

**AIRPORT LAND USE COMMISSION
MINUTE ORDER OCTOBER 14, 2010
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on October 14, 2010 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Vice Chairman
Arthur Butler
Glen Holmes
Robin Lowe
John Lyon
Greg Pettis

COMMISSIONERS ABSENT:

STAFF PRESENT: Ed Cooper, Director
John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Secretary
BT Miller, ALUC Counsel

OTHERS PRESENT: Cathy Bechtel, RCTC
Dan Fairbanks, March JPA
Aimee Grana, Tradition Aviation/Thermal Aviation
Emily Hemphill, Kohl Ranch
Nick Johnson, Kohl Ranch
R. Lichtensten, Kohl Ranch
Blake Miralgia, Other Interested Person
Adam Rush, Riverside County, Planning Department
Richard Welsh, Other Interested Person
Hersel Zahats, TRM IZZ, LLC

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- I. **AGENDA ITEM 2.1: ZAP1003RG10 – Riverside County Planning Department – Ordinance No. 348.4690 – An amendment to the Riverside County Zoning Ordinance to require a public use permit for “facilities for the storage or transmission of electrical energy, where the County is not preempted by law from exercising jurisdiction.” Such facilities could be allowed in any zone, provided that such a permit is granted. (Countywide).**
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the ordinance.
- IV. **PROJECT DESCRIPTION**
The proposed ordinance would amend the Riverside County Zoning Ordinance to require a Public Use Permit for “facilities for the storage or transmission of electrical energy where the County is not preempted by law from exercising jurisdiction.” Such facilities would be allowed in any zone, provided that such a permit is granted.
- 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. or Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.
- The following spoke in favor of the project:
Adam Rush, Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA
- No one spoke in neutral or opposition to the project
- VI. **ALUC COMMISSION ACTION**
The ALUC Commission by a vote of 6-0 found the project CONSISTENT. Abstained: Commissioner Greg Pettis
- 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.

ITEM 2.1: TIME IS 9:07 A.M.

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- I. **AGENDA ITEM 2.2:** ZAP1066MA10 – Riverside County Transportation Commission (RCTC) – A proposal by the RCTC to construct the South Perris Metrolink Station and rail equipment layover facility associated with the extension of Metrolink service to Perris. The site is located northeasterly of Case Road, easterly of Murrieta Road, southerly of Ellis Avenue, and westerly of I-215, in the City of Perris, approximately 37,500 feet southerly of Runway 14-32 at March Air Reserve Base. Construction of the station would include station platform with canopies, parking lot with lighting, 10 bus stop bays, pedestrian crossing with stairs and ramp, train layover facility, and a 37 foot tall communication tower located approximately 1,000 feet northwesterly of the main project site located southerly of Ellis Avenue. (Airport Area III within the March Air Reserve Base Influence Area).
- II. **MAJOR ISSUES**
None
- III. **STAFF RECOMMENDATION**
Staff recommends a finding of CONSISTENCY for the project, subject to the conditions specified herein for the project.
- IV. **PROJECT DESCRIPTION**
The applicant proposes to construct the South Perris Metrolink Station and rail equipment layover facility associated with the extension of Metrolink service to Perris. Construction of the station would include station platform with canopies, parking lot with lighting, 10 bus stop bays, pedestrian crossing with stairs and ramp, train layover facility, and a 37 foot tall communication tower located approximately 1,000 feet northwesterly of the main project site located southerly of Ellis Avenue.

CONDITIONS:

1. Prior to the issuance of building permits, the landowner shall convey an aviation easement to the March Inland Port Airport Authority. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
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. (Such uses include landscaping utilizing water features, aquaculture, livestock

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operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, hospitals, nursing homes, and highly noise-sensitive outdoor nonresidential uses.
4. Any ground-level or aboveground water detention or retention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Landscaping shall utilize plant species that do not produce seeds, fruits, or berries. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.
5. Structure height shall not exceed 40 feet, and no structure shall be located less than 3,841 feet from any point on the centerline of the runway at Perris Valley Airport, unless the Federal Aviation Administration has first issued a Determination of No Hazard to Air Navigation for said structure.

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. or Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org.

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

VI. ALUC COMMISSION ACTION

The ALUC Commission by a vote of 5-0 found the project **CONSISTENT**. Recused: Commissioners Robin Lowe and Greg Pettis

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.

ITEM 2.2: TIME IS 9:26 A.M.

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- I. **AGENDA ITEM 3.1: ZAP1002RG10 – Riverside County Planning Department** – Ordinance No. 348.4706 – An amendment to the Riverside County Zoning Ordinance to permit emergency shelters in the I-P (Industrial Park) Zone and to establish development standards for such facilities. The amendment defines an emergency shelter as “housing with minimally supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person and where no individual or household may be denied emergency shelter because of an inability to pay.” Development standards include a maximum limit of 75 beds in any emergency shelter and a minimum of 125 square feet of floor area for each client served at any one time. (Countywide).

II. **MAJOR ISSUES**

The proposed ordinance would allow emergency shelters with potentially a maximum estimated 80 people within a building approximately 10,000 sq. ft. in size. This would be inconsistent with Compatibility Zones A, B1, and C standards for average intensity.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONDITIONAL CONSISTENCY for the ordinance, provided that the ordinance is amended in accordance with the recommendations specified herein.

STAFF RECOMMENDED AT HEARING

CONDITIONAL CONSISTENCY, with the recommended modification to the ordinance to limit intensities within certain compatibility zones.

IV. **PROJECT DESCRIPTION**

The applicant proposes an amendment to the Riverside County Zoning Ordinance to establish emergency shelters in the I-P (Industrial Park) Zone as a permitted use and to establish development standards for such facilities. The amendment is to bring the zoning ordinance into compliance with recent updates to the California Government Code. The amendment defines an emergency shelter as “housing with minimally supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person and where no individual or household may be denied emergency shelter because of an inability to pay.” Development standards include a maximum limit of 75 beds in any emergency shelter and a minimum of 125 square feet of floor area for each client served at any one time.

*On October 14, 2010, the Riverside County Airport Land Use Commission (ALUC) found the above-referenced ordinance amendment allowing emergency shelters **CONDITIONALLY CONSISTENT** with the Riverside County Airport Land Use Compatibility Plan, provided that Section 3.(10) of the ordinance is revised to read as follows:*

- (10) *The maximum number of beds in any emergency shelter shall be 75, except for those within Compatibility Zones A, B1, B2, C, or D of any adopted Airport Land Use Compatibility Plan. The maximum number of beds within Compatibility Zone A shall be zero, within Compatibility Zone B1 shall be 11, within Compatibility Zone B2 shall be 45, within Compatibility Zone C shall be 34, and within Compatibility Zone D shall be 45.*

V. **MEETING SUMMARY**

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org. or John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Adam Rush, Riverside County Planning Department, 4080 Lemon Street, 12th Floor, 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 **CONDITIONALLY CONSISTENT** with the recommended modification to the ordinance to limit intensities within certain compatibility zones.

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.

ITEM 3.1: TIME IS 9:38 A.M.

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- I. **AGENDA ITEM 3.2:** ZAP1065MA10 – Riverside County Transportation Commission (RCTC) – A proposal by the RCTC to construct the Moreno Valley/March Field Metrolink Station associated with the extension of Metrolink service to Perris. The site is located easterly of Meridian Parkway, southerly of Alessandro Boulevard, northerly of Cactus Avenue, and westerly of I-215, within the land use jurisdiction of the March Joint Powers Authority, approximately 7,440 feet northwesterly of Runway 14-32 at March Air Reserve Base. Construction of the station would include station platform with canopies, parking lot with lighting, 5 bus stop bays, pedestrian crossing with stairs and ramp, and a 20 foot tall communication tower located approximately 600 feet easterly of the main project site adjacent to I-215. (Airport Area I within the March Air Reserve Base Influence Area).

II. **MAJOR ISSUES**

The 1984 Riverside County Airport Land Use Plan is the Plan currently applicable to the March Air Reserve Base Airport Influence Area. Policy 1 of this Plan requires that Area I “be kept free of all high risk land uses.” Land uses characterized by a “high concentration of people” are among the listed high-risk land uses. Staff’s initial determination is that the proposed project qualifies as a “high-risk land use” due to the high concentration of people. If asked to render a determination at this time, staff would recommend a finding of inconsistency on this basis.

The rail line passes through the delineated “Accident Potential Zones”, as depicted in the 2005 March Air Reserve Base Air Installation Compatible Use Zone (AICUZ) Study. Passenger terminals are listed as a “prohibited use” within Accident Potential Zone I (APZ I). The proposed location for the passenger platforms is located within APZ I. (The presence of the transit or railroad line itself within the Accident Potential Zones is considered to be a compatible use as long as passenger terminals and major aboveground transmission lines are not proposed within APZ I.)

The proponent expects a maximum number of 500 people on the 14.46-acre site at any one time; this number includes both passengers remaining within the trains and those who may either board or disembark at this station. Neither the 1984 Plan nor the AICUZ study references a particular number of persons as a limit. This number exceeds the maximum single-acre intensity within the applicable proposed Compatibility Zones in the Draft (January 2008) Joint Land Use Study for March Air Reserve Base/Inland Port Airport (100 in Compatibility Zone B1 and 250 in Compatibility Zone B2). However, it should be noted that this maximum number would only occur during peak times of boarding and disembarking and would be for a short duration. At the time of the writing of this staff report, staff is awaiting information regarding the specific number of trains, at what times the trains would be present, and for how long the trains would be present.

ALUC may wish to consider the short duration of the high concentration of people, along with the fixed location of the rail line and the proximity of the freeway, in deciding whether the proposed project would constitute a “high risk land use.” If ALUC were to determine that the proposed project is not a high risk land use, a finding of consistency with the 1984 Riverside County Airport Land Use Plan would be possible. The proposed intensity exceeds the maxima recommended in the Joint Land Use Study, but that study has not yet been adopted. Therefore, it is only advisory at this time.

III. **STAFF RECOMMENDATION**

With the consent of the proponent and in light of the limited time between the submittal of this project and the Commission hearing, staff recommends that the Commission open the public hearing, consider testimony, and CONTINUE this item to its next hearing date (December 9, 2010), pending receipt of additional information regarding station operations and comments from March Air Reserve Base staff.

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STAFF RECOMMENDED AT HEARING

CONDITIONAL CONSISTENCY, subject to the attached conditions, information provided by March Air Reserve Base staff, and a determination by the Commission that, due to the short duration and low number of occurrences of maximum intensity, the project would not be defined as a high risk land use.

IV. PROJECT DESCRIPTION

The applicant proposes to construct the Moreno Valley/March Field Metrolink Station associated with the extension of Metrolink service to Perris. Construction of the station would include station platform with canopies, parking lot with lighting, 5 bus stop bays, and a 20 foot tall communication tower located approximately 600 feet easterly of the main project site adjacent to I-215.

In the event that ALUC determines that the project is not a high-risk land use and determines that the project is consistent, or in the event that an ALUC finding of inconsistency is overruled by the Riverside County Transportation Commission or the March Joint Powers Authority, the following conditions are recommended to assist in mitigating the impact of aircraft operations on the proposed project.

In the absence of an ALUC finding of consistency, implementation of these conditions would NOT render the project consistent with the 1984 Riverside County Airport Land Use 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. Prior to the issuance of building permits, the landowner shall convey an aviation easement to the March Inland Port Airport Authority. (Contact March Joint Powers Authority at (951) 656-7000 for additional information.)
2. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
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. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and

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landfills.)

- (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, and highly noise-sensitive outdoor nonresidential uses.
4. Any ground-level or aboveground water retention or detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours (may be less, but not more) and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Landscaping shall utilize plant species that do not produce seeds, fruits, or berries. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.
5. Any proposed use identified on the site plan as a future use shall be reviewed by ALUC for consistency when proposed for a specific development.

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org. or John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Cathy Bechtel, RCTC, 4080 Lemon Street, 3rd Floor, Riverside, CA
Dan Fairbanks, March JPA, 23555 Meyer Drive, Riverside, CA 92518

No one spoke in neutral or opposition to the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission by a vote of 5-0, found the project **CONSISTENT**, with a finding that the project does not constitute a high risk land use. Recused: Commissioners Robin Lowe and Greg Pettis

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.

ITEM 3.2: TIME IS 9:38 A.M.

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I. **AGENDA ITEM 3.3:** ZAP1017TH10 – Kohl Ranch II (representative: Nick Johnson) – County Case Nos. SP 303A2 (Specific Plan Amendment), GPA 1104 (General Plan Amendment), CZ 7742 (Change of Zone), PM 36315 (Parcel Map 1), PM 36293 (Parcel Map 2), and PP 24690 (Plot Plan). The overall project site is located southerly of Avenue 60, easterly of Harrison Street, northerly of Avenue 66, and westerly of Polk Street, within the unincorporated Riverside County community of Thermal. The Plot Plan is located southerly of Avenue 60, easterly of Tyler Street, northerly of Avenue 62, westerly of Polk Street. The Specific Plan Amendment proposes to alter the land uses within the northern and southern planning areas of the Specific Plan. The General Plan Amendment is an amendment to the Circulation Plan of the General Plan to redesignate and realign Avenue 60, Avenue 62, and Tyler Street. The Change of Zone is a modification of the Specific Plan zoning ordinance consistent with the updates proposed by the Specific Plan Amendment. Parcel Map 1 proposes to subdivide 567.91 acres into 6 parcels with a minimum lot size of 20.91 acres for financing purposes. Parcel Map 2 proposes to subdivide 331.45 acres into 295 commercial lots consisting of 254 founder lots, 12 track facility lots, 14 private street lots, 13 open space lots, 1 lot for drainage, and 1 lot for street dedication. The Plot Plan is a proposal to construct a motorsports race track facility on 331.45 acres including construction of a private race track, 254 private/member garages, control tower, maintenance building, member car storage, registration building, track side garages/luxury suites, event tent, tuning shop, go-kart track, and go-kart team garages. (Airport Compatibility Zones A, B1, C, D, E within the Jacqueline Cochran Regional Airport Influence Area).

II. **MAJOR ISSUES**

Four-story control/observation tower in Zone C; Level of nonresidential intensity in structures associated with the race track; allowance for uses prohibited by the Compatibility Plan in Planning Areas located wholly or partially within Compatibility Zones B1, C, and D.

III. **STAFF RECOMMENDATION**

Staff recommends that ALUC open the public hearing and consider testimony regarding the project. At this time, staff is unable to advise the Commission that the project is fully consistent with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan due to the siting of a structure with four aboveground habitable floors within Airport Compatibility Zone C. Staff would recommend that the control/observation tower be redesigned so as to include not more than three aboveground habitable floors.

In the event that a special conditions finding is made with regard to the four-story control tower pursuant to Section 3.3.6 of the Countywide Policies (as discussed below), staff would recommend a finding of CONDITIONAL CONSISTENCY for the project, subject to a Determination of No Hazard to Air Navigation from the Federal Aviation Administration (FAA) and to the recommendations and conditions specified herein for the project.

In the event that the Commission declines to make a special conditions finding, staff would recommend that the Commission take one of the following actions: (a) CONTINUE its consideration of these matters to its December 9, 2010 hearing to allow for redesign of the tower; (b) CONTINUE its consideration of the plot plan, while finding the general plan amendment and parcel maps CONSISTENT and the specific plan amendment and change of zone CONDITIONALLY CONSISTENT pending the recommended ordinance text changes; or (c) find the project to be CONDITIONALLY CONSISTENT, subject to an additional condition that the tower be redesigned to include no more than three aboveground habitable floors.

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STAFF RECOMMENDED AT HEARING

CONDITIONAL CONSISTENCY, subject to the conditions in the presentation, as modified by staff, completion of FAA review, and revisions to the proposed zoning ordinance.

IV. PROJECT DESCRIPTION

Plot Plan No. 24690 is a proposal to construct and operate a motorsports race track facility consisting of a private (membership) auto racing track, control tower, track-side garages/luxury suites, event tent, member car storage buildings, registration building, maintenance building, tuning shop, go-kart track, and go-kart team garages on 331.45 acres located within the northerly one-third of the Specific Plan. The plot plan would also provide for up to 254 private/member garages (one for each "founders' lot"), although these structures would not be constructed concurrently with the common facilities. The plot plan covers the same 331.45-acre area as Parcel Map No. 36293, which proposes to divide the site into 295 commercial lots: 254 "founders' lots," 12 track facility lots, 14 private street lots, 13 open space lots, one lot for drainage, and one lot for public street dedication. Parcel Map No. 36315 includes this area as part of a larger 567.91-acre area proposed for division into six parcels (for financing purposes) with a minimum lot size of 20.91 acres

Specific Plan No. 303, Amendment No. 2, proposes a number of changes to the land uses within Planning Areas located in the northerly one-third (northerly of Avenue 62) and the southerly one-third (southerly of Avenue 64) of Kohl Ranch Specific Plan No. 303.

Change of Zone Case No. 7742 proposes to modify the existing Specific Plan zoning ordinance so as to be consistent with the changes proposed through the Specific Plan Amendment.

Finally, General Plan Amendment No. 01104 proposes re-designation and realignment of Avenue 60, Avenue 62, and Tyler Street.

RECOMMENDATIONS (to be applied to the change of zone)

1. Prohibit buildings and structures within Planning Area D-1.
2. Prohibit places of worship within Planning Areas E-1, E-3, F-4, G-1, G-2, G-3, and G-6.
3. Prohibit buildings with greater than 2 aboveground habitable floors within Planning Areas E-1, E-3, F-4, G-1, G-2, G-3, and G-6.
4. Prohibit day care centers, libraries, and schools within Planning Areas A-5, E-4, G-1 and F-4.
5. Prohibit day care centers and churches within Planning Areas A-4, A-6, and E-2.
6. Prohibit churches within Planning Areas F-2, G-5, G-10, G-11, and G-13.
7. Prohibit churches and congregate care facilities within Planning Areas F-3, G-7, H-2, H-4, and H-5
8. Prohibit buildings with greater than 3 aboveground habitable floors within Planning Areas A-3, A-5, E-4, E-7, G-4, G-12, H-1, and H-3.

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CONDITIONS (to be applied to the plot plan and the two parcel maps):

PLEASE NOTE - CONDITIONS BELOW ARE TENTATIVE PENDING COMPLETION OF FAA REVIEW

1. *Prior to the issuance of building permits, the landowner shall convey an avigation easement to Jacqueline Cochran Regional Airport, which shall be recorded, or shall provide evidence that such an easement covering the property has already been recorded. Copies of the avigation easement, upon recordation, shall be forwarded to the Riverside County Planning Department and to the Riverside County Airport Land Use Commission.*
2. *Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky, and shall comply with Riverside County Ordinance No. 655, as applicable. Outdoor lighting plans, if any, shall be transmitted to Riverside County Economic Development Agency – Aviation Division personnel and to the Jacqueline Cochran Regional Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)*
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. (Such uses include landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, incinerators, and landfills.)*
 - (d) *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*
 - (e) *Children’s schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor nonresidential uses, and aboveground bulk storage of 6,000 gallons or more of hazardous or flammable materials.*
4. *The attached notice shall be provided to all potential purchasers and tenants.*
5. *Any detention or retention basin shall be designed so as to provide a maximum 48-hour detention period for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin that would provide food or*

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- cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.*
6. *Noise attenuation measures shall be incorporated into the design of office areas of structures, as necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.*
 7. *No portion of any roadway or track shall be located within the Runway Protection Zone.*
 8. *No use of the automobile racetrack for the purpose of spectator sports, in which guests pay for admission to an event or series of events, or to which the general public is invited, is included in this determination of consistency.*
 9. *Development of the area addressed through Plot Plan No. 24690 shall comply with all nonresidential intensity criteria and open area requirements of the applicable airport compatibility zones.*
 10. *All structures shall maintain a minimum perpendicular distance of 750 feet from any point along the centerline of Runway 17-35 of Jacqueline Cochran Regional Airport, as the runway is depicted on the Airport's Master Plan (including any point along the centerline of the runway as extended to the southerly boundary of Airport Compatibility Zone A).*
 11. *Occupancy of the 3rd and 4th floors of the Control Tower shall be limited to track control officials only.*
 12. *Prior to building permit issuance on any of the Founders' Lots with a net lot area of 7,540 square feet or less, verification that proposed buildings do not exceed the "Standard Garage" plan shall be provided. The "Standard Garage" shall be defined as having a total square footage not exceeding 7,150 square feet, with office (and kitchen, if applicable) area not exceeding 4,320 square feet, and the remainder of the building devoted to storage, garage, and warehousing uses (Occupancy Type S uses). Any building on such lots proposing either (1) a total square footage exceeding 7,150 square feet or (2) more than 4,320 square feet of uses other than Occupancy Type S uses, or with a height exceeding two stories or 42 feet, shall be submitted to the Riverside County Airport Land Use Commission for consistency review.*
 13. *Development on Founders' Lots shall comply with the following standards: (1) the floor-area ratio shall not exceed 0.95; (2) lot coverage shall not exceed 0.5; (3) the proportion of the building allocated to office uses or other uses whose intensity exceeds Occupancy Type S uses shall not exceed 0.6; (4) no uses more intense than office uses and no assembly uses are permitted; (5) no residential uses or overnight occupancy is permitted; (6) the building does not exceed 42 feet in height; (7) no parking spaces are provided outside of the garage; and (8) garages contain a minimum space for two automobiles. If any of these criteria are not met, the building shall be submitted to the Riverside County Airport Land Use Commission for review.*
 14. *The following special occupancy load restrictions shall be posted:
The maximum number of persons permitted in each of the track side garage structures at any given time shall not exceed one hundred fifty (150) persons.
The maximum number of persons permitted in the registration/administration building at any given time shall not exceed one hundred fifty (150) persons.*

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The maximum number of persons permitted in the corporate tent at any given time shall not exceed one hundred fifty (150) persons.

The maximum number of persons permitted in each of the members' storage garage structures at any given time shall not exceed seventy-five (75) persons.

15. *Prior to map recordation of Parcel Map No. 36293, a notice to potential purchasers that no residential uses or overnight occupancy shall be permitted, shall be provided to ALUC staff for approval. Prior to sale of any individual lot, this notice shall be provided to potential purchasers.*
16. *No fixed lighting within main track area shall be allowed.*
17. *Pole affixed lighting within the go-kart area shall be limited to 12-feet in height.*
18. *No pole affixed lighting shall be allowed on interior private streets.*
19. *The control tower shall be limited to a maximum 3 above ground habitable floors.*

V. MEETING SUMMARY

The following staff presented the subject proposal:

ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org. or John Guerin at (951) 955-0982, or e-mail at jguerin@rctlma.org.

The following spoke in favor of the project:

Emily Hemphill, Kohl Ranch, 71780 San Jacinto, Suite I3, Rancho Mirage, CA 92270

Nick Johnson, Kohl Ranch, 6524 Deerbrook Road, Oak Park, CA 91370

R. Lichtensten, Kohl Ranch, 8436 W. 3rd Street, Los Angeles, CA

Blake Miralgia, Other Interested Person, 50855 Washington Street, #C234, La Quinta, CA 92253

Hersel Zahats, TRM IZZ, LLC, 1520 Brookhollow, Ste. 33, Santa Ana, CA 92705

The following spoke neither for or against the project, but added information to the decision making process:

Aimee Grana, Tradition Aviation/Thermal Aviation, 45-445 Portola Ave, Palm Desert, CA 92260

Richard Welsh, Other Interested Person, 50505 Grand Traverse, La Quinta, CA 92253

Aimee Grana, representing Tradition Aviation and Thermal Aviation, asked that the requirement for avigation easements be applicable throughout the Specific Plan, not simply in the areas being proposed for amendment through this application. Chairman Housman agreed that it would be ineffectual to have an avigation easement apply to both ends of the Specific Plan if such an easement is not obtained covering the middle third (the area between 62nd and 64th Avenues). Emily Hemphill, attorney representing Kohl Ranch, advised that all of Kohl Ranch is subject to the requirement for an avigation easement by virtue of the conditions applied to its original approval and the first amendment thereto. Therefore, the condition for an avigation easement covering the entire Kohl Ranch would be applicable to any proposed development in the middle third.

No one spoke in opposition to the project.

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VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a vote of 5-2, found the project **CONDITIONALLY CONSISTENT**, subject to the conditions in the presentation as modified by staff, completion of FAA review, and revisions to the proposed zoning ordinance. Opposed by Vice Chairman Rod Ballance and Chairman Simon Housman, who supported a continuance for further review.

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.

ITEM 3.3: TIME IS 10:02 A.M.

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I. **4.0 APPROVAL OF MINUTES**

The ALUC Commission approved the August 12, 2010 minutes by a unanimous vote of 7-0.

5.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

- II. John Guerin, ALUC staff, announced that today, October 14th, is the 6th anniversary of the adoption of the Countywide Airport Land Use Compatibility Plan.

III. **6.0 COMMISSIONER'S COMMENTS**

None

IV. **ADJOURNMENT**

Chairman Housman adjourned the meeting at 12:12 p.m.

V. **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.

ITEM 4.0: TIME IS 12:10 P.M.