

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER SEPTEMBER 11, 2008  
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on September 11, 2008 at the Riverside County Administration Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman  
Rod Ballance, Vice Chairman  
Arthur Butler  
John Lyon  
James Downes (Alternate for Melanie Fesmire)  
Robin Lowe  
Aaron Hepler (Alternate for Glen Holmes)

COMMISSIONERS ABSENT: Melanie Fesmire  
Glen Holmes

STAFF PRESENT: Ed. Cooper, Director  
John J. G. Guerin, Principal Planner  
Barbara Santos, ALUC Secretary  
B.T. Miller, Legal Counsel

OTHERS PRESENT: Loretta Allen, Old Plantation Mobile Home Park  
Ken Brody, Mead and Hunt  
Leo L. Doiron, Flabob Airport Manager  
Keith Downes, Mead and Hunt  
Mo Faghihi, Albert A. Webb Associates  
Gabriel Garcia, Other Interested Person  
Eddie Green, Other Interested Person  
Glen Gwatney, Anacal Engineering Co.  
Trip Hord, Representing Brad Leal, Property Owner  
Michal Johnson, Other Interested Person  
Greg Johnloz, Old Plantation Mobile Home Park  
Bob Lucas, Other Interested Person  
Bob Mainiero, Representing Property Owners  
Kurt Schlyer, Applicant Representative  
Darren Slackman, Wilson Johnson Development Mgmt.  
Tom Woofer, Other Interested Person

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I. **AGENDA ITEM 2.1:** ZAP1030BD08 – Washington 111, Ltd. – County Case No. CZ07384 (Change of Zone). A proposal to change the zoning of a 1.45-acre parcel located northerly of Darby Road and westerly of Moore Circle in the unincorporated Riverside County community of Bermuda Dunes from R-1-12,000 (One-family Dwellings, 12,000 square foot minimum lot size) to R-1 (One-family Dwellings), in order to allow for division of the property into three residential lots, two of which will be less than 12,000 square feet in area, along with a retention basin parcel and a cul-de-sac street. Airport Zone E.

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the proposed change of zone, subject to the conditions specified herein to be applied to the associated parcel map.

IV. **PROJECT DESCRIPTION**

The applicant proposes a change of zone from R-1-12,000 (One-Family Dwellings, 12,000 square foot minimum lot size) to R-1 (One-Family Dwellings), in order to allow for the division of the 1.45-acre property into three residential lots, two of which will be less than 12,000 square feet in area, along with a retention basin parcel and a cul-de-sac street.

**CONDITIONS (to be applied to the parcel map):**

1. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
2. The attached notice shall be provided to all potential purchasers and tenants.
3. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable.

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4. Prior to issuance of building permits for any structure whose elevation in feet above mean sea level at top of roof or top point exceeds 122.8, the applicant shall file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration for such structure and shall have received a determination of “No Hazard to Air Navigation.”

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

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

**VI. ALUC COMMISSION ACTION**

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

**VII. CD -**

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

ITEM 2.1: TIME IS 9:03 A.M.

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I. **AGENDA ITEM 3.1** ZAP1008FV07 – Wilshire Greenway I, LLC (Representative: Ebru Ozdil/Advanced Development Solutions) – County Case Nos. PP23146 (Plot Plan), and PM29509 (Parcel Map No. 29509, Amended No. 2). Plot Plan No. 23146 proposes to establish a mixed use commercial/office/industrial project consisting of 13 buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres) located westerly of Leon Road, southerly of Benton Road, and northerly of Auld Road in the unincorporated Riverside County community of French Valley. PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel. Airport Zones C, B1, and D. (Continued from December 13, 2007, January 10, February 14, March 13, May 8, June 12, July 10, and August 14, 2008).

II. **MAJOR ISSUES**

Single-acre intensities exceed Zone C criteria in portions of the site, most notably in the area of the two-story office buildings K and L. These intensities are up to 195 persons per acre. The problems appear to be surmountable through redesign or reallocation of land uses and structures and/or demonstration of eligibility for risk-reduction and/or open land bonuses. The applicant is requesting risk-reduction design bonuses of up to 30% for single-story buildings and up to 20% for two-story buildings. The project does meet the average intensity standard. FAA review has been completed. At the June 12 public hearing, the Commission raised the issue of whether the project meets the open area requirements of the airport zones in which it is located. Staff estimates that the project requires at least 6.72 acres of ALUC-qualified open area, unless the applicant provides verification that the open area requirement is met at the Specific Plan level for Specific Plan No. 284.

III. **STAFF RECOMMENDATION**

**CONTINUANCE OFF-CALENDAR, pending receipt of information regarding the project's compliance with the open area requirements.**

UPDATE: This item was continued without discussion from the December 13 agenda in order to allow for redesign or reallocation of uses or structures in the vicinity of Buildings K and L, and to allow for FAA review. Staff met with two project representatives on December 18 to discuss these concerns. Staff is awaiting further information from the applicant as of January 2, 2008. Staff has recommended the preparation of a site plan that depicts airport zone boundaries on the site.

*UPDATE II: On January 24, 2008, staff met again with the two project representatives, the project architect, the applicant, and representatives of the County Planning Department and Economic Development Agency. It was indicated at that meeting that ALUC staff would be provided with (1) documentation regarding each building corner's maximum elevation and distance ~~of~~ from runway (or, alternatively, verification of FAA submittal); (2) more precise information regarding building square footage within the single-acre areas of greatest concern; and (3) a request for use of the risk-reduction design bonus with appropriate documentation. As of January 30, this information has not been received.*

UPDATE III: The additional information has not been received as of February 28, 2008. The

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applicant's representative is attempting to satisfy County Planning staff concerns, as well as ALUC staff concerns regarding single-acre intensities, and has indicated that these changes may affect the locations of Buildings K and L, as well as building heights. Both the site plan and elevations may be modified as a result..

UPDATE IV: THE APPLICANT HAS REQUESTED AN ADDITIONAL ONE-MONTH CONTINUANCE.

UPDATE V: A NEW PACKET OF MATERIALS WAS SUBMITTED ON MAY 29, 2008. THE APPLICANT HAS MADE SOME CHANGES TO BUILDING LAYOUT AND LAND USES AND HAS SUBMITTED TO FAA FOR AERONAUTICAL REVIEW WHERE REQUIRED.

UPDATE VI: THE COMMISSION HAS REQUESTED A DETERMINATION AS TO WHETHER THE PROJECT MEETS THE APPLICABLE ALUCP OPEN AREA REQUIREMENTS. AT THIS TIME, STAFF DOES NOT HAVE SUFFICIENT INFORMATION TO VERIFY THAT THESE REQUIREMENTS ARE MET. THEREFORE, STAFF IS RECOMMENDING AN ADDITIONAL CONTINUANCE.

UPDATE VII: THE APPLICANT HAS REQUESTED AN ADDITIONAL ONE-MONTH CONTINUANCE.

UPDATE VIII: THE APPLICANT HAS AGREED TO A CONTINUANCE OFF-CALENDAR.

**IV. PROJECT DESCRIPTION**

Plot Plan No. 23146 proposes to establish a mixed use commercial, office, and industrial project consisting of **12** buildings plus two freestanding pads with a total of 351,975 square feet of floor area on 34.59 net acres (37.73 gross acres). PM29509 proposes to divide the property into six commercial/industrial parcels and one open space parcel.

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

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

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**VI. ALUC COMMISSION ACTION**

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

**VII. CD**

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

ITEM 3.1: TIME IS 9:04 A.M.

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- I. **AGENDA ITEM 3.2: ZAP1018FV07 – Excel Engineering for Abbott Vascular** (Representative: Matthew Fagan Consulting Services) – County Case No. PP12246 R1 (Plot Plan - Revised Permit). A proposal to add an additional 293 parking spaces, with associated lighting fixtures up to 31 feet in height, on the 17.47-acre property with an address of 30690 Cochise Circle, located easterly of Winchester Road (State Highway Route 79) and Briggs Road, southerly of Benton Road, and northerly of Auld Road, in the unincorporated Riverside County community of French Valley. Airport Zones B1 and A. (Continued from March 13, May 8 and July 10, 2008).

II. **MAJOR ISSUES**

A portion of the project site is located within Zone A, including 34 existing parking spaces and 30 proposed parking spaces. Special restrictions on structures, including light fixtures, are required in Zone A. Staff is concerned about the occupancy level in the existing building, but the building qualifies as an existing land use, and ALUC has no jurisdiction unless an expansion is proposed. Light fixtures elsewhere within the parking area may be subject to FAA review, depending on location and elevation at highest point, although, if heights are limited to 20 feet, FAA review may not be required.

*The applicant is redesigning the project so as to avoid placing any new parking spaces in Zone A.*

III. **STAFF RECOMMENDATION**

Staff recommends CONTINUANCE to the October 9, 2008 ALUC hearing, per the applicant's request in the letter dated August 25, 2008.

*UPDATE III: The applicant is in the process of preparing a revised parking layout that would provide for more parking spaces, but would keep all new spaces outside Airport Zone A. Additionally, consideration is being given to the review of this request as a substantial conformance, rather than as a revised permit. In any event, due to the change in number of parking spaces, re-advertisement will be required. Staff is recommending continuance with re-advertisement based on the new proposed substantial conformance case number and revised number of spaces.*

IV. **PROJECT DESCRIPTION**

The project proposes to add 293 additional permanent parking spaces, with associated lighting fixtures up to 31 feet in height, on the Abbott Vascular (formerly Guidant) property, a 17.47-acre property with one existing industrial building and two additional approved, but as yet unbuilt, structures. The Revised Permit does not propose to add any additional buildings or to add structural square footage to the existing or approved buildings; therefore, staff has confined its analysis to the proposed additional site improvements (parking and lighting).

V. **MEETING SUMMARY**

The following staff presented the subject proposal:  
ALUC Staff Planner: John Guerin, Ph: (951) 955-0982, or E-mail at [jguerin@rctlma.org](mailto:jguerin@rctlma.org).

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

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**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, **CONTINUED** the project to October 9, 2008. Absent: Commissioner Glen Holmes

**VII. CD**

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

ITEM 3.2: TIME IS 9:04 A.M.



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I. **AGENDA ITEM 4.1:** ZAP1011FL08 – Riverside County Economic Development Agency, for Riverside County Regional Park and Open-Space District - (Representative: Jill Efron/RHA Landscape Architects Planners Inc.) – Rancho Jurupa Sports Park – A park with soccer fields, including lighted soccer fields, picnic shelters, playground, and restroom/concession building, on a 36.54-acre site located northerly of Crestmore Road and 46<sup>th</sup> Street, westerly of Loring Ranch Road, and southerly of Flabob Airport in the unincorporated Riverside County community of Rubidoux. Airport Zone B2 and D.

II. **MAJOR ISSUES**

Children will comprise the majority of persons enjoying the use of this facility in the “sideline” B2 zone. The intensity of use in that zone could potentially exceed the 200 person per single-acre standard; however, the area of greatest single-acre intensity within the B2 zone consists of open fields with unobstructed ingress and egress, such that the equivalent of a risk-reduction design bonus for multiple emergency exits is appropriate.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONDITIONAL CONSISTENCY for this project, subject to the conditions herein and such additional conditions as may be required pursuant to the terms of the FAA determinations for the proposed structures.

UPDATE: Following the completion of the August staff report, but prior to the August meeting, the project landscape architect submitted the plan depicting all of the proposed fields, as well as information regarding the number of participants and spectators at AYSO soccer matches. Additionally, the FAA completed its review of the light pole locations and determined that they will not be hazards to air navigation. Following the August hearing, the project landscape architect filed for FAA review of several proposed on-site structures.

IV. **PROJECT DESCRIPTION**

The County is proposing to establish a park with **sixteen** soccer fields, including **four** lighted soccer fields, picnic shelters, playground, and restroom/concession building, on a 36.54-acre site.

**CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to Flabob Airport, which shall be recorded. Copies of the avigation easement shall be retained by both parties and shall be available for inspection by the Riverside County Airport Land Use Commission, upon request.
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

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- (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.
3. The attached notice shall be provided to all potential purchasers, lessees, and tenants.
  4. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
  5. Prior to issuance of building permits for any structure, the applicant shall file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration and shall have received a determination of “No Hazard to Air Navigation,” or shall have received a determination using the Notice Criteria Tool at [www.oaaaa.faa.gov](http://www.oaaaa.faa.gov) that notice criteria are not exceeded.
  6. No walls, trees, or poles greater than 4 inches in diameter at a height 4 feet above the ground shall be constructed, installed, or planted within the portion of this property within Airport Zone A.
  7. The maximum height of the proposed light poles shall not exceed seventy (70) feet above ground level, and the maximum elevation at top of structure shall not exceed 820 feet above mean sea level for Light Poles 1 and 2, 822 feet above mean sea level for Light Poles 3 and 4, and 821 feet above mean sea level for Light Poles 5 and 6.
  8. The Federal Aviation Administration has conducted aeronautical studies and has determined that marking and lighting are not necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 K Change 2.
  9. The specific coordinates of each light pole are as indicated in the attached determinations of “No Hazard to Air Navigation” issued by the Federal Aviation Administration (Aeronautical Study Nos. 2008-AWP-4450-OE through 2008-AWP-4455-OE). The specific coordinates and heights of the proposed light poles shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in height shall not require further review by the Airport Land Use Commission.
  10. Temporary construction equipment used during actual construction or installation of the light poles shall not exceed the height of the light poles, unless separate notice is provided to

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the Federal Aviation Administration through the Form 7460-1 process.

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Bob Lucas, Other Interested Person, 1565 Spruce Street, Riverside, CA

No one spoke in neutral or opposition to the project.

**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a vote of 4-1, found the project **CONDITIONALLY CONSISTENT**.  
Opposed: Chairman Simon Housman. Absent: Commissioner Glen Holmes. Commissioner John Lyon recused and left the room prior to consideration.

**VII. CD**

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

ITEM 4.1: TIME IS 9:05 A.M.

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I. **AGENDA ITEM 4.2: ZAP1049MA08 – Oakmont Ramona Expressway, LLC/Oakmont Industrial Group, LLC** (Representative: Kurt Schlyer) – City Case No. DPR 07-0029 – Development of five industrial buildings with a total building area of up to 1,611,000 square feet (including 90,907 square feet of office area) and 1,417 parking spaces on 81.92 – 87 acres located northerly of Ramona Expressway, southerly of Markham Street, easterly of Brennan Avenue, and westerly of Barrett Avenue in the City of Perris. Most of the project site is located westerly of Indian Street. Airport Area I (Accident Potential Zones I and II). (Continued from May 8, June 12, July 10 and August 14, 2008).

II. **MAJOR ISSUES**

One major issue is whether the Commission has the authority to make its determination of consistency based on the U.S. Air Force Air Installation Compatible Use Zone (AICUZ) studies, or whether it must confine its determination to consistency with the 1984 Riverside County Airport Land Use Plan. A corollary issue is the intent of the lot coverage maximum in the AICUZ Appendix. Lot coverage is 45.98% of net site area. The property is located largely within Accident Potential Zone I (APZ I), with the remaining area in Accident Potential Zone II (APZ II). The 1998 and 2005 AICUZ studies state “For most nonresidential usage [in Accident Potential Zones], buildings should be limited to one story and the lot coverage should not exceed 20 percent.” Staff has interpreted this as being applicable to both APZ I and APZ II. The applicant has submitted a statement that the context of this criterion within the AICUZ is intended to apply to land uses permissible in APZ II, but not in APZ I. The applicant notes that industrial and warehousing uses are listed as being among the permissible uses in APZ I. The site is located within Airport Area I on the March Air Reserve Base Airport Influence Area map. The 1984 Riverside County Airport Land Use Plan does not restrict commercial or industrial land use intensities in Area I, other than by prohibiting “high risk” land uses, including those characterized by “high concentrations of people”. The Draft March Joint Land Use Study proposes to apply the 20% coverage limit in APZ I, in addition to person-intensity limits. The City of Perris Planning Director has advised that the City is willing to accept the person-intensity limits, but that the lot coverage limitations on warehousing and distribution would render such projects economically infeasible.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of INCONSISTENCY, on the basis of the lot coverage exceeding 20 percent of lot area. However, the Commission needs to be aware that the 20 percent lot coverage limit is not included in the 1984 Riverside County Airport Land Use Plan. Therefore, the inconsistency is with the U.S. Air Force Airport Installation Compatible Use Zone Guidelines, unless the Commission finds that a development not meeting those guidelines constitutes a “high risk land use.”

(In the event that the Commission wishes to act solely pursuant to the 1984 Riverside County Airport Land Use Plan, staff would note that the project is consistent with that Plan, considered alone. The project is not consistent with the Draft March Joint Land Use Study criteria, as presently proposed.)

UPDATE: Since the May 8 public hearing, Michael Johnson, Vice President of Oakmont Industrial Group, has submitted an e-mail with attached memorandum to staff and the members of the Commission in support of the position that: (a) the 20% lot coverage limit should only apply to

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buildings with high densities of people in APZ II; (b) the land use compatibility guidelines are intended to be “sufficiently flexible to allow reasonable economic use of the land, such as industrial/manufacturing...[and]...wholesale trade”; and (c) the 20% lot coverage limit would render light industrial and manufacturing uses infeasible, thereby either prohibiting the economic use of the land or resulting in the establishment of higher occupancy buildings within a concentrated area. Mr. Johnson also notes in his e-mail that the AICUZ study does not reference the words “emergency landing.” Mr. Johnson concludes that the proposed project is “exactly what is called for in the AICUZ document” and “completely compatible...with the intent of the AICUZ study when properly interpreted.” This is consistent with previous oral and written communications from the applicant’s consultant, Kurt Schlyer of Golder Associates, Inc.

In order to attempt to resolve this issue, which has been an ongoing point of contention both in the review of individual development projects and in the crafting of the March Joint Land Use Study, March Joint Powers Authority submitted a letter to Lynn Engelman, Air Force Civil Engineer, requesting assistance in the interpretation of the land use compatibility provisions identified in Table 3-1 and Appendix A of the AICUZ.

ALUC staff supports the course of action taken by the March Joint Powers Authority requesting that the interpretation of AICUZ be made by the entity responsible for its preparation. Unless the applicant insists on final action at this meeting, it may be prudent for the Commission to continue this matter pending receipt of the clarification/interpretation by the author.

*UPDATE II: In response to a follow-up inquiry from Dan Fairbanks of March Joint Powers Authority, Lynn Engelman advised on June 12 that she hoped to address the concern shortly. However, as of June 30, ALUC staff had not been advised of any further progress.*

*Staff has been advised by outside legal consultant Gatzke Dillon Ballance of a State court decision that upheld the authority of an ALUC to establish restrictions that extend beyond AICUZ requirements.*

*UPDATE III: The 20 percent lot coverage limit referenced in the Appendix to the 2005 AICUZ is not unique to March, but is a verbatim restatement of a provision in the AICUZ Handbook (Air Force Handbook 32-7084, which is available on the Internet). A copy of relevant portions of the AICUZ Handbook is included herewith.*

*UPDATE IV: Based on telephone discussions with U.S. Air Force personnel, including Lynn Engelman, it is staff’s understanding that the lot coverage limit is not simply a method of limiting person-intensity in the Accident Potential Zones, but also a means of providing for open areas where an aircraft could potentially reach ground without endangering the lives of people on the ground. Additionally, U.S. Air Force personnel advised that the specific wording of the sentence regarding limits on lot coverage in APZ II was not meant to imply that a greater lot coverage would be permissible in APZ I.*

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In the event that the City of Perris chooses to overrule a determination of inconsistency for the development plan review, the City should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the recommendations of the United States Air Force in the 2005 Airport Installation Compatible Use Zone Report and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

**CONDITIONS:**

1. Prior to issuance of building permits, the landowner shall convey an avigation easement to the March Joint Powers Authority for the MARB/IPA Airport.
2. Noise attenuation measures shall be incorporated into office areas of the building construction as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL in office areas of the buildings.
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.
  - (e) Children's schools, hospitals, nursing homes, churches and chapels, auditoriums, restaurants, cafes, cafeterias, theaters, bowling alleys, motels, banks, department stores, supermarkets, drug stores, service stations, and public assembly uses such as amphitheaters, outdoor music shells, and sports stadiums.
  - (f) Structures greater than one story in height.
  - (g) The manufacturing of: (1) apparel and other finished products made from fabrics, leather, and similar materials; (2) chemicals; (3) professional, scientific, and controlling instruments; (4) photographic and optical goods; (5) watches and clocks.
  - (h) All residential uses.

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- (i) Educational and government services, professional and personal services, and finance, insurance, and real estate services.
  - (j) Hotels and other lodging facilities; resorts and group camps; amusements; concert halls; sports arenas.
4. Except for offices not exceeding 11,690 square feet in floor area each, located at building corners, the proposed structures shall be utilized for warehousing and distribution functions.
5. The City of Perris shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following facilities on this property:
- Auction rooms, dance floors, lodge rooms, reviewing stands, conference rooms with capacities exceeding 100 persons pursuant to the Uniform Building Code, dining rooms, exhibit rooms, drinking establishments, retail sales facilities, gymnasiums, lounges, stages, gaming, congregate residences, and swimming pools.
- The manufacturing of: food and kindred products; textile mill products; rubber and plastics products; stone, clay, and glass products; fabricated metal products; and primary metal industries.
- Any other uses that would be considered to have an occupancy level greater than one person per 500 square feet (minimum square feet per occupant less than 500) pursuant to California Building Code (1998) Table 10-A, other than offices within the delineated office areas.
6. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All outdoor lighting shall be downward facing. (It is recommended that airport management be provided an opportunity to review outdoor lighting plans prior to approval.)
7. The aboveground storage of explosive or flammable materials is prohibited, except that flammable materials may be stored in accordance with quantities permitted in Airport Zone B1 pursuant to the provisions of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan (shall be less than 6,000 gallons). Such storage shall only be in conjunction with (and accessory to) a permitted use.
8. The uses specified in the attached Appendix B of the Riverside County Airport Land Use Plan shall be prohibited, except as otherwise modified by Condition No. 7 above.
9. The attached notice shall be provided to all potential purchasers and tenants.
10. Proposed uses of space within the structures, other than offices, warehousing, and distribution, shall be submitted to Airport Land Use Commission staff for consistency review. Where the use would not require any discretionary action by the City, the staff consistency review shall be at the building permit review fee level.

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**IV. PROJECT DESCRIPTION**

City Case No. DPR07-0029 proposes the development of five industrial buildings with a total building area of up to 1,611,000 square feet (including 90,907 square feet of office area) and 1,417 parking spaces on 81.92-87 acres.

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Michal Johnson, Other Interested Person

Kurt Schlyer, Applicant Representative, 28 Del San Tallo, Lake Elsinore, CA

**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a vote of 5-2 found the project, **INCONSISTENT**. Opposed: Commissioners Robin Lowe and John Lyon.

**VII. CD**

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

ITEM 4.2: TIME IS 9:28 A.M.



**AIRPORT LAND USE COMMISSION  
MINUTE ORDER SEPTEMBER 11, 2008  
RIVERSIDE MEETING**

I. **AGENDA ITEM 4.3:** ZAP1010TH08 – Robert J. Mainiero, for Arnulfo and Teresa Rodriguez, and Jose and Maria Meza - County Case No. CZ07495 (Change of Zone). A proposal to change the zoning of a 10.16-acre parcel located westerly of Fillmore Street and Desert Cactus Drive, northerly of 57<sup>th</sup> Avenue, and easterly of the Coachella Valley Water District Flood Control Channel, in the portion of the unincorporated Riverside County community of Thermal located east of the railroad, from R-A-20 (Residential Agricultural, 20 acre minimum lot size) to R-A-2 (Residential Agricultural, 2 acre minimum lot size), in order to allow division of the property into three parcels. Airport Zones D and E. **Staff has prepared special findings pursuant to Section 3.3.6, for the Commission’s consideration.**

II. **MAJOR ISSUES**

The change of zone would establish two acre minimum lot size zoning on a site that is predominantly located in Airport Zone D, where policies limit densities to either the high density option of five or more dwelling units per acre (net) or the low density option of one dwelling unit per five or more acres. *However, due to terrain, specific location, and other factors, a special conditions finding should be considered.*

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission find the project CONSISTENT, based on the special conditions findings (pursuant to Section 3.3.6 of the Countywide Policies) included herein, and that the conditions included in this staff report be applied to the associated parcel map.

IV. **PROJECT DESCRIPTION**

Change of Zone Case No. 7495 (CZ07495) is a proposal to change the zoning of 10.16 acres from R-A-20 (Residential Agricultural, 20 acre minimum lot size) to R-A-2 (Residential Agricultural, 2 acre minimum lot size), in order to allow for the division of the property into three lots.

Other Special Conditions: Section 3.3.6 of the Countywide Policies section of the Riverside County Airport Land Use Compatibility Plan acknowledges that “there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location, or other extraordinary factors or circumstances related to the site.” In such situations, the Commission may find a normally incompatible use to be acceptable, provided that specific findings are made that: (1) describe the nature of the extraordinary circumstances that warrant the policy exception; (2) explain why the land use will not result in a safety hazard for people on the ground or aircraft in flight; and (3) explain why the land use will not result in excessive noise exposure for the proposed use.

Specific Findings for Compatibility Ruling Pursuant to Section 3.3.6 of the Countywide Policies  
Section of the Riverside County Airport Land Use Compatibility Plan

1. The following factors, considered together, constitute extraordinary circumstances related to the terrain and specific location of the site, and the character of surrounding land uses:
  - a. A stormwater channel or wash is located directly adjacent to the site, between the site and the airport.
  - b. The site is located in a largely vacant or open area that is bounded by a railroad line

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on the west and State Highway Route 86 on the east, both of which are substantial noise sources.

- c. The site lies well beyond the 55 dB(A) CNEL contour on Map JC-3 of the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, which depicts noise contours based on the ultimate activity levels at that airport pursuant to the adopted Master Plan.
  - d. The site is split by the boundary between Airport Zones D and E. It is located more than 6,000 feet from the runway and more than 1,500 feet from the extended runway centerline.
2. The land use will not result in a significant safety hazard for people on the ground or aircraft in flight because there is ample open area available in the vicinity for an emergency landing, including the adjacent flood wash and various public rights-of-way associated with the railroad line, roads, and highway.
  3. The close proximity of the project site to a major highway and an active railroad line diminishes the impact of aircraft related noise on the property. The landowners, who are the current residents on the property, have testified that the noise from the railroad is considerably more noticeable than noise from aircraft at this location.

**CONDITIONS (Parcel Map):**

1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655 (if applicable).
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

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(e) Children's schools, hospitals, and nursing homes.

3. The maximum elevation of any structure at top point shall not be less than 43 feet below sea level.
4. The attached notice shall be provided to all potential purchasers and tenants, and shall be recorded as a deed notice.

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Bob Mainiero, Representing Property Owners, P. O. Box 2410, Palm Springs, CA 92263

**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 7-0, found the project **CONSISTENT** pursuant to Section 3.3.6.

**VII. CD**

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

ITEM 4.3: TIME IS 9:54 A.M.

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER SEPTEMBER 11, 2008  
RIVERSIDE MEETING**

I. **AGENDA ITEM 5.1: ZAP1010FL08 – Old Plantation Investors, LP** (Representative: Anacal Engineering/Glen Gwatney) – County Case No. CUP00997R1 (Revision No. 1 to Conditional Use Permit No. 997) – A proposal to add 9 new mobile home spaces to an existing 223-space mobile home park located southerly (southwesterly) of Mission Boulevard, both westerly and easterly of Crestmore Road, northerly of Capary Road, in the community of Rubidoux. No additional acreage would be added to the park; the spaces would be established at locations previously in use as laundry rooms, washrooms, and storage areas. Airport Zones B1 and C.

II. **MAJOR ISSUES**

The proposed Revised Conditional Use Permit proposes to add dwelling units to an existing mobile home park located in Airport Zones B1 and C. The existing density already exceeds density criteria for these airport zones. The mobile home park is an existing use not in conformance with the Compatibility Plan. Expansion of nonconforming uses may be permitted only if “the expansion does not result in more dwelling units than currently exist on the parcel.” The Compatibility Plan’s infill provisions are not applicable in Airport Zone B1, and would only allow densities up to one dwelling unit per 2½ acres in Airport Zone C.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of INCONSISTENCY for the Revised Conditional Use Permit.

IV. **PROJECT DESCRIPTION**

CUP00997R1 is a proposal to add nine (9) new mobile home spaces to an existing 223-space mobile home park. No additional acreage would be added to the park; the spaces would be established at locations previously in use as laundry rooms, wash rooms, and storage rooms.

In the event that the County of Riverside chooses to overrule a determination of inconsistency, the County should require the following as conditions of its approval. Implementation of these conditions does NOT render the project consistent with the Flabob Airport Land Use Compatibility Plan and may not be sufficient to mitigate potential safety hazards to below a level of significance pursuant to the California Environmental Quality Act.

**CONDITIONS:**

1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

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- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - (e) Children's schools, day care centers, libraries, hospitals, nursing homes, and highly noise-sensitive outdoor uses.
3. The attached notice shall be provided to all potential purchasers and tenants.
  4. Prior to issuance of building permits, the land owner shall provide documentation to the Riverside County Airport Land Use Commission that an aviation easement has been conveyed to Flabob Airport and has been recorded.
  5. Noise attenuation measures shall be incorporated into mobile home design so as to provide an exterior-to-interior noise level reduction of 25dB for the units westerly of Crestmore Road and 20dB for the units easterly of Crestmore Road, in order to ensure that interior noise levels from aircraft operations do not exceed 45 dB (A) CNEL.
  6. Prior to issuance of building permits for any structure whose elevation in feet above mean sea level at top of roof or top point exceeds 789.2, the applicant shall file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration for such structure and shall have received a determination of "No Hazard to Air Navigation."

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Glen Gwatney, Anacal Engineering, 1900 E. La Palma, STE 202, Anaheim, CA

Greg Johnloz, Old Plantation Mobile Home Park, 4637 E. Sunset Drive, Phoenix, Arizona 85028

The following spoke in neutral of the project:

Leo L. Dorion, Flabob Airport Manager, 4130 Mennes Ave., Rubidoux, CA

The following spoke in opposition to the project:

Eddie Green, Other Interested Person, 3726 Arora Street, Riverside, CA 92509

Loretta Allen, Other Interested Person, 5190 Mission Blvd, Sp 152, Riverside, CA 92509

Gabriel Garcia, Other Interested Person, 5190 Mission Blvd, SP 159, Riverside, CA 92509

Tom Woofers, Other Interested Person, 427 Crestmore Road, #427, Riverside, CA

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**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 6-0, found the project **INCONSISTENT**. Commissioner Lyon recused and left the room prior to consideration.

**VII. CD**

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

ITEM 5.1: TIME IS 10:05 A.M.

**AIRPORT LAND USE COMMISSION  
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RIVERSIDE MEETING**

I. **AGENDA ITEM 5.2:** ZAP1001DC08 – Chuckwalla Valley Associates, LLC – County Case No. PP23577 (Plot Plan). A proposal to develop a 400-acre road racing facility that would, upon completion, include three race tracks (designed for automobile and other motor vehicle racing), a two-story, 16,200 square foot clubhouse, an administration building, garages, a scoring/timing tower, pit lanes, fueling facilities, and open parking areas, including transporter truck parking areas, within the 1100-acre property that includes Desert Center Airport. The facility would be open to members and their guests. The site is located southeasterly of State Highway 177 (Desert Center-Rice Road) and northerly of Interstate 10 in the community of Desert Center, in unincorporated Riverside County. Airport Zones A, B2, C, and E.

II. **MAJOR ISSUES**

Track 1 encroaches into the Runway Protection Zone for Desert Center Airport. The applicant has agreed to shut down the airport operations when Track 1 is in use. There is an issue of jurisdiction here, as the airport is no longer a public-use airport.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONDITIONAL CONSISTENCY, subject to the conditions specified herein, including the special condition requiring that the airport not be operational when Track 1 is in use.

IV. **PROJECT DESCRIPTION**

Plot Plan No. 23577 is a proposal to develop a 400-acre road racing facility that would, upon completion, include three race tracks (designed for automobile and other motor vehicle racing), a two-story, 16,200 square foot clubhouse, an administration building, garages, a scoring/timing tower, pit lanes, fueling facilities, and open parking areas, including transporter and truck parking areas, within the 1100-acre property that includes Desert Center Airport. The facility would be open to members and their guests.

**CONDITIONS:**

1. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
  - (d) Any use which would generate electrical interference that may be

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detrimental to the operation of aircraft and/or aircraft instrumentation.

2. The attached notice shall be provided to all potential purchasers, lessees, and tenants.
3. Any outdoor lighting that is installed, including security lighting, shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
4. No walls, trees, or poles greater than 4 inches in diameter at a height 4 feet above the ground shall be constructed, installed, or planted within the portion of this property within Airport Zone A.
5. The airport shall not be operational during those times when Track 1 is in use.

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Darren Slackman, Wilson Johnson Development Mgmt., 45-445 Portola Ave., Suite 5, Palm Desert, CA 92260

**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 7-0, found the project **CONDITIONALLY CONSISTENT**.

**VII. CD**

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

ITEM 5.2: TIME IS 11:03 A.M.



**AIRPORT LAND USE COMMISSION  
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RIVERSIDE MEETING**

I. **AGENDA ITEM 5.3:** ZAP1010CH08 – Silveira Dairy Investment, LLC/Stratham Cloverdale Inc. (Representative: Albert A. Webb Associates) – County Case Nos. GPA00807 (General Plan Amendment), CZ07073 (Change of Zone), and TR32821 (Tentative Tract Map). A proposal to amend the General Plan (Eastvale Area Plan) designation of 38.45-39.69 acres located northerly of Limonite Avenue and westerly of Cleveland Avenue in the community of Eastvale in unincorporated Riverside County from MDR (Medium Density Residential) to HDR (High Density Residential), to change the zoning of the property from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to R-3 (General Residential), to divide the property into 23 residential lots for condominium purposes and six open space lots, and to establish 350 condominium dwelling units/lots. Airport Area III (Proposed Airport Zone D).

II. **MAJOR ISSUES**

As previously noted when the Commission considered an earlier version of this project, the project is consistent with the proposed density criteria of the Draft Chino Airport Land Use Compatibility Plan, but the tract map design is deficient in its provision of open areas that would be required in Airport Zone D if the Chino Plan were adopted. Ideally, the tract map should be amended to provide a minimum of 10% (4 acres) in qualified open areas as defined in Section 4.2.4 of the Riverside County Airport Land Use Compatibility Plan Countywide Policies – 15% if the Commission adopts Mitigation Measure Two. However, the project is consistent with the 1991 Comprehensive Land Use Plan for Chino Airport adopted by San Bernardino County and with the 1984 Riverside County Airport Land Use Plan.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the proposed general plan amendment and zone change. As to the tract map, staff recommends a finding of CONSISTENCY with the 1984 Riverside County Airport Land Use Plan if the Chino Plan is not adopted prior to the consideration of this project, subject to the conditions included herein, but recommends a finding of INCONSISTENCY if the Chino Plan is adopted prior to consideration of this project, due to the insufficient open area.

**STAFF RECOMMENDED AT HEARING:** CONSISTENT with 1984 Plan.

IV. **PROJECT DESCRIPTION**

General Plan Amendment No. 807 proposes to amend the General Plan (Eastvale Area Plan) designation of 28.45-39.69 acres from MDR (Medium Density Residential) to HDR (High Density Residential), and associated Change of Zone Case No. 7073, as amended, proposes to change the zoning of the same area from A-2-10 (Heavy Agriculture, 10 acre minimum lot size) to R-3 (General Residential). Tentative Tract Map No. 32821, as amended, proposes to divide the property into 23 residential lots for condominium purposes and six open space lots, and to establish 350 condominium dwelling units/lots.

**CONDITIONS:**

1. The project shall not provide for the location of schools, hospitals, nursing homes, or highly noise-sensitive nonresidential uses within its boundaries.
2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of

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lumens or reflection into the sky. Outdoor lighting shall be downward facing.

3. The following uses shall be prohibited:

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual 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. Additional Airport Land Use Commission staff review shall be required at the tentative map, plot plan, or use permit stage for any structure greater than 70 feet in height.

5. The attached notice shall be provided to all potential purchasers and tenants.

6. Bio-swales and detention basins shall be designed to remain totally dry between rainfalls and shall not be designed to provide a maximum detention period exceeding 48 hours. Vegetation in and around such swales or basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

**The following condition is only applicable if the 2008 Chino Airport Land Use Compatibility Plan has not first been adopted.**

7. Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to Chino Airport. (Contact San Bernardino County Department of Airports at (909) 387-7801 for additional information.).

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in favor of the project:

Mo Faghihi, Albert A. Webb Associates, 3788 McCray Street, Riverside, CA

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No one spoke in neutral or opposition to the project.

**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a unanimous vote of 7-0, found the project **CONSISTENT** with the 1984 plan.

**VII. CD**

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

ITEM 5.3: TIME IS 11:13 A.M.

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER SEPTEMBER 11, 2008  
RIVERSIDE MEETING**

- I. **AGENDA ITEM 6.0: ZAPEA01CH07** - The Riverside County Airport Land Use Commission ("Commission") intends to adopt a Mitigated Negative Declaration, prepared pursuant to the California Environmental Quality Act ("CEQA;" Pub. Resources Code, §21000 *et seq.*), for the proposed Airport Land Use Compatibility Plan for Chino Airport ("Compatibility Plan").

The proposed project is the Commission's adoption of a Compatibility Plan, which includes an Airport Influence Area ("AIA") with new boundaries, for Chino Airport. The proposed Compatibility Plan is designed to regulate future land uses in the Riverside County portion of the Chino Airport AIA.

II. **MAJOR ISSUES**

Whether to adopt: (1) the Initial Study/Mitigated Negative Declaration ("MND") prepared for the Chino Airport Land Use Compatibility Plan ("2008 Compatibility Plan"); and (2) the 2008 Compatibility Plan, which may include, at the Commission's discretion, one or more of the proposed Mitigation Measures described in the Initial Study/MND.

III. **STAFF RECOMMENDATION**

**Staff recommends that, after the close of public hearing, the Commission:**

- (1) Adopt the MND for the 2008 Compatibility Plan, and thereby find that;**
  - a. Having considered the Initial Study/MND, the comments received during the public review process, and the record before the Commission, there is no substantial evidence that adoption of the 2008 Compatibility Plan would have a significant effect on the environment; and**
  - b. The MND reflects the Commission's independent judgment and analysis;**
- (2) Adopt the 2008 Compatibility Plan, with or without one or more of the proposed Mitigation Measures described in the Initial Study/MND;**
  - a. Staff specifically recommends, as its "preferred option," that the Commission adopt proposed Mitigation Measures 3, 5, and 6 to mitigate the potential displacement of future non-residential development, and either Mitigation Measure 2 or Mitigation Measures 1A and 4 (together) to mitigate the potential displacement of future residential development.**
- (3) If the Commission includes one or more of the proposed Mitigation Measures in the 2008 Compatibility Plan, adopt the Mitigation Monitoring Plan; and**
- (4) Direct staff to return to the Commission on October 9, 2008, with the appropriate resolution(s) memorializing the Commission's action taken at the September 11, 2008 public hearing.**

IV. **PROJECT DESCRIPTION**

The proposed project is the adoption of the 2008 Compatibility Plan by the Commission. The 2008 Compatibility Plan designates new boundaries for the Riverside County portion of the Airport Influence Area ("AIA") for Chino Airport, and establishes policies for determining consistency between development projects within the AIA and the objectives set forth in the State Aeronautics Act (Pub. Util. Code, §§21670-21679.5). Those objectives call for the Commission to protect the

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public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports, to the extent that those areas are not already devoted to incompatible uses. (Pub. Util. Code, §21670, subd. (a)(2).) The proposed 2008 Compatibility Plan also may include, at the Commission's discretion, one or more of the proposed Mitigation Measures described in the Initial Study/MND.

The Commission is required, by state law, to prepare airport land use compatibility plans for the airport influence areas around public-use airports. This includes areas of Riverside County affected by aircraft activity, even if the airport itself is located beyond the County line, as is the case here. (See discussion of *Project Location, infra.*) San Bernardino County has prepared and adopted the Chino Airport Master Plan, which includes a forecast for future operations at the Airport. According to the Master Plan, the activity levels at Chino Airport will continue and likely increase over time.

The unincorporated community of Eastvale, which is located within Riverside County, is in the vicinity of the Airport and is affected by aircraft noise and overflight. In addition, historically, there have been airplane accidents in Riverside County, particularly in the Eastvale area, associated with operations at Chino Airport. As noted above, the Commission's charge is to protect the public from excessive noise and safety hazards. Therefore, the 2008 Compatibility Plan imposes limits on the density and intensity of future land use development in the Riverside County portion of the Chino Airport's AIA.

**V. MEETING SUMMARY**

The following staff presented the subject proposal:

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

The following spoke in opposition to the project:

Trip Hord, Representing Brad Leal – Property Owner, 5029 La Mart Drive, Riverside, CA 92507

**VI. ALUC COMMISSION ACTION**

The ALUC Commission, by a vote of 5-0 with Commissioners Butler and Lowe absent, motioned to:

- 1. Adopt the Mitigated Negative Declaration as proposed.**
- 2. Adopt the proposed Chino ALUCP with Mitigation Measures 1A, 3, 4, 5, and 6 and to preserve the existing airport influence area eastern boundary at Cleveland Avenue.**
- 3. Adopt the monitoring plan as proposed by staff.**
- 4. Direct staff to return on October 9 with a resolution memorializing this action.**

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**VII. CD**

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

ITEM 6.0: TIME IS 11:22 A.M.

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER SEPTEMBER 11, 2008  
RIVERSIDE MEETING**

**I. AGENDA ITEM 7.0: ADMINISTRATIVE ITEMS**

- 7.1 Notice of Intent to Overrule – ZAP1003PS07, D. R. West LLC/The Nicholas Group (City of Palm Springs) – Staff had previously advised that an inquiry had been received as to whether the City could consider the overrule on September 17 if ALUC submits its comments prior to that date. Staff had advised that it was concerned that September 17 would be prior to the end of the 45-day notice period specified in State law. Chairman Housman commented that there was an issue with the sufficiency of the notice period and requested that staff contact the City of Palm Springs so as to assure sufficiency. Commissioner Lyon commented that the notice was deficient as to adequacy of findings. Chairman Housman advised that staff would address this in its response. Chairman Housman advised that he will attend the City Council meeting(s) at which the overrule would be considered, on behalf of the Commission.
- 7.2 Notice of Intent to Overrule – ZAP1024MA07 – Brian Bargemann/Investment Building Group (City of Perris) – Chairman Housman asked that staff contact Vice-Chairman Rod Ballance as to the City hearing date on this matter, to provide for his attendance (if available) on behalf of the Commission. If Vice-Chairman Ballance is not available, the Chairman will ask Commissioner Glen Holmes to represent the Commission.
- 7.3 Progress Report – Perris Valley Airport Land Use Compatibility Plan  
Ken Brody of Mead and Hunt, ALUC consultant, noted that an administrative draft of a Perris Valley Airport Land Use Compatibility Plan has been completed for staff review. Chairman Housman thanked staff and the consultant for moving forward with this project.

**II. AGENDA ITEM 8.0: APPROVAL OF MINUTES:**

The August 14, 2008 minutes were approved by a vote of 4-0. Abstain: Aaron Hepler (alternate for Glen Holmes). Commissioner John Lyon abstained from item 5.4, as he had recused himself for that one item. Absent: Commissioners Robin Lowe and Arthur Butler.

**III. AGENDA ITEM 9.0: ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

None

**IV. AGENDA ITEM 10.0: COMMISSIONER'S COMMENTS**

Commissioner John Lyon reported that while in the landing pattern at Flabob Airport, he noticed that the Regional Park Authority was constructing one or two structures just south of Crestmore within the park, close to the influence areas of the B1, B2, C and D zones, and that neither the airport nor the Commission had any information regarding this project. Chairman Housman asked staff to contact whoever builds in the Rancho Jurupa Regional Park and inform them of our existence and that they need to contact us.

**AIRPORT LAND USE COMMISSION  
MINUTE ORDER SEPTEMBER 11, 2008  
RIVERSIDE MEETING**

Vice Chairman Rod Ballance informed the Commission that he was invited to sit on a panel to select a vendor for the City of Riverside CEQA/NEPA environmental documentation services for the new Master Plan for Riverside Municipal Airport, which specifies airport projects for the 5-year capital improvement plan.

Ed Cooper, ALUC Director, noted that two of the Commissioners had to depart before the Chino Plan was considered. He commented that he would like to see full Commission participation when the adoption of new plans is being considered. Therefore, he would like the Commission's input as to placement of plan adoption and amendment proposals on the agenda, or whether such proposals should be considered at special hearings. Chairman Housman commented that, since two of the Commissioners were not present, he would like staff to place this on the Commission's next agenda as an Administrative item for Commission

**V. ADJOURNMENT**

Chairman Simon Housman adjourned the meeting at 1:07 p.m.

**VI. CD**

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

ITEM 7.0: TIME IS 1:02 P.M.