

**AIRPORT LAND USE COMMISSION
MINUTE ORDER OCTOBER 9, 2014
RIVERSIDE MEETING**

A regular scheduled meeting of the Airport Land Use Commission was held on October 9, 2014 at the Riverside County Administrative Center, Board Chambers.

COMMISSIONERS PRESENT: Simon Housman, Chairman
Rod Ballance, Acting Chairman
Arthur Butler
Glen Holmes
John Lyon
Richard Stewart
Russell Betts, Alternate for Greg Pettis

COMMISSIONERS ABSENT: Greg Pettis

STAFF PRESENT: John Guerin, Principal Planner
Russell Brady, Contract Planner
Barbara Santos, ALUC Secretary
Anna Wang, ALUC Counsel

OTHERS PRESENT: Steve Alverson, ESA
Ken Brody, Mead and Hunt
Dan Fairbanks, March JPA
Larry Markham, MDMG, Inc.
Danielle Morone, Gatzke, Dillon & Ballance
Patrick Potts, Stratham Homes
Erik Sydow, Riverside County, EDA

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- I. **AGENDA ITEM 2.1: ZAP1034HR14 – AT&T (Representative: Trillium Consulting, Tim Miller) –** County Case No. CUP No. 3702 (Conditional Use Permit). Conditional Use Permit No. 3702 proposes to establish an unmanned telecommunications facility consisting of antennas on an 88-foot high monopole tower, with associated equipment shelter, on a 355 square foot lease area within a 20.0-acre parcel located southerly of Florida Avenue/SH-74, easterly of a southerly straight-line extension of Calvert Avenue, and northerly of the westerly extension of Stetson Avenue within the unincorporated community of Green Acres. (Area III of Hemet-Ryan Airport Influence Area). Continued from September 11, 2014.

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends CONTINUANCE to October 9, 2014, subject to proof of submittal and acceptance of Form 7460-1 by the Federal Aviation Administration (FAA) Obstruction Evaluation Service. In the event that such acceptance (acknowledgement as a "Work in Progress" by the FAA) occurs prior to the forthcoming September 11 hearing, staff would recommend a finding of CONDITIONAL CONSISTENCY for the project, subject to the conditions specified herein and such additional conditions as may be required by the Federal Aviation Administration (FAA) Obstruction Evaluation Service.

IV. **PROJECT DESCRIPTION**

Conditional Use Permit No. 3702 proposes to establish an unmanned telecommunications facility consisting of antennas on an 88-foot high monopole tower, with associated equipment shelter, on a 355 square foot lease area within a 20.0-acre parcel.

CONDITIONS: Final conditions await FAA approval

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.
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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, 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, and incinerators.)

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(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 of the property.
4. Prior to issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner of Hemet-Ryan Airport. Contact the Riverside County Economic Development Agency at (951) 955-9802 for additional information.
5. Prior to issuance of a building permit, the applicant shall have received a "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration Obstruction Evaluation Service.

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.

No one spoke in favor, 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**. Absent: 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 9:04 A.M.

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- I. **AGENDA ITEM 2.2:** ZAP1018BA14 – Museum of Pinball, Inc. (Representative: Ramon Aoanan) – City of Banning Case No. 14-8005 (Conditional Use Permit). The Conditional Use Permit would allow for the conversion of a former manufacturing facility into a pinball machine museum and arcade. Two existing buildings totaling 83,436 square feet would be converted into the museum/arcade and would include exhibit/assembly area, restaurant, bars, and seating areas, lounges, offices, and educational/vocational areas. A third existing building totaling 34,220 square feet would be maintained for warehouse/storage and office uses. The applicant also proposes to provide for RV (42 spaces) camping areas and amenities such as a jogging path, swimming pool and tennis courts. The site consists of approximately 18.17 acres net (19.76 acres gross) located easterly of Hathaway Street, northerly of Westward Avenue, and southerly of Lincoln Street, and bisected by Barbour Street, in the City of Banning. (Airport Compatibility Zones D and B2 of the Banning Municipal Airport Influence Area). Continued from September 11, 2014.

II. **MAJOR ISSUES**

The proposed use is calculated by staff based on the Building Code Method to accommodate potentially 1,343 and 1,767 people each within Buildings A South and B, respectively, which each would exceed the normal Compatibility Zone D single-acre criteria of 300 people and the maximum 390 with risk reduction bonus. However, based on the Parking Space Method, the total site occupancy would be 1,084 people, assuming that the truck/RV parking spaces are not occupied by tour buses. An occupancy of approximately 400-500 people per building is requested by the applicant to accommodate special and other events and would represent a peak or worst-case scenario.

The 2004 Banning Airport Land Use Compatibility Plan (ALUCP) does not include any Additional Compatibility Policies addressing non-residential intensities. Therefore, the provisions of Table 2A in the Countywide Policies section of the Riverside County Airport Land Use Compatibility Plan are applicable. More recent plans (2007 French Valley, 2008 Chino, and 2010-11 Perris Valley) provide for non-residential average intensities of up to 150 persons per acre and single-acre intensities of up to 450 persons in Zone D. The City of Banning is on record as requesting such an amendment to the Banning ALUCP. However, given that staff's resources must be devoted to the March ALUCP and EIR at this time, additional consultant time would be needed to prepare the required CEQA analysis of such an amendment.

In response to a request by City staff, ALUC prepared an agreement whereby the City would pay the cost of preparing the CEQA analysis for the amendment. The proposed project was designed based on the understanding that the amendment would be expedited and moved forward; however, the City Council ultimately declined to fund the expedition of the amendment.

The 2011 Airport Land Use Planning Handbook published by the California Division of Aeronautics recommends average intensity limits of 200 to 300 persons per acre and single-acre intensity limits of 800 to 1,200 persons for properties in the Traffic Pattern Zones around suburban airports. These provisions have been discussed with the applicant and City staff, and the project proponent has indicated a willingness to underwrite the cost of the amendment needed to resolve the intensity issue affecting this project.

Input from the Commission regarding its willingness to consider these higher intensities (or alternative intensity levels beyond those utilized in the French Valley, Chino, and Perris Valley Plans) would be helpful in providing direction to staff as to how to proceed with project review and the potential Plan amendment.

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III. STAFF RECOMMENDATION

Staff recommends the project be CONTINUED off-calendar-until the Banning Airport Land Use Compatibility Plan Zone D non-residential criteria are updated.

IV. PROJECT DESCRIPTION

CUP-14-8005 would allow for the conversion of a former manufacturing facility into a pinball museum and arcade. Two existing buildings totaling 83,436 square feet would be converted into the museum/arcade and would include exhibit/assembly area, restaurant, bars, seating areas, lounges, offices, and educational/vocational areas. A third existing building totaling 34,220 square feet would be maintained for warehouse/storage and office uses. The applicant also proposes to provide for RV camping (42 spaces) and amenities such as a jogging path, swimming pool, and tennis courts. The site consists of approximately 18.17 acres net (19.76 acres gross).

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.

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

VI. ALUC COMMISSION ACTION

The ALUC Commission by a unanimous vote of 7-0, **CONTINUED OFF CALENDAR**. Absent: 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 9:05 A.M.

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- I. **AGENDA ITEM 3.1:** ZAP1035HR14 – U.S. Pacific Capital/Eddy Chao (Representative: Russell Rumansoff, Herron and Rumansoff Architects, Inc) – City of Hemet Case No.: SDR 14-002 (Site Development Review). The applicant proposes to develop a three-story 120-unit independent living senior apartment facility (“La Pension del Sol”: 117,920 square feet of floor area, maximum height of 43 feet) on a 3.31-acre (net area) parcel located on the southerly side of (West) Latham Avenue, easterly of (North) Lyon Avenue and westerly of (North) Elk Street. Structures exceeding 35 feet or two stories in height are subject to ALUC discretionary review, as are institutional uses. (Area III of the Hemet-Ryan Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the Site Development Review.

IV. **PROJECT DESCRIPTION**

SDR 14-002 is a proposal to construct an 117,920 square foot, 120-unit, three-story (43 foot high) senior independent living facility on a 3.31-acre parcel. The facility would also include office, kitchen, dining, laundry, lounge, library, gym, theater and other amenities within the building, as well as outdoor recreation areas including a pool and bocce ball area.

CONDITIONS:

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.
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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, 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, and incinerators.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
3. The landowner shall provide the attached notice to all purchasers of the property and all tenants

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of the buildings on the property.

4. Prior to issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner of Hemet-Ryan Airport or provide documentation to the City of Hemet and the Riverside County Airport Land Use Commission that such an easement has already been recorded. Contact the Riverside County Economic Development Agency at (951) 955-9802 for additional information.

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

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

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0, found the project **CONSISTENT**. Absent:
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 3.1: TIME IS 9:02 A.M.

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I. **AGENDA ITEM 3.2:** ZAP1098MA14 – Newcastle Partners (Representative: Jackson Smith) - March JPA Case Nos. GPA 14-01 (General Plan Amendment), SP-5, Amendment No. 2 (Specific Plan Amendment) and PP13-02, A1 (Amendment to Plot Plan). GPA 14-01 and SP-5, Amendment No. 2 propose to change the General Plan designation and zoning of a 1.19-acre parcel located easterly of Meridian Parkway and Opportunity Way, northerly of Van Buren Boulevard, and westerly of Interstate 215 from Public Facility to Industrial. The applicant proposes to merge this parcel with the 25.74-acre property to the north, which was previously approved for the development of a 510,000 square foot speculative industrial building. The added 1.19 acres would be utilized to provide 106 additional parking spaces to serve the users of the industrial building, as per PP 13-02, A1, increasing the total number of automobile parking spaces provided to 330. SP-5 Amendment No. 2 would also amend the text of the Meridian Specific Plan to reflect the change in use for this parcel. (Area II of the March Air Reserve Base/Inland Port Airport Influence Area).

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends that the proposed project be found CONSISTENT with the 1984 Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

Plot Plan 13-02 A1 is a proposal to amend previously approved Plot Plan 13-02, which authorized development of a 510,000 square foot industrial warehouse building on 25.74 acres, by expanding the project area with an additional 1.19 acres for 106 additional parking spaces, bringing the total project area to 26.93 acres and the total number of automobile parking spaces to 330. The additional parking is proposed to serve employees over multiple work shifts as employees arrive and depart (resulting in overlapping use of parking). General Plan Amendment 14-01 proposes to change the General Plan land use designation of the 1.19-acre property from Public Facility to Industrial and to alter building area allocated to Public Facility and Industrial land use designations. Similarly, SP-5, Amendment No. 2 proposes to change the zoning classification of the 1.19-acre property from Public Facility to Industrial and to amend the text of the Meridian Specific Plan to reflect the change in use for this parcel.

CONDITIONS:

1. 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.
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. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, 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, and incinerators.)
 - (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, congregate care facilities, hotels/motels, places of assembly (including churches and theaters), buildings with more than 3 aboveground habitable floors, noise sensitive outdoor nonresidential uses, and hazards to flight.
3. Prior to issuance of any building permits, the landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property.
 5. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) 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.
 6. This project has been evaluated as a proposal for the establishment of an industrial warehouse with not more than 20,000 square feet of office area in any given acre. March Joint Powers Authority shall require additional review by the Airport Land Use Commission prior to the establishment of any of the following uses in this structure:

Auction rooms, auditoriums, bowling alleys, call centers, care facilities, churches and other places of worship, conference rooms larger than 1,500 square feet in area, classrooms, courtrooms, dance floors, dormitories, drinking establishments, exercise rooms, exhibit rooms, health care facilities, gymnasiums, locker rooms, lounges, retail sales, skating rinks, stages, swimming pools, and all other uses that would be considered to have an occupancy level greater than one person per 100 square feet (minimum square feet per occupant less than 100) pursuant to California Building Code (1998) Table 10-A.
 7. Noise attenuation measures shall be incorporated into the design of the office areas of the structure, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.
 8. The Federal Aviation Administration has conducted aeronautical studies of the proposed building (Aeronautical Study Nos. 2013-AWP-5676-OE and 2013-AWP-5677-OE) and has

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determined that neither marking nor lighting of the structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.

9. The maximum height of the proposed structure, including all roof-mounted appurtenances (if any), shall not exceed 42 feet above ground level, and the maximum elevation at the top of the structure shall not exceed 1,601 feet above mean sea level.
10. The specific coordinates, height, and top point elevation of the proposed structure shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height or elevation shall not require further review by the Airport Land Use Commission.
11. Temporary construction equipment used during actual construction of the structure shall not exceed the height of the structure, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
12. Within five (5) days after construction of the structure reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned.

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.

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

VI. **ALUC COMMISSION ACTION**

The ALUC Commission by a unanimous vote of 7-0, found the project **CONSISTENT**. Absent:
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 9:02 A.M.

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- I. **AGENDA ITEM 3.3:** ZAP1099MA14 – SSR Investment Co. (Representative: MDMG, Inc.) – County Case Nos. GPA No. 950 (General Plan Amendment), CZ No. 7830 (Change of Zone). The applicant proposes to amend the Mead Valley Area Plan land use designation of a 5.01 gross acre (4.54 net acre) property (APN 317-270-002) located at the southeasterly corner of Water Street and Tobacco Road (southerly of Water Street, easterly of Tobacco Road, northerly of Orange Avenue, and westerly of Harvill Avenue) within the unincorporated community of Mead Valley from Rural Community: Very Low Density Residential (RC:VLDR) to Community Development: Business Park (CD:BP) through GPA No. 950, and to change the zoning classification of the site from Light Agriculture One-Acre Minimum (A-1-1) to Industrial Park (I-P) through CZ No. 7830. In its initiation of the General Plan Amendment, the Board of Supervisors broadened its scope to also include the three properties to the south (APN 317-270-003, 317-270-004, 317-270-011), expanding the project area to 18.46 acres and extending its southerly boundary to Orange Avenue. The County proposes to also change the designation of those three parcels from RC:VLDR to CD:BP through GPA No. 950. (Area II of March Air Reserve Base Airport Influence Area).
- II. **MAJOR ISSUES**
No ALUC-related major issues
- III. **STAFF RECOMMENDATION**
Staff recommends that the proposed project be found CONSISTENT with the 1984 Riverside County Airport Land Use Plan, as applied to the March Air Reserve Base Airport Influence Area.
- IV. **PROJECT DESCRIPTION**
The applicant proposes to change the General Plan (Mead Valley Area Plan) land use designation of 5.01 gross acres (4.54 net acres) from Rural Community: Very Low Density Residential (RC:VLDR) to Community Development: Business Park (CD:BP). The Change of Zone proposes to change the zoning classification of that property from Light Agriculture One-Acre Minimum (A-1-1) to Industrial Park (I-P). In its initiation of the General Plan Amendment, the Board of Supervisors broadened its geographic scope to include four parcels with a total net area of 18.46 acres. The County proposes to change the designation of all four parcels from RC:VLDR to CD:BP through GPA No. 950.
- General Plan Amendments and Change of Zones are not subject to conditions.
- 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.
- The following spoke in favor of the project:
Larry Markham, MDMG, 41635 Enterprise Circle N, STE B, Temecula, CA 92590-5614
- 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. Absent:
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 3.3: TIME IS 9:11 A.M.

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- I. **AGENDA ITEM 3.4:** ZAP1022PS14 – CIG Towers, LLC (Representative: Norman MacLeod) – City of Palm Springs Case Nos. CUP 5.1321 (Conditional Use Permit) and VAR 6.533 (Variance). CUP 5.1321 is a proposal to establish an unmanned telecommunication facility consisting of antennas on two new 66-foot high monopalm towers, with related equipment shelters, on a 2,420 square foot lease area within a 1.5-acre parcel located westerly of the dwelling units at Golden Sands Mobile Home Park and easterly of the golf course fairway (also easterly of Savanna Way and northerly of Golden Sands Drive) in the City of Palm Springs. VAR 6.533 is a proposal to allow the two 66-foot high structures in the O (Open Land) Zone. Without a variance, the allowable height limit for antennas is 15 feet. (Zone C of the Palm Springs International Airport Influence Area). ALUC Staff Planner: Russell Brady at (951) 955-0549, or e-mail at rbrady@rctlma.org

II. **MAJOR ISSUES**

None

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONDITIONAL CONSISTENCY for the project, subject to the conditions specified herein and such additional conditions as may be required by the FAA Obstruction Evaluation Service.

IV. **PROJECT DESCRIPTION**

City of Palm Springs Case CUP 5.1321 is a proposal to establish an unmanned telecommunications facility consisting of antennas on two 66-foot high monopalm towers, with associated equipment shelter, on a 2,420 square foot lease area within a 1.5-acre parcel. VAR 6.533 is a proposal to allow the 66-foot high structure in the O (Open Lands) Zone. Without a variance, the allowable height limit for antennas is 15 feet.

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, including landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, and construction and demolition debris facilities.
 - (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, day care centers, libraries, hospitals, nursing homes, buildings with greater than 3 aboveground habitable floors, highly noise-sensitive outdoor nonresidential uses, and hazards to flight.
- 2. Any outdoor lighting that is installed other than FAA-required lighting shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky.
- 3. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. In the event that a retention basin or detention basin is established on this site, on-site landscaping shall not include trees that produce seeds, fruits, or berries.
- 4. The Federal Aviation Administration (FAA) has conducted an aeronautical study of the proposed northerly tower structure (Aeronautical Study No. 2013-AWP-5412-OE), and has determined that neither marking nor lighting of the structure will be necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.
- 5. The maximum elevation at the top of the proposed northerly tower structure shall not exceed 605 feet above mean sea level.
- 6. The specific coordinates, height, top point elevation of the proposed northerly tower structure, frequencies, and power specified in the Federal Aviation Administration letter dated October 30, 2013, shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
- 7. Temporary construction equipment (such as cranes) used during actual construction of the northerly tower structure shall not exceed the height of the structure or be stationed at coordinates that are closer to the runway than the coordinates specified in the Federal Aviation Administration letter dated October 30, 2013, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
- 8. Within five (5) days after construction of structures reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned.
- 9. Prior to issuance of a building permit, the applicant shall have received a "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration Obstruction Evaluation Service for the southerly tower. **[This condition shall be considered to have been MET.]**

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10. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.

The following conditions have been added subsequent to the ALUC hearing pursuant to the terms of the FAA Obstruction Evaluation Service letter issued on October 10, 2014 for Aeronautical Study No. 2014-AWP-6909-OE:

11. The Federal Aviation Administration (FAA) has conducted an aeronautical study of the proposed southerly tower structure (Aeronautical Study No. 2014-AWP-6909-OE), and has determined that neither marking nor lighting of the structure will be necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.
12. The maximum elevation at the top of the proposed southerly tower structure shall not exceed 605 feet above mean sea level.
13. The specific coordinates, height, top point elevation of the proposed southerly tower structure, frequencies, and power specified in the Federal Aviation Administration letter dated October 10, 2014, shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
14. Temporary construction equipment (such as cranes) used during actual construction of the southerly tower structure shall not exceed the height of the structure or be stationed at coordinates that are closer to the runway than the coordinates specified in the Federal Aviation Administration letter dated October 10, 2014, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
15. The telecommunications facility shall be designed in such a manner as to ensure that spurious emissions signal levels from the proposed transmitter(s) will be less than -104 dBm in the 108-137 and 225-400 MHz frequency bands at a distance of 8,700 feet from the transmitter site, in accordance with the requirements of the Federal Aviation Administration Obstruction Evaluation Service letter dated October 10, 2014, a copy of which is attached hereto and incorporated herein by reference.

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.

No one spoke in favor, 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**. Absent: Commissioner Greg Pettis

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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 3.4: TIME IS 9:04 A.M.

**AIRPORT LAND USE COMMISSION
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- I. **AGENDA ITEM 3.5:** ZAP1019CH14 – SC Limonite, LLC/Stratham Homes (Representative: Pat Potts) – City of Eastvale Case Nos. 14-1398 (General Plan Amendment [GPA], Change of Zone [CZ], and Major Development Plan [MDP]) and Tentative Tract Map (TTM) No. 36775. The GPA proposes to amend the land use designation of 43.05 acres (gross) located northerly of Limonite Avenue and westerly of Harrison Avenue in the City of Eastvale from Medium Density Residential (MDR) to Medium High Density Residential (MHDR). The CZ proposes to change the zoning classification on the site from One-Family Dwellings (R-1) to Planned Residential Development (PRD). The MDP proposes the development of 319 condominium units with clubhouse and recreation amenities. The TTM proposes to subdivide the 43.05-acre (gross) property for 319 condominium units. (Compatibility Zone D of Chino Airport Influence Area).

II. **MAJOR ISSUES**

The proposed project does not strictly comply with the open area requirements of Compatibility Zone D for 10% open area based on the gross acreage. However, there is an existing SCE easement that accounts for approximately a quarter of the total gross acreage. Although the open area requirement is strictly based on gross site acreage, the SCE easement and the structures within it reduce the acreage available to the applicant for provision of qualifying open area. This SCE easement may be considered as an extraordinary factor pursuant to Countywide Policy 3.3.6 that limits the project's capability to achieve the 10% requirement as strictly defined.

III. **STAFF RECOMMENDATION**

Staff recommends a finding of CONSISTENCY for the General Plan Amendment and Change of Zone.

Staff must recommend a finding of INCONSISTENCY for the Tentative Tract Map and Master Development Plan based on the project not strictly complying with the 10% open area requirement for Compatibility Zone D. However, if the Commission is willing to consider application of Countywide Policy 3.3.6, staff would recommend a finding of CONSISTENCY for the Tentative Tract Map and Master Development Plan, subject to the conditions included herein.

IV. **PROJECT DESCRIPTION**

The General Plan Amendment (GPA) proposes to amend the land use designation of 44.73 acres (gross) from Medium Density Residential (MDR:2.1-5 dwelling units per acre) to Medium High Density Residential (MHDR:5.1-8 dwelling units per acre). The Change of Zone (CZ) proposes to change the zoning classification on the site from One-Family Dwellings (R-1) to Planned Residential Development (PRD). The Master Development Plan (MDP) proposes the development of 319 condominium units with clubhouse and recreation amenities. The Tentative Tract Map proposes to subdivide the 44.73-acre (gross) property for development of 319 condominium units.

FINDINGS FOR A DETERMINATION OF CONSISTENCY PURSUANT TO POLICY 3.3.6 OF THE COUNTYWIDE POLICIES OF THE 2004 RIVERSIDE COUNTY AIRPORT LAND USE COMPATIBILITY PLAN:

1. In this particular instance, the required open space area is 4.473 acres. The open space identified by the applicant is 3.73 acres, the difference being less than one acre over the entire project.
2. The project site is encumbered by a utility easement of high powered lines, which appears to be permanent, or at least for the foreseeable future, making that portion of the property unusable for any other development.
3. The intended use of the property underlying that easement is for a multipurpose trail

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system, which will continue into the foreseeable future.

4. [Pursuant to the proposed conditions, the portion of] the property [within the easement] would remain open space should the utility easement be vacated or discontinued for any reason.
5. In evaluating all of these circumstances, the Commission determines that the proposed land use will not create a safety hazard to people on the ground or aircraft in flight, nor result in excessive noise exposure for the residents of the proposed project.

CONDITIONS:

1. 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.
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. (Such uses include landscaping utilizing water features, aquaculture, 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, and incinerators.)
 - (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Highly noise-sensitive outdoor nonresidential uses, children's schools, hospitals, and nursing homes.
3. The attached notice shall be provided to all potential purchasers of the property, and shall be recorded as a deed notice.
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 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. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature.

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5. All open space areas as indicated on the exhibit titled Conceptual Site Plan, dated 9/22/2014 shall be kept free of structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires. Small trees and shrubs that exceed 4 feet in height and/or thickness of 4 inches may be allowed along the edge of open space areas where the area abuts a wall or other similar feature, provided that they are planted within 4 feet of the wall.
6. **In the event the easement is vacated, the [underlying] property is to remain open space [which may include recreational trails] in accordance with the rules and regulations of the Airport Land Use Commission as they may exist at that time. (Added by ALUC on October 9, 2014)**

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.

The following spoke in favor of the project:

Patrick Potts, Stratham Homes, Representative, 8609 E. White Water Drive, #225, Anaheim Hills, CA 92808

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** (GPA and Change of Zone); **CONSISTENT** (Tract Map and Master Development Plan) with special condition 3.3.6 based on outlined findings.

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 3.5: TIME IS 9:14 A.M.

**AIRPORT LAND USE COMMISSION
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I. **AGENDA ITEM 3.6:** ZAPEA01MA13 – March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (ALUCP) – EIR: SCH #2013071042. The Riverside County Airport Land Use Commission (ALUC) proposes to adopt an ALUCP establishing criteria for the evaluation of the compatibility of land uses proposed to be located in the vicinity of March Air Reserve Base/Inland Port Airport, in accordance with ALUC’s duties as set forth in State law. The proposed ALUCP includes an expansion of the airport influence area (which defines potential effects of future aircraft operations) within portions of the County of Riverside and the cities of Menifee, Moreno Valley, Perris, and Riverside. (The airport influence area also includes land under the jurisdiction of the March Joint Powers Authority.) Compatibility criteria in the proposed ALUCP address four types of compatibility concerns: safety, noise, airspace protection and overflight. The provisions of the ALUCP apply only to future development and not existing land uses. The ALUCP does not propose the development or acquisition of land, nor does the ALUC have any jurisdiction over the operation of the airport or aircraft in flight

II. **MAJOR ISSUES**

Effects on future property development

III. **STAFF RECOMMENDATION**

Staff recommends that the Commission open the public hearing on the proposed March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, consider public testimony on the Compatibility Plan and the related Draft Environmental Impact Report, and CONTINUE consideration of this matter to November 13, 2014, to allow for the preparation of the Final Environmental Impact Report.

IV. **PROJECT DESCRIPTION**

The proposed project is the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (“March ALUCP” or “Compatibility Plan”), which includes “Additional Compatibility Policies specifically tailored to the land use environs of this joint-use facility and an Airport Influence Area (“AIA”) with new, expanded boundaries. An AIA previously was adopted for this airport in 1986, but no Compatibility Plan text specific to this airport’s environs ever was adopted by the Commission. The new AIA includes the area in which noise, safety, airspace protection, or overflight concerns may significantly affect land uses or necessitate restrictions on those uses, as determined by the Commission. Accordingly, the March ALUCP includes policies for determining whether a proposed development project, lying within the AIA, is consistent with the Compatibility Plan and the objectives set forth in the State Aeronautics Act, which include ensuring the continued operation of public-use airports, while simultaneously protecting the public’s health, safety, and welfare. (See Pub. Util Code, §§21670-21679.5.)

The Commission is required by state law to prepare airport land use compatibility plans for the airport influence areas around public-use and military airports.

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

The following spoke in favor of the project:

Dan Fairbanks, March JPA, 23555 Meyer Drive, Riverside, CA 92518

The following spoke in opposition to the project:

Erik Sydow, Riverside County EDA, 3403 10th Street, Suite 400, Riverside, CA 92501

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No one spoke in neutral of the project.

VI. ALUC COMMISSION ACTION

The ALUC Commission by a unanimous vote of 7-0 **CONTINUED** the March ARB Compatibility Plan to November 13, 2014. Absent: 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 3.6: TIME IS 9:34 A.M.

**AIRPORT LAND USE COMMISSION
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I. **4.0 ADMINISTRATIVE ITEMS**

4.1 Director's Approvals – Information only

4.2 2015 ALUC Commission Meeting Schedule

The second Thursday of February 2015 falls on a County holiday (February 12, Lincoln's Birthday). The ALUC Commission by a vote of 7-0 accepted staff's proposal to meet on February 5, 2015 at 1:00 pm in lieu of February 12. Staff is not proposing any dark months, but if the Commission were to select one, staff would recommend September. The Commission elected to retain a full 12-month meeting schedule for next year.

II. **5.0 APPROVAL OF MINUTES**

The ALUC Commission by a vote of 5-0 approved the September 11, 2014 minutes. Abstained: Glen Holmes and Russell Betts. Absent: Greg Pettis

III. **6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

None

IV. **7.0 COMMISSIONER'S COMMENTS**

Commissioner Stewart announced that this meeting may be his last. His proxy Mr. Geller will be attending the November 13th meeting, as he will be abroad in November. Depending on when the next City Selection Committee is held, Commissioner Stewart advised he will attend the December meeting if his replacement has not been selected by that time. Commissioner Stewart expressed his respect and admiration for his fellow Commissioners. Chairman Housman replied that it was an honor and pleasure working with Commissioner Stewart.

V. **8.0 ADJOURNMENT**

Chairman Housman adjourned the meeting at 11:56 A.M.

VI. **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 9:06 A.M.