

# AIRPORT LAND USE COMMISSION

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

**THURSDAY, March 11, 2004  
9:00 A.M.**

## MINUTES

A regular scheduled meeting of the Airport Land Use Commission was held on March 11, 2004 at the Riverside County Administration Center, Board Room.

COMMISSIONERS PRESENT: Ric Stephens, Chairman  
Jon Goldenbaum  
Mark Lightsey  
Marge Tandy  
Arthur Butler (Alternate)

COMMISSIONERS ABSENT: Walt Snyder  
Sam Pratt  
Dave Hogan, Vice Chairman

STAFF PRESENT: Keith Downs, Executive Director  
Beverly Coleman, Development Specialist III  
B.T. Miller, Legal Counsel  
Jackeline Gonzalez

OTHERS PRESENT: Richard Mac Hott  
Leticia Garrison

- I. CALL TO ORDER: The meeting was called to order at 9:00 a.m. by Chairman Stephens.
- II. SALUTE TO THE FLAG.
- III. ROLL CALL was taken.
- IV. APPROVAL OF MINUTES FOR December, 11, 2003, January 15, 2004 and February 19, 2004

**December:** Keith Downs indicated that Commissioner Goldenbaum's approval of the minutes is needed for them to pass. Commissioner Goldenbaum gave his approval for the December minutes.

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

**ACTION TAKEN:** Commissioner Goldenbaum made a motion of approval for the December minutes. Commissioner Lightsey seconded the motion. Motion carried unanimously.

**January and February:** The minutes were not available, therefore were continued to the next scheduled meeting.

Keith Downs informed the Commission that Chairman Stephens' term would expire in April. Commissioner Snyder has informed staff he will be resigning due to medical situations. A letter will be sent out to airport managers for nominations, Chairman Stephens will be reappointed by the County of Riverside for another term.

V. OLD BUSINESS

**Chino Airport**

**9:00 A.M.**

A. CH-03-108 – Albert Webb Associates

Keith Downs indicated that this item has been continued three times awaiting pending items. Staff met with Mr. Mac Hott and the applicants' representative to include the additional items to the Specific Plan and those items have been distributed to the Commission. Staff recommends approval of the plan with modifications. Richard Mac Hott came forward indicating concurrence with the conditions.

Chairman Stephens called for questions from the Commissioners. Hearing no response Chairman Stephens opened the floor for comments from the audience, hearing no reply he 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. Commissioner Goldenbaum seconded the motion. Motion carried unanimously.

**CASE NUMBER:** CH-03-108 – Albert Webb Associates  
**APPROVING JURISDICTION:** County of Riverside  
**JURISDICTION CASE NO.:** SP 331, CZ 6759 and Tract Map 30971

**PROJECT DESCRIPTION:**

*Specific Plan, Change of Zone, and Tract Map for 242 single-family lots and 278 condominium lots with a commercial alternative*

**PROJECT LOCATION:**

*The site is situated west of Archibald Avenue south of Schleisman Road within the County of Riverside, approximately 8,000-10,500 ft. southeast 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 Referral Area C*  
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 8,000 feet east of Runway 26L and 1 mile to one and one-half miles from the airport ultimate boundary. The touch and go flight tracks are overhead to the west and one departure flight track is overhead.

The 1991 CLUP places the property outside of Safety Zone III but is within the Area of Influence Study Area. 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 highest elevation at this site is 626 MSL feet The runway elevation is 635 MSL at the east end of the runway. The site is within the horizontal surface at this location. Structures exceeding 723 MSL in elevation at this location will require an FAA 7460 review. An instrument approach is near the parcel, and this site can expect overflight from aircraft entering the approaches. Part 77 height issues should not be a problem.

Noise: 1991 Report: The site is outside the 65 CNEL contour developed for the airport in 1991, and may be within the 55 CNEL. Page 2-3 of the report discusses these concerns and discusses **prohibiting** residential development within the 60 and 55 CNEL where overflights are conducted, particularly where flights are below 500 feet above ground level. The newest draft plan has noise contours, but they do not currently indicate an ultimate reasonable capacity nor do they include the 60 or 55 CNEL.

Master Plan: A new Master Plan at Chino Airport was started last year and is expected to be complete this year. As of now, the San Bernardino ALUC has not reviewed the new Master Plan. Due to the proximity to a flight track the site can expect single noise events to disturb indoor and outdoor events.

### **CONDITIONS:**

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 or adoption of the Specific Plan.
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. Proposals for subsequent development of the site shall be reviewed by ALUC until such time that a CLUP is adopted for the Airport by RCALUC.
4. The Specific Plan and Draft EIR shall be modified in content and graphics as indicated on the attached Exhibit A. **This has been accomplished with the attached changes**
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. The attached notice regarding proximity to the airport shall be given to each potential purchaser.

**RECOMMENDATION:**

Staff would recommend approval if the proposed changes are added to the Specific Plan in textual and graphic form. Until that time staff recommends that the item be continued until the adjustments are made. **Staff Recommends approval of the project with the attached changes to the text of the plan.**

*ADDENDUM: February 10, 2004: Your staff contacted the applicant's representative the week after the last meeting in order to schedule a meeting to discuss the necessary changes. To date, no discussions have occurred.*

*ADDENDUM; March 3, 2004: As of this date no communication had been received from the applicant. If information is received in a timely manner prior to the hearing, staff will endeavor to review those proposals and respond at the hearing.*

*ADDUNDUM; March 11, 2004; the modifications requested have been accomplished in the attachment.*

*In order to recommend approval of this project the following findings must be made 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.

**\*CONSENT ITEMS:**

Keith Downs indicated that the following items are being recommended as consent items, meaning no further discussion will be made unless any of the Commissioners has questions or any one from the audience if so the item will be pulled and addressed separately.

Consent items are as follow; RI-04-102 Cingular Wireless, RI-04-103 Canty Engineering Group, RI-04-104 Carlos Balarezo, MA-04-102 Sun Maps and MA-04-103 Donald Dimanno.

Chairman Stephens called for questions from the Commissioners. Hearing no response Chairman Stephens opened the floor for comments from the audience.

Leticia Garrison came forward indicating for item RI-04-102 Cingular Wireless be pulled for discussion.

Chairman Stephens called for a motion to be set.

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

## VI. NEW BUSINESS

### **RIVERSIDE MUNICIPAL AIRPORT**

**9:00 A.M.**

- A. RI-04-102 – Cingular Wireless – Beverly Coleman presented the case by referring to and using exhibits, staff report and recommendations.

**CASE NUMBER:** RI-04-102- Cingular Wireless  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** CUP P04-0102

**PROJECT DESCRIPTION:**

*A wireless communications facility with a 70 ft. monopalm cellular tower and an equipment building.*

**PROJECT LOCATION:**

*The site is located at 6843 Arlington Avenue, east of Airport Drive within the City of Riverside, approximately 960 ft. east 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 located approximately 960 ft. east of Runway 16-34 and 1,300 ft. south of Runway 9-27. The site is located within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is for a 65 ft. monopalm cellular tower and 160 sq. ft. equipment shelter on an existing motel site. The TPZ has no population limits assigned, but has a lot coverage standard of 50% of the gross or 65% of the net lot. Structural coverage for the site, including existing and proposed structures would be less than 50% of the net area. The proposed land use designation would be consistent with allowed land uses within this area contingent upon noise and height issues.*

Part 77: *The height of the structure is approximately 829 MSL at the top of the palm fronds. The site is under the horizontal surface at this location, which is approximately 966 MSL. The elevation at the south end of Runway 16-34 is 748 MSL. Any structure over 757 MSL at this location would need an FAA 7460 review. The applicant has been notified that an FAA 7460 review is required.*

*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 C. The proposed site has lot coverage of less than 50% and Zone C allows 80% lot coverage. Zone C requires airspace review for objects greater than 70 ft. tall, although the draft plan indicates that FAA review is required for certain proposed construction that does not exceed the height limit.*

**CONDITIONS OF APPROVAL:**

1. *Provide Avigation Easements to Riverside Municipal Airport (909-351-6113).*
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.*
4. *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. *The attached notice shall be given to all prospective buyers or tenants.*

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

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

Leticia Garrison came forward in response to Chairman Stephens invitation and voiced her opposition on the project. Ms. Garrison indicated the project is not compatible with the adjoining and surrounding neighborhood. The maps provided by Cingular Wireless show only the commercial area and not the residential area. Ms. Garrison then presented exhibits to the Commission on the proposed area showing the adjacent residential area.

Chairman Stephens indicated that the Commission is reviewing the height of the structure, which is 140' below the threshold that would become an issue for airport safety consideration. The land use is compatible and it does not meet any noise or threshold for this Commission's review. Chairman Stephens then indicated that Ms. Garrison's opposition is much more appropriate for the Riverside City Planning Commission.

Chairman Stephens called for questions or comments from the Commissioners. Hearing no response he called for a motion to be set.

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

B. RI-04-103 – Canty Engineering Group, Inc. – Consent item see page 4-5

**CASE NUMBER:** RI-04-103 –Canty Engineering Group, Inc.  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** CUP 037-978

**PROJECT DESCRIPTION:**

*A conditional use permit for expansion of an auto body repair business.*

**PROJECT LOCATION:**

*The site is located at 7590 Cypress Avenue, west of Van Buren Blvd. within the City of Riverside, approximately 2,800 ft. southwest 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 located approximately 2,800 ft. southwest of Runway 16-34 and 3,800 ft. southwest of the west end of Runway 9-27. The proposed site is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is for expansion of an auto body repair business on approximately .83 acres. The TPZ has no population limits assigned, but has a lot coverage standard of 50% of the gross or 65% of the net lot. Structural coverage for the site, including existing and proposed structures, would be less than 50% of the net area. 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 734 MSL feet and the height of the existing and proposed structures is approximately 18 ft. The site is under the horizontal surface at this location, which is approximately 966 MSL. Part 77 obstruction criteria is not a concern.*

Noise: *The site is outside of the 60 CNEL contour for the airport. The proposed use is an acceptable use.*

**DRAFT PLAN:** *The new tentative draft ALUP places the site within Zone D. The*

**proposed lot coverage is less than 50% of the net lot and Zone D allows 90% lot coverage. The proposed use is a compatible use under the draft plan.**

**CONDITIONS OF APPROVAL:**

1. Provide Avigation Easements to Riverside Municipal Airport (909-351-6113).
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.
4. The attached notice shall be given to all prospective buyers or tenants.
5. Above ground storage of explosive or flammable materials is prohibited.

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

C. RI-04-104 – Carlos Balarezo – Consent item see page 4-5

**CASE NUMBER:** RI-04-104 – Carlos Balarezo  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO.:** Design Review

**PROJECT DESCRIPTION:**

Design Review for a two-story commercial building consisting of 8,750 sq. ft. on approximately .91 acres.

**PROJECT LOCATION:**

The site is located at 3732 Van Buren south of Magnolia Avenue within the City of Riverside, approximately 10,000 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 located approximately 10,000 ft. south of Runway 16-34 and is within the TRAFFIC PATTERN ZONE of the Riverside Municipal Airport Influence Area. The proposal is for a two-story commercial building consisting of 8,750 sq. ft. on approximately .91 acres. The TPZ has no population limits assigned, but has a lot coverage standard of 50% of the gross or 65% of the net lot. Structural coverage for the site would be less than 25% of the gross area. 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 the site is approximately 790 MSL feet and the height of the structure is 31 ft. The site is under the horizontal surface at this location, which is approximately 966 MSL. The elevation at the south end of the runway is 748 MSL. Any structure over 848 MSL would need an FAA review.

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

**DRAFT PLAN:** The new tentative draft ALUP places the site within Zone E. The proposed lot coverage is less than 25% of the gross area and Zone E has no lot coverage requirement. The proposed use is a compatible use under the draft plan.

**CONDITIONS OF APPROVAL:**

1. Provide Avigation Easements to Riverside Municipal Airport (909-351-6113).
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.
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 attached notice shall be given to all prospective buyers or tenants.

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

**MARCH AIR RESERVE BASE**

**9:00 A.M.**

D. MA-02-102 – Sun Maps – Consent item see page 4-5

**CASE NUMBER:** MA-04-102-Sun Maps  
**APPROVING JURISDICTION:** City of Riverside  
**JURISDICTION CASE NO:** PM 31951

**PROJECT DESCRIPTION:**

*A parcel map to subdivide a 5.28-acre commercial lot into two parcels.*

**PROJECT LOCATION:**

*The site is located 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 to divide a 5.28-acre commercial lot into two parcels for retail use. 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 lot area is approximately 2.02 acres (net) for Parcel 1 and 3.26 acres for Parcel 2. The total area of the structures is 55,099 sq. ft. Structural coverage is expected to be less than 30% of the net area for each lot.

Part 77: The finished floor elevation of the tallest building is 1,609 MSL feet and the height of the structure is approximately 38 ft. The horizontal surface elevation is 1,888 MSL and the runway elevation is 1,535 MSL at the north end. Part 77 obstruction criteria is not a concern.

Noise: The site has been shown to have some noise over the property with each of the AICUZ reports. The 1994 draft CLUP placed the property outside the 60 CNEL. 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. *The attached notice shall be given to all prospective buyers or tenants.*

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

E. MA-04-103 – SDH & Associates – Consent item see page 4-5

**CASE NUMBER:** MA-04-103-Donal Dimanno  
**APPROVING JURISDICTION:** *City of Riverside*  
**JURISDICTION CASE NO:** *PM 32111*

**PROJECT DESCRIPTION:**

*A parcel map to subdivide a 2.43-acre parcel into four residential lots.*

**PROJECT LOCATION:**

*The site is located south of Westminster Drive, north of Ocotillo Drive and west of Orozco Drive within the City of Riverside, approximately 34,000 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 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. 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*

**MAJOR ISSUES:**

Land Use: The proposal is to subdivide a 2.43-acre lot into four residential lots, with construction of a single family residence proposed on one of the lots (Parcel 1). The proposed site is located approximately 34,000 ft. west of Runway 14/32. The proposal is 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 III, which allows residential land use subject to certain constraints. 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 lot area is approximately .87 acres (net) for Parcel 1. The area of the structures is unknown, however, structural coverage is expected to be less than 30% of the net area.

Part 77: The finished floor elevation of the structure is approximately 1,136 MSL feet and the height of the structure is approximately 26 ft. The horizontal surface elevation is 2,088 MSL and the runway elevation is 1535 MSL at the north end. Part 77 obstruction criteria is not a concern.

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 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 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 attached notice shall be given to all prospective buyers or tenants.

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

VII. ADMINISTRATIVE ITEMS

A. *Brown Act and CEQA*

Keith Downs indicated there would be a discussion regarding the Brown Act and CEQA.

B.T. Miller distributed informational documentation to the Commissioners. B.T. Miller indicated this information is a repeat from last July regarding the Brown Act and CEQA, but for is the benefit of the new members that aren't familiar with the Act. On the handouts there is information that indicates the issues the Commission should be concerned with. There is also a listing of statutory provisions under the Brown Act with the various comments in terms of specific provisions provided by the attorney general. The Brown Act prohibits the Commission from holding a meeting outside a duly noticed (public forum). The Act defines a meeting as when a majority of the Commission is present (face to face meetings). The Commissioner should be cautious of items that may come before them or pending before them within a discussion. Violating the Brown Act is subject to criminal prosecution as a misdemeanor. Another important note is what is also called serial or hug meetings through staff or e-mail; the Commission in effect is trying to seek concurrence of a decision that may come before them.

Mr. Downs indicated that the ALUC is part of the mitigations that are mentioned in CEQA (noise mitigations), but not the primary attribute. The meetings that have been held in the past two days have illustrated a few small things that need to be fixed. The next major task that Ken Brody will be doing is taking the City's and County's General Plan and comparing it to the ALUC's Plan for consistency. Some of the Plans have been associated with the preparation of the Master Plan for French Valley where a new plan was being done at the same time and required an environmental impact report analysis. The ALUC is not developing new plans; they are updates of the old ones.

B. Calendar

Keith Downs indicated that calendar has been distributed to the Commissioners for their review.

C. ALUP Meeting Schedule and Location

Staff and consultant have met with City of Palm Springs including the airport manager, County of Riverside, City of Indio, City of Blythe and will be meeting with City of Banning this afternoon. City of Hemet's manager attended one of the meetings as well as the assistant city manager for Blythe.

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

None

IX. COMMISSIONER'S COMMENTS

- X. Adjournment: Chairman Stephens adjourned the meeting at 9:43 A.M.  
NEXT REGULARLY SCHEDULED MEETING: April 15, 2004 at 9:00 a.m., Riverside