: The highest elevation at this site is approximately 798 feet. No structures are proposed at this time. The site is under the horizontal surface at this location, which is approximately 966 MSL. Any structure over 881 MSL would need an FAA review.

Noise: The site is outside of the 60 CNEL contour for the airport. The site is zoned for residential use, which is an acceptable use with the appropriate mitigation for noise. Review of subsequent proposals will be required for applicable noise mitigation requirements.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Riverside Municipal Airport.
2. Subsequent permits for the development of the proposed site shall be submitted to the ALUC for review.

RECOMMENDATION: Staff would recommend a finding of consistency for the project.

ACTION TAKEN: Approved as a group of consent items.

BERMUDA DUNES AIRPORT

9:30 A.M.

- F. BD-02-109 – John Cotton Architects – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: BD-02-109 John Cotton Architects
APPROVING JURISDICTION: City of Indio
JURISDICTION CASE NO.: Change of Zone and Conditional Use Permit

PROJECT DESCRIPTION:

The project is Changing of the Zoning text to allow for ice-skating facilities and a 77,000 sq. ft ice skating facility on 6 acres.

PROJECT LOCATION:

The site is situated east of Burr St, and south of Indio Blvd in the City of Indio, 3,200 feet southeast of the Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport
Land Use Policy: Area II: Area of Significant Safety Concerns

- a. Airport Influence Area: Area II
- b. Land Use Policy: Influence Area
- c. Noise Levels: below 60 dB CNEL (February 1996 future forecasts based upon 26,000 operations)

MAJOR ISSUES:

Land Use: The proposed site is located approximately 3,200-4,000 feet east of the east end of the runway and is within Area II of the Airport Influence Area. Land uses within Area II that produce glare, direct illumination, vapor, smoke and dust, which may affect

airport operations, shall be discouraged. Likewise, uses which would conflict or potentially conflict with the airport in terms of noise sensitivity and safety hazards are discouraged. The text describes schools as a high-risk land use, but does not prohibit them in this plan. Most other CLUP's discourage or prohibit schools in this setting. The project has 394 parking spaces. Classes would normally have 30-40 students per rink would have a portable cover that would allow ballet, gymnastics and other activities. The maximum population expected would be 1,500 for special events. This project would generate a density of 250 people per acre.

Noise: The project is outside of the 60 CNEL as indicated in the 1996 Noise Report for the airports (See Exhibit A). Residential use is acceptable in that noise category if noise reduction measures are incorporated into the construction in order to achieve an interior annual noise level attributed to exterior sources, not to exceed 45 CNEL. That may require more than normal construction, which only attenuates up to 20dB. This project is not considered a noise sensitive.

Height: The elevation on the site is around 29 MSL, and the structures are as high as 38 feet not including any lighting or signage. The runway ground elevation is 49-73 MSL feet. The Part 77 horizontal surface is overlying this area at 219 MSL, and no portion of the project intrudes upon that airspace; however, any structure over 79MSL feet in height requires a FAA 7460 review.

Caltrans Handbook: The 2002 Handbook would place this site within the Inner Turning Zone and would avoid special functions (i.e. schools, churches) and moderate to high-density uses from this location. This item was transmitted to Caltrans Aeronautics.

RECOMMENDATION: Staff would recommend that the Commission find the Change of Zone for this site and the proposed use inconsistent with the Bermuda Dunes Airport Land Use Plan and guidelines from the Caltrans Handbook.

CONDITIONS: For the County to utilize should they wish to override the Commission as per PUC 21774.5(d).

1. Provide Avigation Easements to the Bermuda Dunes Airport prior to the issuance of any permit.
2. Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
4. Any subsequent permit, particularly any sports lighting, shall require an ALUC review.
5. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
 - c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
6. *Any structure exceeding 79 MSL feet shall have a FAA 7460 clearance.*

Chairman Cobb called for questions from the Commissioners. Hearing no response Chairman Graff requested the applicant to come forward and present the case.

John Cotton, Architect came forward in response to Chairman Cobb's invitation, and asked for clarification on the meaning of inconsistent. Keith Downs indicated that it is a denial for the project, but are not denying any permits since the Commission does not issue permits.

A discussion then ensued between Chairman Cobb, Vice Chairman Graff and John Cotton regarding the finding of inconsistency is due that the project's location with a large audience of people is in a high risk area.

Peter Flax, President of The Ice Empire came forward and indicated that their objective is to get kids off the streets; in the summer it is impossible to do anything out doors since the weather is incompatible. Mr. Flax indicated that to the north is a high income residential, north east is Heritage Palms a high density community with a golf course and can assure in a good day there is over 250 people. He pleaded to the Commission to look at the actual activity. They are willing to supply anything that will make the project consistent. Commissioner Stephens interjected that the Commission is not opposing the project and that this request cannot be supported due to safety issues for the people attending the facility. The Commission is constrained with guidelines of the kind of facilities and locations that recommendations can be made. Commissioner Stephens indicated that he would personally like to see this project be successful.

David Gilbert, Associate Planner with the City of Indio, came forward and indicated that in the current property the land use designation is business park however the zoning is commercial which does allow amusement activities. The applicant would have to go through a text amendment to allow ice skating rinks in the general plan designation. The City of Indio would support the project and would have some issues with parking and traffic. Vice Chairman Graff inquired that if the Commission finds the project inconsistent would the City help the applicant find another location. David Gilbert responded affirmatively. Commissioner Tandy interjected that this project sounds like a very good thing that is needed and hopes the City does indeed find some place else that is not an endangerment to kids. David Gilbert indicated that a lot of residential projects are being built and do encourage recreational activities in the city.

Sandra Schulz, Vice President of The Ice Empire, came forward and pointed out that this project is a non-profit 501c3 athletic training organization. Once the project is build and operated as a 501c3 non-profit it would be the only organization in the Riverside County and perhaps in all of southern California doing so. This would provide tremendous aid for the community and the youth. The Chief of Police from the City of Indio send a letter of support, which he concludes that The Ice Empire has located an ideal location for the project and the City of Indio also suggested this location. The surprise to the organization is that north of the freeway there is plans for a school, which falls into the shaded area of concerned.

Chairman called for questions from the Commissioners for the applicant. Hearing no reply, Chairman Cobb called for a motion to be set.

ACTION TAKEN: Commissioner Tandy made a motion of inconsistency, subject to staff’s recommendations. Commissioner Stephens seconded the motion. Motion carried unanimously.

Chairman Cobb reiterated that the finding of inconsistency is not opposing the project, but location of the project. The intent of the Commission is to reserve the airport and the best long-term interest of the airport.

FRENCH VALLEY AIRPORT

9:30 A.M.

G. FV-02-113 – Cornwall Associates – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: FV-02-113 – Cornwall Associates.
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: PP 18149

PROJECT DESCRIPTION:

A plot plan for a 16,885 sq. ft. church on 3.4 acres.

PROJECT LOCATION:

The site is located north of Murrieta Hot Springs Road and east of Sky Canyon Drive within the County of Riverside, from approximately 4,300 to 4,900 ft. south west of the ultimate Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

*Adjacent Airport: French Valley
a. Airport Influence Area: Traffic Pattern Zone and Outer Safety Zone (OSZ)
b. Noise Levels: Within the 55CNEL for 2013 from the Master Plan*

MAJOR ISSUES:

Land Use: *The proposal is for a plot plan for a 16,885 sq. ft. church on 3.4 acres. The proposed development area is a portion of a 7.37 (net) acre vacant site. Subsequent permits for development of the vacant portions of the site will require further review when they are submitted. The existing and proposed zoning for the site is C-1/C-P (SP*

Commercial - Planning Area 10). The Zoning Ordinance does not identify institutional uses such as churches as a permitted use for a C-1/C-P zoning designation on this property. Based on the site plan submitted by the applicant, and the current plan data for the French Valley Airport, most of the church building is located within the TPZ. The lot coverage for the proposed development area is 11% (net). The lot coverage standard for the TPZ is 65% of the net or 50% of the gross. The TPZ only has restrictions for 'discouraged' uses. Discouraged uses within the TPZ include public assembly land uses involving large concentrations of people, such as schools, auditoriums, and amphitheaters. The CLUP requires the applicant to show that alternative locations have been considered and are not feasible for proposed developments that include discouraged uses. Based on the information submitted by the applicant, five properties were considered as alternative locations but were determined by the applicant to be infeasible. Specific information on the five properties considered by the applicant was not submitted. The remaining portion of the church building is located within the OSZ. Prohibited uses in the OSZ include petroleum, explosives, or above grade power lines, public utility or communication stations, residential uses, as well as uses involving large concentrations of people, such as hotels, restaurants, schools, and auditoriums. The maximum structural coverage and density permitted within the OSZ is 25% of the net area and 25 persons per acre for use in structures. The proposed church is a prohibited use within the OSZ because it is a public assembly land use involving large concentrations of people.

The proposed site is located within adopted Specific Plan 213. Policies described in Section 7.4 of the French Valley Airport Comprehensive Land Use Plan (CLUP), included as Exhibit B to this staff report, provide for the exemption of projects located within adopted specific plans from all requirements of the CLUP pertaining to land use, development density and development intensity. However, Section 7.4.1 through 7.4.3.d, also included in Exhibit B, require that certain land use restrictions, noise (sound insulation) standards and height standards specified in the CLUP shall be applicable to development approvals within adopted specific plans.

Part 77: The highest elevation on the property to be developed is 1,167 MSL and the height of the tallest structure currently proposed is 66.5 ft. The site is within the horizontal surface at 1,500 MSL and the runway elevation is 1,338 MSL. The distance from the ultimate end of Runway 18/36 to the northeast corner of the proposed site is approximately 4,300 ft. Any future structures over the height of 1381 MSL proposed on the site may require FAA review.

Noise: The noise contours for 2013 indicate the site is outside 55 CNEL, however, more recent projections would likely include the site within the 60 to 65 CNEL and at ultimate buildout.

Other: Staff expects to receive comments on the proposal from Cal Trans Aeronautics. As of the date of this staff report writing (10/08/02), no comments have been received.

Conclusion: 1) Those portions of the proposal that are within the TPZ are inconsistent with the standards of the CLUP pertaining to land use; 2) Those portions of the proposal within the OSZ that include the church are inconsistent with the land use standards of the CLUP; 2) According to Section 7.4 of the CLUP, projects located within adopted specific plans are exempted from the standards of the CLUP pertaining to land use, development density and development intensity; 3) The entire proposal is within SP 213, and is therefore exempt from the standards of the CLUP pertaining to land use, development density and development intensity that would be otherwise applicable; 4) ALUC staff shall forward to the County the land use restrictions set forth in Notes A and B to Table 7A, the applicable Standards for exempted Specific Plan projects in Sections

7.3.3 and 7.4.3 of the CLUP, and the CLUP Consistency Conditions and ALUC Recommended Conditions listed below, along with any additions or changes to the Conditions the members wish to include.

RECOMMENDATION: Staff recommends that item be continued until November in order to obtain comments on the project from Cal Trans Aeronautics.

CLUP CONSISTENCY CONDITIONS: For County Utilization

1. Provide Avigation Easements to the French Valley Airport prior to sale of any property to any entity exempt from the Subdivision Map Act, prior to recordation of any map, or issuance of any permit, whichever is first for the entire map including the remainder.
2. Any subsequent use proposed shall be reviewed by the ALUC unless a subsequent action of the County and the ALUC determines that unnecessary.
3. No obstruction of any "FAR Part 77 Surface" shall be permitted.
4. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).
5. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - d. Any use which would generate electrical interference that may be detrimental to any operation of aircraft and/or aircraft instrumentation.

ALUC RECOMMENDED CONDITIONS: For County Utilization

6. The above ground storage of explosives or flammable materials shall be prohibited.
7. The uses listed shall not be allowed: hotels, motels, restaurants, schools, auditoriums, stadiums, amphitheatres, public utility stations and public communication stations.
8. Any environmental or sales documentation shall include in the text and shall depict in any graphic form the constraints of the Comprehensive Land Use Plan as depicted in SP213 figure 69A Page V.G-3.

Chairman Cobb called for question from the Commissioners. Hearing no response, Chairman Cobb requested the applicant to come forward and present the case.

Patti Nahill representing Cornwall Associates came forward in response to Chairman Cobb's invitation, and started by handing out the exert from the zoning ordinance for the specific plan. The first page shows the ordinance adoption 348.3965, second page is the planning area that the project is currently in. The current version of ordinance 348 was downloaded specifically referring to general commercial provisions. The provisions on page 4 under subsection B item 16 indicates that churches, temples and other places of religious worship are permitted uses under the general commercial designation, which was an error in the staff report. The County does not call churches institutional uses they are called churches, temples or other places of religious worship, which would like to correct that also. Another item that did not have an importance applied is that this project is exempt from review because it is consistent with the specific plan 213, which falls within the exemption of the provision clause of the specific plan. Understanding the Commission and importance of the airport the necessary steps were taken to try and design a building that was compatible with the airport. The building was sited in the traffic pattern zone and the parking in the outer safety zone. Mrs. Nahill indicated that she received a phone call from Sandy Hesnard; Cal Trans Aeronautics who is the representative for this project and commented that if the building was out of the outer safety zone in the traffic pattern zone it would be acceptable. She requested a finding of exemption with the CLUP and continuing forward with the conditions specified with the exception of item number 7, which is inconsistent with the zoning.

Chairman Cobb called for questions from the Commissioner for the applicant. Beverly Coleman clarified that staff's recommendations are a continuance to November in order to acquire comments from Cal Trans. Hearing no further response, Chairman Cobb open the floor for comments from the audience on the case, hearing no reply from the audience, Chairman Cobb called for comments or discussion from the Commissioners. Commissioner Stephens indicated that the Commission needs additional information on the project and asked the applicant if there would be an issue with a continuance. Patti Nahill responded that it would be preferred for a decision to be made due to some issues that need to be determined by the end of the year and a continuance till November won't allow a decision by planning staff. She indicated that noise is an issue in the area and County planning staff has asked for an acoustical requirement on the project, which will meet a forty-five interior and sixty-five exterior CNEL. Keith Downs indicated that it would be preferred to wait for Cal Trans Letter. He also clarified that if the project was exempt from review it would not be before the Commission and that all projects are required to be reviewed it's just what the exemption concludes.

Chairman Cobb called for further comments or discussions from the Commissioners, upon hearing no response; he called for a motion to be set.

ACTION TAKEN: Commissioner Stephens made a motion to continue the project, subject to staff's Conditions of Approval and recommendations. Commissioner Graff seconded the motion. Motion carried unanimously.

- H. FV-02-108 – Grace Presbyterian Church – Keith Downs presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: FV-02-108 Grace Presbyterian Church
APPROVING JURISDICTION: City of Temecula
JURISDICTION CASE NO.: PA-02-0257

PROJECT DESCRIPTION:

The project is the ultimate construction of a 26,170 sq. ft, church campus with a capacity of 900 people on 3.96 acres.

PROJECT LOCATION:

The site is situated west of Calle Medusa, south Nicholas Road in the City of Temecula, 9,500-10,500 feet south east of the French Valley Airport.

Adjacent Airport: French Valley Airport

- a. Airport Influence Area: Traffic Pattern Zone
b. Land Use Policy: Influence Area
c. Noise Levels: below 55 dB CNEL*

MAJOR ISSUES:

Land Use: *The proposed site is located approximately 9,500-10,500 feet southeast of the south end of the runway and is within the Traffic Pattern Zone. The Traffic Pattern Zone 'discourages' uses such as auditoriums, schools and stadiums. 'Discouraged' uses are required by the plan (7-7) to show that alternative locations have been considered and are not feasible. The applicant is then to be directed to consider a plan that will minimize the exposure to hazard such as moving the usage or considering satellite locations for some of the activities. Moving the structures approximately 200 feet south would place all of the structure outside of the plan boundary.*

Noise: *The project is outside of the 55 CNEL as indicated in the 1994 Master Plan (2013) for the airport (See Exhibit A). The use is a 'noise sensitive use'. Noise reduction measures should be incorporated into the construction in order to achieve an interior annual noise level attributed to exterior sources, not to exceed 45 CNEL. That may require more than normal construction, which only attenuates up to 20dB. Any acoustical analysis should include aviation noise into that analysis*

Height: *The elevation on the site ranges from 1207 MSL, and the structures are as high as 45 feet the runway ground elevation is 1,340-1,347 MSL feet. The Part 77 horizontal and conical surface is overlying this are at 1500MSL-1525 MSL, and no portion of the project intrudes upon that airspace. Part 77 obstructions are not a concern.*

RECOMMENDATION: *Staff would recommend that the Commission find the proposal inconsistent with the French Valley Airport Land Use Plan.*

Addendum: October 17: Commissioner Pratt has requested that the item be reconsidered and the commission agreed on September 19, 2002.

CONDITIONS: *For the City to utilize should they wish to override the Commission as per PUC 21774.5(d).*

1. *Provide Avigation Easements to the French Valley Airport prior to the issuance of any permit for the entire parcel.*
2. *Incorporate noise attenuation measures into the building construction to ensure interior noise levels are at or below 45-decibel levels and any acoustical analysis should include aviation noise.*
3. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky (lights must be downward facing).*
4. *The following uses shall be prohibited:*

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.

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.

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.

Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

Keith Downs indicated that this project was before the Commission two months ago. It was requested to be brought back by Commissioner Pratt, which was unable to be present on that meeting due to a medical situation.

Chairman Cobb called for questions from the Commissioners. Commissioner Tandy inquired if the project is the one that could not be moved due to a hill adjacent to it. Keith Downs responded that it was a testimony presented at the previous meeting. Chairman Cobb asked for the applicant to come forward and present the case.

Russell Rumansoff, Architect came forward in response to Chairman Cobb's invitation, and clarified that the capacity of the project is four hundred fifty people not nine hundred people. This site was considered due to it being adjacent to an existing church and on a non-developed area, which did not require a traffic study. The project location is outside the line of the existing runway. In the traffic patterns in the area is an existing school between this site and the airport. If this project is found inconsistent by the Commission the City of Temecula planning department will not recommend an approval for this project.

Chairman Cobb called for question for the applicant. Commissioner Tandy inquired if there is a hill adjacent to the project site. Mr. Rumansoff replied positively and indicated that the hill would have to be way above twelve hundred feet since the project elevations are eleven fifty two feet (1,152). Hearing no further response Chairman Cobb open the floor for comments from the audience,

hearing no reply, Chairman Cobb called for discussion from the Commissioners. Commissioner Stephens indicated that mistakes made in the past allowing other existing projects in the area is not a reason for the Commission to grant an exemption. Commissioner Stephens also indicated that he would like to direct staff to look into some way for the Commission to address these exemptions and avoid the problem of equity and fairness that is heard case after case. Some areas close to the airport are safer than others and although there are other projects with higher densities or close to the airport is not a reason for the Commission to grant future exemptions, otherwise there will be airports built completely on past mistakes. Vice Chairman Graff concurred and indicated that it is a matter of feet inches or where the line is and gave an example of the last case that deals with seventy feet out side the line and this project is two hundred feet inside the line should one project be granted other would have to be also. The Commission must comply with the regulation that needs to be followed. Chairman Cobb indicated that there is an alternative for the City Council in Temecula to override if found inconsistent by the Commission. Keith Downs indicated that in the request of Commissioner Pratt would like to change his recommendation to a continuance due to the project being found inconsistent. Hearing no further comments Chairman Cobb called for a motion to be set.

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

VI. ADMINISTRATIVE ITEMS

A. County of Riverside RCIP

Keith Downs indicated that in the last meeting he expressed that the County was going to be bringing their application in. As of this day the application has not been submitted. The plan have be briefly looked at and it will need some work that is the reason Mr. Brody present to assist staff.

B. CLUP Update: Status and Report

Has of today or tomorrow all of the existing plans will be plotted in the GIS system and available to any one. It has been a months worth of work getting the existing lines due to the new state law requiring notification for everything within the airport influence area and that bases was needed to show old versus new.

Keith Downs indicated Mr. Brody would be giving a presentation on composite zones.

Mr. Brody referred to vary's exhibits and mappings in his presentation and indicated that would like to provide additional graphics for the short report that was provided. Directions are needed from the Commission on some issues. The topic at hand is what sort of format to utilize with regard to the mapping of the compatibility zones. There are three forms of formats that varies ALUC's have used. One is the traditional format, which is what this Commission has. It's a map and a set of policies that define traffic pattern zones for safety. Banning Airport would be used as an example for this presentation. Another set of maps and zones pertaining to noise and another set dealing with airspace. Each of those has a set of criteria there are three maps three sets of policies and so forth. That is one way to go about it. It has the advantage that there is a map that

deals with noise and the contours and another map that deals with safety and zones ect. The disadvantage is that there is a lot to look at, and how is it all dealt with when some thing is consistent with one set of criteria, but not with another. It is also confusing to non-aviation planners and the general public. A different structure one that many ALUC's and this firm has been involved with in recent years have gone to a composite approach. The second format has the simplicity of putting one set of criteria and one set of maps for each airport. The disadvantage is that once in a while there will be a particular set of issues that it would really be necessary to go back to the underline policies of noise, safety and so forth. This firm would still include those underline policies in the plan and it's been done in other plans. In the vast majority of cases it hasn't become an issue. This method has the advantage that combining the different factors it keeps away from an exact noise contour, which varies over time. The third is one that not many ALUC's use occasionally is one that local jurisdiction might use of a more detailed map similar to a specific plan. This third one is not suggested as an option to this Commission.

The direction that is needed from the Commission is whether to continue the existing basic structure with the separate maps or take a further step and put together the more simplified composite set of criteria and maps. If something like this is done the "A" zone will encompass the immediate environment of the runway, which is on the airport and the runway protection zones will be highly restricted. The second set of zones is along the side of the runway, which most of the existing plans don't have any criteria in terms of safety. The second will be additional areas beyond each end of the runway where both noise and safety are significant factors as well as height limitations. These are similar to the existing zones and might be a bit wider because in some cases noise is accounted for. The example presented for the "C" zone is a limited areas both are at the ends of the runway, which is being matched fairly closely to the current safety zones. Zone "D" is the whole traffic pattern plus a bit of a buffer on the south side respect to noise and so on. Zone "E" is only an issue with very large structures and conical surface of Par 77. Examples were listed as the types of residential density and non – residential intensities, which will apply with each of the zones and certain types of uses that would be prohibited regardless of the intensity.

Commissioner Bell indicated that everything put on one chart will be clutter and unreadable. Keith Downs interjected that this is being simplified and staff is fully behind this recommendation. Staff would like to see a map and a matrix. Most planners can't deal with this because the going back and forth between maps. The recommendation plans are mostly one page and will have the same vocabulary. Ken Brody indicated that all the supporting documentation would still be available. Chairman Cobb indicated that what ever works with staff since their doing all the actual work. Ken Brody indicated that they have worked very hard with the handbook to have definitely guidance with a fairly narrow range so there wouldn't be instances where jurisdictions decide to do something different. Having done compatibility plans for a hundred airports in the state it is known that the cookie cutters don't necessarily work and there might be three separate volumes.

C. 2003 Calendar of Meetings

Keith Downs indicated would like the adoption of the calendar. Chairman Cobb called for any objections with the calendar no response was heard from the Commissioners.

VIII. ORAL COMMUNICATION FROM THE PUBLIC ON ANY ITEM NOT ON THE AGENDA.

None

IX. COMMISSIONER'S COMMENTS

X. Adjournment: Chairman Cobb adjourned the meeting at 12:15 P.M.

NEXT REGULARLY SCHEDULED MEETING: November 21, 2002 at 9:00 a.m., Riverside.