

AIRPORT LAND USE COMMISSION

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

THURSDAY, November 13, 2003
9:00 A.M.

MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on November 13, 2003 at the Riverside County Administration Center, Board Room.

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

COMMISSIONERS ABSENT: Paul Bell
Sam Pratt

STAFF PRESENT: Beverly Coleman, Development Specialist III
B.T. Miller, Legal Counsel
Jackeline Gonzalez, Office Assistant II

OTHERS PRESENT: Mathew Fagan
Jim Guthrie
Nancy Patterson
Annette Dora
Karen Rutherford
Jesus Parada
Cathrina Yorba
Elizabeth Francis
Stephen Vong

- I. CALL TO ORDER: The meeting was called to order at 9:05 a.m. by Chairman Stephens.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR August 21, 2003 and September 18, 2003
August 21, 2003: Chairman Stephens called for any comments or corrections to the minutes.

Vice Chairman Graff indicated not having a Quorum for the August minutes. Beverly Coleman indicated that if members that were present for the August hearing give their approval of the minutes. Vice Chairman Graff and Commissioner Goldenbaum gave their approval for the

August minutes. Commissioner Tandy indicated a correction of her being absent for the hearing of August 21st. The minutes were continued to the next schedule meeting.

September 18, 2003: Chairman Stephens called for any comments or corrections to the minutes, hearing no response he called for a motion to be set.

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

***Consent items for 9:00 a.m.**

Chairman Stephens indicated that the following consent items would be voted as a group unless any of the Commissioners or anyone from the audience wishes to speak on an item it would be pulled and addressed separately. The consent items are as follows; under Old Business FV-03-112 Steve Falk, under New Business RI-03-136 City of Riverside, MA-03-141 Jesus Parada, MA-03-143 Jack in the Box, FV-03-116 Mathew Fagan, BD-03-110 Trans West Housing, and BD-03-111 Century Vintage Homes.

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

ACTION TAKEN: Commissioner Tandy made a motion of consistency for the consent items. Vice Chairman Graff seconded the motion. Motion carried unanimously.

Commissioner Snyder arrived at 9:20 a.m.

V. OLD BUSINESS

MARCH AIR RESERVE BASE/MIP

9:00 A.M.

- A. MA-03-137 – T&B Planning – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER:	<u>MA-03-137 T & B Planning</u>
APPROVING JURISDICTION:	City of Perris
JURISDICTION CASE NO.:	General Plan Amendment P03-0289, Specific Plan Amendment P03-288, Change of Zone P03-0290 and TR 31157

PROJECT DESCRIPTION:

A General Plan Amendment to change the designations as indicated on the attached Statistical Summary. It would delete 32 acres of Commercial designation, increase the Multiple Family to 300 units and reduce the single family by 150 units for a total of 2,027 dwelling units. Open space is increased from 52 to 108 acres. Total Park space remains at 19.6 acres.

PROJECT LOCATION:

The site is south of Nuevo Road, east of the Perris Valley Storm drain, west of Dunlap Rd., and southeast of March Air Reserve Base/MIP.

Adjacent Airport:	March Air Reserve Base/March Inland Port
a. Airport Influence Area:	Within Area of Influence Study Area
b. Land Use Policy:	Influence Area II and 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 Realignment: 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 the March JPA is pursuing separate funding for that portion.

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

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

MAJOR ISSUES:

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

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

Density and Coverage: The lots are a minimum of 5,000 sq. ft. and the average gross density is 3.8 DU/acre including the 19 acres of park and open space/detention basin and structural coverage would likely be less than 30%.

Part 77: The elevation at the tract site is between 1,416 and 1,422 MSL feet and the maximum allowed building height is 2,000 MSL feet. The site is under the approach surface. The entire project is not within Part 77 obstruction review criteria.

Noise: The site has been shown to have noise over the property with each of the AICUZ reports. The 1986 report showed 65 to 75 CNEL over the property and the 1994 Draft indicated it to be within the 60 and 65+CNEL. The 1998 AICUZ indicated the property to have from below 55 CNEL to well above 60 CNEL. The inclusion of another 2,027 homes will likely result in over six thousand new residents (3.35pph x 2,027+ 6,790). The predicted level of noise complaints from the project would likely produce a complaint level of 3-7% of that population (i.e. 203). This project would likely result in new complaints regarding noise from the airport.

Other: The Traffic Pattern Zones (TPZ's) of other CLUP's define facilities such as churches, amphitheatres, community halls, sports facilities, and outdoor lighting as 'discouraged uses' and require the evaluation of alternative sites. None are indicated.

Wildlife Attractant: The project contains a large regional detention basin. An analysis concerning that issue would need to be accomplished and sent to USDA, Wildlife Services for review. The lead agency may be the Riverside County Flood Control and Water Conservation District.

Environmental: No environmental assessment was included. It should include a requirement for an acoustical analysis in the areas above 60 and 65 CNEL.

RECOMMENDATION: Staff recommends that the ALUC finds the proposed land use changes within Area II inconsistent with the 1984/86 Airport Land Use Plan.

APPENDIX

1984 RCALUP: The 1984 RCALUP with the 1986 map identifies the entire project as within AREAS II and III.

Area II, Policy #2 states: "Area II shall have a minimum residential lot size of two and one-half acres. Agricultural, industrial and commercial uses are acceptable." Policy #4 states: "New housing to be constructed within the noise level specified by the ALUC for each airport shall be soundproofed as necessary to achieve interior annual noise levels attributable to exterior sources, not to exceed 45 dB (CNEL of Ldn) in any inhabited room with windows closed." Area III has no residential density restrictions.

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 MARB

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

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

1998/99 Draft CLUP:

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

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

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

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

TABLE 1

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

* Within Area II ** for portions within 60 CNEL

CONDITIONS FOR OVERRIDE

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

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

2. Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.
 - a. No obstruction of the “FAR Part 77 Conical Surface” shall be permitted

3. The following uses shall be prohibited:

- a. *Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
 - b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
 - c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
4. *The above ground storage of explosives or flammable materials shall be prohibited.*
 5. *All prospective buyers and/or tenants shall receive a copy of the enclosed NOTICE OF AIRPORT IN VICINITY.*
 6. *Include the availability to homebuyers of an additional noise insulation package (i.e. windows, walls).*
 7. *An analysis regarding wildlife attractants shall be submitted to the USDA, Wildlife Services and any conditions shall be included with the Specific Plan.*

Beverly Coleman indicated that a letter was received from the City of Perris indicating a continuance from the applicant.

Chairman Stephens called for any questions from the Commissioners for staff, hearing no response Chairman Stephens called for the applicant to come forward.

Brad Eckhard, City of Perris came forward in response to Chairman Stephens' invitation and clarified that the applicant is requesting a continuance not the City. A letter requesting a continuance was sent to staff by the applicant and a copy of that letter was handed to staff this morning.

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

ACTION TAKEN: Commissioner Tandy made a motion of continuance to the next scheduled hearing. Commissioner Goldenbaum seconded the motion. Motion carried unanimously.

FRENCH VALLEY AIRPORT

9:00 A.M.

- B. FV-03-112 – Steve Falk – Consent item see page 2

CASE NUMBER: FV-03-112 – Steve Falk
APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO.: PP18731

PROJECT DESCRIPTION:

Plot Plan for 158,000 sq. ft. of industrial buildings on approximately 10 acres.

PROJECT LOCATION:

The site is located north of Innovation Court and north of Technology Dr. from approximately 1,800 to 2,200 ft. south of the ultimate Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

Adjacent Airport: French Valley
a. Airport Influence Area: Inner Safety Zone (ISZ) and Extended Touchdowns Zone (ETZ)
b. Noise Levels: Within the 55CNEL for 2013 from the 1995 Master Plan

MAJOR ISSUES:

Land Use: The proposal is for Plot Plan 18731 for a 158,000 sq. ft. of industrial storage buildings on approximately 10 acres. The existing and proposed zoning for the site is I-P Industrial Park. Based on the site plan submitted by the applicant, and the current GIS data for the French Valley Airport, the site is located within the Inner Safety Zone (ISZ) and Extended Touchdown Zone (ETZ). Structures and land uses involving petroleum, explosives or above-grade power lines are prohibited within the ISZ. Structures, land uses involving concentrations of people, and significant obstructions are prohibited within the ETZ.

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 1,304 MSL and the height of the tallest structure currently proposed is 22 ft. The site is within the horizontal surface at 1,500 MSL and the runway elevation is 1,330 MSL. The distance from the ultimate end of Runway 18/36 to the northeast corner of the proposed site is approximately 1,800 ft. Any future structures over the height of 1,348 MSL proposed on the site will require FAA review.

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

Other: Based the Cal Trans handbook, uses such as shopping centers, multistory office buildings, labor intensive manufacturing plants, above ground fuel storage and some eating establishments are unacceptable.

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

SAFETY ZONE	APPLICABLE LAND USE AND HEIGHT STANDARDS	
	For Areas Inside Adopted Specific Plan	For Areas Outside Adopted Specific Plan (For Comparison Only)
IISZ	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.	Structures and land uses involving petroleum, explosives or above-grade power lines are <u>prohibited</u> . Max. Density- 0 Max. Structural Coverage– 0 Max. Height – F.A.R. Part 77 standards apply
EETZ	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

Land Use Restrictions Applicable to Projects Within Approved Specific Plans (Notes From Table 7A of French Valley Airport CLUP):

- A. The following uses shall be prohibited in all airport safety zones:
- (1) 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.
 - (2) 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.
 - (3) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
 - (4) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- B. Avigation easements shall be secured through dedication for all land uses permitted in any safety zone.

RECOMMENDATION: That the ALUC finds that: 1) those portions of the proposal that are within the ISZ or ETZ and are within SP 213 are exempt from the land use standards of the CLUP, and that the Commission forward the land use restrictions set forth in Notes A and B to Table 7A and the height Standards in Section 7.3.3 of the CLUP to the County of Riverside.

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. No obstruction of any "FAR Part 77 Surface" shall be permitted.
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:
 - 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 a large concentration 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.
5. The above ground storage of explosives or flammable materials shall be prohibited.
6. The attached notation regarding proximity to the airport must be given to each potential tenant.
7. The uses listed shall not be allowed: hotels, motels, restaurants, schools, auditoriums, stadiums, amphitheatres, churches, public utility stations and public communication stations.
8. Any environmental or sales documentation shall include in the text and shall depict in graphic form the constraints of the Comprehensive Land Use Plan as depicted in SP213 figure 69A Page V.G-3.

NEW BUSINESS

RIVERSIDE MUNICIPAL AIRPORT

9:00 A.M.

- A. RI-03-136 – City of Riverside – Consent item see page 2

CASE NUMBER: RI-03-136- City of Riverside
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO.: Initial Study

PROJECT DESCRIPTION:

The widening of Van Buren Boulevard between Garfield Avenue and Andrew Street.

PROJECT LOCATION:

The site is located on Van Buren Blvd., north of Garfield Ave., and south of Andrew Street within the City of Riverside, from approximately 8,800 to 11,500 ft. south of Runway 16-34 at the 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 within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is for street widening of Van Buren Blvd. between Garfield Avenue and Andrew Street. Proposed improvements include installation of street lights, a traffic signal and median landscaping which will include installation of relocated trees. The proposed use would be consistent with allowed land uses within this area contingent upon noise and height issues.*

Part 77: *The highest elevation at the site is approximately 806 MSL feet and the streetlights and signals are not expected to exceed 35 ft. The site is under the horizontal surface at this location, which is approximately 966 MSL.*

Noise: *The site is outside of the 60 CNEL contour for the airport. The proposed use is not a noise sensitive use.*

DRAFT PLAN: *The new tentative draft ALUP places the site within Zone E. The proposed use is a generally compatible use under the draft plan.*

CONDITIONS OF APPROVAL:

1. *Provide Avigation Easements to Riverside Municipal Airport (May not be practical due to current ownership).*
2. *Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.*
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.

RECOMMENDATION: Staff would recommend a finding of consistency for the project, subject to the conditions listed above.

MARCH AIR RESERVE BASE/MIP

9:00 A.M.

B. MA-03-141 – Jesus Parada – Consent item see page 2

CASE NUMBER: MA-03-141- Jesus Parada
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: Plot Plan 18155

PROJECT DESCRIPTION:

A plot plan for a contractor’s equipment storage yard on .9 acres.

PROJECT LOCATION:

The site is situated west of Seaton Ave., and south of Oleander Ave., within the City of Riverside, approximately 5,000 ft. west of Runway 14/32 at March Air Reserve Base.

Adjacent Airport: March Air Reserve Base/March Inland Port

- a. Airport Influence Area: Within Area of Influence Study Area
- b. Land Use Policy: Influence Area 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 Realignment: 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 efforts were 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 contractor's equipment storage yard on approximately one acre. The proposed site is located approximately 5,000 ft. west of Runway 14/32. The proposal is near a major flight track and within the outer horizontal surface.

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

Density and Coverage: The area of the proposed structures is approximately 1,800 sq. ft. The lot area is approximately .90 acres (net). Structural coverage will be less than 10% of the net area.

Part 77: The finished floor elevation of the building is 1,535 MSL feet and the height of the structure is approximately 10 ft. The runway elevation is 1,488 MSL. Any structures over 1,538 MSL feet in elevation will require an FAA 7460 review.

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 within 55 CNEL.

CONDITIONS:

1. Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport. (Tel. 909- 656-7000)
2. Incorporate noise attenuation measures into the office portions of the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Install hooded or shielded outdoor lighting measures into the building construction to ensure that all light is below the horizontal plane.
4. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an

initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

- c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
- d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
- 5. *The above ground storage of explosive or flammable materials is prohibited.*
- 6. *The attached Notice shall be given to each prospective buyer or tenant.*
- 7. *Structures exceeding 1,538 MSL feet in elevation shall require FAA 7460 review.*

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

- c. **MA-03-142 – Salim Habib** – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: MA-03-142 Salim Habib
APPROVING JURISDICTION: City of Perris
JURISDICTION CASE NO.: General Plan Amendment #03-0250 and Change of Zone 03-0249 and TR 31678

PROJECT DESCRIPTION:

A General Plan Amendment and Change of Zone to change the designation from CC (10 acres) to R7 (5-7 DU/acre) on a total of 18.1 acres. For 67 dwellings and one detention basins of .85 acres.

PROJECT LOCATION:

The site is north of San Jacinto Ave., east of Wilson Rd., and southeast of March Air Reserve Base/MIP.

Adjacent Airport: March Air Reserve Base/March Inland Port

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

BACKGROUND:

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

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

changes were made to the Interim Influence Zone created in 1986.

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

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

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

MAJOR ISSUES:

Land Use: The proposed site is located approximately 28,000 –28,500 feet southeast of the south end of Runway 14-32. The proposal consists of a change that would allow 67 homes. The proposal is underlying two approach tracks and near others within the approach surface. The land is vacant to the north, east and south with the Perris Valley Storm drain to the east. The area immediately south is within Area III.

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

Density and Coverage: The lots are a minimum of 7,000 sq. ft and the average gross density is 3.78 DU/acre including the .85 acres of detention basins and structural coverage would likely be less than 50%.

Part 77: The elevation at this site is between 1,415 and 1,417 MSL feet and the maximum allowed building height is 2,000 MSL feet. The site is under the approach surface. The entire project is not within Part 77 obstruction review criteria.

Noise: The site has been shown to have noise over the property with each of the AICUZ reports. The 1986 report showed less than 65 CNEL over the property and the 1994 Draft indicated it to be outside the 60 CNEL. The 1998 AICUZ indicated the property to have below 55 CNEL. The inclusion of another 67 homes will likely result in new residents (3.35pph x 67= 224). The predicted level of noise complaints from the project would likely produce a complaint level of 3% of that population (i.e. 7) regarding noise from the airport.

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

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

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

Plan.

APPENDIX

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

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

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

The 1994 Draft CLUP for MAFB

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

The plan places the property outside the 60 CNEL. Section 7.3.1

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

1998/99 Draft CLUP:

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

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

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

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

TABLE 1

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

CONDITIONS FOR OVERRIDE

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

1. *An acoustical analysis shall be required that includes the following components:*
 - a. *A description of the components necessary to achieve a noise reduction level (CRL) of 25 and 30 for each of the project's components with noise sensitive uses*
 - b. *Inclusion of all surrounding noise sources (roadway, industrial) at their ultimate design and buildout capacity and*
 - c. *Notice to buyers that there is no effective mitigation for outdoor noise.*
2. *Prior to project development, recordation of the map, or sale to any entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport.*
 - a. *No obstruction of the "FAR Part 77 Surfaces" shall be permitted*
3. *The following uses shall be prohibited:*
 - a. *Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*
 - b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
 - c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
4. *The above ground storage of explosives or flammable materials shall be prohibited.*
5. *All prospective buyers and/or tenants shall receive a copy of the enclosed NOTICE OF AIRPORT IN VICINITY.*
6. *Include the availability to homebuyers of an additional noise insulation (5NLR) package (i.e. windows, walls).*

Beverly Coleman indicated that a letter from the City of Perris was received after the completion of the staff report. The comments from the City of Perris indicates that the net effect from the proposed GPA and re-zoning is to replace the development potential up to 3,000 sq. ft., in commercial floor area with 19 single family dwellings. Therefore the proposed GPA and Zoning designations are more compatible with aircraft operations at March Air Reserve Base. Staff is aware of the comments from the City of Perris, however it does not affect staff's finding of inconsistency.

Chairman Stephens called for any question from the Commissioners for staff, hearing

no response Chairman Stephens called for the applicant to come forward and present the case.

Brad Eckhard, City of Perris came forward and made himself available for any questions. Mr. Eckhard then indicated that the City of Perris used the 1998 AICUZ for their analysis and found the project to be consistent. Chairman Stephens indicated that the Commission used the CLUP's to make decision not the AICUZ.

Hearing no further comments Chairman Stephens called for a motion to be set.

ACTION TAKEN: Vice Chairman Graff made a motion of inconsistency, subject to staff's conditions of approval and recommendation. Commissioner Snyder seconded the motion. Motion carried unanimously.

D. MA-03-143 – Jack in the Box – Consent item see page 2

CASE NUMBER: MA-03-143 Jack in the Box
APPROVING JURISDICTION: City of Riverside
JURISDICTION CASE NO: CUP 051 023

PROJECT DESCRIPTION:

A fast food restaurant

PROJECT LOCATION:

The site is situated north of Canyon Springs Parkway and west of Day Street within the City of Riverside, approximately 15,000 ft. north 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 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. 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 restaurant on approximately .8 acre. The proposed site is located approximately 15,000 ft. north of Runway 14/32. The proposal is near a major flight track and within the outer horizontal surface.

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

Density and Coverage: The area of the proposed structures is approximately 3,000 sq. ft. The lot area is approximately 36,000 sq. ft. (net). Structural coverage will be less than 10% of the net area.

Part 77: The highest elevation at the site is 1,590 MSL feet and the height of the tallest structure is approximately 22 ft. Any structures over 1,685 MSL feet in elevation will require an FAA 7460 review.

Noise: The 1998 AICUZ indicated the noise level at the property to be less than 55 CNEL.

CONDITIONS:

1. Prior to project development or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an avigation easement to the MARB/MIP Airport. (Tel. 909- 656-7000)
2. Incorporate noise attenuation measures into the office portions of the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Install hooded or shielded outdoor lighting measures into the building construction to ensure that all light is below the horizontal plane.
4. The following uses shall be prohibited:
 - a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - b. Any use which would cause sunlight to be reflected towards an aircraft engaged

in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

- c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
5. *The above ground storage of explosive or flammable materials is prohibited.*
6. *Structures exceeding 1,685 MSL feet in elevation shall be submitted to the FAA for review.*

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

- E. MA-03-144 – Sycamore Canyon Industrial Park – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: MA-03-144 – Sycamore Canyon Industrial Park
APPROVING JURISDICTION: *City of Riverside*
JURISDICTION CASE NO: *Design Review*
PROJECT DESCRIPTION:

Seven industrial warehouse with offices totaling 176,000 Sq. ft. on a 16.96-acre site.

PROJECT LOCATION:

The site is north of Alessandro Blvd., west of I-215 and east of Sycamore Canyon Blvd. within the City of Riverside, approximately 9,600 feet northwest of Runway 14/32 at March Air Reserve Base/March Inland Port.

Adjacent Airport: March Air Reserve Base/March Inland Port
a. *Airport Influence Area: Within Area of Influence Area*
b. *Land Use Policy: Influence Area I (AICUZ APZ 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 USE 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. On April 26 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 adopted 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 1999 effort was an update of the 1994 Draft utilizing the 1998 AICUZ in conjunction with the 1993 CalTrans Handbook.

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

1. The RCALUP: 1984 with 1986 Interim Boundaries for March Air Force Base
2. The current CalTrans Airport Land Use Planning Handbook: 1993/2002
3. Draft CLUP for March Air Force Base: 1994
4. Noise Data from Air Installation Compatibility Use Zone Study: 1998 March Air Reserve Base
5. 98/99 Draft CLUP

MAJOR ISSUES:

Land Use: The proposed site is located approximately 9,500-10,500 feet northwest of Runway 14-32. The proposal is under the major approach and departure track and within the approach surface. The proposed site consists of 16.96 acres of vacant land. The 1984 RCALUP places an emphasis upon the type of airport, type of aircraft expected to use the airport, planned and existing approach profiles, actual flight tracks, noise levels, or a combination of these factors. The site is located in Area I. Industrial uses are allowed in Area I subject to certain many constraints. The proposed land division is consistent contingent upon noise and height issues. Area I precludes High Risk Land Uses.

Density and Coverage: The gross area of the proposed site is 16.96 acres and the seven buildings would cover 196,000 sq. ft. or 27% of the site with Bldg. E covering 39% of the lot.

Part 77: The highest elevation on the proposed site is 1,534 MSL feet and the height of proposed structures is 32'. The runway elevation at the north end is 1,535 MSL. In order to be an obstruction, a structure would need to exceed 1,625 MSL feet in elevation. Any construction above an elevation of 1,625 MSL feet at this location will require an FAA 7460 review.

Noise: The site has been shown to have significant noise over the property with each of the AICUZ reports. The 1998 AICUZ indicated the property to have over 65 CNEL. Previous AICUZ reports indicated the property to be within 75 CNEL.

CONDITIONS:

1. Prior to project development, recordation of the map, or sale to an entity exempt from the Subdivision Map Act, the project proponents shall convey an aviation easement to the MARB/MIP Airport.
2. Incorporate noise attenuation measures into any office portions of the building construction to ensure interior noise levels are at or below 45-decibel levels.
3. Lighting plans for any additional development on the vacant lots shall be reviewed and approved by an airport lighting consultant or MARB/MIP prior to placement.
4. The following uses shall be prohibited:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*
 - (c) *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*
 - (d) *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
5. *The above ground storage of flammable materials is prohibited.*
 6. *The attached notice shall be provided to all potential purchasers and tenants.*
 7. *The following uses are prohibited at this site:*
 - A. *High Concentration of People*
 - (1) *Places of Assembly: Auditoriums; churches; schools, carnivals; drive-in theaters.*
 - (2) *High Patronage Services: Bowling alleys; restaurants; theaters; motels; banks; etc.*
 - (3) *Large Retail Outlets: Department stores; supermarkets; drug stores; etc.*
 - (4) *Residential Uses.*
 - B. *Critical Facilities: Telephone exchanges; radio/television studios; hospitals; etc.*
 - C. *Flammable Products: Bulk fuel storage; gasoline and liquid petroleum service stations; manufacture of plastics; breweries; feed and flour mills; etc.*

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

Chairman Stephens called for any question from the Commission for staff, hearing no response Chairman Stephens called for the applicant to come forward and present the case.

Jim Guthrie came forward and indicated that he concurs with the conditions on the staff report. Vice Chairman Graff inquired on the hours of operation and the number of employees per building. Jim Guthrie responded that it is a typical warehouse complex with 5% office and the rest warehouse and there would be 5-10 employees per building.

Hearing no further comments Chairman Stephens called for a motion to be set.

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

F. FV-03-116 – Mathew Fagan – Consent item see page 2

CASE NUMBER: FV-03-116 – Mathew Fagan
APPROVING JURISDICTION: City of Temecula
JURISDICTION CASE NO.: PA02-0364
PROJECT DESCRIPTION:

A Permit for a neighborhood shopping center, consisting of 172,000 sq. ft. covering 20.2 acres (gross).

PROJECT LOCATION:

The site is located east of Winchester Road (SR 79), north of Nicholas Road in the County of Riverside, approximately 9,800 ft. south of the ultimate end of Runway 18-36 at the French Valley Airport.

LAND USE PLAN:

Adjacent Airport: French Valley
a. Airport Influence Area: Traffic Pattern Zone (TPZ)
c. Noise Levels: Outside of 55 CNEL for 2013

MAJOR ISSUES:

Land Use: *The proposal is for a Plan for nine storage buildings totaling 172,000 sq. ft. on 20.2 acres. The lot coverage standard for the TPZ is 65% of the net or 50% of the gross. The structural coverage of the site is approximately 20% of the net area.*

Part 77: *The highest elevation on the property is 1,097 MSL and the height of the highest building is 40 ft. The highest elevation base for any structure is 1,097 MSL The horizontal surface is at 1,500 MSL and the runway elevation is 1,330 MSL at the south end. Structures exceeding 1,352 MSL in elevation at this location will require FAA 7460 review.*

Noise: The site will get some over flight, but is outside of the current and near future 55 CNEL.

Conclusion: *The proposal is consistent with the French Valley Comprehensive Land Use Plan (CLUP) and subject to the following conditions of approval:*

CONDITIONS OF APPROVAL:

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.*
2. *The attached Notice shall be given to each prospective buyer or tenant.*
3. *No obstruction of the “FAR Part 77 Conical 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.

6. No above ground storage of flammable material shall be allowed.

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

BERMUDA DUNES AIRPORT

9:00 A.M.

G. BD-03-110 – Trans West Housing – Consent item see page 2

CASE NUMBER: BD-03-110- Trans West Housing
APPROVING JURISDICTION: County of Riverside
JURISDICTION CASE NO.: Tract Map 31782

PROJECT DESCRIPTION:

A Tract Map for 35 single-family residential lots and a retention basin on 20.23 acres.

PROJECT LOCATION:

The site is situated south of Avenue 41 on Starlight Lane, and north of Lima Hall Road, within the County of Riverside, from approximately 3,100 to 4,300 feet west of the Runway 10-28 at Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport
 Land Use Policy: Area III

- a. Airport Influence Area: Area III
- b. Land Use Policy: Influence Area
- c. Noise Levels: Outside 60 dB CNEL (February 1996) see compatibility study

MAJOR ISSUES:

Land Use: The proposed site is situated from approximately 3,100 to 4,300 west of the runway and is within Area III of the Airport Influence Area. Policies in the CLUP indicate that residential land uses would be allowed. The proposal is for 35 single-family residential lots and a retention basin on 20.23 acres, or approximately 1.7 units per acre.

Noise: The site will be subject to aircraft noise of some annoyance. The entire site is outside of the current 60 CNEL (1996), but those noise projections considered less traffic than is now being experienced and were annualized over the entire year. Ultimate traffic with seasonal and weekend peaking will likely produce noise of some annoyance on the site.

Part 77: The highest pad elevation on the site is 95.7 MSL at the east end. The airport elevation is 73 MSL and at a distance of 3,100 feet any structure exceeding 104 MSL feet in height will require an FAA 7460 review. Structures within the project will need FAA review.

Lighting intensity and patterns can adversely affect pilot visibility near airports. Any light that would direct a steady light or flashing light of red, white, green or amber other than an FAA approved system can cause confusion. Bermuda Dunes currently has a VASI system.

Wildlife Attractant: The project contains a retention basin that may be a wildlife attractant and requires a review by USDA Wildlife Services for potential bird strike. The applicant will be notified that an analysis of the detention basin must be submitted to USDA Wildlife Services for review.

DRAFT PLAN:

A new plan is being developed for this and the other airports in the county and our consultant will be developing new noise contours and new safety zones. A first draft of that effort reveals that the property will likely be within Zone D and outside the noise contours. The draft plan criteria for Zone D allows densities greater than or equal to 5 units/acre or less than or equal to .2 units/acre.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Bermuda Dunes Airport.
2. Incorporate noise attenuation measures into any building construction to ensure interior noise levels are at or below 45-decibel levels and assure a total NLR reduction of 25dba.
3. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.
4. The attached NOTICE OF AIRPORT IN VICINITY shall be included in all property transactions within the project area and given to any buyer or tenant prior to sale or lease.
5. An analysis of the retention basin shall be submitted to USDA Wildlife Services, and any conditions required by the USDA Wildlife Services letter shall be accomplished by the project.
6. Any structure over 104 MSL feet in height shall have an FAA 7460 review completed and any conditions recommended shall be completed and adhered to prior to construction.

RECOMMENDATION: Staff would recommend a finding of consistency for this project subject to the conditions attached.

H. BD-03-111 – Century Vintage Homes – Consent item see page 2

CASE NUMBER: BD-03-111 Century Vintage Homes
APPROVING JURISDICTION: City of Indio
JURISDICTION CASE NO.: Tract 31358

PROJECT DESCRIPTION:

The project is a Tract on a 20.22 acre parcel consisting of 71 dwellings and a 1.5 acre detention basin.

PROJECT LOCATION:

The site is situated westerly of the All-American Canal at Liberia Lane and southeasterly of the Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport
Land Use Policy: Area III

- a. Airport Influence Area: Area III
- b. Land Use Policy: Influence Area
- c. Noise Levels: Outside 60 dB CNEL (February 1996) see compatibility study

MAJOR ISSUES:

Land Use: The proposed site is located approximately 5,000-6,000 feet southeast of the east end of the runway and is within Area III of the Airport Influence Area. Policies in the CLUP indicate that residential land uses would be allowed.

Noise: The site will be subject to aircraft noise of some annoyance. The entire site is outside of the current 60CNEL (1996), but those noise projections considered less traffic than is now being experienced and were annualized over the entire year. Ultimate traffic with seasonal and weekend peaking will likely produce noise of some annoyance on the site.

Part 77: The highest elevation on the site is currently 33 MSL and the tallest structure proposed is 20 feet. The airport elevation is 73 MSL and at a distance of 5,000 feet any structure exceeding 123 MSL feet in height will require an FAA 7460 review. Structures within the project will need FAA review.

Lighting intensity and patterns can adversely affect pilot visibility near airports. Any light that would direct a steady light or flashing light of red, white, green or amber other than an FAA approved system can cause confusion. Bermuda Dunes currently has a VASI system.

CONDITIONS OF APPROVAL:

1. Provide Avigation Easements to Bermuda Dunes airport.
2. Incorporate noise attenuation measures into any building construction to ensure interior noise levels are at or below 45-decibel levels and assure a total NLR reduction of 25dba.
3. Install hooded or shielded outdoor lighting to prevent either the spillage of lumens or reflection into the sky.
4. Any structure over 123 MSL feet in height shall have an FAA 7460 review completed and any conditions recommended shall be completed and adhered to prior to construction.

5. The attached NOTICE OF AIRPORT IN VICINITY shall be included in all property transactions within the project area and given to any buyer or tenant prior to sale or lease.

ADDENDUM: As you know, a new plan has been developed for this and the other airports in the county and our consultant will be developing new noise contours and new safety zones. A first draft of that effort reveals that a portion of the property will likely be within Zone D and outside the noise contours.

RECOMMENDATION: Staff would recommend a finding of consistency for this project subject to the conditions attached.

- I. BD-03-112 – Polo Doria – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: BD-03-112 Polo Doria
APPROVING JURISDICTION: City of Indio
JURISDICTION CASE NO.: Design Review

PROJECT DESCRIPTION:

The project is a proposal to develop 32,352 sq. ft. of industrial bldg. with a portion at a second story at 30' on a 3.94-acre parcel.

PROJECT LOCATION:

The site is situated at the easterly of the All-American Canal and south of Indio Blvd and west of Madison in the City of Indio and immediately east of the east end of Bermuda Dunes Airport.

Adjacent Airport: Bermuda Dunes Airport
a. Airport Influence Area: Area I and III
b. Land Use Policy: Influence Area
c. Noise Levels: less than 60 dB CNEL (February 1996 future forecasts)

MAJOR ISSUES:

Land Use: The proposed site is located approximately 4,800-5,200 feet east of the east end of the runway and is within Areas I and III of the Airport Influence Area. The applicant has submitted a 7460 Notice to Construct to the FAA and a copy of it is enclosed. Some of the site is within the Imaginary Surface or Runway Safety Area and the Plan indicates it to be within AREAS I and III. This precludes the following usages:

1. High concentrations of people
2. Critical Facilities
3. Flammable or Explosive Material

Noise: The proposal is outside the 60 to 70 CNEL as indicated in the 1996 Noise Report for the airports (See Exhibit C). Any industrial use is acceptable in that noise category if noise reduction measures are utilized for any office portion of the building. That may require more than normal construction, which only attenuates up to 20dB.

Height: Part 77 approach profiles overlay all of the property. The runway elevation at the east end is 49.1MSL feet. The floor level of the buildings is proposed to be 33MSL feet and the height is 30 feet.

CONDITIONS:

1. *Provide Avigation Easements to the Bermuda Dunes Airport prior to sale of any property to any entity exempt from the Subdivision Map Act and prior to recordation of the map, whichever is first.*
2. *Incorporate noise attenuation measures into the office portion of any 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. *The following uses are prohibited at this site:*
 - A. *High Concentration of People*
 - (1) *Places of Assembly: Auditoriums; churches; schools, carnivals; drive-in theaters.*
 - (2) *High Patronage Services: Bowling alleys; restaurants; theaters; motels; banks; etc.*
 - (3) *Large Retail Outlets: Department stores; supermarkets; drug stores; etc.*
 - (4) *Residential Uses.*
 - B. *Critical Facilities: Telephone exchanges; radio/television studios; hospitals; etc.*
 - C. *Flammable Products: Bulk fuel storage; gasoline and liquid petroleum service stations; manufacture of plastics; breweries; feed and flour mills; etc.*
5. *The establishment of new land uses involving, as a primary activity, the manufacture, storage, or distribution of explosives or flammable materials are prohibited in this area.*
6. *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 would recommend that the Commission find the project consistent with the Bermuda Dunes Airport Land Use Plan.*

Draft Bermuda Dunes Airport Land Use Plan: The site is within area B-2 and the 55 and 60 CNEL, which would allow the use with NLR reduction of 25 for the office portions of the project.

Chairman Stephens called for any question from the Commissioners for staff, hearing no response Chairman Stephens called for the applicant to come forward and present the case. Hearing no response he called for a motion to be set.

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

Chairman Stephens indicated that for the following items he has no financial conflict, but he is extensively involved in General Plan Amendment for the area, therefore abstained.

HEMET RYAN AIRPORT

9:00 A.M.

- J. HR-03-110 – RGP Planning – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

CASE NUMBER: HR-03-110– RGP Planning
APPROVING JURISDICTION: City of Hemet
JURISDICTION CASE NO: CZ 03-10 and GPA 03-4

PROJECT DESCRIPTION:

A Change of Zone from CM & M-1 to R-1 and a General Plan land use designation from Industrial to R-1 Single Family Residential.

PROJECT LOCATION:

The site is located west of Kirby Street, and south of Acacia Ave., within the City of Hemet, from approximately 4,600 to 6,300 ft. east of Runway 5-23 for Hemet/Ryan Airport.

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

- a. Airport Influence Area: Area II, Area of High Risk*
b. Noise Levels: Outside 55 CNEL, but subject to annoyance levels

MAJOR ISSUES:

LAND USE: *The proposal is for a Change of Zone on 43.56 acres from CM & M-1 to R-1, and a General Plan land use designation from Industrial to R-1 Single Family Residential. Residential uses within Area II are only permitted with a minimum residential lot size of 2-1/2 acres or greater. Information on proposed lot sizes is currently unavailable. Review of subsequent proposals for the development of the site will be required.*

NOISE: *The site is underlying specific traffic patterns and will experience annoyance from over flying aircraft. The 1989 plan indicates that the area is outside of the 55 CNEL.*

PART 77. *The runway elevation is 1,512 MSL. The highest elevation on the site is 1,547 MSL. Structures exceeding 1,558 MSL at this location will require FAA Review.*

CONCLUSION: *The proposal as submitted is consistent with the Hemet Ryan Airport CLUP*

subject to the conditions of approval listed below.

CONDITIONS: For the City to Utilize

1. *Provide Avigation Easements to the operator of Hemet-Ryan Airport prior to any permits being issued or sale 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. All lighting plans should be reviewed and approved by the airport manager prior to approval.*
3. *All residential lots shall have minimum lot sizes of 2 ½ acres or greater.*
4. *Public and private schools, institutional uses, places of assembly and hazardous material facilities shall not be permitted in Area II.*
5. *Subsequent permits for proposed development of the site shall be reviewed by the ALUC.*
6. *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.*
7. *The attached notice shall be given to all prospective buyers and tenants.*
8. *Structures exceeding 1,558 MSL feet in elevation shall require FAA 7460 review.*

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

Beverly Coleman indicated that staff received a letter dated November 12th from the City of Hemet, indicating that a positive action from the Commission may jeopardize their interest in retaining the property in its current zone. Another letter was received from Lorie Ballance, law firm and staff has not had sufficient time to review it, a copy was distributed to the Commission.

Vice Chairman Graff called for any question from the Commission for staff. Hearing no response Vice Chairman Graff called for the applicant to come forward and present the case.

Charles Mc Laughlin came forward in response to Vice Chairman Graff's invitation and distributed aerial photos of the project site to the Commissioners. Mr. Mc Laughlin indicated that the property is surrounded by existing residential and has been working with the adjacent neighbors for the past year regarding truck traffic and noise an industrial property would bring. The residential surrounding properties including some indirectly affected like Seven Hills have gave us their support for a change in the use from industrial to residential. The City requested a Traffic Setting Conjunction with our application and showed that an industrial project will generate 14,000 additional trips per day 25% on which would be trucks.

Mrs. Ballance, LLP who sent the letter spoke with Ken Brody who is the County's airport planning consultant on the preparation of the new handbook. It is believed that new consideration can be taken to what the new guidelines would say. Under the new guidelines 95% of the property falls under zone 6 and in this zone there is unlimited residential allowed. Mr. Mc Laughlin requested that the Commission in their decision modify condition #3 of the staff report, which is to limit one unit on 2 ½ acres to a density that is consistent to what has been requested at the City. The application submitted to the City is for RI designation with a maximum of 5 units per acre and a minimum 7200' lots. Mr. Mc Laughlin recommended that since the County's drafting modifications are pretty far along to at least look at what the project might be considered under the new plan.

Commissioner Tandy indicated that she lives in Seven Hills and they have never approved this project. Mr. Mc Laughlin responded that a letter was received from the Board of Seven Hills Association. Commissioner Tandy then indicated that the Board cannot represent the entire community unless they go to everyone. Mr. McLaughlin indicated that the Board of Seven Hills Association who he met with indicated that they prefer residential because all the truck traffic that would come down from Kirby to the intersection of Stetson and Kirby. Commissioner Tandy indicated that they have not come to the rig of the body of people and they cannot do that. Lowes Hardware Store is about to come in on Acacia and Sanderson. Commissioner Tandy then indicated that the City of Hemet is very short of property for CM and M1 and prefers for this site to remain as it is. Commissioner Tandy then indicated that she strongly believes more homes built under the runway is not necessary, there is to many now as it is.

Vice Chairman Graff inquired about the time the aerial photo was taken. Mr. Mc Laughlin responded that it was taken within the past six months. Vice Chairman Graff referred to the photo and indicated that everything to the west end, short area to the south is vacant land and a drainage to the south. It would be a missed statement to say this project is in the middle of a residential area based on this photograph. One of the problems is that this project is under the flight path of the airport and putting a large number of people at risk in that area would be an extremely safety hazard. Mr. Mc Laughlin inquired that wouldn't more people be at the Lowes. Vice Chairman responded that Lowes does not operate 24-hours a day. Mr. Mc Laughlin indicated that any commercial operation however would have a much higher density of people than a residential project for example the traffic study that was done from the request of the City indicated that a commercial property would generate 14,000 trips per day. Vice Chairman Graff interjected indicating that his concern is not traffic its people and safety. Vice Chairman Graff then indicated that if Mr. Mc Laughlin looks into the ALUC's archives he would find that this Commission did vote against the Lowes. Mr. McLaughlin then indicated that per the request of the City an Airport Safety Study was

also made on this project, which is attached to the letter Mrs. Ballance send to the Commission. The project posses no safety risk to the operation of the airport and the proposed project as well. This proposed project is outside the direct approach for most of the traffic. Vice Chairman Graff indicated that as a pilot the project is located on what is called the “base leg” this is the area where power changes are being made and if an engine is going to fail this is where it will most likely do so. This project is also located on the Cross Wind Departure and with Santa Ana conditions tankers will be flying over this proposed project. Safety for the airport is also a concerned as far as keeping the airport open and by putting a large amount of people under the flight path it will generate into a lot more complaints. The 2.5-acre lots is the requirements for this particular area and base on this and the proposal before us he would recommend to the Commission to find the project inconsistent.

B.T. Miller inquired to the applicant if his proposal is for less than 2.5 acre lot sizes. Mr. McLaughlin responded positively and indicated that under the new guidelines that the Commission is about to adopt, there will be unlimited density allowance because it is not considered to be in the flight path. Beverly Coleman interjected inquiring if the guidelines Mr. McLaughlin refers to is the state guidelines. Mr. McLaughlin responded positively. B.T. Miller then indicated that he spoke with Mrs. Ballance yesterday and she is well informed about aviation law and the purposes and functions of this Commission. The Commission has not acted upon the revised plan and perhaps under the revised plan it may allow this project, but until this Commission acts, deliberates and considers it the Commission has to be guided by the plan that is currently in place. The current plan states 2.5 acres and with regards to the request indicated on Mrs. Ballance’s letter and stated here by you to delete the condition indicating the 2.5-acre lots the Commission cannot grant that request.

Hearing no further comments Vice Chairman Graff called for a motion to be set.

ACTION TAKEN: Commissioner Tandy made a motion of inconsistency based on the applicant’s statement of lot sizes being less than 2.5-acre lots. Commissioner Snyder seconded the motion.

ABSTAINED: Chairman Stephens

VI. ADMINISTRATIVE ITEMS

A. Draft Plan Airport Plan

Beverly Coleman indicated that at the October meeting Ken Brody reviewed Blythe, Flabob and Palm Springs Airport CLUP’s leaving Corona, Chiriaco Summit, Desert Center, French Valley, Hemet/Ryan, Desert Resorts and Chino. The last three airports Hemet/Ryan, Desert Resorts and Chino will not be forwarded until the sponsors and the ALUC has approved the Master Plan for these airports. March Air Reserve Base is not part of this current effort, but will be coming along next year. The administrative draft of the plan is expected to be on the website as of today for public review. Commissioner Tandy inquired about the status of the Hemet/Ryan Airport Master Plan. Beverly Coleman responded that she is unaware, but will verify with Keith Downs and should have a response on the next hearing date.

B. MOATF Committee September 22nd and October 8th Resolution of Support
Beverly Coleman indicated that staff has attended meetings for the Task Force, agenda and minutes were distributed to the Commission for their review. Ms. Coleman referred to a mapping of the Travis Airport showing the March Air Reserve Base influence area as an overlay for a comparison of the two. The major concern for this body is the 2005 BRAC regarding the base realignment review and the potential loss of the military facility due to encroachment and major cost with maintaining the facility.

C. Meeting Date – See 2003/04 Calendar

Beverly Coleman indicated that a new calendar was distributed to the Commission for their review.

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

VIII. COMMISSIONER'S COMMENTS

Vice Chairman Graff indicated that he change positions in jobs and as a result his current job maybe a conflict of interest with the ALUC, therefore has submitted his resignation as an ALUC member.

IX. Adjournment: Vice Chairman Graff adjourned the meeting at 10:10 A.M.
NEXT REGULARLY SCHEDULED MEETING: December 11, 2003 at 9:00 a.m.,
Riverside